

Napa Valley Transportation Authority

625 Burnell Street
Napa, CA 94559



Agenda - Final

Wednesday, September 18, 2019
1:30 PM

JoAnn Busenbark Board Room

NVTA Board of Directors

All materials relating to an agenda item for an open session of a regular meeting of the NVTA Board of Directors are posted on the NVTA website at <https://nctpa.legistar.com/Calendar.aspx> at least 72 hours prior to the meeting and will be available for public inspection, on and after at the time of such distribution, in the office of the Secretary of the NVTA Board of Directors, 625 Burnell Street, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m., except for NVTA Holidays. Materials distributed to the present members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the NVTA Board or staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

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

This Agenda shall be made available upon request in alternate formats to persons with a disability. Persons requesting a disability-related modification or accommodation should contact Karrie Sanderlin, NVTA Board Secretary, at (707) 259-8633 during regular business hours, at least 48 hours prior to the time of the meeting.

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

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

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

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

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

9. PUBLIC HEARING (TIME CERTAIN 1:40 PM)

- 9.1 **Public Hearing and Resolution No. 19-13 Approving the Federal Transit Administration (FTA) Section 5310 Grant Application (Antonio Onorato) (Pages 11-17)**

Recommendation: Board action will (1) Hold a Public Hearing; (2) Approve Resolution No. 19-13 finding that no non-profit agency or organization present or in writing expressed an interest in providing transportation services as indicated in NVTA's Section 5310 grant application for transportation of elderly and disabled individuals; and (3) Authorize the Executive Director to submit an FTA 5310 grant application to Caltrans seeking grant funding for these services.

Time Certain: 1:40 p.m.

Attachments: [Staff Report](#)

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

10. CONSENT AGENDA ITEMS (10.1-10.3)

10.1 Approval of Meeting Minutes of July 17, 2019 (Karrie Sanderlin)
(Pages 18-25)

Recommendation: Board action will approve the meeting minutes of July 17, 2019.

Estimated Time: 1:50 p.m.

Attachments: [Draft Minutes](#)

10.2 NVTB Whistleblower Protection Policy (Karrie Sanderlin) (Pages
26-34)

Recommendation: Board action will approve the NVTB Whistleblower Protection Policy.

Estimated Time: 1:50 p.m.

Attachments: [Staff Report](#)

10.3 Paratransit Coordinating Council (PCC) Member Appointments
(Matthew Wilcox) (Pages 35-39)

Recommendation: Board action will approve the appointment of Victor Hurtado to the PCC.

Estimated Time: 1:50 p.m.

Attachments: [Staff Report](#)

11. REGULAR AGENDA ITEMS

11.1 Napa Valley Transportation Authority (NVTA) Fiscal Year End (FYE) 2018-19 Financial Statements, 5-Year Forecast, and Delegated Authority Matrix, and Resolution No. 19-14 Amending the Fiscal Year (FY) 2019-20 Budget (Justin Paniagua) (Pages 40-49)

Recommendation: Board action will (1) review the NVTA financial performance compared to budget for the fiscal year ending June 30, 2019 period and 5-year forecast and (2) approve Resolution No. 19-14 increasing the fiscal year 2019-20 budget by \$9,209,703.

Estimated Time: 1:50 p.m.

Attachments: [Staff Report](#)

11.2 Proposed Organizational Restructure of the Napa Valley Transportation Authority (NVTA) (Karrie Sanderlin) (Pages 50-59)

Recommendation: Board action will approve (1) the Proposed Organizational Restructure of NVTA, (2) the new Principal Program Planner/Administrator position, job classification, and salary range of \$103,161 - \$124,052, (3) Re-classify one Senior Program Planner/Administrator to a Principal Program Planner/Administrator position, (4) Re-classify the Senior Program Planner/Administrator positions from a Fair Labor Standards Act (FSLA) non-exempt status to an exempt status position, and (5) establish an annual forty-hour non-accrual vacation leave balance for the Principal Program Planner/Administrator and Senior Program Planner/Administrator positions.

Estimated Time: 2:00 p.m.

Attachments: [Staff Report](#)

**11.3 Resolution No. 19-15 Approving the Fiscal Year (FY) 2019-20
Salary Ranges for Napa Valley Transportation Authority (NVTA)
Job Classifications (Karrie Sanderlin) (Pages 60-64)**

Recommendation: Board action will adopt Resolution No. 19-15 approving the FY 2019-20 Salary Ranges for NVTA Job Classifications based upon average increase of 2.24% for the County of Napa (4%), Sonoma County Transportation Authority (0%) and Solano Transportation Authority (2.73%) for year ending December 2018.

Estimated Time: 2:10 p.m.

Attachments: [Staff Report](#)

**11.4 American Canyon Transit Service Hour Expansion (Matthew
Wilcox) (Pages 65-67)**

Recommendation: Board action will approve the service hour expansion by one vehicle effective October 7, 2019.

Estimated Time: 2:15 p.m.

Attachments: [Staff Report](#)

**11.5 Draft Rider Behavior and Suspendable Offenses Policy (Matthew
Wilcox) (Pages 68-119)**

Recommendation: Board action will review the draft Rider Behavior and Suspendable Offenses Policy.

Estimated Time: 2:30 p.m.

Attachments: [Staff Report](#)

11.6 State and Federal Legislative Update and State Bill Matrix (Kate Miller) (Pages 120-145)

Recommendation: The Board will receive the State Legislative update and State Bill Matrix prepared by Platinum Advisors, and Federal Legislative Update.

Estimated Time: 2:45 p.m.

Attachments: [Staff Report](#)

12. FUTURE AGENDA ITEMS

13. PRESENTATIONS

13.1 Napa County Regional Park and Open Space District (Chino Yip)

Recommendation: The Board will receive a presentation from the Napa County Regional Park and Open Space District.

Estimated Time: 3:00 p.m.

14. CLOSED SESSION

14.1

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

Property: APN 057-250-037

Agency Negotiator: Kate Miller, NVTA Executive Director

Negotiating Parties: Sonoma Valley Transportation

Under Negotiation: Price and Terms

Estimated Time: 3:15 p.m.

15. ADJOURNMENT OF REGULAR MEETING

15.1 Approval of Next Regular Meeting of Wednesday, October 16, 2019 and Adjournment to the Transportation Summit at CIA Copia, 500 1st Street, Napa CA 94559

Estimated Time: 3:45 p.m.

I hereby certify that the agenda for the above stated meeting was posted at a location freely accessible to members of the public at the NVTA Offices, 625 Burnell Street, Napa, CA by 5:00 p.m. on Friday, September 13, 2019.

Karalyn E. Sanderlin (e-sign) September 11, 2019

Karalyn E. Sanderlin, NVTA Board Secretary

Glossary of Acronyms

AB 32	Global Warming Solutions Act	GTFS	General Transit Feed Specification
ABAG	Association of Bay Area Governments	HBP	Highway Bridge Program
ADA	American with Disabilities Act	HBRR	Highway Bridge Replacement and Rehabilitation Program
ATAC	Active Transportation Advisory Committee	HIP	Housing Incentive Program
ATP	Active Transportation Program	HOT	High Occupancy Toll
BAAQMD	Bay Area Air Quality Management District	HOV	High Occupancy Vehicle
BART	Bay Area Rapid Transit District	HR3	High Risk Rural Roads
BATA	Bay Area Toll Authority	HSIP	Highway Safety Improvement Program
BRT	Bus Rapid Transit	HTF	Highway Trust Fund
BUILD	Better Utilizing Investments to Leverage Development	HUTA	Highway Users Tax Account
CAC	Citizen Advisory Committee	IFB	Invitation for Bid
CAP	Climate Action Plan	ITIP	State Interregional Transportation Improvement Program
Caltrans	California Department of Transportation	ITOC	Independent Taxpayer Oversight Committee
CEQA	California Environmental Quality Act	IS/MND	Initial Study/Mitigated Negative Declaration
CIP	Capital Investment Program	JARC	Job Access and Reverse Commute
CMA	Congestion Management Agency	LIFT	Low-Income Flexible Transportation
CMAQ	Congestion Mitigation and Air Quality Improvement Program	LOS	Level of Service
CMP	Congestion Management Program	LS&R	Local Streets & Roads
CalSTA	California State Transportation Agency	MaaS	Mobility as a Service
CTP	Countywide Transportation Plan	MAP 21	Moving Ahead for Progress in the 21 st Century Act
COC	Communities of Concern	MPO	Metropolitan Planning Organization
CTC	California Transportation Commission	MTC	Metropolitan Transportation Commission
DAA	Design Alternative Analyst	MTS	Metropolitan Transportation System
DBB	Design-Bid-Build	ND	Negative Declaration
DBF	Design-Build-Finance	NEPA	National Environmental Policy Act
DBFOM	Design-Build-Finance-Operate-Maintain	NOAH	Natural Occurring Affordable Housing
DED	Draft Environmental Document	NOC	Notice of Completion
EIR	Environmental Impact Report	NOD	Notice of Determination
EJ	Environmental Justice	NOP	Notice of Preparation
FAS	Federal Aid Secondary	NVTA	Napa Valley Transportation Authority
FAST	Fixing America's Surface Transportation Act	NVTA-TA	Napa Valley Transportation Authority-Tax Agency
FHWA	Federal Highway Administration	OBAG	One Bay Area Grant
FTA	Federal Transit Administration	PA&ED	Project Approval Environmental Document
FY	Fiscal Year	P3 or PPP	Public-Private Partnership
GHG	Greenhouse Gas	PCC	Paratransit Coordination Council
GGRF	Greenhouse Gas Reduction Fund		

Glossary of Acronyms

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



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Antonio Onorato, Director of Administration, Finance and Policy
(707) 259-8779 / Email: aonorato@nvta.ca.gov
SUBJECT: Public Hearing and Resolution No. 19-13 Approval to Submit the Federal Transit Administration (FTA) Section 5310 Grant Application

RECOMMENDATION

That the Napa Valley Transportation Authority (NVRTA) Board:

- (1) Hold a Public Hearing; and
- (2) Approve Resolution No. 19-13 (Attachment 1) finding that no non-profit agency or organization present or in writing expressed an interest in providing transportation services as indicated in NVRTA's FTA Section 5310 grant application for transportation of elderly and disabled services in Napa County; and
- (3) Authorize the Executive Director or designee to submit a FTA Section 5310 grant application to Caltrans seeking grant funding.

OTHER OPTIONS FOR CONSIDERATION

Alternate #1: That the Board forego the submission to replace five paratransit vehicles and continue to use the existing vehicles beyond their useful life.

Alternative #2: Direct staff to identify other fund sources to replace the vehicles.

COMMITTEE RECOMMENDATION

The Paratransit Coordinating Council (PCC) approved this project and recommends the application be submitted to California Department of Transportation (Caltrans).

EXECUTIVE SUMMARY

The California Department of Transportation (Caltrans) released a Call for Projects on July 1, 2019 for the FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program. Approximately \$14 million dollars is available for small urban and rural areas statewide with applications due to Caltrans by September 6, 2019. Eligible project sponsors are non-profit organizations and under certain circumstances, government agencies. Eligible projects include capital projects, including vehicle and other dispatch equipment, and mobility management services for elderly and disabled populations.

NVRTA is requesting FTA Section 5310 funds to replace five (5) Vine Go ADA paratransit vehicles that have outlived their useful lives with new vehicles. If successful, the grant will provide \$76,700 per vehicle or \$383,500 in new funding.

PROCEDURAL REQUIREMENTS

1. Open Public Hearing
2. Staff Report
3. Public Comment
4. Close Public Hearing
5. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? Yes, the estimated cost to replace five (5) paratransit vehicles can be as high as \$450,000. If successful, the grant will provide funding of \$76,700 per vehicle or \$383,500. A contingency amount been added to the project cost to allow for variations in the purchase order if needed.

Expenditure Plan

Vehicle Cost Estimate	\$450,000
<u>Contingency:</u>	<u>\$ 50,000</u>
Total Project Budget:	\$500,000

Financing Plan

FTA Section 5310:	\$ 383,500
<u>TDA:</u>	<u>\$ 66,500</u>
Total	\$ 550,000

Is it currently budgeted? No. The expenditure will be budgeted in the year of delivery, which will occur in FY 2020 or 2021.

Consequences if not approved: NVRTA's Short Range Transit Plan FY 2016-2026 calls for the replacement of paratransit vehicles that have outlived their useful lives. If the grant

application for the FTA Section 5310 program is not approved, it will result in delayed replacement of the vehicles until new funding has been identified.

STRATEGIC GOALS MET BY THIS PROPOSAL

Goal 1 – Serve the transportation needs of the entire community regardless of age, income or ability. This proposed grant application approval would acquire five paratransit vehicles that serve the elderly and disabled populations in Napa County.

Goal 6 – Prioritize the maintenance and rehabilitation of the existing system. The proposed vehicle acquisition will replace five vehicles that are at the end of their useful life. Replacing the vehicles now meets the maintenance thresholds established by both the Short Range Transit Plan and the Vision 2040 Countywide Transportation Plan.

CEQA REQUIREMENTS

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

BACKGROUND AND DISCUSSION

The FTA Section 5310 competitive grant program provides funding for capital and mobility management projects to non-profit agencies for transportation services, seniors, and persons with disabilities. These funds are available to non-profit organizations serving the elderly and/or people with disabilities.

When there is no non-profit agency willing, able or eligible to provide the proposed grant funded services, a public agency becomes eligible to seek FTA Section 5310 grant funding. NVRTA has been the recipient of FTA Section 5310 funds in the past, most recently for the purchase of three (3) paratransit vehicles. NVRTA also uses grant specific Section 5310 funds for mobility management programs for seniors and disabled populations.

Shortly after Caltrans announced the notice of funding availability, NVRTA posted the call for projects on its website and sent an email communication to local non-profits and social services agency with instructions on how to file an application directly to Caltrans. Caltrans did not receive any grant applications from local non-profits in Napa County.

The NVRTA Board will hold a public hearing to accept and find that no non-profit agency expressed interest in applying for the FTA 5310 funds and authorize the Executive Director to submit a FTA Section 5310 grant application to Caltrans for \$383,500 to fund the paratransit vehicle replacement.

NVTA posted the public hearing notice for the FTA Section 5310 grant application on August 18, 2019. The public has 30 days to comment on the grant submittal.

SUPPORTING DOCUMENTS

Attachments: (1) Resolution No. 19-13
 (2) Proof of Public Hearing Notice

RESOLUTION No. 19-13

**A RESOLUTION OF THE
NAPA VALLEY TRANSPORTATION AUTHORITY (NVT A)
CERTIFYING THAT NO NONPROFIT ORGANIZATIONS ARE READILY
AVAILABLE TO PROVIDE SENIOR TRANSPORTATION SERVICES
IN NAPA COUNTY**

WHEREAS, the Federal Transit Administration has made funding available for transit services for elderly and disabled persons; and

WHEREAS, the funds, allocated by the California Department of Transportation (Caltrans), fund operating costs and mobility management programs to serve elderly and disabled individuals with special needs provided by non-profit organizations or government agencies; and

WHEREAS, the NVT A is applying for funding to replace paratransit vehicles that have outlived their useful life; and

WHEREAS, NVT A conducted a Public Hearing on September 18, 2019, at 1:30 PM at 625 Burnell Street, Napa CA, to determine if any non-profit agencies are available to provide transportation services to elderly and disabled populations in Napa County jurisdictions where public transportation services are otherwise unavailable, insufficient or inappropriate; and

WHEREAS, no non-profit agency or organization present or in writing expressed an interest to apply for Section 5310 funding for transportation for elderly and disabled individuals.

NOW, THEREFORE, BE IT RESOLVED, that

1. The foregoing recitals are true and correct.
2. There are no nonprofit agencies that have expressed an interest in applying for Section 5310 funding to provide transportation services to meet the needs of the elderly and disabled populations before or at the public hearing.
3. The Executive Director or designee is authorized to submit the application for Section 5310 funding, and the Executive Director is authorized to file and execute applications on behalf of NVT A;

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///

Passed and adopted this 18th day of September, 2019.

Chris Canning, NVTA Chair

Ayes:

Nays:

Absent:

ATTEST:

Karalyn E. Sanderlin, NVTA Board Secretary

APPROVED:

DeeAnne Gillick, NVTA Legal Counsel

60001221

NVTA

Attn: Kathy A

Customer Ad Proof

ATTACHMENT 2
NVTA Agenda Item 9.1
September 18, 2019
Order Nbr 117734

Publication Napa Valley Register

Contact NVTA
Address 1 625 BURNELL
Address 2
City St Zip NAPA CA 94559
Phone 7072598631
Fax
Section Legals
SubSection
Category 901 Public Notices
Ad Key 117734-1
Keywords PUBLIC NOTICE NAPA VALLEY TRAN

PO Number
Rate Legal Open
Order Price 286.87
Amount Paid 0.00
Amount Due 286.87

Start/End Dates 08/18/2019 - 09/03/2019
Insertions 2
Size 48
Salesperson(s) Gracie Solano
Taken By Maria Solano

Notes

Ad Proof

PUBLIC NOTICE
NAPA VALLEY
TRANSPORTATION AUTHORITY
NOTICE OF PUBLIC HEARING
ON FEDERAL TRANSIT
ADMINISTRATION SECTION 5310
GRANT APPLICATION

NOTICE IS HEREBY GIVEN, that on September 18, 2019 at 1:30 pm at the NVTA Board Room, 625 Burnell Street Napa, CA, a public hearing will be conducted by the Napa Valley Transportation Authority (NVTA) to consider the matter described below.

NVTA is considering applying for a grant from the State pursuant to Title 49 U.S.C. Section 5310(a)(2) for the purpose of funding up to six (6) replacement Americans with Disabilities Act (ADA) paratransit compliant vehicles. Title 49 U.S.C. Section 5310(a)(2) provides that the State may allocate grant funds to a local governmental authority that: (1) is approved by the State to coordinate services for elderly individuals and individuals with disabilities; or (2) has certified that there are no non-profit organizations readily available in the area to provide this special service.

All interested persons are invited to attend the hearing and comment on the proposal. Any questions regarding this hearing and the Federal Transit Administration Section 5310 program may be directed to Antonio Onorato, Director of Finance, at 707-259-8779 or NVTA at 625 Burnell Street Napa, California.

Dated: July 22, 2019

Antonio Onorato,
Director of Finance
Napa Valley Transportation
Authority

Publication Dates: August 18, 2019
September 3, 2019 #117734

APPROVED FOR PAYMENT

Date 8-14-19 Vendor # 878 Contract #
Fund 8300 Sub Division 8300001 Account 52830
PCBU Project Cma Multi Mobility Shared Vehicle Res Cat FED Res Sub-Cat 83016
Description (30 characters) FTA 5310 Public Notice 8/18 - 9/3/19
fund 6 ADA vehicles

286.87

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

625 Burnell Street
Napa, CA 94559

Wednesday, July 17, 2019

1:30 PM

NVTA Conference Room

1. Call to Order

Chair Canning called the meeting to order at 1:38 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited during the preceding NVTA-TA meeting.

3. Roll Call

Attendance was confirmed [from the NVTA-TA meeting] with the addition of Beth Kahiga absent.

Leon Garcia
Chris Canning
Alfredo Pedroza
Paul Dohring
John F. Dunbar
Kerri Dorman
Belia Ramos
Kenneth Leary
Geoff Ellsworth
Gary Kraus
Scott Sedgley
Beth Kahiga
Jill Techel

4. Adoption of the Agenda

Motion MOVED by KRAUS, SECONDED by PEDROZA to APPROVE adoption of the agenda.

Motion carried by the following vote:

Aye: 19 - Garcia, Canning, Pedroza, Dohring, Dunbar, Dorman, Ramos, Leary, Ellsworth, Kraus, and Sedgley

Absent: 5 - Techel

5. Public Comment

Cynthia Ho, Rohlffs Manor resident, shared her concern with the higher fares on [Vine] Routes 10x and 11x and the affordability for seniors or those with limited income to purchase.

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

MTC Commissioner's Report

Alfredo Pedroza reported on recent MTC activities.

ABAG Update

Leon Garcia reported on recent ABAG activities.

7. Director's Update

Kate Miller, Executive Director

- Thanked the County of Napa Public Works department [Steve Lederer and Juan Arias] for repairing potholes at the Jackson Street transit yard and for finding a location to park the New Flyer buses that are no longer operational.
- Informed the Board that Monterey-Salinas Transit is donating four Gillig 40' buses to help alleviate the Vine bus shortage.
- Reminded that Board that NVTA will hold a Transportation Summit on September 18th at 4PM which is intended to engage members of the public on the Countywide Transportation Planning effort, key projects, Vine Transit and Travel Demand Programs.
- Reported that Caltrans announced the call for projects for the Federal Transit Administration (FTA) §5310 Enhanced Mobility for Seniors and Individuals with Disabilities Program.
- Report that Caltrans completed the repair work on the conductors/wiring and pull boxes and the signal on South Kelly Road.
- On July 28th, NVTA will be unveiling a newly designed Vine Transit website and will release the new Vine schedules.
- Introduced the 2019 MTC Summer Interns, Vincent Vaughan and Emilio Fantucci.

8. Caltrans' Update

Caltrans provided no oral report. The July 2019 Caltrans reporting memo was provided for review in the meeting handout packet.

9. PRESENTATIONS

9.1 The JoAnn Busenbark Boardroom Dedication

Chair Canning dedicated the board room in memory of JoAnn Busenbark.

9.2 Napa County Safe Routes to School (SRTS) Program Update (Patrick Band, Napa County Bicycle Coalition and Grant Dinsdale, Napa County Office of Education)

Patrick Band, Napa County Bicycle Coalition and Grant Dinsdale, Napa County Office of Education (NCOE), reviewed the SRTS activities provided by the bike coalition and NCOE.

10. PUBLIC HEARING - TIME CERTAIN 1:55 PM

10.1 Public Hearing and Approval of Vine Vision Phase II Implementing Revisions to the Vine Local Service in the City of Napa (Matthew Wilcox) (Pages 12-22)

Attachments: [Staff Report](#)

Chair Canning opened the Public Hearing at 2:17 p.m.

Staff reviewed the four Vine local service change options for the board to consider.

Being no public comment, Chair Canning closed the Public hearing at 2: 50 p.m.

Motion MOVED by DOHRING, SECONDED by ELLSWORTH to APPROVE Option #1 Small Loops as outlined in the agenda letter [this service is an amalgamation of the current system and the fixed route elements of Option #2 and Option #3. It would retain most of the coverage offered by the current Vine service. The exceptions are the northern most part of the Route 6 and the Route 4 service along Terrace Drive. These areas have low ridership as a proportion of the entire route. The routes in this option would not be true bidirectional routes; however, most routes would result in equal travel times to and from a destination. As NVTA is able to expand its fleet and increase its budget, many of the routes under this option could be easily altered to become bidirectional]. Motion carried by the following vote:

Aye: 19 - Garcia, Canning, Pedroza, Dohring, Dunbar, Dorman, Ramos, Leary, Ellsworth, Kraus, and Sedgley

Absent: 5 - Techel

11. CONSENT AGENDA ITEMS (11.1 - 11.8)

Motion MOVED by GARCIA, SECONDED by ELLSWORTH to APPROVE Consent Items 11.1-11.8.
Motion carried by the following vote.

Aye: 19 - Garcia, Canning, Pedroza, Dohring, Dunbar, Dorman, Ramos, Leary, Ellsworth, Kraus, and Sedgley

Absent: 5 - Techel

11.1 Approval of Meeting Minutes of June 12, 2109 (Karrie Sanderlin) (Pages 23-27)

Attachments: [Draft Minutes](#)

Board action approved the meeting minutes of June 12, 2019.

11.2 Resolution No. 19-11 Authorizing the Filing with the Metropolitan Transportation Commission (MTC) Allocation of Transportation Development Act (TDA), Regional Measure 2 (RM 2), and State Transportation Assistance (STA) Funds for Fiscal Year (FY) 2019-20 (Justin Paniagua) (Pages 28-33)

Attachments: [Staff Report](#)

Board action authorized the filing with MTC for TDA, RM 2, and STA funds for FY 2019-20.

11.3 Citizens Advisory Committee (CAC) Member Appointments (Karrie Sanderlin)
(Pages 34-44)

Attachments: [Staff Report](#)

Board action approved the re-appointment of Aisha Nasir and the appointment of Alex Crown to the CAC.

11.4 Active Transportation Advisory Committee (ATAC) Member Appointments (Diana Meehan) *(Pages 45-48)*

Attachments: [Staff Report](#)

Board action approved the appointment of Grant Dinsdale and Colin Petheran to the ATAC.

11.5 Amendment No. 1 to NVTA Agreement No. 18-06 with Solano Transportation Authority (Alberto Esqueda) *(Pages 49-56)*

Attachments: [Staff Report](#)

Board action approved Amendment No. 1 to NVTA Agreement No. 18-06 with Solano Transportation Authority to update the Activity-Based Travel Demand Model in an amount not to exceed \$85,000.

11.6 Sonoma-Marin Area Rail Transit (SMART) Novato to Suisun City (Kate Miller)
(Page 57-61)

Attachments: [Staff Report](#)

Board action approved sending a letter of support to the California State Transportation Agency for the SMART East-West Passenger Rail.

11.7 Purchase Order # 19-1008 with Remix Software Inc. (Matthew Wilcox) *(Pages 62-77)*

Attachments: [Staff Report](#)

Board action approved PO #19-1008 with Remix Software Inc. to consolidate licenses for the Remix Scheduling Platform and the Remix Planning Platform under the same renewal date effective 10/1/2019 and extend the contract for services for three (3) years until 9/30/2022 in an amount not to exceed \$163,331.

11.8 Purchase Order # 19-1013 with AVAIL Technologies, Inc. (Matthew Wilcox)
(Pages 78-108)

Attachments: [Staff Report](#)

Board action approved Purchase Order No. 19-1013 with AVAIL Technologies to procure an upgraded Wi-Fi system for the Vine fleet in an amount of \$235,100.

12. REGULAR AGENDA ITEMS

12.1 Soscol Junction Project Update (Sanjay Mishra) (Pages 109-111)

Attachments: [Staff Report](#)

Information only. Staff reviewed the project and provided a simulation showing what the project will look like and how traffic will flow when the project is complete.

12.2 Napa Valley Transportation Authority (NVTA) Agreement No. 19-17 with GHD (Rebecca Schenck) (Pages 112-122)

Attachments: [Staff Report](#)

Caltrans' required additional engineering analysis to complete the environmental documents for the Soscol Junction Project Alternatives.

Motion MOVED by PEDROZA, SECONDED by GARCIA to APPROVE authorizing the Executive Director, or designee, to execute and make minor modifications to NVTA Agreement No. 19-17 between NVTA and GHD Company for specialized consultant engineering services for the Soscol Junction Project Alternative(s) in an amount not to exceed \$24,306. Motion carried by the following vote:

Aye: 19 - Garcia, Canning, Pedroza, Dohring, Dunbar, Dorman, Ramos, Leary, Ellsworth, Kraus, and Sedgley

Absent: 5 - Techel

12.3 Regional Measure 3 (RM 3) Updated Project Priorities (Danielle Schmitz)
(Pages 123-130)

Attachments: [Staff Report](#)

Board action approved the revised RM 3 project priorities.

Motion MOVED by PEDROZA, SECONDED by KRAUS to APPROVE the updated Regional Measure 3 (RM 3) project priorities [as shown in Attachment 1]. Motion carried by the following vote:

Aye: 19 - Garcia, Canning, Pedroza, Dohring, Dunbar, Dorman, Ramos, Leary, Ellsworth, Kraus, and Sedgley

Absent: 5 - Techel

12.4 Transportation Infrastructure Finance and Innovation Act (TIFIA) Application (Antonio Onorato) (Pages 131-154)

Attachments: [Staff Report](#)

Board action approved filing a Letter of Interest to pursue financing with the TIFIA credit program. Approval of the loan application will take approximately 60-90 days from submittal. The Board will receive for consideration and approval, a complete debit-financing package upon receipt of the terms and tentative approval from the Build America Bureau.

Motion MOVED by DUNBAR, SECONDED by SEDGLEY to APPROVE filing a Letter of Interest to pursue financing with the Transportation Infrastructure Finance and Innovation Act (TICIA) to complete the Vine Transit Maintenance Facility, Soscol Junction, and Bus Electrification projects. Motion carried by the following vote:

Aye: 19 - Garcia, Canning, Pedroza, Dohring, Dunbar, Dorman, Ramos, Leary, Ellsworth, Kraus, and Sedgley

Absent: 5 - Techel

12.5 Resolution No. 19-12 Authorizing the Disposal of Non-Performing Assets with Federal Interest (Antonio Onorato) (Pages 155-159)

Attachments: [Staff Report](#)

Eight gasoline/electric hybrid New Flyer buses have been plagued with power losses and involuntary shutdowns since their purchase in 2009 and 2010. After numerous attempts to correct the deficiencies, the buses are still experiencing critical failures and cannot be serviced and maintained without investing significant funding. Staff is concerned that additional investment will not result in improved performance and recommended that buses 154-161 be declared as non-performing assets and be disposed of prior to their end of useful life of twelve years.

Motion MOVED by KRAUS, SECONDED by GARCIA to APPROVE (1) Declare certain capital assets as non-performing, and (2) Resolution No. 19-12 authorizing the disposal of fixed asset property items [Buses 154-161] according to the Policies, Practices, and Procedures Chapter 7-Financial Management, Section 7.3: Asset Management, and Federal Transit Administration Circular 5010.1E requirements. Motion carried by the following vote.

Aye: 19 - Garcia, Canning, Pedroza, Dohring, Dunbar, Dorman, Ramos, Leary, Ellsworth, Kraus, and Sedgley

Absent: 5 - Techel

12.6 Countywide Transportation Plan (CTP): Advancing Mobility 2045 Goals and Performance Measures (Alberto Esqueda) (Pages 160-167)

Attachments: [Staff Report](#)

Information only. The Board reviewed examples of performance metrics and the previous Countywide Transportation Plan's goals and objectives to begin the conversation about the goals and objectives for the plan's update.

12.7 State Legislative Update and State Bill Matrix (Kate Miller) (Pages 168-183)

Attachments: [Staff Report](#)

The Board received the State Legislative update and reviewed the amended matrix, provided in the meeting handout packet, requesting a support position on SB 277.

Member Dunbar requested that the Board approve a support position on SB 5.

Motion MOVED by DUNBAR, SECONDED by PEDROZA to APPROVE a Support Position on SB 227 (Beall D) and AB 5 (Beall D). Motion carried by the following vote:

Aye: 19 - Garcia, Canning, Pedroza, Dohring, Dunbar, Dorman, Ramos, Leary, Ellsworth, Kraus, and Sedgley

Absent: 5 - Techel

13. FUTURE AGENDA ITEMS

None

14. CLOSED SESSION

Chair Canning announced that the Board would be adjourning to closed session for the item noted on the agenda.

Adjourned to Closed Session at 3:30 p.m.

14.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to of Government Code Section 54956.9(d)(2): Claim of Mary Jackson

Re-Convened to Open Session at 3:50 p.m.

Chair Canning reported that the Board reviewed the claim of Mary Jackson. The Board took action and rejected the claim. It was a unanimous vote.

15. ADJOURNMENT**15.1 Approval of Next Regular Meeting of Wednesday, September 18, 2019 and Adjournment.**

The next regular meeting will be held on Wednesday, September 18, 2019 at 1:30 p.m.

Chair Canning adjourned the meeting at 3:50.p.m.

Karalyn E. Sanderlin, NVTA Board Secretary



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Karrie Sanderlin, Program Manager-Administration and Human Resources
(707) 259-8633 / Email: ksanderlin@nvta.ca.gov
SUBJECT: Draft NVTA Whistleblower Protection Policy

RECOMMENDATION

That the Napa Valley Transportation Authority approve the NVTA Whistleblower Protection Policy and provide comment (Attachment 1).

OTHER OPTIONS FOR CONSIDERATION

The Board may elect not to approve the Whistleblower Protection Policy.

COMMITTEE RECOMMENDATION

The NVTA-TA Independent Taxpayer Oversight Committee (ITOC) reviewed the policy at their September 4, 2019 meeting and recommends that the NVTA Board approve the Whistleblower policy with the following revisions:

- State on the complaint form that the form will be distributed to the NVTA Chair, Vice-Chair/Board member, and Legal Counsel, and provide an option on the form for it to be distributed to other NVTA Board members and staff.
- Stipulate that the NVTA Chair or Legal Counsel will appoint the appropriate individual to investigate the complaint.

EXECUTIVE SUMMARY

The Napa Valley Transportation Authority (NVTA) is committed to fostering and maintaining a workplace with a high legal and ethical standard of conduct in all activities and operating its business in a fair, effective, efficient, and transparent manner. NVTA has a strong commitment to support legal and ethical behavior in the workplace, provide

a safe environment for employees and members of the community to report actions that may be potentially illegal or unethical, and to investigate any allegations of retaliatory behavior for the reporting of potentially illegal or unethical behavior. This Whistleblower Protection Policy establishes procedures, for NVTA employees, committee members, and members of the community, to report alleged illegal, fraudulent, or improper activity by NVTA officials and/or employees to assure that such reports will not result in retaliation by NVTA.

PROCEDURAL REQUIREMENTS

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

FISCAL IMPACT

Is there a Fiscal Impact? No

STRATEGIC GOALS MET BY THIS PROPOSAL

Goal 3 – Use taxpayer dollars efficiently

This policy provides employees and members of the community with a process to report alleged illegal, fraudulent or improper activities by NVTA officials and/or staff, ensuring transparency and that taxpayer dollars are used efficiently and ethically.

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.

SUPPORTING DOCUMENTS

Attachments: (1) Draft NVTA Whistleblower Protection Policy
 (2) Draft Whistleblower Complain Form

**NVTA
POLICIES, PRACTICES AND PROCEDURES MANUAL**

WHISTLEBLOWER PROTECTION POLICY

CHAPTER 1 WHISTLEBLOWER PROTECTION POLICY 2

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C. Compliance with State and Federal Laws..... 5

D. Investigation of Complaint..... 5

CHAPTER 1 WHISTLEBLOWER PROTECTION POLICY

Section 1.1. Purpose

The [California Labor Code Section 1102.5](#) referred to as the “whistleblower” statute, is intended to protect employees who report violations of state and federal laws by their employers from retaliation. The Napa Valley Transportation Authority (NVTA) is committed to fostering and maintaining a workplace with a high legal and ethical standard of conduct in all activities and operating its business in a fair, effective, efficient, and transparent manner. Further, NVTA must protect its assets and resources from fraudulent, illegal, and dishonest activities by maintaining effective internal controls and by identifying and investigating any possibility of fraud or other improper activities. NVTA has a strong commitment to support legal and ethical behavior in the workplace, provide a safe environment for employees and members of the community to report actions that may be potentially illegal or unethical, and to investigate any allegations of retaliatory behavior for the reporting of potentially illegal or unethical behavior. This Whistleblower Protection Policy establishes procedures, for NVTA employees, committee members, and members of the community, to report alleged illegal, fraudulent, or improper activity by NVTA officials and/or employees to assure that such reports will not result in retaliation by NVTA.

Section 1.2. Definition

A whistleblower is an employee of the NVTA, a committee member, or a member of the community who reports an activity that he/she has reasonable cause to believe is a violation of state or federal laws, or a violation or noncompliance with local, state or federal rules or regulations. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Section 1.3. Policy

This policy establishes a complaint procedure that employees, committee members, and members of the community may use to report potentially illegal or unethical behavior. Community members, NVTA officers, NVTA contractors, elected officials and NVTA employees are encouraged to report good faith suspicions of misconduct by NVTA officials and/or NVTA employees and any misuse of NVTA property or resources. If you have knowledge of or a concern that NVTA activity is in violation of state or federal laws, or a violation or noncompliance with local, state or federal rules or regulations follow the procedures for filing a whistleblower complaint as outlined in Section 1.6 of the policy. Any NVTA employee who makes such a good faith report is protected against adverse employment actions by the NVTA or any person acting on behalf of NVTA for raising such allegations, and shall not suffer any reprisals or retaliation by NVTA or person acting on behalf of NVTA for making the report, whether or not the allegations are sustained.

Section 1.4. Prohibited Activities

Persons should report information related to any violation of state or federal laws, or a violation or noncompliance with local, state or federal rules or regulations. Examples of potential violations may include, but are not limited to the following:

- Violation of any law, regulation, or ordinance
- Conflict of interest
- Fraud, waste, or misuse of NVT A property
- Theft, misuse of, or misappropriation of NVT A resources, property, information, assets or funds, or an attempt to do any of the same
- Creation of a specific and substantial danger to public health or safety by failing to perform duties required by the NVT A
- Intentional falsification of records (including failure to disclose material facts or making of false or misleading entries or statements with the intent to deceive on any NVT A document or other official document, report, or form, including but not limited to NVT A financial records and environmental regulatory reporting), or the willful and unauthorized destruction or mutilation of any NVT A document or other official document, report, or form, including financial records
- Intentionally submitting false claims for payment or reimbursement
- Knowingly submitting or signing a timesheet that contains false information
- Forgery or intentional unauthorized alteration of a NVT A document or other official document, application, report, or form, including but not limited to, NVT A financial documents
- Improprieties in the handling or reporting of financial transactions involving the NVT A
- Authorizing or receiving payment by the NVT A for goods not received or services not performed
- Computer-related activity involving unauthorized alteration, destruction of data, forgery, or manipulation of data or misappropriation of NVT A-owned software

Section 1.5. Protection from Retaliation

Whistleblower protections are provided in two important areas: confidentiality of the report and protection against retaliation. The confidentiality of the whistleblower will be maintained to the extent possible in order to investigate the report and to address the alleged violation. However, identity may be disclosed to conduct a thorough investigation, to comply with the law, or to provide any accused individuals their legal rights of defense.

No NVT A officer, or employee, or any person acting on behalf of the NVT A, shall influence, restrain, or prevent any employee or member of the community from disclosing information that the employee or member of the community has reasonable cause to believe relates to or is evidence of misconduct. Any employee acting in good faith and upon a reasonable belief as a whistleblower that misconduct has occurred, or who believes the NVT A has disclosed or may disclose such information will be protected from threats or retaliation, including, but not

limited to, discharge, demotion, suspension, harassment, reduced compensation, changes in the terms and conditions of employment, or other forms of discrimination. Additionally, no employee may be adversely affected because the employee refused to carry out a directive that would result in a violation of state or federal statute or a violation of or noncompliance with local, state, or federal rule or regulation.

Whistleblower protection from retaliation also includes the following circumstances:

- When a whistleblower complaint is filed against a person who has authority over the complainant or filed against a person who has authority to investigate, discover or correct the alleged violation or noncompliance.
- When whistleblowers provide information to or testify before any public body which is investigating, hearing, or inquiring into an employer's violation of or noncompliance with local, state, or federal rules or regulations.
- When a whistleblower reports a reasonable belief of a violation of a NVT A ordinance.

This policy does not prohibit the NVT A from taking adverse action for legitimate, non-discriminatory reasons that are unrelated to the whistleblower complaint. Such legitimate or non-discriminatory actions may include discipline for a legal cause or refusing to hire, promote, transfer, or take any other legitimate personnel action based on inadequate qualifications or poor performance reviews.

Section 1.6. Procedures for Filing a Whistleblower Complaint with NVT A

A. When to Report

A complaint filed under this Policy should be filed within thirty (30) days of the date of the act or event.

B. How to Report

Use of the "Whistleblower Complaint Form" is preferred and it is located on the NVT A website at the following link: [\[Need to add weblink here once document is posted\]](#)

Please email the completed form to whistleblower@nvt a.ca.gov [\[will need to establish three emails or similar for form distribution by complainant\]](#) or mail to:

Napa Valley Transportation Authority
Whistleblower Protection Program
Attention: NVT A Chair, NVT A Vice-Chair/Board Member, or NVT A Legal Counsel
625 Burnell Street
Napa CA 94559

Employees and members of the community are encouraged to provide as much specific information as possible, including names, dates, places, the events that took place, and the reason(s) why the incident(s) may constitute a violation or

misconduct.

C. Compliance with State and Federal Laws

The NVTA Whistleblower Protection Policy is intended to describe the policies and procedures for reporting prohibited activities and protecting whistleblowers. This policy is in addition to and does not supplant whistleblower protections and procedures provided under state and federal laws.

D. Investigation of Complaint

Depending on the nature of the complaint, the NVTA Board Chair or Legal Counsel will appoint the appropriate individual to investigate the complaint to determine if misconduct or violation of this policy has occurred. To the extent permitted by personal privacy laws, the appointed individual may meet with the complainant to discuss the findings of the investigation and will use best efforts to ensure timely resolution of the matter.

DRAFT



WHISTLEBLOWER COMPLAINT FORM

Napa Valley Transportation Authority, 625 Burnell St., Napa CA 94559

Instructions: Complete the "Whistleblower Complaint Form"

Employees and members of the community are encouraged to provide as much specific information as possible, including names, dates, places, the events that took place, and the reason(s) why the incident(s) may constitute a violation or misconduct.

While you may submit a complaint anonymously, we may not be able to determine whether your complaint has merit if we are not able to interview you.

(Optional) Name: _____

(Optional) Address: _____

(Optional) Work Phone: _____ (Optional) Home/Cell Phone: _____

Are you a NVTA employee? ☐ Yes ☐ No

(Optional) If yes, what is your position or relationship to NVTA?

1. Identify the person or persons against whom your allegations are being made.

2. Describe the nature of your complaint, the incident(s) or event(s), date(s), time(s), and place(s). Attach additional pages to this complaint if necessary. Attach additional pages if necessary.

3. Identify others who may have observed or witnessed the above incident(s) or event(s).

4. Do you have any documents that support your allegation? (If yes, please list and attach copies).

Please email the completed form to whistleblower@nvta.ca.gov (Please note that the website will distribute your complaint form to the NVTA Board Chair, NVTA Vice-Chair and NVTA Legal Counsel. If you wish the form to be distributed to other individuals on the NVTA Board or staff, please provide additional names and/or emails here: _____) or mail the form to:

NVTA
Whistleblower Program
Attention: NVTA Chair, NVTA Vice-Chair/Board
Member, or NVTA Legal Counsel
625 Burnell Street
Napa, CA 94559



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Matthew Wilcox, Program Manager – Public Transit
(707) 259-8635 / Email: mwilcox@nvta.ca.gov
SUBJECT: Paratransit Coordinating Council (PCC) Member Appointment

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) board approve the appointment of Victor Hurtado to the Paratransit Coordinating Council (PCC).

OTHER OPTIONS FOR CONSIDERATION

The Board has the option to not approve the appointment.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

The addition of Victor Hurtado to the Paratransit Coordinating Council will bring the total membership of the committee to six. Victor currently works for Disability Services and Legal Center as an Independent Living Advocate. His role with Disability Services and Legal Center will further help NVTA improve mobility services in the Napa Valley.

PROCEDURAL REQUIREMENTS

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

FISCAL IMPACT

Is there a Fiscal Impact? No

STRATEGIC GOALS MET BY THIS PROPOSAL

Goal 1 – Serve the transportation needs of the entire community regardless of age, income, or ability.

The Paratransit Coordinating Council serves as a support function to the NVTA, ensuring people of all abilities and ages can improve their mobility through the programs offered by NVTA. Additional, diverse members on the committee enhance the agency's ability to meet the needs of the elderly and disabled community.

CEQA REQUIREMENTS

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

BACKGROUND AND DISCUSSION

The Paratransit Coordinating Council (PCC) advises NVTA staff, the NVTA Board, and the Metropolitan Transportation Commission (MTC) regarding setting priorities for transportation services, reviews and make recommendations regarding the submission of claims for certain Transportation Development Act (TDA) and Federal Transit Administration (FTA) funds and allocations consistent with its priorities, and address coordination of paratransit services within Napa County. The PCC is comprised of nine members.

SUPPORTING DOCUMENTS

Attachment: (1) Victor Hurtado Application

ATTACHMENT 1
NVTA Agenda Item 10.3
September 18, 2019

RECEIVED

2019 AUG 12 2:34

Napa Valley Transportation Authority

625 Burnell St

Napa, CA 94559

Tel. (707) 259-8631 / Fax (707) 259-8638

www.nvta.ca.gov

www.ridethevine.com

PARATRANSIT COORDINATING COUNCIL APPOINTMENT APPLICATION

Complete applications should be submitted to the above address,
 Attention: Secretary of the Board

This application may be subject to disclosure under the Public Records Act

I am applying as a representative of the following: (Check all that apply)		
<input type="checkbox"/> Public transit consumer/user 60 or older		
<input type="checkbox"/> Public transit consumer/user with disability		
<input type="checkbox"/> Member of the public residing in non-urbanized area		
<input type="checkbox"/> Member of the public residing in urbanized area		
<input type="checkbox"/> Social service provider for persons of limited means. List agency: _____		
<input checked="" type="checkbox"/> Social service provider for persons with disabilities. List agency: <u>Disability Services & Legal Center</u>		
<input type="checkbox"/> Social service provider for seniors. List agency: _____		
Applicant Information		
Name:	HURTADO	VICTOR
	<small>Last</small>	<small>First</small>
		<small>M.I.</small>
Mailing Address:	_____	
	<small>Street Address</small>	<small>Apartment/Unit #</small>
City	NAPA	State CA Zip 94559
Phone:	_____	E-mail Address: _____
Current Occupation (within the last twelve (12) months)		
Education/Experience		
(a resume may be attached containing this and any other information that would be helpful in evaluating your application)		
Independent Living Advocate		
Community Participation		
(nature of activity and community location)		
Independent Living Advocate with Disability Services & Legal Center. Independent Living Center providing people with disabilities the tools they need to live an independent and fulfilled life. Assist clients in obtaining Social Security Disability Insurance (SSDI) benefits, and Supplemental Security Income (SSI) to meet their basic needs. Provide information for transitional-aged youth with disabilities (educational or vocational goals; outreach). Advocate for the voting rights of people with disabilities and other vulnerable populations.		

Other Boards/Commissions/Committees on which you serve/have served

Napa Disability Committee

Voter's Choice Napa Committee

Housing Committee Meeting

Live Healthy Napa County

Youth Transitions Committee

Please share your experience or observations regarding public transit

Public transit is absolutely necessary in our community, particularly for people with disabilities, in addition to other vulnerable populations. However, I also believe that sometimes people are not aware of all the resources available in the community when it comes to transportation. The community must work together on developing various strategies to raise awareness so that people may utilize the service to its full potential.

Please share your experience working with special needs populations

I have extensive experience working with special needs populations for a number of years. It has been my experience that people face a vast array of disabilities. With each disability comes a complex set of challenges. Therefore, these populations require varying choices and levels of services to help them achieve their maximum independence. The resources provided to these individuals must be tailored to their specific situation and needs. Once they are given the proper guidance and tools, they will thrive in this community. I also find that when working to achieve their independence, obtaining reliable forms of transportation is of critical importance to these populations. I believe the transportation piece also provides these populations with greater confidence and an enriched sense of pride in achieving other important life goals they may have.

Please explain your reasons for wishing to serve, and in your opinion, how you feel you could contribute.

I wish to serve because I would bring a unique perspective to the committee, being a life-long Napa resident. I would also have valuable information to bring/share regarding the disabled population and viewpoint. I would also bring the perspective of young adults living with disabilities, and the challenges they face in this community. It is my way of giving back to the Community I've received so much from.

References

Please list three individuals familiar with your background

Full Name: Lake Kowell

Relationship: Supervisor

Company: Disability Services & Legal Center

Phone: [REDACTED]

Address: [REDACTED]

Full Name: Marlena Garcia

Relationship: Collaborator

Company: ParentsCAN

Phone: [REDACTED]

ext. 102

Address: [REDACTED]

Full Name: Sherry Tennyson

Relationship: Collaborator

Company: Napa Valley College

Phone: [REDACTED]

Address: [REDACTED]

Name and Occupation of spouse within the last 12 months, if married (for Conflict of Interest purposes):

N/A

Disclaimer and Signature

PLEASE NOTE THAT APPOINTEES MAY BE REQUIRED BY STATE LAW AND NVTI CONFLICT OF INTEREST CODE TO FILE FINANCIAL DISCLOSURE STATEMENTS

Signature: Victor Hurtado

Date: 8/9/19



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Justin Paniagua, Senior Finance/Policy Analyst
(707) 259-8781 / Email: jpaniagua@nvta.ca.gov
SUBJECT: Napa Valley Transportation Authority (NVRTA) Fiscal Year End (FYE) 2018-19 Financial Statements, 5-Year Forecast and Delegated Authority Matrix, and Resolution No. 19-14 Amending the Fiscal Year (FY) 2019-20 Budget

RECOMMENDATION

That the Napa Valley Transportation Authority (NVRTA) Board (1) review the NVRTA financial performance compared to budget (Attachment 1) for the fiscal year ending June 30, 2019 period and 5-year forecast and (2) approve Resolution No. 19-14 (Attachment 2) increasing the fiscal year 2019-20 budget by \$9,209,703.

OTHER OPTIONS FOR CONSIDERATION

The Board of Directors may choose not to approve Resolution No. 19-14 (Attachment 2) or approve the resolution with a different appropriation amount.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

NVRTA adopted a biennial budget cycle for the fiscal years ending in 2019 (FY 2018-19) and 2020 (FY 2019-20). Several expenses are front loaded in the first year of the biennial budget. Unused balances are carried over to the next fiscal year through a Resolution. Staff requests approval for a budget amendment for FY 2019-20 in the amount of \$9,209,703 for remaining carryover budget balances and expenses for contracts and projects previously approved.

Attachment 1 summarizes NVTAG's full fiscal year financial performance. The report includes detailed financial data assessing the agency's performance to budget. The discussion section summarizes and explains budget variances.

PROCEDURAL REQUIREMENTS

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

FINANCIAL IMPACT

Is there a fiscal impact? Yes, increase FY 2019-20 budget appropriations by \$9,209,703.
New Appropriation Request: \$47,664
Rollover from previous fiscal year: \$9,162,039

See Table 1 for the Expenses and Financing Carryover Amounts

Table 1: Expenses and Financing Carryovers

Expenses	Amount	Reason
Capital Budget	\$5,418,039	Rollover of unused capital budget
CMA- Professional Services	\$3,744,000	Rollover of unused consulting fees
Software maintenance	\$ 47,664	Real-time vehicle data software by Swiftly
Total Amendments	\$9,209,703	

Consequences if not approved: Several projects and programs will be postponed or suspended without the carryover and additional spending authority.

STRATEGIC GOALS MET BY THIS PROPOSAL

Goal 3: Use taxpayer dollars efficiently. The budget establishes parameters for each consultant contract and helps NVTAG track expenses and report changes to the NVTAG Board.

CEQA REQUIREMENTS

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

BACKGROUND AND DISCUSSION

Financial Performance:

Congestion Management Agency (Planning Fund) Budget vs. Actuals

NVTA, the Congestion Management Agency (CMA), (also known as the General or Planning Fund), recognized \$7,329,898 in revenues in FY 2018-19 or approximately 80% of the total budgeted revenues. Most revenues are from Transportation Development Act (TDA) disbursements totaling \$5,533,143 and federal grants in the amount of \$1,297,921. Other revenues are salary charge backs to the Public Transit Fund, interest, refunds, and state grant funds.

Planning Fund expenses totaled \$5,078,796, equal to approximately 57% of the fiscal year budget. Personnel costs were \$2,088,626 for the fiscal year, equal to 99% of the salaries and benefits budgeted. Agency administration and consulting services accounted for \$2,038,100 in expenses, 35% of the total fiscal year adjusted budget. The budget carryover of approximately \$3,744,000 to the second year of the bi-annual budget is made up of the total remaining budget in consulting services. This is caused by front loading the planning budget in the first year and rolling over what's left to the second year to complete current and future planning projects.

For reporting purposes, the Transportation Fund for Clean Air (TFCA) fund and Abandoned Vehicle Abatement Authority (AVAA) program fund are excluded from the reported CMA fund figures because the funds are passed through to the City/Town/County jurisdictions by NVTA. The TFCA numbers are however included in the Consolidated Financial Statement.

Public Transit (Transit Fund) Budget vs. Actuals

Transit operating revenues came in at \$11,299,292 for the fiscal year. The Public Transit Fund received 97% of budgeted revenues. The Public Transit Fund received an additional \$1,030,689 from the Federal Transportation Administration (FTA). Most of the delta came from the Small Transit Intensive Communities (STIC) Funds program. STIC funds are not budgeted since they are merit-based awards for meeting higher levels of service criteria.

Overall, operating expenses in the Public Transit Fund totaled \$11,196,174. The primary expense categories were purchased transportation at \$8,962,438 and fuel at \$1,200,871. Total public transit expenditures constitute 97% of the fiscal year adjusted budget. Fuel cost for the fiscal year averaged \$3.02 per gallon, an increase of 10% from the previous fiscal year.

Capital Purchases

In FY 2018-19 NVTA completed three (3) capital projects. NVTA purchased new bus stop signs, six (6) bus shelters, and a new engine for the Yountville Trolley. Total capital

expenditures for the year were \$65,149. The remaining budget of \$5,418,039 will be rolled over into the FY 2019-20 budget.

5-Year Forecast:

Based upon revenues and expenses to date, staff is not recommending any changes to the 5-year forecast.

Note that the information summarized in this memo and contained in the attached report has not been audited and should be used for informational purposes only.

Executive Director Delegated Authority

The Board authorizes the Executive Director up to \$49,999 in delegated authority for any one purchase and up to \$175,000 for construction expenses. The Authority limits the Executive Director to cumulative authority – that is, that the total amount of any one contract/award or construction expense must be within the \$50,000 or \$175,000 respectively. The Board requested that staff provide quarterly disclosure on any Executive Director delegated authority expenses made over the prior quarter. The Table 2 below shows delegated authority expenses as of June 30, 2019.

Table 2: Executive Director Delegated Authority

QUARTERLY DELEGATED AUTHORITY SMALL CLAIMS REPORT (\$5K > 50K)							FY 18-19
CON NO.	VENDOR	DESCRIPTION	QTR 1 JUL-SEP	QTR 2 OCT-DEC	QTR 3 JAN-MAR	QTR 4 APR-JUN	TOTAL \$
1841	SHERWOOD	ADA ASSIST (SGTC BOARD RM)	\$ 6,200				\$ 6,200
181006	PENINSULATORS	OFFICE SHADES	\$ 29,988		\$ 7,512		\$ 37,500
181008	UTA	APCs (3 EA)	\$ 15,822				\$ 15,822
181011	SMITH's	STORAGE RM CABINETS	\$ 24,680				\$ 24,680
181012	SIGN DIMENSIONS	BUS STOP SIGNS		\$ 8,566			\$ 8,566
181014	TOLAR	BUS SHELTERS		\$ 49,175			\$ 49,175
181015	ABBEY	STORAGE RM CARPET		\$ 10,520			\$ 10,520
1850	RIDEAMIGOS	TRAVEL DEMAND MGMT SVCS		\$ 17,885			\$ 17,885
	MOODY INVESTORS	CREDIT RATING ANALYTICS	\$ 6,000				\$ 6,000
	CHICOBAG	MARKETING MATERIAL		\$ 13,976			\$ 13,976
	COAST LANDSCAPE	MULCH / WEED ABATEMENT		\$ 6,962			\$ 6,962
	FLUID NRG	WEBSITE		\$ 19,100			\$ 19,100
	GRANICUS	LEGISLATIVE SOFTWARE		\$ 19,600			\$ 19,600
	REMIX	SOFTWARE		\$ 41,000			\$ 41,000
191002	GENFARE	MEDIA FARE			\$ 7,405		\$ 7,405
191003	NAPA ELECTRIC	PnR LIGHT POLE RETROFIT (6)			\$ 13,964		\$ 13,964
191006	OUTFRONT	BULLETINBOARD AD/HWY29			\$ 47,460		\$ 47,460
	BARTEL ASSOC	OPEB EVALUATION			\$ 12,805		\$ 12,805
	TRANSDEV	BUS WASH REPAIR			\$ 5,261		\$ 5,261
1913	EYEP SOLUTIONS	SGTC SECURITY CAMERAS *Construction<\$175k				\$ 63,991	\$ 63,991
1915	TY LIN	BUILD GRANT APPLICATION				\$ 49,000	\$ 49,000
1850-A1	RIDEAMIGOS	V-COMMUTE INCENTIVES				\$ 23,000	\$ 23,000
191004	SWIFTLY	VINE TRANSIT REAL TIME SOFTWARE				\$ 48,864	\$ 48,864
1901	TRILLIUM	DESIGN & DEVELOP NEW VINETRANSIT.COM				\$ 49,640	\$ 49,640
	LOHNES & WRIGHT	DESIGN & PAGINATION NEW MAP/SCHED LOCAL/REG				\$ 6,120	\$ 6,120
	COMPASS LITHO	PRINT NEW MAP/SCHED (18,650)				\$ 11,502	\$ 11,502
	PANDORA	AUDIO ADVERTISING FOR BOTTLEROCK				\$ 13,000	\$ 13,000
	S&P GLOBAL	STANDARD & POORS ANALYTICAL SVC ANNL				\$ 5,000	\$ 5,000
	BELL PRODUCTS	REPLACE HVAC COMPRESSOR & REPAIRS				\$ 7,373	\$ 7,373
	TRANSDEV	BUS 138 ENGINE REBUILD				\$ 12,789	\$ 12,789
	TRANSDEV	BUS 134 GILLIG REAR CRADLE REPAIR				\$ 7,378	\$ 7,378
	UNIVERSAL BLDG	PRESSURE WASH BUS BAYS & WINDOWS				\$ 5,313	\$ 5,313
		TOTAL	\$ 82,690	\$ 186,784	\$ 94,407	\$ 302,970	\$ 666,850

SUPPORTING DOCUMENTS

- Attachments: (1) Fiscal Year End 2018-19 Financial Statements and 5 Year Forecast
 (2) Resolution No. 19-14

Division: 830 NVTA - Consolidated

										5 Year Forecast									
										FY 2019-20		FY 2020-21		FY 2021-22		FY 2022-23		FY 2023-24	
										Budget		Budget		Budget		Budget		Budget	
										Percent of Budget									
										</									

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vision: 83020 - NVTA-Public Transit

												5 Year Forecast				
		Adopted Budget	Budget Adjustments	Adjusted Budget	Q1 Actuals	Q2 Actuals	Q3 Actuals	Q4 Actuals	YTD Total	Budget vs Actual	Percent of Budget	FY 2019-20 Budget	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
Revenues																
41400	Sales and Use Tax (TDA)	5,960,608	-	5,960,608	1,000,000	2,755,374	1,352,077	(418,916)	4,688,535	1,272,073	78.66%	6,594,595	6,614,000	6,705,200	6,797,200	6,891,500
43790	State-Other Funding	1,737,413	-	1,737,413	-	752,634	417,900	566,877	1,737,411	2	100.00%	1,437,600	1,480,700	1,525,100	1,570,900	1,618,000
43890	Federal-Other Funding	2,085,424	-	2,085,424	-	-	-	3,116,113	3,116,113	(1,030,689)	149.42%	2,056,600	2,097,700	2,139,700	2,182,500	2,226,200
43950	Other-Governmental Agencies	426,400	-	426,400	-	-	338,364	108,036	446,400	(20,000)	104.69%	426,400	426,400	426,400	426,400	426,400
45100	Interest	26,400	-	26,400	4,700	12,998	7,275	6,053	31,025	(4,625)	117.52%	27,000	27,300	27,600	27,900	28,200
46800	Farebox Revenue	1,187,100	-	1,187,100	267,948	218,618	220,049	392,742	1,099,357	87,743	92.61%	1,271,700	1,309,900	1,349,200	1,389,700	1,431,400
46810	American Canyon Contribution	35,700	-	35,700	13,350	8,000	8,000	6,819	36,169	(469)	101.31%	37,700	38,800	40,000	41,200	42,400
46820	Yountville Contribution	38,600	-	38,600	9,800	9,800	9,800	11,903	41,303	(2,703)	107.00%	40,000	41,200	42,400	43,700	45,000
46825	St. Helena Contribution	31,655	-	31,655	9,800	6,600	6,600	11,293	34,293	(2,638)	108.33%	32,455	33,400	34,400	35,400	36,500
46830	Calistoga & CTBID Contribution	65,100	-	65,100	25,000	15,000	10,000	15,000	65,000	100	99.85%	65,100	67,100	69,100	71,200	73,300
47400	Insurance Settlement	-	-	-	-	-	3,686	-	3,686	(3,686)	0.00%	-	-	-	-	-
47900	Miscellaneous	-	-	-	-	-	-	-	-	-	0.00%	-	-	-	-	-
48100	Sale of Capital Assets	-	-	-	-	-	-	-	-	-	0.00%	-	-	-	-	-
49900	Intrafund Transfers-In	-	-	-	-	-	-	-	-	-	0.00%	-	-	-	-	-
Total Revenues		11,594,400	-	11,594,400	1,330,597	3,779,024	2,373,751	3,815,920	11,299,292	295,108	97.45%	11,989,150	12,136,500	12,359,100	12,586,100	12,818,900
Expenses																
52125	Accounting/Auditing Services	19,700	-	19,700	-	462	1,000	943	2,405	17,295	12.21%	19,700	19,900	20,100	20,300	20,700
52130	Information Technology Service	29,200	-	29,200	7,300	7,300	7,300	7,300	29,200	-	100.00%	31,000	31,300	31,600	31,900	32,500
52140	Legal Services	10,700	-	10,700	-	-	-	-	-	10,700	0.00%	10,700	10,900	11,100	11,300	11,500
52150	Temporary/Contract Help	7,500	-	7,500	-	-	-	-	-	7,500	0.00%	7,500	7,500	7,500	7,500	7,500
52325	Waste Disposal Services	15,000	-	15,000	1,200	4,798	1,200	7,198	14,395	605	95.97%	15,000	15,000	15,000	15,000	15,000
52335	Security Services	30,000	-	30,000	1,559	6,038	2,592	4,683	14,873	15,127	49.58%	30,000	30,300	30,600	30,900	31,500
52490	Other Professional Services	9,485,000	-	9,485,000	2,307,777	2,318,582	2,318,410	2,017,670	8,962,438	522,562	94.49%	9,800,300	9,996,300	10,196,200	10,400,100	10,608,100
52500	Maintenance-Equipment	107,500	-	107,500	49,085	46,675	29,644	36,513	161,917	(54,417)	150.62%	110,000	82,500	82,500	82,500	82,500
52505	Maintenance-Buildings/Improvem	15,000	-	15,000	-	1,646	-	-	1,646	13,354	0.00%	15,000	15,000	15,000	15,000	15,000
52515	Maintenance-Software	65,500	-	65,500	-	41,000	10,500	-	51,500	14,000	0.00%	65,500	66,000	66,000	66,000	66,500
52520	Maintenance-Vehicles	60,000	-	60,000	-	-	-	20,167	20,167	39,833	33.61%	60,000	45,000	45,000	45,000	45,000
52605	Rents and Leases - Bldg/Land	6,000	-	6,000	-	-	-	-	-	6,000	0.00%	6,000	-	-	-	-
52705	Insurance - Premiums	15,000	-	15,000	-	7,197	3,919	368,073	379,189	(364,189)	2527.93%	15,000	15,300	15,600	15,900	16,200
52800	Communications/Telephone	14,000	-	14,000	2,017	5,375	2,165	6,418	15,975	(1,975)	114.11%	14,000	14,000	14,000	14,000	14,000
52810	Advertising/Marketing	117,500	(30,000)	87,500	-	32,605	15,809	14,133	62,547	24,953	71.48%	117,500	100,000	100,000	100,000	100,000
52820	Printing & Binding	45,000	-	45,000	9,848	4,368	10,550	32,641	57,407	(12,407)	127.57%	45,000	40,000	40,000	40,000	40,000
52825	Bank Charges	4,000	-	4,000	573	559	560	13,359	15,052	(11,052)	376.31%	4,000	4,000	4,000	4,000	4,000
52830	Publications & Legal Notices	2,500	-	2,500	-	-	-	444	444	2,056	17.75%	2,500	2,500	2,500	2,500	2,500
53110	Freight/Postage	1,000	-	1,000	-	-	-	2,121	2,121	(1,121)	212.13%	1,000	500	500	500	500
53205	Utilities - Electric	6,000	-	6,000	392	1,841	1,191	2,541	5,964	36	99.41%	6,000	6,000	6,000	6,000	6,000
53220	Utilities - Water	13,000	-	13,000	-	6,771	3,175	2,637	12,583	417	96.79%	13,000	13,000	13,000	13,000	13,000
53250	Fuel	1,281,800	-	1,281,800	91,056	392,547	216,027	501,240	1,200,871	80,929	93.69%	1,346,950	1,360,400	1,374,000	1,387,700	1,401,600
Total for: Services and Supplies		11,350,900	(30,000)	11,320,900	2,470,807	2,877,765	2,624,041	3,038,081	11,010,694	310,206	97.26%	11,735,650	11,875,400	12,090,200	12,309,100	12,533,600
54315	Interest on Debt (I-Bank)	-	-	-	-	-	-	-	-	-	0.00%	-	-	-	-	-
57900	Intrafund Expenditures	243,500	-	243,500	47,277	52,028	41,645	44,530	185,480	58,020	76.17%	253,500	261,100	268,900	277,000	285,300
Total for: Other Expenses		243,500	-	243,500	47,277	52,028	41,645	44,530	185,480	58,020	76.17%	253,500	261,100	268,900	277,000	285,300
Total Expenditures		11,594,400	(30,000)	11,564,400	2,518,083	2,929,794	2,665,686	3,082,611	11,196,174	368,226	96.82%	11,989,150	12,136,500	12,359,100	12,586,100	12,818,900
Net Surplus (Deficit)		-	30,000	30,000	(1,187,486)	849,230	(291,935)	733,309	103,118	(73,118)		-	-	-	-	-
54600	Depreciation Expense	2,852,000	-	2,852,000	-	-	-	2,676,250	2,676,250.00	175,750.00	93.84%	2,857,900	2,915,100	2,973,400	3,032,900	3,093,600
Capital Revenues																
41410	Sales and Use Tax - Capital	2,695,657	-	2,695,657	-	-	-	11,824	11,824	2,683,833	0.44%	-	933,000	326,000	621,000	606,600
43950	State-Other Funding	923,742	-	923,742	-	-	-	-	-	923,742	0.00%	-	865,000	609,000	309,000	318,300
43890	Federal-Other Funding	1,963,789	-	1,963,789	-	20,647	-	25,545	46,192	1,917,597	2.35%	-	1,582,000	165,000	170,000	175,100
45100	Interest	-	-	-	-	-	-	(39)	(39)	39	#DIV/0!	-	-	-	-	-
Total Revenues		5,583,188	-	5,583,188	-	20,647	-	37,329	57,976	5,525,212	1.04%	-	3,380,000	1,100,000	1,100,000	1,100,000
Capital Expenses																
55100	Land	-	-	-	-	-	-	-	-	-	0.00%	-	-	-	-	-
55200	Construction in Progress	1,075,000	-	1,075,000	-	-	-	-	-	1,075,000	0.00%	-	100,000	100,000	100,000	100,000
55400	Equipment	4,508,188	-	4,508,188	-	11,686	4,288	49,175	65,149	4,443,039	1.45%	-	3,280,000	1,000,000	1,000,000	1,000,000
Total for: Other Expenses		5,583,188	-	5,583,188	-	11,686	4,288	49,175	65,149	5,518,039	1.17%	-	3,380,000	1,100,000	1,100,000	1,100,000
Total Expenditures		5,583,188	-	5,583,188	-	11,686	4,288	49,175	65,149	5,518,039	1.17%	-	3,380,000	1,100,000	1,100,000	1,100,000
Net Surplus (Deficit)		-	-	-	-	8,961	(4,288)	(11,846)	(7,173)			-	-	-	-	-

RESOLUTION No. 19-14

**A RESOLUTION OF THE
NAPA VALLEY TRANSPORTATION AUTHORITY (NVTA)
AMENDING THE FY 2019-20 BUDGET TO
INCREASE APPROPRIATIONS BY \$9,209,703**

WHEREAS, the Napa Valley Transportation Authority (NVTA) is designated the countywide transportation planning agency responsible for Highway, Streets and Roads, and transit planning and programming within Napa County, and

WHEREAS, on an routine basis the Board reviews and approves a budget for all transit services including fixed route, deviated route, paratransit, and taxi subsidy as well as NVTA administration and planning, and

WHEREAS, the NVTA Board of Directors has approved a budget for fiscal year 2019-20 with \$18,779,550 in total expenditures;

WHEREAS, the bi-annual budget was front loaded in the first year resulting in \$9,162,039 of budget rollover; and

WHEREAS, several contracts and projects were approved subsequent to the adoption of the bi-annual budget totaling \$47,664, and

WHEREAS, the money is available to NVTA, but an additional allocation request is needed for the use of funds.

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NOW, THEREFORE, BE IT RESOLVED, that the Napa Valley Transportation and Authority amend the FY 2019-20 Budget and increase the appropriation of \$18,779,550 by \$9,209,703 for expenditures in fund 8300 and authorizes the Executive Director to take all necessary actions to secure indicated Federal, State, Regional, and Local resources, and to execute contracts with Member Agencies or funding entities as necessary.

Passed and Adopted the 18th day of September, 2019.

Chris Canning, NVTa Chair

Ayes:

Nays:

Absent:

ATTEST:

Karalyn E. Sanderlin, NVTa Board Secretary

APPROVED:

DeeAnne Gillick, NVTa Legal Counsel



September 18, 2019
NVTA Agenda Item 11.2

Continued From: New
Action Requested: APPROVE

NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Karrie Sanderlin, Program Manager-Administration and Human Resources
(707) 259-8633 / Email: ksanderlin@nvta.ca.gov
SUBJECT: Proposed Organizational Restructure of the Napa Valley Transportation Authority (NVTA)

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board approve (1) the Proposed Organizational Restructure of NVTA (Attachment 1), (2) the new Principal Program Planner/Administrator position, job classification, and salary range of \$103,161 - \$124,052 (Attachment 3), (3) Re-classify one Senior Program Planner/Administrator to a Principal Program Planner/Administrator position, (4) Re-classify the Senior Program Planner/Administrator positions from a Fair Labor Standards Act (FLSA) non-exempt status to an exempt status position, and (5) establish an annual forty-hour non-accrual vacation leave balance for the Principal Program Planner/Administrator and Senior Program Planner/Administrator positions.

OTHER OPTIONS FOR CONSIDERATION

Alternative option #1: That the board reject the proposed changes and retain the currently adopted organizational chart.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

Refinement of organizational responsibilities, the new Principal Program Planner/Administrator position, and the re-classification of the Senior Program Planner/Administrator position are being proposed to better serve the needs of the Agency.

PROCEDURAL REQUIREMENTS

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

FISCAL IMPACT

Is there a Fiscal Impact? Yes, up to \$6,231 annual increase in salaries and benefits

Up to an annual increase of \$9,534 in salaries and benefits for the Principal Planner/Administrator position (\$7,550 increase in salaries and \$1,984 increase in vacation pay).

An annual decrease of \$1,177 in salaries and benefits for the elimination of annual over-time hours for meetings and outreach events associated Senior Program Planner/Administrator Positions.

An annual decrease of \$2,126 in salaries and benefits for the reduction of management leave hours associated with the Program Manager-Public Transit position.

Is it currently budgeted? No, an increase in the budget appropriation is necessary which will be presented to the Board for their review in their next quarterly update (November 2019).

Where is it budgeted? Congestion Management Agency-salary and benefits

Future fiscal impact: Yes

Consequences if not approved: The new Principal Program Planner/Administrator position, the re-classification of the Senior Program Planer/Administrator position to a Principal Program Planner/Administrator, and the re-classification of the Senior Program Planner/Administrator positions to FLSA exempt status will not occur.

STRATEGIC GOALS MET BY THIS PROPOSAL

Goal 1 – Serve the transportation needs of the entire community regardless of age, income, or ability – these changes will allocate staff resources in the areas of growing inters and concern.

Goal 3 – Use taxpayer dollars efficiently – these changes will allocate staff time in areas of their expertise therefore, staff time will be used more efficiently.

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

Refinement of organizational responsibilities, and to better serve the needs of the Agency, staff is requesting that the Board:

- Approve the organizational restructure of NVTA.
- Approve the new Principal Program Planner/Administrator position with and annual salary range of \$103,161 - \$124,052.
- Re-classify one Senior Program Planner/Administrator position to a Principal Program Planner/Administrator position.
- Re-classify the Senior Program Planner/Administrator positions to a FLSA exempt status.
- Establish an annual forty-hour (40), non-accrual vacation leave balance for the Principal Program Planner/Administrator and Senior Program Planner/Administrator positions.

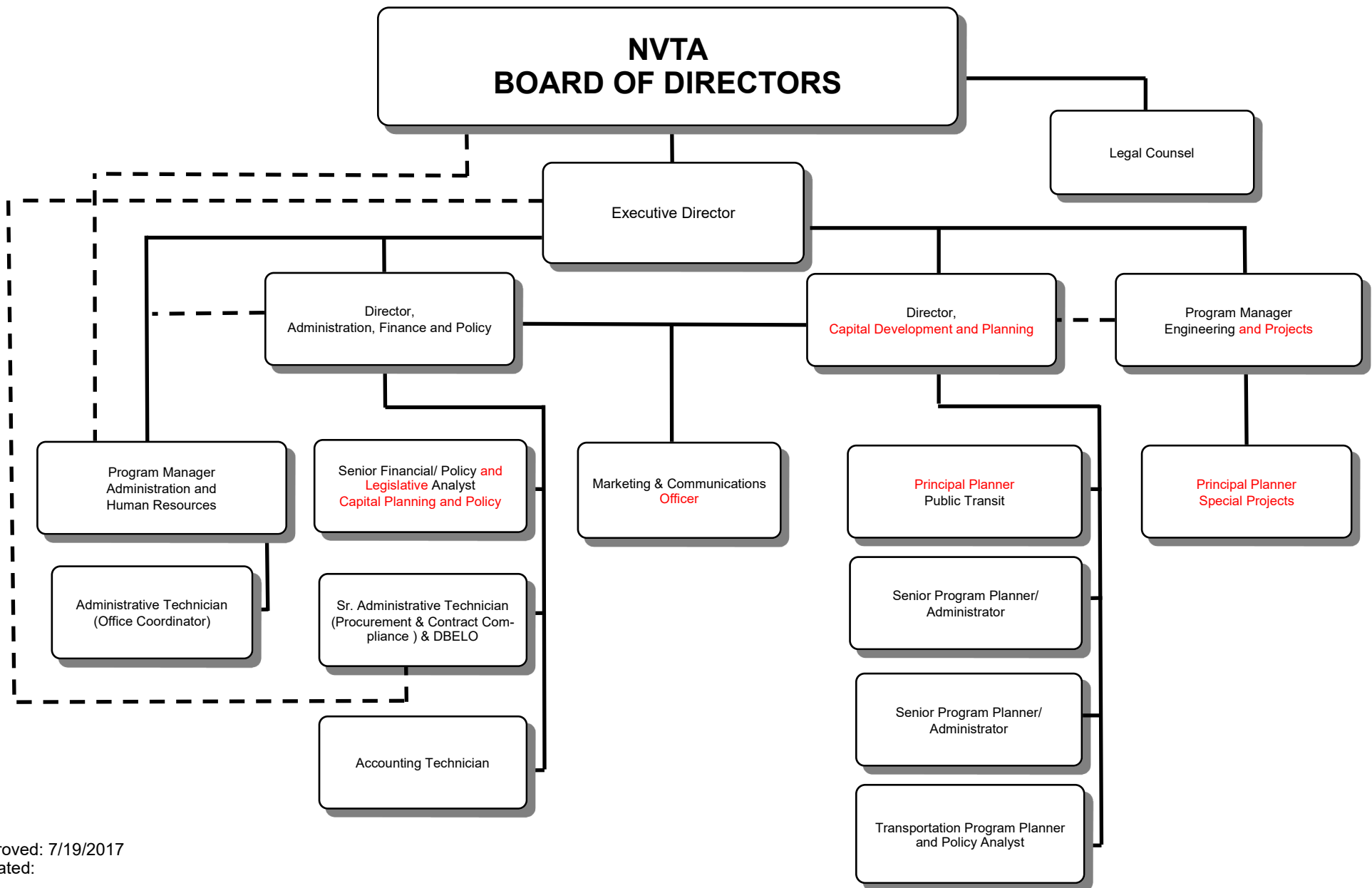
The proposed organizational chart also refines three titles, which correspond with the organizational changes. Including the Director, NVTA has fifteen full time employees. The reorganization proposal will not add any additional positions.

SUPPORTING DOCUMENTS

Attachments: (1) Proposed Organizational Chart
(2) Current Organizational Chart
(3) Proposed Principal Program Planner/ Administrator Job Description

Proposed NVTa Organizational Chart

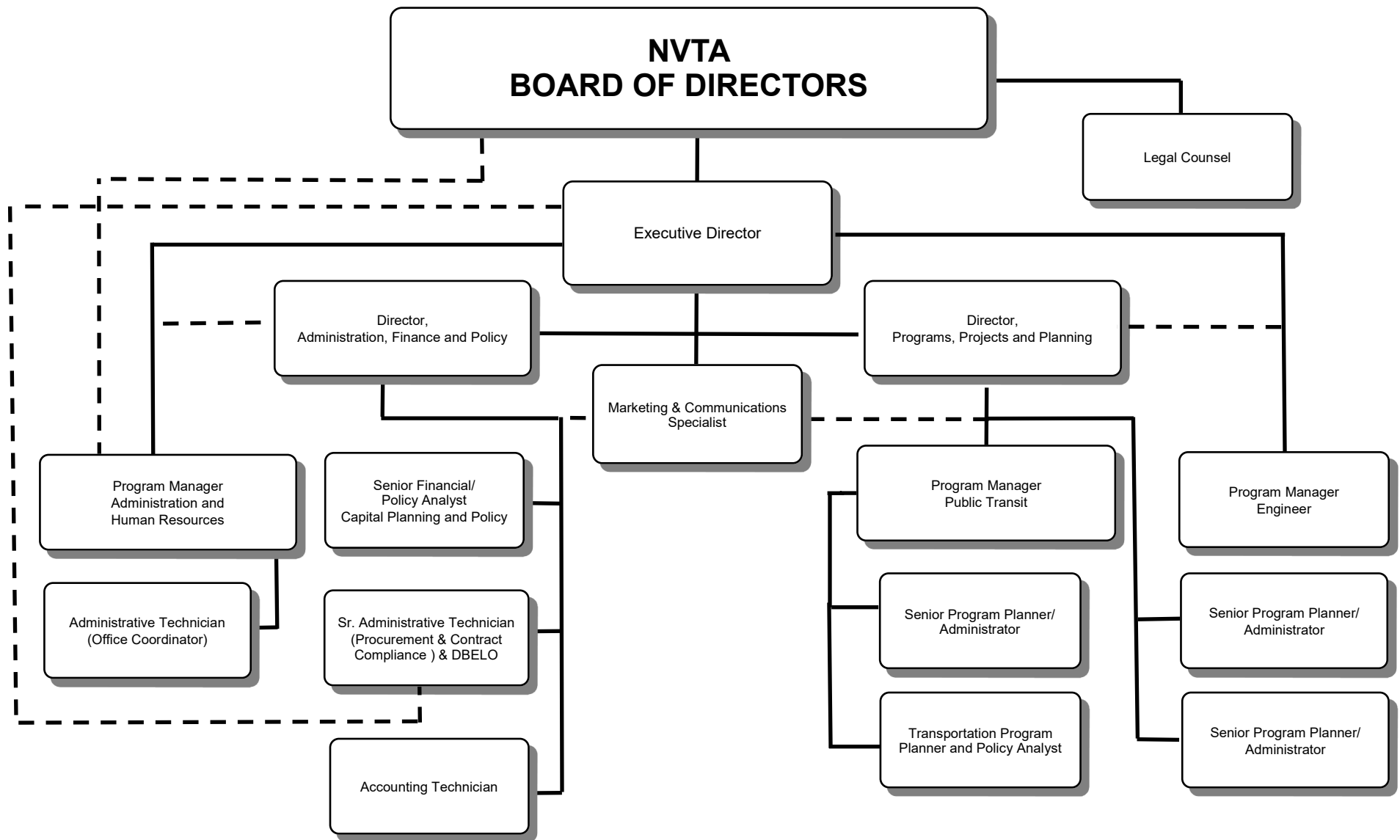
ATTACHMENT 1
NVTa Agenda Item 11.2
September 18, 2019



Approved: 7/19/2017
Updated:

NVTA Organizational Chart

ATTACHMENT 2
NVTA Agenda Item 11.2
September 18, 2019



Approved: 7/19/2017
Updated: 07/2019

Class Title: **PRINCIPAL PROGRAM PLANNER/ADMINISTRATOR**
FLSA: Exempt
Salary Range: \$103,161 - \$124,052
Last Amended: 09/18/2019

DEFINITION

Under administrative direction, the Principal Program Planner/Administration administers complex and strategically important transportation planning activities involving all transportation modes (i.e. road, transit, bicycle, pedestrian and intelligent transportation projects); serves as project manager for special projects including those involving land use, environmental impact, street, road and highway issues; coordinates with federal, state, regional and local agencies to identify and capture project opportunities and facilitate implementation; provides advanced staff support to various NVRTA, regional and/or local boards, councils, commissions and committees; and performs related duties.

The NVRTA is a joint powers organization consisting of County of Napa, the cities of American Canyon, Napa, St. Helena, Calistoga, and the Town of Yountville who are jointly engaged in the coordination of transportation planning, programs and systems.

CLASS CHARACTERISTICS

This is the advanced level in the Planner series. Positions assigned to the class of Principal Program Planner/Administrator apply specialized and advanced level knowledge and abilities in the area to which assigned, and generally have responsibility for a major element of a project or program in the Planning department. Incumbents exercise a higher level of independence in the overseeing of various activities. Positions at this level serve as a resource to other staff, departments, committees, boards or commissions and may supervise a small number of technical, professional, support staff and consultants in the development, definition, interpretation and application of policies and/or regulations as necessary. Work at this level is highly complex and routinely requires exercising independent discretion and judgment.

This classification is distinguished from the Senior Program Planner/Administrator by its scope of responsibility and the assignment of project/program activities.

SUPERVISION RECEIVED AND EXERCISED

Direction is received from the Director- Planning and Capital Development, and Program Manager-Engineering and Projects.

The incumbent may directly or indirectly supervise subordinate professional, technical or clerical employees.

ESSENTIAL DUTIES

Duties may include, but are not limited to, the following:

1. Manage assigned project phases involving all modes of transportation systems (i.e. road, transit, bicycle and pedestrian);
2. Serve as project manager including preparation of reports, correspondence and written recommendations concerning transportation related planning projects; research issues as requested.
3. Plan, organize and coordinate the activities of a major element of a planning project and/or program; perform environmental analysis for current and advanced planning projects, especially those of a highly complex, visible and sensitive nature; review environmental impact reports.
4. Implements planning-related studies and projects; collects and identifies relevant data; evaluates transportation needs through surveys, observations, traffic counts, and other research methods; develops and documents recommendations, including strategies and methodologies to address unmet transportation needs.
5. Administers various NVTA-sponsored programs or projects and personally performs specialized and technical planning, programming and administrative tasks; develops and recommends project goals, objectives, and strategies; develops work plans and prepares policies and procedures; conducts site visits and verifies compliance with program/project requirements; researches, compiles, synthesizes, analyzes, and interprets information and data; procures vendor and consultant services as needed; monitors and analyzes project indicators and evaluates success.
6. Works with member cities, the County, as well as federal, state, regional and local agencies, to help in the development and delivery of transportation-related projects; initiates Calls for Projects; receives and processes proposals; evaluates project goals and objectives for consistency with funding requirements; facilitates and coordinates proposal selection processes; tracks project status and evaluates success in meeting goals.
7. Works with other government agencies to integrate transportation plans with other types of planning issues (e.g., land use, environmental and/or climate planning) and contribute positively to the overall development of a geographical area.
8. Reviews proposals for environmental, climate, and/or traffic impact and prepares comments on transportation impact mitigation actions.
9. Ensures that assigned programs/projects comply with federal, state, and/or regional requirements for grant funding, timing, programming, planning, consultant selection, and other tasks.
10. Analyzes reports, studies, grants, contracts and proposals; makes recommendations for approval or implementation.

11. Prepares planning-related information for the education of policy makers, staff and general public; interprets and explains planning objectives, policies and procedures to community organizations, governmental agencies, staff, and the public; assists in proactively maintaining effective communications among the member agencies; responds to individual member requests.
12. Represents the NVTA to its member agencies and other organizations, groups, or individuals on various matters and issues as assigned; serves as a liaison to various boards, councils, commissions, and/or committees as assigned.
13. Reviews and analyzes legislation and advises on potential impact to assigned functions.
14. Prepares and presents reports, correspondence and written recommendations concerning transportation related planning projects; researches issues as requested.
15. Performs related duties as assigned.

QUALIFICATIONS GUIDELINES

To qualify for this position, an individual must possess a combination of experience, education, and/or training that would likely produce the knowledge and abilities required to perform the work. A desirable combination of qualifications is described as follows:

Education: Equivalent to a bachelor's degree from an accredited four year college or university with major coursework in transportation planning, urban planning, environmental, or climate protection studies, or a closely related field.

Experience: Five years of increasingly responsible professional planning experience, including at least one year in a public agency setting. (A Master's Degree in planning or related experience may be substituted for one year of experience) *Depending upon the specific assignment of a position, applicants may be required to have up to one year of specialized planning experience that emphasized transportation, urban, environmental, or climate protection projects.*

REQUIRED KNOWLEDGE AND ABILITIES

Knowledge of:

- Principles and practices of transportation planning, analysis and development.
- Principles, operations and methods of public administration, including administrative planning, financial and budgetary analysis, budget preparation and control, problem analysis, and program evaluation.
- Principles and practices of environmental planning and administration of environmental policies.
- Environmental compliance processes, including California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA).

- Techniques for collaborating successfully with elected officials and individuals from other agencies and groups.
- Principles and practices of grant project management and contract administration, as well as state and federal grant programs.
- Federal, state, and local regulations pertaining to land use, transportation, environmental, climate protection and sustainable community development planning issues and programs.
- Legislative developments affecting transportation programs; transportation funding sources at the federal, state, regional, and local levels.
- Current trends and methods in transportation planning including forecasting, data collection and analysis.
- Principles of supervision and leadership.
- Project phasing and funding.
- Research, analytical and statistical methods applicable to transportation planning.
- Internal controls appropriate for a public agency setting.
- Documentation management.
- Transportation funding processes and procedures.
- General office procedures and administration; contracts administration and procurement.
- Development of policy recommendations for consideration by decision makers.

Ability to:

- Perform a variety of transportation planning and analysis duties.
- Facilitate local government processes and programs with regard to transportation planning.
- Manage and administer transportation projects from inception to completion.
- Prepare project budgets and funding proposals.
- Negotiate, administer, and recommend the approval of contracts; evaluate the effectiveness of contract services provided.
- Make presentations before governing boards and other public and private groups as requested.
- Analyze situations accurately and take effective action.
- Organize own work, coordinating multiple work programs/projects and meeting critical deadlines.
- Work independently in the absence of supervision.

- Communicate effectively both orally and in writing.
- Read, interpret and apply complex technical material.
- Prepare and present clear and concise correspondence, technical reports and recommendations; collect, organize and maintain records.
- Establish and maintain cooperative working relationships with staff, other departments and agencies, the private sector, and the public.
- Operate a personal computer with word processing, spreadsheet, and database programs.

PHYSICAL DEMANDS

While performing this job, the employee is regularly required to walk; sit; use hands to handle objects; operate keyboards, tools, or controls; and make condition assessments. The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this position. Able to lift 20 pounds, and handle office equipment.

REQUIRED LICENSES OR CERTIFICATES:

Possession of a valid California driver's license is required.



September 18, 2019
NVTA Agenda Item 11.3

Continued From: New
Action Requested: APPROVE

NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Karrie Sanderlin, Program Manager-Administration and Human Resources
(707) 259-8633 / Email: ksanderlin@nvta.ca.gov
SUBJECT: Resolution No. 19-15 Approving the Fiscal Year (FY) 2019-20 Salary Ranges for Napa Valley Transportation Authority (NVTA) Job Classifications

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board approve Resolution No. 19-15 (Attachment 1) approving the FY 2019-20 Salary Ranges for NVTA Job Classifications based upon average increase of 2.24% for the County of Napa (4%), Sonoma County Transportation Authority (0%) and Solano Transportation Authority (2.73%) for year ending December 2018.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

At the February 19, 2014, meeting, the Board approved a revision to Section 2.10 Performance Evaluation of the NVTA Policies, Practices, and Procedures Personnel Policies which established that pay grades will be adjusted annually and indexed to the average of County of Napa, Sonoma County Transportation Authority, and Solano Transportation Authority increases for a given year or Bay Area Consumer Price Index (CPI) for all labor within Napa County, whichever is greater. For year ending 2018, the average increase for the County of Napa (4%), Sonoma County Transportation Authority (0%) and Solano Transportation Authority (2.73%) equaled 2.24% whereas the CPI was 1.9%.

PROCEDURAL REQUIREMENTS

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

FISCAL IMPACT

Is there a Fiscal Impact? No, only the salary ranges are to be adjusted, not employee salaries. Individual employee salary increases are based on employee performance.

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.

STRATEGIC GOALS MET BY THIS PROPOSAL

Goal 3: Use taxpayer dollars efficiently. Adjustments to salary ranges ensure that salaries remain at par with partnering agencies to retain staff while minimizing financial impacts to the agency.

BACKGROUND AND DISCUSSION

In October 2011, the Board approved Resolution No. 11-25 creating a classification structure and establishing compensation ranges for NVTA job classifications based upon the Agency's compensation and classification study.

At the February 19, 2014, meeting, the Board approved a revision to Section 2.10 Performance Evaluation of the NVTA Policies, Practices, and Procedures Personnel Policies which established that pay grades will be adjusted annually and indexed to the average of County of Napa, Sonoma County Transportation Authority, and Solano Transportation Authority increases for a given year or Bay Area Consumer Price Index (CPI) for all labor within Napa County, whichever is greater. For year ending 2018, the average increase for the County of Napa (4%), Sonoma County Transportation Authority (0%) and Solano Transportation Authority (2.73%) equaled 2.24% whereas the CPI was 1.9%.

The indexed adjustment applies to the salary range only and does not imply that employees will receive a raise. The salary range is adjusted to the indexed to adjust the salary ceiling. Actual employee salary adjustments are based on each individual employee's performance and awarded at the time of their annual performance evaluation.

SUPPORTING DOCUMENTS

Attachment: (1) Resolution No. 19-15

RESOLUTION No 19-15

**A RESOLUTION OF THE
NAPA VALLEY TRANSPORTATION AUTHORITY (NVRTA)
APPROVING FISCAL YEAR (FY) 2019-20 SALARY RANGES FOR
NVRTA JOB CLASSIFICATIONS**

WHEREAS, the NVRTA policy is to establish and maintain a general compensation and classification structure for NVRTA employees that is externally competitive and internally aligned; and

WHEREAS, the compensation plan, including salary ranges, should be reviewed and updated as necessary based on marketplace survey data, internal relationships, and NVRTA financial constraints; and

WHEREAS, on October 19, 2011, the Board approved Resolution No. 11-25 establishing compensation ranges for NVRTA job classifications; and

WHEREAS, on February 19, 2014, the Board revised Section 2.10 Performance Evaluation of the NVRTA Policies, Practices, and Procedures Personnel policies which established that pay grade ranges will be adjusted annually and indexed to the average of County of Napa, Sonoma County Transportation Authority, and Solano Transportation Authority increases for a given year or Bay Area Consumer Price Index (CPI) for all labor within Napa County, whichever is greater; and

WHEREAS, the average increase in the 2018 indexes for the County of Napa (4%), Sonoma County Transportation Authority (0%) and Solano Transportation Authority (2.73%) equals 2.24%, and the Bay Area CPI Index ending December 2018 is 1.9%.

///

///

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Napa Valley Transportation Authority that the FY 2019-20 Salary Ranges for NVTA Job Classifications, which reflect the indexes for the County of Napa (4%), Sonoma County Transportation Authority (0%) and Solano Transportation Authority (2.73%) of 2.24%, are hereby adopted as set forth in Exhibit "A".

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Directors of the Napa Valley Transportation Authority, at a regular meeting held on September 18, 2019, by the following vote:

Chris Canning, NVTA Chair

Ayes:

Nays:

Absent:

ATTEST:

Karalyn E. Sanderlin, NVTA Board Secretary

APPROVED:

DeeAnne Gillick, NVTA Legal Counsel

EXHIBIT “A”

FY 2019-20	Monthly Salary Range	
Job Title	Minimum	Maximum
Executive Director	Separate Contract	
Director - Administration, Finance and Policy	\$11,321	\$12,453
Director - Capital Development and Planning	\$11,321	\$12,453
Program Manager - Administration and Human Resources	\$9,419	\$11,321
Program Manager – Engineering and Projects	\$9,419	\$11,321
Program Manager - Public Transit	\$9,419	\$11,321
Principle Program Planner/Administrator	\$8,597	\$10,338
Senior Program Planner/Administrator	\$7,815	\$9,398
Associate Program Planner/Administrator	\$6,833	\$8,197
Assistant Program Planner/Administrator	\$5,909	\$7,086
Transportation Program Planner and Policy Analyst	\$5,909	\$8,197
Marketing & Communications Officer	\$6,833	\$8,197
Senior Financial/Policy Analyst	\$6,833	\$8,197
Accounting Technician	\$5,641	\$6,986
Senior Administrative Technician	\$5,641	\$6,986
Administration Technician (Office Coordinator)	\$4,905	\$6,073



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Matthew Wilcox, Program Manager – Public Transit
(707) 259-8635 / Email: mwilcox@nvta.ca.gov
SUBJECT: American Canyon Service Hour Expansion

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) approve the expansion of the American Canyon Transit service by one vehicle effective October 7, 2019.

OTHER OPTIONS FOR CONSIDERATION

Alternative option #1: Retain existing service which results in longer wait times for shuttle riders.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

American Canyon Transit experiences the highest wait times of the four community shuttles operated by NVTA. The City of American Canyon and NVTA are in mutual agreement the service should operate two shuttles between the hours of 8:30AM and 5:30PM Monday thru Friday.

PROCEDURAL REQUIREMENTS

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

FISCAL IMPACT

Is there a Fiscal Impact? Yes. See Table 1. The City of American Canyon pays the difference between fares collected and 15% of the annual fully allocated budget of operating expenses prorated over four quarterly payments. NVRTA bears the rest of the costs as outlined in Table 1.

Table 1: Cost for Service

	Current Service	New Service
Hours	2,457.50	4,915.00
Miles	23,309.11	11,654.56
Cost per Hours \$48/hour	\$117,960.00	\$235,920.00
Cost per Mile \$0.55/mile	\$12,820.01	\$6,410.01
Total Cost to NVRTA	\$130,780.01	\$242,330.01
Total Cost to City*	\$19,617.00	\$36,349.50

*Estimated

Is it currently budgeted? No. A budget adjustment will be made to reflect the increase in the number of service hours for American Canyon Transit.

Future fiscal impact: Future fiscal impacts will be limited to fluctuations in gas prices and overall demand for the service resulting in more miles travelled by each vehicle.

Consequences if not approved: If the Board does not approve the expansion, wait times will remain long. Long wait times will have a negative effect on ridership.

STRATEGIC GOALS MET BY THIS PROPOSAL

Goal 1 – Serve the transportation needs of the entire community regardless of age, income, or ability – expanding the service will result in more timely and consistent service to all residents of the City of American Canyon.

Goal 5 – Minimize the energy and other resources required to move people and goods – two vehicles in service will make the service a more attractive transportation option, effectively removing vehicles from the roadways of American Canyon.

CEQA REQUIREMENTS

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

BACKGROUND AND DISCUSSION

American Canyon Transit began operating on demand service in August of 2015. Ridership grew exponentially over the first two years but reached a plateau in 2018 and began a downward trend in 2019. Many riders have stopped riding because of long wait times. A single on demand vehicle cannot efficiently cover all of American Canyon. Providing minimal wait times using a single vehicle is difficult even during non-peak times due to the size of the city and its bisection by Highway 29.

NVTA staff believes a second vehicle will reduce the average 25-minute wait by roughly half. Staff plans to market the improved service to entice riders back on to the system. It may be several months before ridership begins moving in an upward direction but staff is confident that the second vehicle will bring a significant rider draw to the Shuttle service.

SUPPORTING DOCUMENTS

None



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

TO: Board of Directors
FROM: Kate Miller, Executive Director
REPORT BY: Matthew Wilcox, Program Manager – Public Transit
(707) 259-8635 / Email: mwilcox@nvta.ca.gov
SUBJECT: Draft Rider Behavior and Suspendable Offences Policy

RECOMMENDATION

That the Napa Valley Transportation Authority (NVTA) Board adopt a revised passenger code of conduct, specifically a policy to allow NVTA to suspend Vine riders who exhibit unsafe behaviors in order to protect other riders, bus drivers and members of the public and deter negative behavior from occurring in the future.

OTHER OPTIONS FOR CONSIDERATION

The Board may choose to keep the existing Vine Rider Code of Conduct (Attachment 1) as they are currently written which encourages courteous and thoughtful behavior but does not have a suspension element.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

In recent months, certain Vine riders and members of the public that use the Soscol Gateway Transit Facility have exhibited violent and caustic behavior including harassment of other riders and staff and exhibiting physical aggression towards bus drivers, customer service representatives, and members of the public. NVTA currently has no policy in place to discourage violent or disruptive behavior and NVTA staff believes that suspending access to the Vine service and properties could deter certain individuals from such behavior.

PROCEDURAL REQUIREMENTS

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

FISCAL IMPACT

Is there a Fiscal Impact? No

STRATEGIC GOALS MET BY THIS PROPOSAL

Goal 1 – Serve the transportation needs of the entire community regardless of age, income, or ability.

Disallowing violent or disruptive individuals from using the bus will make people more comfortable using public transit in the Napa Valley.

Goal 2 – Improve system safety in order to support all modes and serve all users.

Disallowing violent or disruptive individuals from using the bus will help improve safety for riders and drivers alike.

CEQA REQUIREMENTS

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

BACKGROUND AND DISCUSSION

The NVRTA rider code of conduct is vague and unenforceable. Staff recommends making the code more extensive and enforceable. The passenger code of conduct and passenger policy do not adequately address issues that occur on the system. In addition, the passenger code of conduct does not deter riders that continually disregard the “code” from exhibiting negative and unsafe behavior. This is especially an issue when riders act in a violent, destructive, and/or harassing manner towards fellow riders and transit staff. To remedy these issues NVRTA staff recommends amending the policy so that the NVRTA Board can act to suspend Vine privileges.

Attachment 2 is the proposed revised policy. The policy would permanently suspend rider privileges for the following offenses:

- Physical abuse or causing physical injury to another rider or driver
- Purposeful destruction or vandalism of Vine property

Temporary suspension would be assessed as follows:

- For violating any other codes of conduct the following will be enforced:
 1. One (1) violation will result in a verbal warning
 2. Two (2) violations will result in a written warning
 3. Three (3) or more violations will result in suspension of service for a minimum of 30 days

The proposed policy would also provide for an appeals process that states:

Riders may appeal warnings or suspensions. An appeal must be made in writing within 30 days of the incident in question. Appeals can be mailed to 625 Burnell St Napa, CA 94559 or submitted through the Vine "Contact Us" portal on the vinetransit.com.

SUPPORTING DOCUMENTS

Attachments: (1) Rider Code of Conduct
 (2) Revised NVTA Policies, Practices, and Procedures Manual: Transit Policies (redline version)

Rider Code of Conduct

Smoking: NVTB prohibits smoking on all vehicles and at all transit facilities. The no smoking rule applies to all tobacco and cannabis products, including the use of e-cigarettes and vaporizers.

Eating: Eating is not allowed on any transit vehicle with the exclusion of snack bars.

Drinking: Drinking is allowed on buses if the liquid is in a closed container like a bottle or thermos. Cups with lids are not allowed unless it is tight fitting. Alcoholic beverages are strictly forbidden on transit vehicles, at transit facilities, and Transit stops.

Entertainment Devices: Playing videos, games, and/or music without headphones is not allowed on Vine buses. Please keep volumes respectable when using headphones.

Littering: All trash shall be placed in a designated trashcan on all vehicles and at all bus stops.

Vandalism: Causing damage in any way to Vine property is strictly prohibited. Prohibited actions include, but are not limited to, marking, etching, and cutting.

Obscene Language or Behavior: Using language or actions that can be interpreted as abusive, threatening, or rude to fellow riders or transit staff is not allowed.

Animals: No animals, except properly documented service animals shall be allowed on board, unless in a secured cage.

Hazardous Materials: Hazardous Materials are strictly prohibited on Vine buses. These include, but are not limited to, corrosive material, flammable items, car batteries, materials emitting noxious odors, human or animal waste, etc.

Weapons: Weapons of any kind are strictly prohibited on Vine vehicles and at any transit facility.

Carry-On Items: Riders may bring luggage, shopping bags, or other non-hazardous material on the bus as long as the rider can easily handle and secure the items on or near their body.

Bikes on Buses: All buses (except VineGo) have bike racks. Availability of bike racks is on a first-come, first-served basis. Bicyclists are responsible for loading, securing and unloading their bicycles. Bus drivers will not assist. Bikes are only permitted inside the bus on buses retrofitted with interior bike racks or on the last trip of the day. Small scooters, including electric, are permitted inside the bus if they can be secured by the rider.

Wheelchairs, Scooters and other Mobility Aids: The Vine allows all mobility devices on its fixed route vehicles as long as the rider can maneuver it on to the vehicle and have

it properly secured. VineGo vehicles with a lift can only accept a device and rider who weigh less than 600 pounds combined.

Securing Mobility Devices: All Wheelchairs and Scooters must be secured. Passengers may transfer to a seat, or if they remain using the wheelchair or scooter, the driver will also recommend that they are secured with an over shoulder strap.

Walkers: The driver will secure walkers inside the bus.

Oxygen Units: Portable oxygen units are preferred. Large oxygen cylinders must be transported in a holder on wheels or attached firmly to a manual wheelchair.

Boarding by the Wheelchair Ramp: Passengers who prefer to board the bus using the ramp should ask the driver to assist them.

NVTA POLICIES, PRACTICES, AND PROCEDURES MANUAL
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TRANSIT POLICIES

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CHAPTER 1 INTRODUCTION

Section 1.1. Overview

The Napa Valley Transportation Authority (NVTa) is responsible for the provision of all public transit service in the Napa Valley. It is the agency's commitment to operate safe, effective, and efficient services, maintain the highest standards of quality, integrity and customer service, and comply with all applicable local, State and Federal laws. The policies and standards identified are designed to uphold these ideals.

1.1.1 Service Standards

Service Type	EFFECTIVENESS									PERFORMANCE/EFFICIENCY		
	Density	Peak and Base Frequencies*	Service Span*	Scheduling	Route Structure	Load Factor*	Vehicles	Stop Spacing	Stop Amenities*	Farebox Recovery	Passengers per hour	On-time Performance*
Local and Regional (Routes 1 through 11)	4,000 to 5,000 (Medium Density) [such as urban areas of Napa]	Not to exceed 30 minutes in the peak and 60 minutes midday. Frequency of service should never be more than one bus per hour	7 AM to 7 PM (Monday to Saturday) 9 PM for valley-wide commuter routes.	Clock Headways preferred	Modified Grid: uses the layout of the urban area	1.25 Less than 1.5 in peak, less than or equal to 1.0 in off peak	Standard 40' or smaller vehicle to meet load	1/4 to 1/2 mile. depending on density. Depends upon whether stop is urban or suburban in nature. See Chapter 13	Shelters based on high ridership routes in areas with lower frequency	Meet or exceed 17%	Twelve passengers per hour	90% of service will operate on time (between 0 minutes early and 5 minutes late)
Regional (Urban) Express (Routes 201 & 29)	3,000 to 4,000 (Low Density)	Not to exceed 2 hours in the peak. No midday standard. Frequency of service should never be more than one bus per one and a half hours	6 AM to 7 PM (Monday to Friday) 9 PM for valley-wide commuter routes.	Scheduled to meet regional connections	Focal Point: provides access between two focal areas to provide regional and intercity connectivity	1.00 Equal to or less than 1.0	Standard 40' or smaller vehicle to meet load	1/2 to 1 mile depending on density or trip generators and attractors (such as school, shopping, medical). Average 25,000ft apart centered upon major employment centers	Shelters based on high ridership routes in areas with lower frequency	Meet or exceed 17%	Seven passengers per hour	90% of service will operate on time (between 0 minutes early and 5 minutes late)
Regional (Rural) (Routes 25)	3,000 to 4,000 (Low Density)	Not to exceed 2 hours in the peak. No midday standard.	6 AM to 7 PM (Monday to Friday)	Scheduled to meet regional connections	Focal Point: provides to connect rural focal area and regional hubs.	1.00	Standard 40' or smaller vehicle to meet load	1 to 2 mile depending on density or trip generators and attractors (such as school,	Shelters based on high ridership routes in areas with lower frequency.	Meet or exceed 15%	Five passengers per hour	90% of service will operate on time (between 0 minutes early and 5 minutes late)
Community (American Canyon and St. Helena)	3,000 to 4,000 (Low Density)	Not to exceed 45 minutes in the peak and 90 minutes midday. Upon call in, service will arrive within 15 - 30 minutes.	7 AM to 5 PM (Monday to Friday) or based upon available funds	As required to meet demand	Focal Point: provides access between focal areas within a small community	1.25 Less than 1.5 in peak for local service, less than or equal to 1.0 in off peak	30' vehicle or smaller	1/2 to 2/3 mile. depending on density or trip generators and attractors (such as school, shopping, medical). No standard	Shelters based on high ridership routes in areas with lower frequency	Meet or exceed 10%	Five passenger per hour	90% of service will operate on time (between 0 minutes early and 5 minutes late). 90% of service will arrive within 30 minutes of call in
City Demand Response (Calistoga and Yountville)	3,000 and below	Upon call in, service will arrive within 15 - 30 minutes.	Service based upon available funds	As requested	No standard	No standard. Less than 1.5 in peak for local service, less than or equal to 1.0 in off peak	30' vehicle or smaller	No standard	Shelter locations are responsibility of city partners	Meet or Exceed 10% (includes City or other sponsor funding)	Two passengers per hour	90% of service will arrive within 30 minutes of call in
*Required by Title VI for Fixed Route Service Only												

1.1.2 Performance Measures and Performance Standards

In order to meet the mobility needs of the residents of Napa County, NVRTA strives to implement the highest quality transit services possible. The measures and performance standards ensure that NVRTA can monitor and responded to any deficiencies that may be the outcome of poor quality of service.

Measure	Standard
Total Ridership	Fixed Route: Increase over prior fiscal year Paratransit: Growth should not lead to denials Community Shuttles: Growth should not lead to excessive wait times
Passengers per Revenue Vehicle Hour	Fixed Route: Greater than 80% of system average Paratransit: Greater than 2.0 Community Shuttles: Greater than 4.0
Load factor	Fixed Route: Less than 1.5 in peak for local service, less than or equal to 1.0 in off peak for local service. All commuter services should be equal to or less than 1.0 during all times of day. Paratransit: Never exceed 1.0 Community Shuttles: Less than 1.5 in peak for local service, less than or equal to 1.0 in off peak.
Percent Missed Trips per Trip Miles	Fixed Route: Less than .01% Paratransit: 0% Community Shuttles: Less than .01%
Scheduled On-Time Arrivals	Fixed Route: Equal or greater than 90% on-time Paratransit: Equal or greater than 97% on-time Community Shuttles: 90% of service will arrive within 30 minutes of request for service.
Passenger Injuries	All Modes: Less than 1 per 100,000 passenger trips
Preventable Accidents	All Modes: Less than 1 per 100,000 revenue miles
Complaints	Fixed Route: Less than 1 per 100,000 revenue miles Paratransit: No more than 1 complaint for every 600 passenger trips. Community Shuttles: Less than 1 per 5,000 revenue miles
Percent of Trips Denied	Paratransit: 0%
Cleanliness of Buses	Interiors and exteriors cleaned daily
Proximity to Service	Fixed Route: 95% of dwelling units in areas having six or more units per acre to be located with 1-4 mile of a stop, all major destinations to be within 1-8 of a mile of a stop. Paratransit: Service will be available to all qualifying residents of Napa County with residences, destinations, or the ability to find alternate means to come within 3-4 of a mile from Vine fixed route service.
Frequency of Service	Fixed Route: Frequency of service should never be more than one bus per hour for local and intercity

Measure	Standard
	buses. Commuter service frequency should never be more than one bus per one and half hours. System average should be 45 minutes or less.
Percentage of ADA Accessible Stops	100% of all new stops shall be ADA accessible, existing stops should be made accessible to the greatest extent possible.
Bus Stop Amenities	Stops which average 50 or more riders a day should have a shelter installed if feasible.
Trip length	Paratransit: Trips should not exceed 1.25 times that of an equivalent trip on fixed route transit.

1.1.3 Operate Safe, Reliable, and Comfortable Service

Safe, reliable, and comfortable service are NVRTA's top priorities. Promoting safe habits for drivers and delivering service people want to use benefits the agency as well as the community.

Measure	Standard
Average Age of Fleet by Vehicle Type	Fixed Route: Average age should not exceed 12 years. Paratransit: Average age should not exceed 4 years. Community Shuttles: Average age should not exceed 4 years.
Average Mileage of Fleet by Vehicle Type	Fixed Route: Average should not exceed 500,000 miles. Paratransit: Average should not exceed 100,000 miles. Community Shuttles: Average should not exceed 100,000 miles.
Scheduled On-Time Arrivals	Fixed Route: Equal or greater than 90% on-time Paratransit: Equal or greater than 97% on-time Community Shuttles: 90% of service will arrive within 30 minutes of request for service.
Passenger Injuries	All Modes: Less than 1 per 100,000 passenger trips
Preventable Accidents	All Modes: Less than 1 per 100,000 revenue miles
Complaints	Fixed Route: Less than 1 per 100,000 revenue miles Paratransit: No more than 1 complaint for every 600 passenger trips. Community Shuttles: Less than 1 per 5,000 revenue miles
Percent of Trips Denied	Paratransit: 0%
Cleanliness of Buses	All Modes: Interiors and exteriors cleaned daily
Percent Missed Trips per Trip Miles	Fixed Route: Less than .01% Paratransit: 0% Community Shuttles: Less than .01%
Preventative Maintenance Work Completed On-Time	Greater than 99%
Vehicle Service Miles Between Road Calls	Greater than 25,000 miles
Load factor	Fixed Route: Less than 1.5 in peak for local service, less than or equal to 1.0 in off peak for local service. All commuter services should be equal to or less than 1.0 during all times of day. Paratransit: Never exceed 1.0 Community Shuttles: Less than 1.5 in peak for local service, less than or equal to 1.0 in off peak.

Measure	Standard
Frequency of Service	Fixed Route: Frequency of service should never be more than one bus per hour for local and intercity buses. Commuter service frequency should never be more than one bus per one and half hours. System average should be 45 minutes or less.
Percentage of ADA Accessible Stops	100% of all new stops shall be ADA accessible, existing stops should be made accessible to the greatest extent possible
Bus Stop Amenities	Stops which average 50 or more riders a day should have a shelter installed if feasible.
Trip length	Paratransit: Trips should not exceed 1.25 times that of an equivalent trip on fixed route transit.

1.1.4 Efficiently Use of Resources

NVTA strives to use its resources in an efficient and responsible manner. Ensuring needs are met and budgets are not overrun are two of NVTA's top financial goals.

Measure	Standard
Total Ridership	Fixed Route: Increase over prior fiscal year Paratransit: Growth should not lead to denials Community Shuttles: Growth should not lead to excessive wait times
Passengers per Revenue Vehicle Hour	Fixed Route: Greater than 80% of system average Paratransit: Greater than 2.0 Community Shuttles: Greater than 4.0
Subsidy per Passenger	Fixed Route: At or less than \$6.50 Paratransit: At or less than \$40 Community Shuttles: At or less than \$15
Operating Cost per Service Hour	Fixed Route: At or less than \$60
Operating Cost per Revenue Hour	Paratransit: At or less than \$90 Community Shuttles:
Operating Cost per Passenger	Fixed Route: At or less than \$4.50 Paratransit: At or less than \$24 Community Shuttles: At or less than \$75
Farebox Recovery Ratio	Fixed Route: Meet or exceed 15%. Paratransit: Meet or exceed 10%. Community Shuttles: Meet or exceed 10%.
Load factor	Fixed Route: Less than 1.5 in peak for local service, less than or equal to 1.0 in off peak for local service. All commuter services should be equal to or less than 1.0 during all times of day. Paratransit: Never exceed 1.0 Community Shuttles: Less than 1.5 in peak for local service, less than or equal to 1.0 in off peak.
Percent Missed Trips per Trip Miles	Fixed Route: Less than .01% Paratransit: 0% Community Shuttles: Less than .01%
Scheduled On-Time Arrivals	Fixed Route: Equal or greater than 90% on-time Paratransit: Equal or greater than 97% on-time Community Shuttles: 90% of service will arrive within 30 minutes of request for service.
Complaints	Fixed Route: Less than 1 per 100,000 revenue miles Paratransit: No more than 1 complaint for every 600 passenger trips. Community Shuttles: Less than 1 per 5,000 revenue miles
Percent of Trips Denied	Paratransit: 0%

Measure	Standard
Proximity to Service	<p>Fixed Route: 95% of dwelling units in areas having six or more units per acre to be located within 1/4 mile of a stop, all major destinations to be within 1/8 of a mile of a stop.</p> <p>Paratransit: Service will be available to all qualifying residents of Napa County with residences, destinations, or the ability to find alternate means to come within 3/4 of a mile from Vine fixed route service.</p>
Frequency of Service	<p>Fixed Route: Frequency of service should never be more than one bus per hour for local and intercity buses. Commuter service frequency should never be more than one bus per one and half hours. System average should be 45 minutes or less.</p>

1.1.5 Be a Forward Think Organization Meeting the Needs of an Evolving and Diverse Community

NVTA is always looking for new and useful technology that will make operating the system more efficient as well as attract new riders. By listening to the needs and wants of the community as well as introducing useful tools to the system NVTA will be able to create a strong and vibrant transit system.

Measure	Standard
Stop Spacing	Stops should be spaced no closer than 1-4 of a mile and no further than 1-3 of a mile in urban areas. Stops located in rural areas will be evaluated on a case by case basis to ensure that ADA accessibility requirements are met and there is a clear and present demand.
Proximity to Service	Fixed Route: 95% of dwelling units in areas having six or more units per acre to be located within 1-4 mile of a stop, all major destinations to be within 1-8 of a mile of a stop. Paratransit: Service will be available to all qualifying residents of Napa County with residences, destinations, or the ability to find alternate means to come within 3-4 of a mile from Vine fixed route service.
Frequency of Service	Fixed Route: Frequency of service should never be more than one bus per hour for local and intercity buses. Commuter service frequency should never be more than one bus per one and half hours. System average should be 45 minutes or less.
Percentage of ADA Accessible Stops	100% of all new stops shall be ADA accessible, existing stops should be made accessible to the greatest extent possible
Bus Stop Amenities	Stops which average 50 or more riders a day should have a shelter installed if feasible.
Average Age of Fleet by Vehicle Type	Fixed Route: Average age should not exceed 12 years. Paratransit: Average age should not exceed 4 years. Community Shuttles: Average age should not exceed 4 years.
Average Mileage of Fleet by Vehicle Type	Fixed Route: Average should not exceed 500,000 miles. Paratransit: Average should not exceed 100,000 miles.

Measure	Standard
	Community Shuttles: Average should not exceed 100,000 miles.
Total Ridership	Fixed Route: Increase over prior fiscal year Paratransit: Growth should not lead to denials Community Shuttles: Growth should not lead to excessive wait times
Passengers per Revenue Vehicle Hour	Fixed Route: Greater than 80% of system average Paratransit: Greater than 2.0 Community Shuttles: Greater than 4.0
Maintain an up-to-date list of stakeholders	Contact individuals and organizations yearly to ensure information is up-to-date on contact list.
Implement Public Outreach in Accordance with the Title VI Public Participation Plan	Complete check-list of required processes in accordance with Title VI Public Participation Plan prior to an outreach event.
Land Use Coordination	Comment on all design referrals with obvious transit nexus. Ensure participation on any TAC for major local land use projects

CHAPTER 2 MAJOR SERVICE CHANGES

Section 2.1. Overview

Prior to Board approval all major service changes will be subject to an equity analysis, which includes an analysis of adverse effects.

2.1.1 Major Service Change

A “Major Service Change” is defined as the following, unless otherwise noted under E. EXCEPTIONS:

- A. A new transit route. (The reassignment of existing route numbers, including reassignment of numbers resulting from splitting or combining two or more existing routes, which creates a new route “number” will not constitute a new transit route. Should the adjustment impact miles or hours, criteria (c) and (d) shall be considered); or
- B. New service on streets not previously used by any route (excluding major arterial streets and streets designated as a truck route); or
- C. Any aggregate change of 30 percent or more of the number of transit revenue hours of a route computed on a daily basis for the day of the week for which the change is proposed; or
- D. Routing changes that alter 40 percent or more of a route’s path. Minor changes to an existing route shall not constitute a “major change in route.”
- E. EXCEPTIONS: Exceptions to the major adjustments of transit service include:
 - 1. Changes to a service on a route with productivity levels at 50 percent or below of NVTAs Transit standards in a typical service day are not considered “major” unless service on that route is eliminated completely on any such day. Productivity standards are based on NVTAs Transit’s route typology as adopted in the Short Range Transit Plan.
 - 2. Headway adjustments from existing headways of up to 20 minutes not made in conjunction with a change in revenue vehicle miles or hours provided in (c) and (d) above.
 - 3. Standard seasonal variations, unless the variation, as compared to operations during the previous season, fall within the definition of major adjustments listed above.
 - 4. The introduction or discontinuation of short- or limited-term service (e.g., promotional, demonstration, seasonal or emergency service, or service provided as mitigation or

diversions for construction or other similar activities), as long as the service will be or has been operated for no more than twelve months. Emergency service changes include changes in routes of service frequencies that may be necessitated due to a disaster that severely impairs public health or safety; changes in access to public streets (such as street closures); or the ability of Agency equipment to travel on public streets.

5. The restoration of service previously eliminated due to budget constraints, provided the service runs on the same route as it had prior to its elimination, subject to minor deviations that do not exceed the requirements of (a), (b), (c), or (d) above.
6. Changes to infrequent, seasonal, or supplemental routes, including supplemental school routes that meet the requirements of (a) or (b).

CHAPTER 3 PASSENGER FARES, PASSES & TRANSFERS

Section 3.1. Definitions

For the purposes of these policies, the following definitions shall apply:

Fare: The fee charged and received by NVTa in exchange for transit services provided. The fare can be in the form of cash payment at the time of service, prepayment through other means or Clipper. Many transit fares are typically collected and recorded via an electronic recording device, known as a farebox; however, this is not the only method of collecting and recording fees. This policy may use the term fare and farebox interchangeably, and shall be interpreted as the totality of the fees.

Base Fare: For purposes of the fare policy, the base fare will be defined as the single unlinked trip, full cash fare.

Youth Fare: Fare for any rider 18 years of age and under (photo ID with proof of age required).

Child Fare: Fare for any child 5 years of age and younger.

Express Bus Route: A deluxe bus route characterized by one or more segments of high-speed, non-stop operation, and with a limited number of stops which are generally provided for commuter service.

Fare Media: Fare media shall be defined as all passes, tickets, cards or ID's sold or otherwise distributed for use on various NVTa services.

Half-Fare: Fares, as defined above, for eligible persons with disabilities, senior riders or Medicare cardholders. The cash half fare is the maximum of one-half of the full cash fare or the current FTA guidelines (Code of Federal Regulations, Title 49, Subtitle B, Chapter Vi, Part 609), rounded down to an increment of \$0.05.

Local Bus Route: Any fixed route bus service not designated as an express or shuttle bus route.

Shuttle Bus Route: Local distribution services that operate in a small area and are used for shorter than average length trips are classified as shuttle services.

Mode: Defines the different types of services offered by NVTa, which includes local bus, express bus, shuttle bus and Para-Transit.

Senior: Any person age 65 or older (photo ID with proof of age required at boarding).

Person with Disability: People who meet the currently enforced Federal Transit Administration's (FTA) definition of people with disabilities. At the time of the adoption of this policy, the definition is: *"any individual who, by reason of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including any individual who is a wheelchair user or has semi-ambulatory capabilities), cannot use effectively, without special facilities, planning or design, mass transportation service or a mass transportation facility."*

Medicare Cardholders: Individuals who have been issued a Medicare card, regardless of age or disability.

Day Pass: A 24 hour period pass valid for unlimited travel on all VINE fixed route services (excluding Route 29) for one calendar day from the time of activation through the end of the service day.

Monthly Pass: A thirty (31) day period pass valid for unlimited travel on all VINE fixed route services (excluding the Route 29) for 31 calendar days from the day of activation through the end of the 31st consecutive service day.

Section 3.2. Fare Policies

Napa Valley Transportation Authority's (NVRTA) Fare Policy establishes principles and policies that govern recovery of passenger revenues in support of NVRTA's vision of the Vine being a customer-driven and efficient public transportation system serving the County of Napa.

3.2.1 Revenue Collection Principles

Generally, fares are required to generate revenue to offset a component part of NVRTA's expenses as defined by the Transportation Development Act (TDA) as part of a sustainable long-term Financial Plan. The following principles guide establishment and management of NVRTA's fare revenue collections:

- A. Promote ridership on all transit related services: NVRTA seeks to encourage and facilitate transit ridership within VINE's service area. Vine's fares shall; therefore, be devised to be attractive to the widest possible range of existing and potential rider groups.
- B. Equitable fares: To be equitable, fares must take into account the needs of Vine's riders as well as the cost and value of the service provided by the Vine. Vine's fares shall support the travel patterns and requirements of transit riders throughout the service area and shall also reflect differences in the characteristics and frequency of the service provided, while not undervaluing Vine's service.
- C. Enhance mobility & access: Vine fares shall enhance the ability of riders to access the system and move through it with ease. To do so, Vine fares shall be easy to understand and shall promote a unified system by simplifying and, where effective and possible, unifying fares across services.
- D. Effective & cost efficient: Vine's fare pricing, fare policy, fare media distribution channels, and fare collection technologies shall be developed and operated to be easily applied by transit operating employees, as well as to minimize the costs associated with fare collection, fare media distribution and revenue processing.
- E. Management: Vine's fares and fare collection system shall be designed to facilitate data collection to foster analytical decision making by NVRTA's staff.

In keeping with these principles, the policies governing Vine's fares are set forth below:

- A. **Farebox Recovery:** Vine collects fares from passengers riding its transit services as one element of funding these services. These fares are then used to offset the costs of providing the transit service, otherwise known as Farebox Recovery. The Farebox Recovery ratio is defined as the ratio of the transit fares to the operating costs. NVTAs farebox recovery ratio target shall be equal to those targets set forth by Transit Development Act regulations. Urban transit services, Vine and American Canyon Transit, have a farebox recovery target different than that of rural transit (Calistoga Shuttle, St. Helena Shuttle and Yountville Trolley) and ADA Paratransit services. See note D at the end of this document for current regulatory farebox recovery rates.
- B. **Vine Fare Adjustments:** Fare adjustments are defined as any permanent changes to Vine's fare structure. Decisions on fare adjustments are made by the NVTAs Board of Directors. Prior to making a decision on a fare adjustment, the Board shall consider the recommendation by NVTAs staff, including but not limited to an analysis of the impacts on minorities and low-income individuals consistent with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq), the Federal Transit Administration (FTA) Title VI regulations (49 CFR part 21), and FTA's Circular 4702.1B, including any future amendments thereto, as well as NVTAs Title VI Policy. Prior to raising a fare, NVTAs shall solicit and consider public comment in compliance with 49 USC Chapter 53 and FTA Circular 9030.1C, including any future amendments thereto. Implementation of a fare adjustment shall occur no earlier than 30 days and no later than 12 months following approval by the Board of Directors. Any change in the fare shall be rounded to the nearest \$.05.

Fare adjustments shall be considered by the NVTAs Board under the following scenarios:

- 1. Following NVTAs annual report if VINE has failed to meet its farebox ratio goal defined in the fare policy.
- 2. Every three years the NVTAs Board of Directors will consider fare adjustments to match the previous three years of CPI-U for the San Francisco – Oakland – San Jose Region or to match the percent increase in Vine expenditures for the previous three years whichever is greater. Unless the farebox ratio for the previous fiscal year is equal to or greater than 20%. In which case fare increases shall be paused.

NVTAs staff will annually report to the Board a review of farebox revenues and the farebox recovery ratio for the entire system and service. NVTAs staff will recommend possible

solutions for meeting the minimum farebox recovery if analysis indicates it has not been met. Solutions may include a recommendation for a fare adjustment. Such recommendation will include consideration of economic trends, Vine's current and future operating health and the value of services, both qualitative and quantitative, in the communities served.

- C. **Fare Differentials:** Vine's fares shall balance simplicity and uniformity of fares with the equity of pricing services consistent with the cost and value of providing that service. The number of fare types, levels, and fare payment instruments shall consider the ease of enforcement by vehicle operators, ease of understanding by customers and the ease of tracking with both the farebox technology and the back-office technology.

Services that cost more to operate or provide additional value to passengers compared with local bus service are considered premium services, and may be priced higher (but never lower) than local bus service. Premium services include express buses, paratransit, and if implemented in the future, bus rapid transit. The price structure for each premium service will be set separately.

Local distribution services that operate in a small area and are used for shorter than average length trips provide less value to riders and are classified as shuttle services. Shuttle services may be priced equal to or lower than local bus service.

- D. **Vine-GO Paratransit Fares:** Vine Go's policy, in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12143) and the implementing FTA Regulations (49 CFR Section 37.121) is that ADA complementary paratransit fares will equal twice the regular fixed-route fare for the same trip. If the Act is changed, this policy shall be changed to be consistent with federal law. If ADA complementary paratransit provides service beyond or in addition to the federally defined ADA complementary paratransit service, a higher fare shall be charged for that service.

- E. **Vine Local Passes:** Prepayment of fares on the fixed-route system shall be encouraged. Monthly local Vine passes shall be discounted to provide some savings to commuters compared with the cash fare, but not less than 30 (See Attachment A) times the cash fare. Day passes shall be priced at least equivalent to the cost of three boardings and no more than the cost of six boardings. Twenty ride passes shall provide the equivalent of 20 rides and shall be discounted no more than 10% (See Attachment A) from the actual value. These policies shall be applied equitably across all fare types (Adult, Youth and Discount). Passes shall be priced to expedite the

boarding process.

Employer, university or schools and other qualifying group pass programs shall be priced so that either:

1. The anticipated average revenue per boarding to VINE from such programs is approximately equal to or greater than VINE's average revenue per boarding for the two most recent fiscal years excluding these programs, or
2. The anticipated revenue from the program is at least equal to the estimated revenue previously generated by the riders switching to the program.

F. Vine Express Fares and Passes

1. **Vine Route 29:** Vine Route 29 is a partially grant funded premium express service from Calistoga to the Vallejo Ferry and BART. As such it is primarily intended to service commuters traveling to and from the City of San Francisco and the East Bay. The cash fares shall be split into a two tiered system with one fare to the Vallejo Ferry Terminal and higher fare to BART. As a grant funded route the farebox requirement for the Route 29 is 20% and the fare structure is independent of the local VINE routes. As a commuter route the discounted fare provisions of this policy do not apply to the Route 29 therefore all cash and pass fares shall be equal. The Route 29 farebox ratio and fares shall be reviewed on the same schedule set forth for the local routes but there is no provision for automatic increases to the fares. Passes will cost no less than 20 (See Attachment B) times the cash fare. Only Route 29 monthly passes shall be valid on the Route 29. Punch passes can be used on the Route 29 but a single ride will cost multiple punches depending on the destination. Transfers are not accepted onto the Route 29 but transfers shall be issued for use on other eligible VINE routes upon request.
2. **Vine Route 21:** Vine Route 21 is a grant funded premium express route servicing a connection between the Solsol Gateway Transit Center and the Suisun City Train Depot. As a grant funded route the Route 21 is not required by law to meet a specific farebox recovery ratio but by NVTA policy it is the goal of the agency to reach a farebox recovery ratio equal to that of the regulatory minimum for rural transit services. The Route 21 farebox ratio and fares shall be reviewed on the same schedule set forth for the local routes but there is no provision for automatic increases to the fares. Cash fares for the Route 21 are set independent of the VINE local fares and as a commuter route the discounted fare provisions of the

local VINE service do not apply to the Route 21. The Route 21 does not have a distinct monthly pass but all other passes are valid for use on the Route 21. In the case of a punch pass one ride shall be equal to two punches. Transfers are accepted onto the Route 21 from any other VINE route.

- G. **Local Shuttle Services:** Local shuttle service fares (St. Helena, Yountville, Calistoga and American Canyon) are defined by the individual Agreements between the jurisdiction and NVRTA. These shuttle services are not subject to any provision stated in the Fare Policy except those required by law and defined within the relevant Agreement.
- H. **Promotions and Special Events:** Fare promotions, including special event fares, may be used to attract riders to Vine services. Fare promotions can be a cost-effective method of attracting riders to new services (such as new bus routes) and existing services. For the purpose of this policy, Fare Promotions shall be defined as any new fare card, fare media, cash fare or other transit fare which is not part of the adopted fare structure and may be priced higher or lower than Vine's regular fares. Fare Promotions are not required to include a specific fare for seniors, Medicare cardholders or individuals with disabilities, however the rates charged seniors, Medicare cardholders or individuals with disabilities during off-peak hours must not exceed one-half of the rates generally applicable to other persons at peak hours (excluding the Fare Promotion) as required by FTA regulations (Code of Federal Regulations, Title 49, Subtitle B, Chapter Vi, Part 609). Fare promotions must be able to be implemented within the capabilities of the current fare collection technology in use at the time of the implementation. Fare promotions shall not exceed a six (6) month period. If the promotion is deemed to be successful and management desires it to be part of the fare structure, then management shall bring the issue and analysis to the Board of Directors for adoption into the current fare structure. Should the fare promotion result in "free rides". Pass holders with a 31-day pass activated before the beginning of the promotion and valid during the period of the promotion shall receive a period pass equal to the free period. To remain equitable all paratransit service shall be free during free ride promotions
- I. **New Payment:** Options Fare payment options that effectively attract a different market segment or encourage increased use of Vine services by current riders shall be developed; but must be within the realm of current or planned hardware, software and back-office technologies. Initial pricing for such options shall be set such that VINE is not expected to lose fare revenue, unless the Board of Directors specifically approves an estimated amount of lost revenue.
- J. **Design:** The design of fare payment instruments shall consider the

ease of enforcement by bus operators, ease of understanding by customers and the ease of tracking with both the farebox technology and the back-office technology.

- K. **Child and Youth Fares - Vine Local Route Services:** Up to two children, 5 years of age or less, ride free with each adult over 18 paying fare. Additional children must pay \$.50 per child. No child under the age of seven may ride without an accompanying adult.

Youth shall be defined as persons ages 6 - 18. Youth may qualify for a reduced fare based on the type of service being provided and the publicized fare. Youth fare is calculated by subtracting \$.50 from the full adult fare. In all cases, the youth will no longer qualify for any youth discounts on his/her 19th birthday.

- L. **Half-Fare Program – Vine Local Fixed Route Services:** The objective of the Half-Fare Program is to provide reduced fares for fixed route services for seniors, persons with disabilities and Medicare cardholders in compliance with the Federal Transit Administration's half-fare requirements (Code of Federal Regulations, Title 49, Subtitle B, Chapter Vi, Part 609).

Who is eligible for the half-fare program?

1. Persons aged 65 and older, unless the FTA regulations defining seniors are changed in the future, in which case the FTA regulations shall be followed.
2. Medicare cardholders
3. People who meet the currently enforced Federal Transit Administration's (FTA) definition of people with disabilities. At the time of the adoption of this policy, the definition is: *"any individual who, by reason of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including any individual who is a wheelchair user or has semi-ambulatory capabilities), cannot use effectively, without special facilities, planning or design, mass transportation service or a mass transportation facility."*

NOTES

- A. The local monthly pass multiplier is based on an analysis of other local transit services within the Bay Area and what is currently being used by the Vine. See Attachment A.
- B. The discount for the punch pass is based on an analysis of other local transit services within the Bay Area and what the VINE is currently using. See Attachment A.
- C. The Route 29 monthly pass multiplier is based on an analysis of other express route services within the Bay Area and what is currently being used by the Vine. See Attachment B.
- D. As of June 1, 2014 the regulatory minimum farebox recovery ratio is 16% for urban transit services and 10% for rural and ADA paratransit services.
- E. Vine offers reduced fares to senior citizens and disabled persons. The Vine honors the federal Medicare identification card, the California Department of Motor Vehicles disability ID card, the Regional Transit Connection Discount Card, or any other current identification card issued by another transit operator that is valid for the type of transportation service or discount requested; and when offering reduced fares to senior citizens, it also offers the same reduced fare to disabled patrons.

CHAPTER 4 PASSENGER COMPLAINT & COMMENT POLICIES & PROCEDURES

Section 4.1. Overview

NVTA maintains a philosophy of providing exceptional customer service and responsiveness to the public.

4.1.1 Complaints & Comments

- A. Complaints and comments from the public may be received electronically through email and the Vine/NVTA web site, prepaid comment cards available in English and Spanish on Vine vehicles, standard written correspondence, testimony at public meetings, and/or via telephone or in-person communication.
- B. NVTA's transit operations contractor may also receive complaints or comments in one or more of the formats noted above
- C. When complaints are received, NVTA staff and/or contractor will acknowledge receipt of the complaint within 24 business hours from the time it is received.
- D. All complaints should be investigated and resolved within 5 business days.
- E. Complaining party shall be notified of the agency's resolution of the complaint within 5 business days. NVTA's contractor shall maintain documentation of all complaints received and their resolution and provide monthly written summaries to be included in the contractor's monthly invoice to NVTA.
- F. NVTA's contractor shall maintain documentation of all complaints received and their resolution and provide monthly written summaries to be included in the contractor's monthly invoice to NVTA.
- G. NVTA will maintain a log at on the shared office drive available **(H:\NVTA\3000_Public Transit\03_Complaints & Suggestions**)so that all NVTA personnel can review and record complaints
- H. Copies of relevant comment cards received shall be shared with the agency's contract operator with the originals retained in hard copy or electronic form.

4.1.2 Requests for Reasonable Modification

Public Transit passengers with disabilities may request reasonable modifications be made to accommodate their use of public transit.

- A. Requests should be made in written form and submitted to the Manager of Public Transit.
- B. Individuals requesting modifications shall describe what they need in order to use the service.
- C. Individuals requesting modifications are not required to use the term “reasonable modification” when making a request.
- D. Whenever feasible, requests for modifications shall be made and determined in advance, before the transportation provider is expected to provide the modified service, for example, during the paratransit eligibility process, through customer service inquiries, or through NVRTA’s complaint process.
- E. Where a request for modification cannot practicably be made and determined in advance (*e.g.*, because of a condition or barrier at the destination of a paratransit or fixed route trip of which the individual with a disability was unaware until arriving), operating personnel shall make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with NVRTA management before making a determination to grant or deny the request.
- F. Requests for modification of NVRTA’s policies and practices may be denied only on one or more of the following grounds:
 - (1) Granting the request would fundamentally alter the nature of NVRTA’s services, programs, or activities;
 - (2) Granting the request would create a direct threat to the health or safety of others;
 - (3) Without the requested modification, the individual with a disability is able to fully use NVRTA’s services, programs, or activities for their intended purpose.
- G. In determining whether to grant a requested modification, NVRTA shall be guided by the provisions of Department of Transportation 49 CFR Part 37, § 37.169 Appendix E.

CHAPTER 5 ADA PARATRANSIT POLICIES

Section 5.1. Service Overview

Section 5.2. NVTA Eligibility Standards In compliance with the American's with Disabilities Act (ADA) of 1990 the Napa Valley Transportation Authority (NVTA) provides complementary paratransit service (Vine Go) to the Vine fixed route bus system. This service is available to all individuals deemed eligible that are making a trip with an origin and destination within three-quarters ($\frac{3}{4}$) of a mile of a Vine fixed route corridor. Vine Go paratransit operates as a curb-to-curb service.

Per the ADA regulations individuals falling into one or more of the below categories are eligible to receive complementary ADA paratransit service:

Category 1: Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the fixed route system which is readily accessible to and usable individuals with disabilities.

Category 2: Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to board, ride and disembark from any fixed route vehicle which is readily accessible to and usable by individuals with disabilities if the individual wants to travel on a route on the system during the hours of operation of the system at a time, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route.

Category 3: Any individual with a disability who has a specific impairment-related condition which prevents such individual from traveling to a boarding location or from a disembarking location on such system.

- Under this condition an emphasis is placed on prevents. A condition which makes traveling to boarding location or from a disembarking location more difficult for a person with a specific impairment-related condition than for an individual who does not have the condition, but does not prevent the travel, is not a basis for eligibility.
- Architectural barriers not under the control of the public entity providing fixed route service and environmental barriers (e.g., distance, terrain, weather) do not, standing alone, form a basis for eligibility under this paragraph. The interaction of such barriers with an individual's specific impairment-related condition may form a basis for eligibility under this standard, if the effect is to prevent the individual from traveling to a boarding location or from a disembarking location

Section 5.3. Eligibility Determination Process

Individuals wishing to apply for ADA paratransit service shall schedule an appointment with NVTA's designated eligibility contractor. Applicants will complete

an in-person evaluation performed by NVTAs contractor before a determination of eligibility is made. All decisions regarding an applicant's eligibility shall be rendered in written form within twenty-one (21) days of receiving the applicant's determination form regardless of any follow up.

Section 5.4. Eligibility Categories

NVTA separates eligible individuals into three distinct categories: unconditional, conditional, and temporary. Unconditional eligibility is assigned to individuals who are unable to use fixed route transit under any circumstances. Conditional eligibility is assigned to individuals who are able to independently use fixed route transit under some circumstances. Those "circumstances" are determined at the time of an applicant's evaluation and are then adhered to when scheduling rides. Temporary eligibility is assigned to individuals who experience a temporary loss of functional ability that prevents them from using fixed route service. Each eligibility category shall result in differing terms regarding the span of time in which an individual is certified to use ADA paratransit. Individuals deemed unconditional shall remain eligible indefinitely due to the fact most disabilities that would result in this type of categorization do not improve with time. Unconditional individuals will receive a letter every three (3) years to ensure the most up to date information is on record. Conditionally eligible individuals shall remain certified for a period of three (3) years. Prior to their expiration conditionally eligible individuals will be sent a letter asking to renew as well as a new application. The determination of eligibility may change during their renewal, should their disability either improved or deteriorated. Temporarily eligible individuals will also be sent a letter and application at the end of their term giving them the opportunity to renew should they feel that their condition still prevents them from riding fixed route transit.

Section 5.5. Appeals Process

If a paratransit applicant is deemed ineligible and does not agree with the determination they have the right to appeal the decision. To formally appeal a decision a letter must be submitted to NVTA within 60 days of receiving an eligibility determination letter. The letter shall be addressed to NVTA 625 Burnell St. Napa, CA 94559 to the attention of the Manager of Public Transit. Upon receiving the letter an appeals panel will be assembled to hear an applicant's appeal. The applicant or someone they appoint to speak on their behalf shall be contacted and an in person meeting with the panel will be scheduled. The panel shall consist of a member of Napa County's Paratransit Coordinating Council (PCC), a member of NVTA's Evaluation Contractor's evaluation staff, and the Manager of Public Transit or his/her designated staff member. The appeals panel will render a final written decision within thirty (30) days of hearing the appeal. Should the appeals panel not render a decision within the thirty (30) days after the completion of the appeals process, NVTA shall provide paratransit service to the applicant until a decision is rendered. Free transportation shall be provided to the appealing applicant and their personal care attendant (PCA) to the appeals hearing.

Section 5.6. Visitors

Complementary paratransit service is available to visitors. A visitor is defined as anyone coming from an area outside of the nine (9) Bay Area Counties. All visitors must submit a proof of eligibility as determined by the jurisdiction in which they formally reside prior to their use of the Vine Go system. In a case where an individual has no formal documentation of ADA eligibility, the individual is to provide documentation of residence outside of the Bay Area, and if the individual's disability is not apparent, proof of disability. Visitors shall be able to use Vine Go for a total of twenty-one (21) days within a three hundred and sixty-five (365) day period. Should an individual need service beyond the twenty-one (21) total days they shall be required to apply for local certification.

Section 5.7. Reservation and Scheduling

Eligible individuals may schedule their trips as early as seven (7) days in advance or as late as the day before the intended trip. For clarification, the "day before" is not considered to be twenty-four (24) hours prior to the intended trip. A request for a morning trip can be made in the afternoon of the day before. Trips are scheduled on a first come, first serve basis. No trips will be given priority over the other based on trip purpose or destination. Reservationist may negotiate an eligible individual's requested pickup time up to one hour before or after the desired pickup time. Reservationists shall be available to schedule trips from 8:00AM to 6:00PM, Monday through Friday and 8:00AM to 5:00PM Saturday through Sunday. NVRTA does not provide subscription service.

Section 5.8. Hours of Operation and Service Area

NVRTA shall operate complementary paratransit service during the same days and hours that fixed route service operates. Thus, if an individual can travel from a given origin to a given destination on a particular fixed route at a certain time of day, a paratransit eligible person must also be able to travel from the same origin to that same destination on paratransit at that time of day. Because paratransit service is required to be available during the same hours and days as the fixed route system, and because not all fixed routes will necessarily be operating at a given time on a given day, the shape of the paratransit service area can be expected to change accordingly. For example, it is common for certain routes to not run late at night or on Sundays. Those routes, and their associated paratransit corridors, are not served with paratransit when the fixed route system is not running on them.

Section 5.9. Fares

NVRTA shall set its fares for paratransit trips at twice that of a comparable fixed route trip. Eligible individuals shall pay their fare upon boarding. Personal care attendants (PCA) that are specifically identified in an eligible individual's file ride for free. Should an eligible individual have a companion that is not their designated PCA, that individual shall be required to pay the same fare amount as the eligible individual they are travelling with.

Section 5.10. Mobility Devices

Vine and Vine Go transit vehicles are designed to accommodate most wheelchairs and mobility aids. NVRTA defines a wheelchair as a mobility aid that belongs to any class of three or more wheeled devices, is manual or powered, usable indoors and/or outdoors, and designed or modified for the an individual's mobility impairments. The maximum amount that a lift on the fixed route system can safely accommodate is 600lbs (rider and mobility device combined). Some ramp equipped fixed route vehicles can accommodate 800lbs however there is no guarantee that those specific vehicles will be available for one's trip. For safety reasons riders and their mobility device that have a combined weight of 600lbs or more are encouraged to use paratransit. The maximum the lifts on NVRTA's paratransit fleet can safely accommodate is 800lbs. If the combined weight of a rider and their mobility device is 800lbs or greater Vine Go cannot accommodate them safely and the rider will be directed to make other transportation arrangements.

Section 5.11. Passenger Accompaniment

NVRTA guarantees any eligible paratransit user one travel companion. Additional persons accompanying eligible individuals are to be served on a space-available basis to prevent displacement of other ADA paratransit eligible individuals. NVRTA does not limit who the companion may be; the companion may be a family member, friend, or business associate, etc. NVRTA requires that the eligible individual reserve a space for the companion when reserving his or her own ride. A personal care attendant (PCA), someone designated or employed to assist the eligible individual, may always ride with the eligible individual. If there is a PCA on the trip, the eligible individual may still bring a companion, as well as additional companions on a space-available basis. To be considered as "accompanying" the eligible individual, a companion must have the same origin and destination points as the eligible individual.

NVRTA allows service animals to accompany paratransit users on all trips. A service animal is defined by the ADA as "any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items." Emotional support, therapy, comfort, or companion animals are not considered "service animals" as they have not been trained to perform a specific job or task . Operational staff may ask if an animal is a service animal or ask what tasks the animal has been trained to perform in cases where it is not obvious that an animal is a service animal. NVRTA shall not require the exclusion of a service animal unless the animal is out of control and the animal's owner does not take effective action to control it or the animal poses a direct threat to the health or safety of others. NVRTA does not limit the number of service animals accompanying a user as long as each animal meets the definition of a service animal and is kept under the control of the rider.

Section 5.12. Passenger Assistance

As defined in Section I of these policies NVTA's ADA paratransit shall operate as a curb-to-curb service. Drivers will provide assistance beyond the curb on an as-needed basis. NVTA shall ask users upon requesting their ride to inform the reservationist if this aid is needed for their pickup and/or drop-off. Should a user not inform the reservationist or a barrier becomes present that was unknown creating the requirement of assistance from the driver, assistance shall not be denied. Although assistance beyond the curb shall be provided on a case by case basis it is NVTA policy that drivers are able to maintain "effective continuing control" of the vehicle. Effective continuing control is defined by the NVTA as the driver being able to maintain visual contact with the vehicle at all times in cases where a user needs assistance beyond the curb. Drivers are also prohibited to enter private residences or past the first exterior door of any other building even if visual contact with the vehicle can be maintained.

Section 5.13. No-Shows

A no-show is defined as a situation where a rider does not take a scheduled ride or cancels their trip an hour or less before their scheduled pickup time due to reasons within their control. Trips missed due to sudden illness, family emergency, or transit agency error or lateness considered outside of the rider's control are not considered a "no-show". A no-show often results in a wasted trip that could have otherwise been given to someone else. Due to critical nature of paratransit trips NVTA takes chronic no-shows very seriously. ADA regulations allow paratransit service to be suspended for a reasonable amount of time when a rider consistently does not appear for scheduled trips. Missing three (3) trips or 10% or more of a passenger's total trips in a calendar month is considered chronic no-show behavior. If a rider presents chronic no-show behavior he or she will be provided with written notification of their impending suspension and the degree of their penalty. The penalties are described below:

- 1st month – Passenger will receive a phone call and a letter to review the policy and rider expectations.
- 2nd month – Seven (7) day suspension
- 3rd month – Fourteen (14) day suspension
- 4th month and after – increasing penalties by one (1) week up to one (1) month suspension.
- Penalties will reset after a year period from the first warning letter.

At any point that an individual receives a written warning or impending suspension notice they may appeal the suspension within sixty (60) days of receipt. The appeals panel will render a final written decision within thirty (30) days of receiving the appeal.

Section 5.14. Pick-Ups

NVTA requests that riders be ready for pick-up at their scheduled time. Drivers shall wait five (5) minutes past the scheduled pick-up time for a registrant to make an indication they are present and planning to make their trip. If a registrant does not show themselves or make a good faith effort they to inform the driver they are

making their way to the vehicle the driver will depart and the registrant will be considered a no-show. This five (5) minute window shall commence from the scheduled time of pick-up, not when the vehicle arrives. If a driver arrives prior to the scheduled pick-up they cannot commence the countdown until the scheduled pick-up time. Should a driver arrive early there is no obligation for the registrant to board the vehicle. Although there is no obligation a registrant may elect to depart early, and the trip will be considered early. A trip is considered “on-time” when a vehicle arrives within thirty (30) minutes of the scheduled pick-up time. If the vehicle arrives outside of the thirty (30) minute window they are considered late. To ensure a high quality of service NVRTA expects that 90% of pick-ups are either on-time (within the 30-minute window) or are early.

Section 5.15. Denials and Missed Trips

NVRTA shall have no denials of service. NVRTA’s operator shall make it a top priority to provide enough capacity on the system to meet demand. Missed trips are trips that are not completed due to agency error. They shall be defined as follows.

- The vehicle arrives and leaves before the beginning of the pickup window without picking up the rider and without any indication from the rider that he or she no longer wants to make the trip. Note that a rider is not obligated to board until the beginning of the pickup window or—for transit agencies that have a 5-minute wait-time policy—from the start of the pickup window until 5 minutes have elapsed.
- The vehicle does not wait the required time within the pickup window, there is no contact with the rider, and the vehicle departs without the rider. Note that if during the wait time the rider indicates he or she no longer wants to take the trip, this is typically recorded as a “cancel at the door.”
- The vehicle arrives after the end of the pickup window and departs without picking up the rider (either because the rider is not there or declines to take the trip because it is now late).
- The vehicle does not arrive at the pickup location.

Section 5.16. Trip Length

NVRTA shall sample twenty (20) random weekday trips, five (5) Saturday trips, and three (3) Sunday trips on a monthly basis to ensure that travel times are comparable to the travel times an individual would have on a comparable fixed route trip. NVRTA expects trips to be comparable 95% of the time.

Section 5.17. Equivalent Service

NVRTA operates four on-demand shuttle services in the communities of Calistoga, St. Helena, Yountville, and American Canyon. These on-demand services shall operate as complementary ADA paratransit for all trips originating and ending within their respective service areas. To ensure equitable service NVRTA shall ensure that response times, fare, geographic service area, hours/days of operation, restrictions, availability of information and reservation capability, and constraints on capacity or availability are equal between ADA and non-ADA eligible riders of each on-demand shuttle service.

CHAPTER 6 CHARTER & SCHOOL BUS

Section 6.1. Statement of Policy

Consistent with federal regulations, NVTa shall not operate charter or school bus services except as permitted under CFR 49 - Part 604 and 49 CFR Part 605

CHAPTER 7 SHARED VEHICLE PROGRAM

Section 7.1. Statement of Policy

The Shared Vehicle Program shall be expressly for 501(c)(3) organizations that serve the elderly and/or disabled.

7.1.1 Participation

Participating organizations must:

- A. Sign a Memorandum of Understanding (MOU) with NVTA;
- B. Identify a staff member or volunteer from their agency as a prospective driver
- C. Add driver on the borrowing agency's workers' compensation policy
- D. Have insurance for general Liability
- E. Have insurance for Hired & Non-Owned Auto Liability
- F. Name NVTA as an additional insured on the above listed insurance policies
- G. Provide proof that driver candidate is an employee or volunteer covered under that agency's workers compensation insurance
- H. Schedule time to borrow a vehicle on an as available basis
- I. Pick up and return the vehicle
- J. Prepare and submit necessary trip paperwork on the use of the vehicle
- K. Replace the gasoline used at their expense

7.1.2 NVTA Responsibilities

- A. NVTA must perform a Department of Justice background check on the driver candidates.
- B. NVTA shall provide driver training to driver candidates.
- C. Driver candidates must secure the appropriate license.
- D. Driver candidates must agree to undergo random drug testing.
- E. NVTA shall add drivers onto its vehicle insurance policy.

CHAPTER 8 TAXI SCRIP

Section 8.1. Statement of Policy

NVTA provides a limited amount of subsidized taxi rides within the City of Napa as a lifeline service to supplement regular fixed-route transit.

The NVTA Taxi Program shall be a lifeline service only for residents over of the City of Napa 65 years of age or older or persons with disabilities travelling to destinations within the City of Napa. Napa residents that have been ADA Vine Go certified have presumptive eligibility in the Taxi program.

8.1.1 Participation & Compliance

8.1.1.1 Users

- A. Tipping with scrip is prohibited.
- B. Three books of scrip per month per client maximum.
- C. All scrip users must be enrolled and follow the rules of NVTA Taxi Program.
- D. All users must show Taxi Program ID with photo (or Taxi Program ID w/o photo and another Picture ID) every time they wish to pay with scrip.
- E. Use of Scrip may not exceed \$12 per trip.
- F. Scrip expires 3 years from issuance.
- G. Taxi scrip is non-refundable or exchangeable.
- H. Only residents meeting the established program criteria are eligible to enroll.
- I. All program applicants must complete a Taxi Scrip application. Applications may take up to 21 days to process.

8.1.1.2 Agencies

- A. Agencies wishing to have their clients participate in the NVTA taxi Program must direct their clients to NVTA to enroll and follow the same rules as individual participants.
- B. Agencies distributing scrip must record transactions in on-line data base.

8.1.1.3 Taxi Company's

- A. Taxis may wait up to 5 minutes for passengers.
- B. Taxi drivers may not provide change for taxi scrip.
- C. Taxi companies are required to show complete street addresses for all trips.
- D. NVTA shall only be billed and will only pay the exact meter rate for trips.
- E. Drivers may not give change for rides paid by scrip, accept the balance of scrip as a tip, or wait for a passenger with the meter running in excess of 5 minutes.

- F. Any taxi operator with a current, valid City of Napa Taxi operator license may participate in the taxi program. Drivers are required to use NVRTA trip sheet and check required passenger ID(s).
- G. In order to receive compensation for rides provided, taxi operators must submit NVRTA required invoicing forms and driver trip sheets, remit collected taxi scrip, and otherwise operate within the program general policies.

CHAPTER 9 PASSENGER POLICIES

Section 9.1. Statement of Policy

~~The Agency~~NVTA is committed to providing a safe, enjoyable experience for all passengers.

Section 9.2. Passenger Code of Conduct

To keep ~~VINE~~Vine Transit Services enjoyable for all, the following rules apply:

- A. ~~Smoking~~: NVTA prohibits smoking on all vehicles and at all transit facilities. The no smoking rule applies to all tobacco and cannabis products, including the use of e-cigarettes and vaporizers.
- B. ~~Eating~~: Eating is not allowed on any transit vehicle with the exclusion of snack bars.
- C. ~~Drinking~~: Drinking is allowed on buses if the liquid is in a closed container like a bottle or thermos. Cups with lids are not allowed unless it is tight fitting. Alcoholic beverages are strictly forbidden on transit vehicles, at transit facilities, and Transit stops.
- D. ~~Radios~~ **Entertainment Devices**: Playing videos, games, and/or music without headphones is not allowed on Vine buses. Please keep headphone volume respectable. ~~playing sound without earphones,~~
- E. ~~Littering~~: All trash shall be placed in a designated trashcan on all vehicles and at all bus stops.
- F. ~~Vandalism~~: Causing damage in any way to Vine property is strictly prohibited. Prohibited actions include, but are not limited to, marking, etching, and cutting.
- G. ~~Offensive~~ **Obscene Language or Behavior**: Using language or actions that can be interpreted as abusive, threatening, or rude to fellow riders or transit staff is not allowed. ~~or~~
- H. ~~Animals (unless a service animal is in a pet carrier) are not permitted.~~: No animals, except properly documented service animals are allowed on board. Service animals must ride at their owner's feet or on their lap. Animals are not permitted on seats. Non-service animals can be brought on board if they are in a secure cage.
- I. **Hazardous Materials**: Hazardous Materials are strictly prohibited on Vine buses. These include, but are not limited to, corrosive material, flammable items, car batteries, materials emitting noxious odors, human or animal waste, etc.
- A-J. **Weapons**: Weapons of any kind are strictly prohibited on Vine vehicles and at any transit facility.
- B. ~~Food & Drinks~~: To keep buses clean, open food and drink containers are not permitted on the bus. Travel mugs and sippy cups with tight-fitting, secure lids are OK.
- C-K. **Carry-On Items**: Limit carry-ons to the size and number you can easily handle. Riders may bring luggage, shopping bags, or other non-hazardous material on the bus as long as the rider can easily handle and secure the

items on or near their body. No flammable or hazardous items are permitted.

D.L. **Bus Stops:** Buses stop only at designated bus stops.

E.M. **Bikes on Buses:** All buses (except VINE GoVineGo) shall are be equipped with have bike racks. Availability of bike racks is on a first-come, first-served basis. Bicyclists are responsible for loading, securing and unloading their bicycles. Bus drivers will not assist. Bikes are only permitted inside the bus on buses retrofitted with interior bike racks or on the last trip of the day. Small scooters, including electric, are permitted inside the bus if they can be secured by the rider.

F.N. **Wheelchairs, Scooters and other Mobility Aids:** The Americans with Disabilities Act (ADA) requires that all new fixed route buses (since the 1990 ADA law was enacted) meet the definition of a “common wheelchair”. A “common wheelchair” is a three or four wheeled mobility device that does not exceed 30 inches in width and 48 inches in length as measured two inches above the ground, and does not weigh more than 600 pounds when occupied. The Vine allows all mobility devices on its fixed route vehicles as long as rider can maneuver it onto the vehicle and have it properly secured. VineGo vehicles with a lift can only accept a device and rider who weigh less than 600 pounds combined.

G.O. **Securing Mobility Devices:** All Wheelchairs and Scooters must be secured. Passengers may transfer to a seat, or if they remain using the wheelchair or scooter, the driver will also recommend that they are secured with an over shoulder strap.

H.P. **Walkers:** The driver will secure walkers inside the bus.

I.Q. **Oxygen Units:** Portable oxygen units are preferred. Large oxygen cylinders must be transported in a holder on wheels or attached firmly to a manual wheelchair.

J.R. **Boarding by the Wheelchair LiftRamp:** Passengers who prefer to board the bus using the lift ramp should ask the driver to assist them.

S. **Service Animals:** Service animals are welcome at all times. The service animal may travel on the floor beside its owner, or on the owner's lap. Animals are not permitted to run free inside the bus, nor sit on bus seats.

K. 9.2.1 Suspendible Offences

A. The following acts will result in immediate and permanent suspension and possible criminal prosecution:

- Physical abuse or causing physical injury to another rider or driver
- Purposeful destruction or vandalism of Vine property.

B. For violating any other codes of conduct the following will be enforced:

- One (1) violation will result in a verbal warning
- Two (2) violations will result in a written warning.
- Three (3) or more violations will result in suspension of service for a minimum of 30 days.

C. Riders may appeal warnings or suspensions. An appeal must be made in writing within 30 days of the incident in question. Appeals can be

[mailed to 625 Burnell St Napa, CA 94559 or submitted through the Vine "Contact Us" portal on the vinetransit.com.](#)

NVTA has a passenger code of conduct that shall be posted on all buses:

~~To Our Passengers:~~

~~At the Vine we are committed to providing you with a clean, safe, courteous and comfortable environment.~~

- ~~-Please be respectful to other riders and your bus driver~~
- ~~-Please use earphones with listening devices~~
- ~~-Please refrain from using vulgar or abusive language~~
- ~~-Please be respectful when using your cell phone~~
- ~~-Please refrain from eating on the bus~~
- ~~-Please ensure all beverages are in secure containers~~
- ~~-Please do not bring hazardous materials or weapons of any kind on the bus~~

~~For a complete copy of our Code of Conduct Policies go to www.Ridethevine.com or call 707-251-2800.~~

~~*Working together we can all have a great ride!*~~

CHAPTER 10 VEHICLE ACCIDENT POLICIES & PROCEDURES

Section 10.1. Statement of Policy

NVTA considers passenger safety the highest priority in its public transit services.

All vehicle incidents and accidents involving injury shall be reported to NVTA staff by the agency's contractor within 24 hours of occurrence. In the event of serious injury, NVTA staff should be notified immediately

Within 72 hours NVTA's contractor shall provide the agency complete documentation of all accidents/incidents including, but not limited to, accident investigation forms, supervisor's notes, photographs and/or video of vehicle(s) and accident scene.

A summary of all accidents and incidents shall be provided by operations contractor in each monthly billing invoice.

The NVTA Executive Director shall be notified of any accident or incident in which medical care was provided at the scene and/or subjects were transported to a medical facility.

CHAPTER 11 STATE OF GOOD REPAIR

Section 11.1. Statement of Policy

Maintaining the agency's transit assets in a state of good repair is essential for delivering safe and reliable transit service.

The agency will maintain an asset management database to log the value and condition of capital assets.

In developing transit budgets and short and long range transit plans, the agency shall prioritize the replacement and/or repair and refurbishment of capital assets to maintain a state of good repair.

The agency contractor will schedule maintenance on intervals that support system wide state of good repair and maintain records of service and maintenance for vehicles and equipment for which they are contractually responsible to maintain.

The agency will schedule maintenance on intervals that support system wide state of good repair and maintain records of service and maintenance for those items not operated by contractor.

CHAPTER 12 SAFETY & SECURITY

Section 12.1. Statement of Policy

NVTA's contract transit provider shall maintain, implement and annually update a Safety and Security Management Plan.

CHAPTER 13 BUS STOP PLACEMENT

Section 13.1. Statement of Policy

The recommended stop spacing guidelines are based upon the best practices research and staff knowledge of local conditions. The goal is to balance the needs of passengers and the operator. While a short distance between stops means a shorter walk for customers, the result is a longer ride for them in the end. The more opportunities for boarding and alighting along a route results in longer trips because of the time it takes for the bus to decelerate, come to a complete stop, collect fares from passengers, wait for the passengers to sit down, and then accelerate and merge into traffic.

A. Local Route

Local stop spacing is broken down into two categories, urban and suburban. Urban is relegated to Downtown defined as First through Fifth Street and Main to Franklin Street and Suburban is the rest of the City of Napa. For the Urban service type, the average distance between stops is 1,000ft apart and for Suburban the average is 1,500ft.

B. Regional Route

On the Routes 10 and 11 there is a wide range of stop distances due to the different land uses and densities along these two routes. The recommended average distance is 4,500 ft. The idea is that within incorporated areas the stops on average can be 1,500ft, in alignment with Suburban standards, and then in rural areas, particularly along the Route10, the stops can be further apart, closer to 20,000 ft.

Type of NVRTA Service	Range	Average
Local <ul style="list-style-type: none">- Urban- Suburban	500 to 1,500 ft 1,000 to 2,000 ft	1,000 ft 1,500 ft
Regional	1,500 to 20,000 ft	4,500 ft
Express	Major Employment Center	25,000 ft

The Routes 10 and 11 share an alignment between Napa Valley College and the Redwood Park and Ride. There may be opportunities to eliminate some duplicative stops along this shared alignment especially along

Soscol Ave near the Soscol Gateway Transit Center (SGTC) where there are stops less than 1,500 ft from the SGTC that predate the construction of the SGTC.

C. **Express Routes**

The recommendation for stops to be located at a major employment center with an average distance of 25,000 ft apart is similar to the current spacing along the Routes 21 and 29. The *Express Bus Corridor Study* completed by NVRTA in 2017 recommends the elimination of the Route 21 stop at Corporate Drive due to low boarding at that stop. The elimination of this stop will result in the modification of the route alignment between the Napa Valley College and the Devlin Road/Airport Blvd stop. These changes will decrease the travel time on the Route 21.

Minimal changes are necessary to the stop spacing on the Route 29. As outlined in detail in the *Express Bus Corridor Study*, in order to speed up the Route 29 there is a need to make efficiency improvements to existing stops and to move stops closer to the main Highway 29 corridor. If stops are added in the future, the stops should only be at major employment centers.

Section 13.2. Process for Implementing Bus Stop Spacing Recommendations

A. **Evaluate the Current Distance Between Bus Stops Against Spacing Guidelines**

The next steps is to evaluate the current distance between bus stops against spacing guideline and either leave the stop unchanged, insert an additional stop, consolidate the stop or eliminate a stop as follows:

Unchanged - if the stop meets the spacing interval

Insert Additional Stop – spacing greater than the maximum recommended interval

Consolidate Stop

If spacing is less than interval then evaluate both stops

One stop is either a hub or has a shelter, evaluate the other stop

If the other stop meets the seven requirements of the Stop Consolidation Checklist then move forward with consolidation.

Eliminate Stop

If spacing is less than interval then evaluate both stops

Neither stop is a hub or has a shelter, evaluate the stop with the lower ridership

If the other stop meets the six requirements of the Stop Elimination Checklist the move forward with elimination.

B. Stop Elimination Checklist

In order to NVRTA to eliminate stop the answer to the following questions needs to be Yes.

Criteria to Eliminate	Yes/No
The adjacent stops left unaltered adhere to the prescribed spacing requirements for their service area.	
Adjacent stops are designed accordingly to absorb additional ridership.	
The stops does not provide direct access to connecting transit services, or if it does there are stops further along the route that will provide the same connections.	
The stop being removed does not meet ADA guidelines, or both adjacent stops meet ADA guidelines.	
The stops does not serve existing community resources such as schools, hospitals, senior center, recreation centers, and locations providing public service.	

C. Stop Consolidation Checklist

In order to NVRTA to eliminate stop the answer to the following questions needs to be Yes.

Criteria to Eliminate	Yes/No
The new stops location has adequate pedestrian access, such as direct sidewalk connections and safe pedestrian crossings	
The new stop location adheres to the spacing requirements with adjacent stops.	
The new location meets ADA guidelines or can be reasonably modified to meet guidelines.	
If either stop being considered for consolidation is a transfer stop, existing transfer opportunities at the new stops location are possible within two or fewer street crossings or at another stop location along the line.	
The stops being considered will not impact more than 20% of the entire route's daily ridership	
The stops being considered for consolidation do not directly serve existing community resources such as schools,	

Criteria to Eliminate	Yes/No
hospitals, senior centers, and locations providing public services.	
The new location will improve or maintain running times.	

Section 13.3. Adding a Shelter

In order to be considered as a potential location for a bus shelter, the stop in question must obtain a minimum of:

- 20 boarding's per average weekday on regional or express Routes
- 10 boarding's per average weekday on local routes

Stops which do not meet these minimum ridership requirements will not be considered for further analysis.

- Further analysis involves the following factors ridership, exposure, transfer, transit frequency, high priority community resources, and the ability to remain ADA accessible.

Section 13.4. Ongoing Monitoring and Corrective Action

Existing services should be monitored annually to see if additional shelters are necessary. All stops added to new service must adhere to the recommended Spacing Guidelines for local, regional and express bus service outlined in this document.

CHAPTER 14 CONTRACTOR RELATIONS & OVERSIGHT

Section 14.1. Overview

The agency engages a variety of contractors for the provision of single, periodic and/or on-going services. Initial Contractor solicitation and selection shall be conducted as outlined in section Chapter 5: Contracts and Procurement.

During the duration of any contract NVRTA personnel shall carry out relations with the vendor commensurate with the highest standards of professional and ethical conduct. Oversight and reporting of contract compliance shall be consistent with all applicable state and federal laws and consistent with the requirements set forth in related to the related proposal and contract documents.

The agency contracts for the operation of transit services. Agency staff shall monitor contractor performance consistent with all FTA requirements for 3rd Party Oversight. In addition, certain performance standards are established as part of the contract award with the selected vendor. These metrics shall be monitored regularly utilizing a mutually agreed methodology.

CHAPTER 15 TITLE VI

Section 15.1. Statement of Policy

To ensure compliance of Title VI of the Civil Rights Act of 1964, the agency is committed to providing transit services to individuals of diverse cultural and economic backgrounds and, to the maximum extent practicable, removing barriers to the use of public transit. To this end, the agency shall ensure:

- A. All Vine literature provided to the public is produced in English and Spanish
- B. All public postings related to service policies and operations are produced in English and Spanish
- C. Bus schedules have adequate information in Spanish to allow successful comprehension of the information presented
- D. The Vine website has translation options consistent with industry standards
- E. The Vine website will clearly identify Title VI complaint procedures
- F. All buses maintain up-to-date Title VI notifications



NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter

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

RECOMMENDATION

Information only

EXECUTIVE SUMMARY

State Update

Attached are the State legislative update (Attachment 1) and the State Bill Matrix (Attachment 2).

Governor Newsom has appointed Toks Omishakin as the new Caltrans director. Omishakin is from Nashville, TN and has served as the deputy commissioner for environmental and planning at the Tennessee Department of Transportation since 2011. He was also the director of Healthy Living Initiatives in the Nashville Mayor's office from 2008 to 2011. Omishakin has a Master of Arts degree in urban and regional planning from Jackson State University. Omishakin's appointment must be confirmed by the senate.

Governor Newsom has also appointed Jim Davis as Caltrans' Chief Deputy. Davis has been special advisor to the director of Caltrans since 2019. He's held other positions in the department including Senate Bill 1 program manager, District 4 (Bay Area) acting director in 2018, division chief of project management from 2013 to 2019, as well as other engineering positions in the department. This position does not need Senate confirmation.

Federal Update

The Senate Environment and Public Works (EPW) Committee passed the America's Transportation Infrastructure Act of 2019 (ATIA), which is a five-year \$287 billion reauthorization of the Fixing America's Surface Transportation (FAST). A summary of

the senate bill is included as Attachment 3. The Senate bill retains many of the programs in the FAST Act and adds other programs, such as a Bridge Investment Program with proposed funding levels of \$1.2 to \$1.4 billion per year. The act focuses on safety and would increase the highway safety program to \$2.6 billion which is 8 percent over existing funding. The EPW does not oversee transit - that is addressed by the Senate Banking, Housing, and Urban Affairs Committee (specifically the sub-committee on Housing, Transportation, and Community Development) which has not to date released a reauthorization proposal.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comments

FISCAL IMPACT

Is there a Fiscal Impact? No

SUPPORTING DOCUMENTS

Attachments: (1) August 30, 2019 State Legislative Update (Platinum Advisors)
(2) August 30, 2019 State Bill Matrix (Platinum Advisors)
(3) America's Transportation Infrastructure Act of 2019 – Draft MTC Staff
Summary: August 22, 2019



August 30, 2019

TO: Kate Miller, Executive Director
Napa Valley Transportation Authority

FR: Steve Wallauch
Platinum Advisors

RE: Legislative Update

End of Session: The Legislature returned on August 12th from summer recess for the remaining five weeks of session. They have until September 13th to move legislation to the Governor. Bills that do not reach the Governor's desk will still have the opportunity to be addressed next year. About 870 total bills will be considered by the fiscal committees by the end of August, and most of these bills are on the respective Suspense Files that will be sorted out on Friday, August 30th. After fiscal bills are dispensed with, the remaining two weeks of the legislative year will be focused on floor session.

Legislators, staff, and lobbyists are primarily focusing on amendments, fiscal committees, and working with the Administration to ensure that once bills reach them, they will be as non-controversial as possible. High profile issues left to be determined include a firearm excise tax, gig economy worker's rights, oversight of medical exemptions for vaccinations, and a possible PG&E securitization measure to assist them in paying off debt.

Clean Trucks: The California Air Resources Board (CARB) started the process of developing regulations to transition medium and heavy-duty trucks to zero emission technologies. However, the scope of this undertaking is broader than anticipated. As expected, the new regulation would place zero emission vehicle production requirements on truck manufacturers, but it would also impose reporting requirements on private and government agencies, including state, local and federal entities. The reporting element seeks to gather information on the size and usage of public and private fleets, and the operating characteristics of the truck facilities. This information would be used to guide CARB on the development of future regulations. These future regulations will likely target the transition of fleets operating in urban areas to zero emission fleets.

Draft language on the reporting requirements was released at a workshop on August 21st. CARB is seeking comments on the proposed reporting requirements as well as the manufacturer requirements. The deadline to submit comments is September 21st. The formal regulatory process will commence in October with the release of the staff report and the first hearing before the CARB Board is expected in December. Adoption of the

regulation is anticipated to occur in mid-2020. The reporting requirement language can be found at https://ww2.arb.ca.gov/sites/default/files/2019-08/190821draftregle_0.pdf

Excess State Land for Affordable Housing: In January, Governor Gavin Newsom signed Executive Order N-06-19 (*link below*) ordering the state Department of General Services (DGS) to create an inventory of excess state lands and collaborate with the Department of Housing and Community Development (HCD) and the Housing Finance Agency to determine whether those excess state lands could be utilized for affordable housing. The Senate Governmental Organization Committee held an informational hearing August 13th to provide an update on the Executive Order. The first panel included representatives from DGS and HCD to describe the process they used to determine which parcels were available and how the number of parcels were narrowed by screening for availability, utilization, viability, and economic stability, among other factors. The departments examined 44,370 parcels, determined that 1,300 could be appropriate for housing, segmented 550 parcels into sites, and narrowed those sites to 100 that they may recommend be utilized for housing.

DGS released on August 27th an interactive map (*link below*) illustrating where the potential development sites are located. There are two large parcels identified in Napa County as potential housing sites. This includes a 20-acre parcel on Imola Avenue at Skyline Park, and a 19-acre parcel at the Veterans Home facility in Yountville. In September, DGS and HCD are expected to begin releasing request for proposals for developing these sites. In exchange for building affordable housing on these sites, the state would provide long term reduced cost leases to the developers.

Also, at the Senate hearing a second panel included the Mayor of Yountville on behalf of cities, Housing California, and the Non-Profit Housing Association of Northern California. All three representatives expressed support for the governor's executive order and emphasized the importance of additional housing development. Legislators were generally appreciative of the update provided by the departments as well as the feedback from stakeholders. They will likely engage further when the report is released, and they will pinpoint land within their districts that is recommended for development. The comments made by legislators encouraged the state to do a market analysis, involve local governments in the process, and consider ways to avoid public disapproval of housing projects. Senator Steve Bradford (D-Gardena) clarified that the State is approaching this project from the perspective of building permanent housing such as apartments or permanent supportive housing, not temporary shelters for the homeless.

Residential Impact Fees: Earlier this month, a report (*link below*) was issued by the Turner Center in conjunction with the California Department of Housing and Community Development (HCD) as required by AB 879 (Grayson, 2017) (*link below*). Among changes to housing element law, AB 879 directed HCD to complete a study evaluating the reasonableness of local fees charged to new developments. In response to the release of the report, Assembly member Tim Grayson (D-Concord) is considering legislation in the last few weeks of session addressing some of the recommendations.

This is especially notable with Governor Gavin Newsom's focus on housing development and recent referral to local development fees as "usurious."

The report, "Residential Impact Fees in California: Current Practices and Policy Considerations to Improve Implementation of Fees Governed by the Mitigation Fee Act," analyzes the use of residential impact fees regulated by the Mitigation Fee Act. Broken up into four primary issues – fee transparency, fee structure, fee design process, and alternative funding options, the report provides analysis of the current fees and suggests potential reforms. Development fees that are not under the Mitigation Fee Act were not analyzed, although the Legislature will likely examine them in their push to build additional affordable housing.

Legislation:

Local Partnership: SB 277 (Beall) would require 85% of SB 1 Local Partnership Program (LPP) funds to be allocated by formula, and 15% for a small county competitive program. Under current California Transportation Commission (CTC) guidelines, half the LPP funds are allocated by formula and half are reserved for a competitive program. Current law provides the CTC administrative control over LPP funds.

Given that this measure would limit the CTC's administrative control over the LPP, it is not without controversy. Recently the Carpenters Union has expressed concerns with the bill, and the Department of Finance (DOF) has adopted an oppose position. The DOF analysis states, "This bill circumvents the Commission's guideline development process, a public process through which the Commission solicits stakeholder input on proposed program guidelines and adopts the guidelines that most effectively implement the program." SB 277 is currently on the Assembly Appropriations Suspense File. SB 277 was approved with amendments at the August 30th Suspense File hearing. Information on the amendments is provided on the Bill Matrix.

Complete Streets: SB 127 is moving forward, but Caltrans has raised red flags about the potential cost. In short, SB 127 would require Caltrans to include complete street elements, such as bicycle, pedestrian and transit user safety elements, in the State Highway Operation and Protection Program (SHOPP) for projects on state highways that serve as "Main Streets." SB 127 does not apply to freeways or other restricted access roads, and the bill includes a process to exempt any state highway segment from the complete streets requirement.

Caltrans has recently announced that complying with the provisions of SB 127 would cost \$1 billion annually, or about \$4.5 million per center lane mile. Senator Wiener has forcefully objected to the exaggerated \$1 billion estimate, and has sent a letter to CalSTA Secretary Kim questioning the credibility of the agency. SB 127 is currently on the Assembly Appropriations Suspense File. While amendments will be made to reduce the cost of the bill, the Appropriations Committee Chair, Assemblywoman Lorena Gonzalez, has already expressed her support for the bill. SB 127 was approved with amendments at the August 30th Suspense File hearing.

Feeder Buses: In general, SB 742 (Allen) would allow feeder bus operators to provide open door service that would not be limited to rail passengers if specified conditions are met. The bill would require a joint powers agency (JPA) that operates intercity passenger rail service, such as Capital Corridors, to conduct the following prior to entering into a contract with a private motor carrier to provide feeder bus service:

- Consult with and consider relevant public transit operators to determine if an operator can provide the planned service and to avoid conflicts with existing public transit service;
- Make a good faith effort to coordinate with private motor carrier services, such as Greyhound, to provide timely connections with intercity rail services, including through agreements to fund modifications or expansion of service to better coordinate with existing rail service; and
- Document the differences between the proposed motor carrier service and existing service in communities served, including time of day.
- Requires the JPA to document these efforts and present them at a public meeting of the JPA for public comment.
- Requires the JPA, if it contracts for service with a private motor carrier to submit a report to the Legislature on or before January 1, 2023.

SB 742 also authorizes state agencies and departments, public and private transit operators, intercity motor carriers of passengers, Amtrak, and the JPAs to enter into revenue sharing and ticket selling agreements with each other to provide intercity transportation and connections at rail stations to and from local transit systems and intermodal and intercity motor carrier terminals.

Links:

Executive Order N-06-19:

<https://www.gov.ca.gov/wp-content/uploads/2019/01/EO-N-06-19.pdf>

Interactive Map

<https://cadgs.maps.arcgis.com/apps/webappviewer/index.html?id=392e5e687e9041bb8f20e3acc5b211c7>

Residential Impact Fees [report](#)

http://ternercenter.berkeley.edu/uploads/Residential_Impact_Fees_in_California_August_2019.pdf

[AB 879 \(Grayson, 2017\)](#)

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB879



August 30, 2019

Existing Positions

Bills	Subject	Status	Client - Position
<u>AB 11</u> (Chiu D) Community Redevelopment Law of 2019.	<p>AB 11 would enact the Community Redevelopment Act of 2019 and allow local governments to form a housing and infrastructure agency that would focus on affordable housing and infrastructure investments. The bill requires a seat on the governing board for each affected taxing entity, and it allows an affected taxing entity to elect to contribute to the redevelopment agency (RDA) or not. In addition, the bill also allows an RDA to capture the growth on the schools' share (i.e. Educational Revenue Augmentation Fund [ERAF]) of the property tax growth.</p> <p>AB 11 does require any new RDA to be approved by the Strategic Growth Council, which must find that the redevelopment plan furthers greenhouse gas (GHG) reduction goals and the fiscal impact to the state for backfilling the lost ERAF growth does not exceed a yet to be specified amount. The new RDA could finance housing, transit, transit priority projects, interchanges, bridges, parks and port infrastructure, to name a few. The projects do not need to be located within the redevelopment area, but must have a nexus to the project area.</p>	ASSEMBLY APPR – Held on Suspense Two-Year Bill	WATCH
<u>AB 147</u> (Burke D) Use taxes: collection: retailer engaged in business in this state.	AB 147 was signed into law, and took effect immediately. This bill enacts changes to implement the South Dakota v. Wayfair decision. Under Wayfair, the U.S. Supreme Court found that online retailers are required to collect and remit sales tax regardless of whether the online retailer	Signed Into Law Chapter #5, Statutes of 2019	SUPPORT

<p><u>AB 147</u> (Burke D) (Continued)</p>	<p>has a physical presence in the state where the order is delivered.</p> <p>AB 147 imposes a \$500,000 statewide threshold. State and local sales taxes would both be collected once a statewide total of \$500,000 in sales is reached. This bill would also require sales tax to be collected on all sales made through an intermediary, such as eBay or Amazon. Under AB 147 an entity that sells items through a “marketplace facilitator,” such as eBay, the marketplace facilitator is required to collect and remit the tax on all sales regardless of the threshold. The local sales tax revenue would be allocated to the local tax districts.</p>		
<p><u>AB 252</u> (Daly D) Department of Transportation: environmental review process: federal program.</p>	<p>AB 252 repeals the sunset date on current law that delegates to Caltrans the authority for National Environmental Policy Act (NEPA) decision making. The existing NEPA Assignment Program authority would sunset on January 1, 2020. This program started as part of a pilot program under federal Safe, Accountable, Flexible, and Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU) legislation and has been extended twice so far. AB 252 would make it a permanent program. The NEPA Assignment Program has streamlined the environmental process for both state and local transportation projects without compromising compliance with environmental laws and regulations.</p>	<p>Signed Into Law – Chapter 160, Statutes of 2019</p>	<p>SUPPORT</p>
<p><u>AB 285</u> (Friedman D) California Transportation Plan.</p>	<p>AB 285 updates requirements of the California Transportation Plan (CTP) to reflect the state’s recent environmental legislation. In particular, the bill requires Caltrans to include in the CTP the following:</p> <ul style="list-style-type: none"> • An overview of all sustainable communities and an assessment of how implementation of these strategies will influence the 	<p>SENATE APPR – SUSPENSE FILE – Approved with Amendments</p>	<p>WATCH</p>

<u>AB 285</u> (Friedman D) (Continued)	<p>configuration of the statewide integrated multimodal transportation system.</p> <ul style="list-style-type: none"> • A review of the potential impacts and opportunities for coordination of specified transportation grant programs, such as the Low Carbon Transit Operators Program and the Transit and Intercity Rail Program. • A forecast of the impacts of advanced and emerging technologies, including shared, autonomous, connected, and electric transportation options, over a 20-year horizon on infrastructure, access, and transportation systems. 		
<u>AB 314</u> (Bonta D) Public employment: labor relations: release time.	<p>This bill would consolidate and uniformly apply existing laws to grant reasonable time-off with compensation for public employees for activities related to employee-employer relations.</p> <p>Existing law on release time does not cover public transit employees, but AB 314 would expand these release time provisions to include public transit employees.</p> <p>The bill would require a public employer to grant reasonable time off for employee representatives to testify at hearings before the personnel boards, participate in labor/management committees, investigate grievances, or participate at new employee orientations.</p>	SENATE APPR – SUSPENSE FILE -- Approved	WATCH
<u>AB 659</u> (Mullin D) Transportation: emerging transportation technologies: California Smart City Challenge Grant Program.	<p>AB 659 requires the California Transportation Commission (CTC) to form a working group, consisting of local governments and transportation entities that would develop the guidelines and selection criteria for the Smart City Challenge Grants. The bill envisions funding projects that use intelligent transportation systems and applications that would reduce congestion, enhance mobility, safety, and spurring innovation.</p>	ASSEMBLY APPR – Held on Suspense Two-Year Bill	WATCH

<u>AB 659</u> (Mullin D) (Continued)	The bill does not currently identify or appropriate funds for this program.		
<u>AB 752</u> (Gabriel D) Public transit: transit centers: lactation rooms.	<p>AB 752 was substantially amended to clarify its application to multimodal transit facilities. As amended, the bill lists existing intercity rail stations, as well as the Sales Force Transit Center and the Anaheim Regional Transportation Intermodal Center. It would also apply to any intercity rail station, or station proposed to be served by high-speed rail with an enclosed lobby of 5,000 square feet or more.</p> <p>The bill would require these multimodal transit stations that commence operations or a renovation on or after January 1, 2021, to include a lactation room.</p>	SENATE APPR – SUSPENSE FILE -- Approved	WATCH
<u>AB 784</u> (Mullin D) Sales and use taxes: exemption: California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: transit bus vehicles.	<p>AB 784 was approved by the Senate Governance & Finance Committee on a 6-0 vote. This bill would exempt medium and heavy duty zero emission transit vehicles from the state's sales tax. Locally imposed sales taxes would still apply, as well as specified statewide taxes.</p> <p>Specifically, AB 784 would exempt from the state sales tax any zero-emission technology medium or heavy-duty transit bus vehicle that is eligible for a rebate from the Hybrid and Zero Emission Truck and Bus Voucher Incentive Program (HVIP). This sales tax exemption would sunset on January 1, 2024.</p>	SENATE APPR – SUSPENSE FILE – Approved with clarifying amendments	SUPPORT
<u>AB 847</u> (Grayson D) Transportation finance: priorities: housing.	<p>As introduced, AB 847 would create a funding incentive for cities and counties to produce housing by reallocating non-Article 19 transportation funds and provide bonuses for certain funding programs.</p> <p>However, the bill was gutted and amended to now create a new competitive grant program. This bill does not provide a funding source, but it directs the</p>	ASSEMBLY H & C. D. – Two-Year Bill	WATCH

<u>AB 847</u> (Grayson D) (Continued)	Department of Housing and Community Development to create a grant program that would offset up to 100% of any local transportation impact fees imposed on housing project that includes at least 20% affordable units.		
<u>AB 1350</u> (Gonzalez D) Youth Transit Pass Pilot Program.	<p>AB 1350 would create the Youth Transit Pass Pilot Program. This bill is similar to prior efforts to create a funding program to provide free transit passes to persons under 25 years old. AB 1350 does not include an appropriation, but points to a future appropriation of greenhouse gas reduction funds.</p> <p>The bill directs Caltrans to create the program that would allocate grants to eligible entities. The grants would be capped at \$5 million and be no smaller than \$20,000.</p> <p>This bill might be a little premature. UCLA is currently undertaking a study to examine and summarize the various types of student transit pass programs in California. As you may recall, former Governor Brown vetoed a similar bill because of the need for additional information on existing programs. The UCLA study is not expected to be completed until the end of this year.</p>	ASSEMBLY TRANS. – Two-Year Bill	WATCH
<u>AB 1402</u> (Petrie-Norris D) Active Transportation Program.	<p>AB 1402 was not heard in the Assembly Committee on Transportation and is now a two-year bill.</p> <p>This bill would revise the allocation process for Active Transportation Funds. AB 1402 is substantively similar to the changes made to the Active Transportation Program (ATP) in SB 152 (Beall), but the bills are structured a little differently.</p>	ASSEMBLY TRANS. Two-Year Bill	SUPPORT
<u>AB 1568</u> (McCarty D) General plans:	AB 1568 was held by the Appropriations Committee and is now a 2-year bill.	ASSEMBLY APPR – Held on Suspense	OPPOSE

<p>housing element: production report: withholding of transportation funds</p> <p><u>AB 1568</u> <u>(McCarty D)</u> <i>(Continued)</i></p>	<p>This bill would, if on or before January 1, 2025, a city or county is found to be out of compliance with existing housing element requirements then that city or county would be prohibited from applying for state grants. This prohibition would not apply to grants protected under Article 19 of the Constitution, which covers most transportation funds, or if the grant would assist the city or county in complying with housing element laws.</p> <p>As introduced, this bill would have withheld SB 1 local streets and roads funds from a city or county that is found to be out of compliance with existing housing element laws.</p>	Two-Year Bill	
<p><u>AB 1633</u> <u>(Grayson D)</u> Regional transportation plans: traffic signal optimization plans.</p>	<p>AB 1633 would authorize any city within the Metropolitan Transportation Commission (MTC) region to develop and implement a traffic signal optimization plan intended to reduce GHG emissions and particulate emissions and to reduce travel times. The bill would also require signals that are operated by Caltrans to be adjusted and operated consistent with a city's plan.</p>	SENATE FLOOR	WATCH
<p><u>ACA 1</u> <u>(Aguiar-Curry D)</u> Local government financing: affordable housing and public infrastructure: voter approval.</p>	<p>ACA 1 failed passage on the Assembly Floor. Reconsideration was granted, and another attempt is possible, but the measure was 8 votes short of the 54 needed for passage. A few Democrat members voted No, and several others abstained. Given the stigma that this measure erodes Prop 13 protections makes it unlikely it will secure the needed support to move to the Senate.</p> <p>ACA 1 would lower the voter threshold for property tax increases, parcel taxes and sales taxes to 55% if the funds are used for affordable housing and infrastructure projects. This includes capital improvements to transit and streets and highways.</p>	<p>ASSEMBLY FLOOR</p> <p>Failed Passage – Reconsideration Granted</p>	SUPPORT

<u>ACA 1</u> (Aguiar-Curry D) (Continued)	However, ACA 1 does not allow for the 55% local measure to use the tax revenue for transit operations.		
<u>SB 5</u> (Beall D) Local-State Sustainable Investment Incentive Program.	<p>SB 5 creates the Affordable Housing and Community Development Investment Program (Program), which would allow an Enhanced Infrastructure Finance District (EIFD) the authority to divert a portion of the ERAF property tax share to the EIFD. SB 5 would require any EIFD that wants to capture the ERAF share to apply to the Sustainable Investment Incentive Committee, which SB 5 creates. The bill would limit the amount of ERAF tax revenue the Committee can approve to \$200 million each year, with the annual impact not to exceed \$1 billion. These limits are increased in future years.</p> <p>SB 5 generally promotes the construction of housing and infill development that promotes transit use.</p>	ASSEMBLY APPR – SUSPENSE FILE -- Approved	SUPPORT
<u>SB 20</u> (Dodd D) Surplus state property: Napa County Regional Park and Open Space District.	SB 20 extends the sunset date, which expired on January 1, 2015, to January 1, 2026, for the state to sell the area known as the Skyline Wilderness Park (Skyline Park) in the County of Napa. The bill also revises the current authorization for the state to sell the Skyline Park to also include the Napa County Regional Park and Open Space District in addition to the County of Napa.	Governor's Desk	WATCH
<u>SB 50</u> (Wiener D) Planning and zoning: housing development: equitable communities incentive.	SB 50 would require local governments to provide a specified "equitable communities incentive" to developers that construct residential developments in "jobs-rich" and "transit-rich" areas, which may include certain exceptions to specified requirements for zoning, density, parking, height restrictions, and floor area ratios.	SENATE APPR – Held on Suspense Two-Year Bill	WATCH

<p><u>SB 127</u> <u>(Wiener D)</u> Transportation funding: active transportation: complete streets</p>	<p>SB 127 (Wiener) was approved by the Senate. This bill aims to update existing laws relating to the programing of funds in the State Highway Operation and Protection Program (SHOPP) to require the state to consider and invest in bicycle, pedestrian, and transit facilities when programing SHOPP projects. The bill would focus these complete street investments on urban arterials and where a state highway serves as the main street.</p>	<p>ASSEMBLY APPR – SUSPENSE FILE – Approved with Amendments</p>	<p>WATCH</p>
<p><u>SB 137</u> <u>(Dodd D)</u> Federal transportation funds: state exchange programs.</p>	<p>SB 137 would allow any city or county to swap federal transportation funds for state funds. The current exchange program is limited to regional transportation planning agencies with a population below 200,000. This measure is sponsored by California State Association of Counties (CSAC), and it is aimed at streamlining project delivery by removing the federal review process associated with using federal funds. With the additional SB 1 funds in state accounts, the resources should be enough to allow interested cities and counties to exchange federal funds for state dollars, thus eliminating the need to complete both NEPA and California Environmental Quality Act (CEQA) reviews.</p>	<p>ASSEMBLY APPR – SUSPENSE FILE -- Approved</p>	<p>SUPPORT</p>
<p><u>SB 152</u> <u>(Beall D)</u> Active Transportation Program.</p>	<p>This bill would implement some of the findings made by the Legislative Analyst's Office (LAO) regarding the administration of the ATP. The goal is to streamline the administrative process for awarding ATP funds. The bill includes the following changes:</p> <ul style="list-style-type: none"> Modified the distribution formula to increase from 40% to 75% that is allocated to metropolitan planning organizations (MPO), increase the rural county share from 10% to 15%, and reduce the statewide pot that is administered by the CTC from 50% to 10%. 	<p>SENATE APPR – Held on Suspense Two-Year Bill</p>	<p>SUPPORT</p>

SB 152 (Beall D) <i>(Continued)</i>	<ul style="list-style-type: none"> • Shift greater administrative control for the regional share to the MPOs. • Increase reporting requirements from the MPOs to the CTC. 		
SB 235 (Dodd D) Planning and zoning: housing production report: regional housing need allocation	SB 235 allows the City of Napa and County of Napa to reach an agreement under which the county would be allowed to count certain housing units built within the city toward the county's regional housing needs assessment (RHNA) requirement. The Napa Pipe project is the genesis for this bill.	ASSEMBLY FLOOR	SUPPORT
SB 277 (Beall D) Road Maintenance and Rehabilitation Program: guidelines.	<p>SB 277 would amend existing law to require 85% of SB 1 Local Partnership Program (LPP) funds be allocated by formula, and 15% for a small county competitive program. Under current CTC guidelines, half the LPP funds are allocated by formula and half are reserved for a competitive program. Current law provides the CTC administrative control over LPP funds. Starting with Cycle 3 of the LPP, SB 277 directs the CTC to adopt guidelines and implement the apportionment formula specified in the bill as follows:</p> <ul style="list-style-type: none"> • 15% of LPP funds are set aside in the Small Counties and Uniform Developer Fees Competitive Subaccount. This competitive program is for eligible entities located in a county with a population of less than 750,000, or entities that administer a voter approved uniform developer fee. • 85% of LPP funds would be allocated to the Local Partnership Formula Subaccount. The funds would be split into a southern and northern California pots. The north-south split would be based on the proportional share of the statewide total of voter approved sales tax, parcel/property tax and toll revenue. 	ASSEMBLY APPR – SUSPENSE FILE – Approved with Amendments	SUPPORT

<p><u>SB 277</u> (Beall D) (Continued)</p>	<p>The north-south categories are based on the State Transportation Improvement Program (STIP) definition where all counties from Kern and San Louis Obispo Counties south are in the southern group, and all remaining counties are in the northern group.</p> <ul style="list-style-type: none"> • The southern allocation formula distributes the funds to eligible entities with 75% of the funds allocated based on its proportional share of the southern population, and 25% distributed based on the entity's proportional share of voter approved transportation sales tax revenue. • The northern allocation formula distributes the funds to eligible entities through two pots. Of the total amount of revenue in the northern share, eligible entities that administer voter approved bridge tolls and parcel/property taxes shall receive its proportional share of the northern fund. For eligible entities that administer a voter-approved sales tax, these entities' proportional share is based on 75% of the entities' proportion of the northern population and 25% based on the entity's proportional share of sales tax revenue. • 		
<p><u>SB 336</u> (Dodd D) Transportation: fully automated transit vehicles.</p>	<p>SB 336 aims to address safety and customer service issues by requiring at least one public transit employee to be present on any fully automated transit vehicle. The public transit employee shall be trained in passenger safety, communications, emergency preparedness, and assisting the disabled and elderly.</p> <p>SB 336 would also require any transit operator that deploys an autonomous vehicle to submit a report to the legislature</p>	<p>ASSEMBLY TRANSP – Two-Year Bill</p>	<p>SUPPORT</p>

SB 336 (Dodd D) <i>(Continued)</i>	on that deployment by March 31 st , 2025. SB 336 would sunset on January 1, 2025.		
SB 397 (Glazer D) Public transit operators: passengers with pets: evacuation orders.	<p>As recently amended SB 397 would require the Office of Emergency Services and the Department of Food & Agriculture, in consultation with public transit operators and county emergency management officials, to develop best practices for allowing pets on public transit vehicles when serving evacuation areas.</p> <p>The bill previously directed each transit operator to develop best practices for allowing pets on public transit vehicles serving evacuation areas. The bill limits pets to cats or dogs.</p>	ASSEMBLY FLOOR	SUPPORT

America's Transportation Infrastructure Act of 2019
DRAFT MTC Staff Summary: August 22, 2019

ATTACHMENT 3
NVTA Agenda Item 11.6
September 18, 2019

On July 30, 2019, the Senate Environment and Public Works (EPW) Committee passed the America's Transportation Infrastructure Act of 2019 (ATIA), a five-year, \$287 billion highway transportation reauthorization proposal. Importantly, the bill retains the existing Fixing America's Surface Transportation (FAST) Act-authorized program structure, allocating nearly 90 percent of the funding through the five core highway programs. As advocated by MTC, the bill includes a new focus on climate change, explicitly making resiliency activities eligible within core highway programs and creating several new small programs focused on improving resiliency, reducing congestion in major metropolitan areas and upgrading infrastructure along designated alternative fuel corridors to support clean vehicle technologies. It also creates additional new programs focused on bridges and safety for vulnerable road users. The bill takes steps to support regional funding, planning and decision-making, including through directing a modest amount of new funding to large metros, and incentivizing regional safety and resiliency planning with increased funding flexibility. The bill retains the performance-based planning approach authorized in 2012 and, for the first time, links performance to funding by rewarding regions and states that make progress toward federal safety and climate goals with access to \$200 million in performance-based grants.

Of note, the other Congressional committees responsible for crafting a surface transportation reauthorization policy (including the transit title) are proceeding at a slower pace and none have begun to identify a way to pay for a major infrastructure bill. So there is a long way to go before a FAST Act reauthorization is enacted.

Below is a topline summary of ATIA.

Key Features of ATIA

- Funds highway programs at \$287 billion over five years – a 27 percent overall increase over existing funding levels, starting with a 17 percent increase over fiscal year (FY) 2020. Of this total amount, 90 percent is allocated via formula, with the vast majority directed to existing FAST Act programs. The FAST Act rescission is repealed. Congress must identify \$84 billion on top of anticipated Highway Trust Fund (HTF) revenues to fund just this highway title increase. The total price tag for a five-year, 27 percent growth bill is approximately \$387 billion. (Note that funding numbers reflect HTF contract authority; ATIA authorizes an additional \$6.7 billion over five years, subject to annual appropriations).
- FAST Act core highway programs increase 10 percent in ATIA's first year (FY 2021); the National Highway Performance Program (NHPP) receives a 12 percent bump and the other core programs, including Surface Transportation Block Grant (STP) and Congestion Mitigation and Air Quality Improvement (CMAQ), grow by 8 percent. The bill authorizes nearly \$3 billion annually in discretionary programs related to goods movement (INFRA), bridge repair, and climate change mitigation and adaptation.
- In FY 2021, California would receive nearly \$4.7 billion, a \$600 million increase from FY 2020 funding levels. The Bay Area's share of flexible highway formula dollars would be \$211 million in FY 2021, a 16 percent increase over FY 2020. Most of these funds would be allocated to the existing STP and CMAQ programs, but \$13 million would be suballocated to MTC through new safety and carbon reduction formula programs. See Attachment A for a funding chart.
- ATIA creates a number of new small programs, including a \$1.2 billion bridge competitive program, new safety programs for vulnerable road users (formula and discretionary components) and a climate change subtitle funded at approximately \$2 billion annually. Climate-focused programs include a \$1

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billion resiliency program (formula and discretionary), a \$600 million carbon reduction formula program (65 percent population-based suballocation) and a new flexible congestion relief discretionary program for urbanized areas with populations over 1 million (\$40 million annually; \$10 million minimum grant size). The bill also explicitly makes resiliency improvement eligible under several core highway programs.

Highway Program Summaries

Metropolitan Planning

Metropolitan Planning funding would increase 8 percent in FY 2021 to \$386 million and flexibility is retained for metropolitan planning organizations (MPOs), such as MTC, to continue to experiment with planning for uncertainties without adding any new, prescriptive planning requirements. Additionally:

- The MPO coordination rule is back in a muted form; the bill changes the requirement that MPOs coordinate plans and transportation improvement programs (TIPs) when they share overlapping “urbanized areas” (as opposed to metropolitan areas) and requires that MPOs with overlapping urbanized areas “ensure, to the maximum extent practicable, the consistency of any data used in the planning process, including information used in forecasting travel demand.” There is no requirement to jointly develop the long-range plan or the TIP, as had been proposed in a prior rule initiated by the Obama Administration. The bill also provides that more than one MPO may be designated within one urbanized area (instead of an “existing planning area”) only if the Governor and existing MPO determine that multiple designations are appropriate.
- “Outer years” of a long-range plan are redefined as beyond the first four years (as opposed to beyond the first 10 years).
- The bill would establish two new planning-related pilot programs:
 1. Accessibility Data Pilot Program: Requires US Department of Transportation (USDOT) to provide data sets to states and MPOs to measure “accessibility,” including access to jobs, health care, or other destinations. The pilot would be funded through Office of the Secretary’s administrative expenses.
 2. Prioritization Process Pilot Program: \$10 million annually to pilot project-specific performance evaluation.
- States and MPOs would be newly required to use 2.5 percent of planning funds for Complete Streets-related activities. Activities that would meet this criterion include the development of plans and policies that improve active transportation, increase transit ridership, address travel demand through alternatives to new highway capacity, and/or support transit-oriented development.
- States and MPOs with low population densities may opt out of federal performance management requirements related to one or more of the following categories: 1) performance of the Interstate; 2) performance of the National Highway System; 3) traffic congestion; and 4) national freight movement.

Surface Transportation Block Grant Program (STP)

Though topline STP funding increases by 8 percent in year one, consistent with the other non-NHPP core formula programs, more than one-third of the STP increase is allocated to the Transportation Alternatives Program set-aside (TAP), which constitutes 7 percent of the current program. As a result, the base STP program only grows by \$671 million in FY 2021, 6 percent above FY 2020 funding levels, while TAP grows by \$350 million or 41 percent. Suballocation of STP funds to regions based on their relative share of the state’s population (increasing the share of which has been a longstanding MTC

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priority) would remain constant at 55 percent, except for TAP which would be suballocated at 57.5 percent. The bill also increases flexibility to explicitly allow STP funds to be used for resiliency improvements, privately-owned ferries, wildlife crossings, low water crossings and rural water infrastructure projects.

Transportation Alternatives Program (TAP)

As noted above, the TAP set-aside grows substantially, jumping 41 percent to \$1.2 billion in year one of the bill and the regional share of suballocated TAP funds would increase from 50 percent to 57.5 percent. States also would have the option to pass through 100 percent of the suballocated TAP funds directly to counties. The proposal also explicitly authorizes up to 100 percent federal share for TAP projects, subject to certain conditions. ATIA newly allows highway safety improvement (HSIP) funds to count towards local match for bike/ped projects and recodifies the allowance for the federal share for an individual TAP project to be 100 percent so long as statewide, the federal share for all TAP projects is not more than 80 percent. Additionally, the scope of the Safe Routes to School Program is expanded to include high schools.

Congestion Mitigation and Air Quality Improvement Program (CMAQ)

CMAQ funding grows to \$2.7 billion in FY 2021, an 8 percent increase from FY 2020 levels. As is the case under the FAST Act, California would continue to receive approximately 20 percent of the nation's CMAQ funding. The bill expands program eligibility to include certain water freight projects and removes the operating assistance time limitation for transit systems in urbanized areas with a population of 200,000 or fewer.

National Highway Performance Program (NHPP)

NHPP grows 12 percent in year one to \$27 billion. Up to 15 percent of NHPP funds may be used on resiliency improvements (i.e. "protective features") to mitigate the risk of recurring damage or the cost of future repair from extreme weather events, flooding or other natural disasters. Examples range from raising bridges, upgrading culverts and relocating roadways to deepening channels, maintaining tide gates and the use of natural infrastructure to mitigate the risk of recurring damage or the cost of future repair from extreme weather events, flooding or other natural disasters. Protective features are eligible for 100 percent federal share.

Bridge Investment Program

ATIA funds a new discretionary bridge program to address the backlog of bridges in poor condition. Eligible projects include protecting, rehabilitating, preserving or replacing one or more bridges on the National Bridge Inventory (includes bridges on and off Federal-aid highways). The program is funded at \$1.2 billion in FY 2021 and grows to \$1.4 billion by FY 2025, though half of this funding is subject to annual appropriations. Not less than 50 percent of the program is reserved to fund bridge improvements with a total project cost greater than \$100 million.

Safety (Highway Safety Improvement Program (HSIP) and New Safety Programs)

The bill increases HSIP funding to \$2.6 billion in FY 2021, 8 percent above FY 2020, and restores flexibility to spend up to 25 percent of HSIP on non-infrastructure safety projects, such as educational campaigns. ATIA provides \$500 million annually to a new safety formula program targeted at improving safety for vulnerable road users and a \$100 million discretionary fatality reduction program.

- Formula: Each state receives shares of the \$500 million safety incentive funds in proportion to that state's share of national highway formula funds (base apportionments). In California's case, the state would receive approximately 9 percent of the national program. Of that, 65 percent would be suballocated to the Bay Area and other regions based on population. We estimate the Bay Area would receive approximately \$6 million from this program in FY 2021.

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Program funding is flexible. In general, states and MPOs may use funding for any highway safety improvement project or program. However, states and regions with high rates of nonmotorized user injuries and fatalities are required to target 50 percent of program funds toward bike/ped safety improvements. On the flip side, states and regions that integrate a detailed vulnerable road user safety assessment into a long-range plan would be rewarded with additional flexibility to spend the safety program money on any STP-eligible project.

- **Discretionary:** A new merit-based safety performance program provides flexible grants to states and local governments that are either meeting their federal safety performance targets or are demonstrating that safety is improving (per capita serious injuries and fatalities are declining). Grant awards range from \$5 million to \$30 million and may be used for any Title 23-eligible project or for highway maintenance at 100 percent federal share.

Additionally, ATIA maintains current funding levels at \$245 million per year for the formula Railway-Highway Crossings Program (Section 130), a set-aside within HSIP. The bill removes the requirement for a state to spend at least 50 percent of program funding on protective devices, broadens eligibility to include any project that reduces pedestrian fatalities and injuries from trespassing at grade crossings, and increases the federal share from 90 percent to 100 percent.

Freight (National Highway Freight Program and INFRA)

National highway freight program funding increases 8 percent in FY 2021 to \$1.6 billion and the INFRA discretionary program grows to \$1.05 billion, a \$50 million increase from FY 2020. The bill increases support for multimodal/intermodal projects by expanding program eligibility to include certain water freight projects and increasing the cap on non-highway projects that could be funded from both the freight formula program and INFRA to 30 percent. The bill creates within INFRA a \$150 million “incentive” pilot that would prioritize projects with high local matches and adds grant administration transparency requirements. The bill adds to INFRA a consideration for freight resiliency and requires a new sustainability/resiliency focus in state freight plans.

Climate Change and Resiliency

In addition to the programmatic changes detailed above, ATIA provides approximately \$2 billion annually in new formula and discretionary funding for climate change and resiliency improvements allocated through several new programs, as described below:

- **PROTECT Grant Program:** Nearly \$1 billion annually for resilience investments; \$786 million formula and \$200 million in discretionary planning and implementation grants.

Formula: States receive formula funding in proportion to the state's share of the national highway program base apportionments. Project eligibility is broad and includes any surface transportation project (highway, bridge, transit, intercity rail and ports) that hardens infrastructure or improves disaster response; additional project elements functionally connected to a transportation improvement (e.g.: improving marsh health or installing tide gates) would be eligible.

- Discretionary: MPOs, locals, transit agencies and states may apply for the \$200 million discretionary PROTECT Grant program. \$20 million is reserved for planning grants to prepare vulnerability assessments, build technical capacity, prepare evacuation plans, and support MPOs and states in developing “resilience improvement plans,” which are detailed in the bill. Development and incorporation of such plans into long-range plans results in up to a 10 percent reduction in local match requirements.

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Implementation grants may fund one or more construction activities to harden surface transportation infrastructure and will be awarded in three buckets: 1) resilience improvement grants; 2) community resilience and evacuation route grants (including installation of communications and ITS infrastructure); and 3) at-risk coastal infrastructure (highway and non-rail infrastructure). Priority will be given to cost-efficient resiliency projects addressing high-risk asset vulnerabilities that are included in a resilience improvement plan.

- **Carbon reduction programs:** \$700 million; \$600 million formula and \$100 million discretionary.
 - Formula: Each state receives shares of the \$600 million carbon reduction incentive funds in proportion to that state's share of national highway formula base apportionments. Of this, 65 percent would be suballocated based on population. We estimate the Bay Area would receive approximately \$7 million from this program in FY 2021.

Program eligibility is broad, including projects or programs that improve traffic management, traffic flow, shift travel demand to nonpeak hours or increase vehicle occupancy rates, diesel retrofits, clean vehicle charging infrastructure, transit and bike/ped projects, advanced transportation and congestion management technologies. The program includes a planning incentive similar to the incentive in the new safety formula program: States and regions that adopt a detailed carbon reduction strategy would be rewarded with additional flexibility to spend the program money on any STP-eligible project. The region's strategy would need to be incorporated into the long-range transportation plan.

- Discretionary: Similar to the merit-based safety performance program, this new program makes available grants for high-performing states and locals. In this case, merit-based grants are reserved for states and local governments in states and regions that demonstrate progress toward reductions in transportation emissions (per capita allowance). Unlike the merit-based safety program, there is no direct link to federal performance targets, since the climate-related performance measure mandated by the Obama Administration was repealed in 2018. Grant awards would range from \$5 million to \$30 million and could be used for any Title 23-eligible project at 100 percent federal share.
- **Congestion relief program:** \$40 million discretionary program for urbanized areas with populations larger than 1 million to fund integrated congestion management, pricing strategies (including high-occupancy toll lanes and congestion pricing in up to 10 urbanized areas), operation of mobility services (commuter buses, on-demand microtransit, etc.), incentive programs to carpool or shift travel to non-peak periods and other congestion relief projects. The minimum grant award would be \$10 million. Nationwide, there are 45 urbanized areas larger than 1 million in population that would be eligible to compete for this limited funding congestion relief program, including two in the Bay Area: San Francisco-Oakland and San Jose.
- **Charging and fueling infrastructure grants:** Discretionary grant program to fund deployment of alternative fuel charging infrastructure along designated alternative fuel corridors. Funding would begin at \$100 million in FY 2021 and increase to \$300 million in FY 2025, and could be used for charging station installation (including signage) and operations (five-year limit). The federal cost share for grant-funded charging or fueling infrastructure projects is 80 percent and,

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somewhat unusually, the bill requires that private entities contracting with a grantee be required to fund the local match.

- **Clean ports:** Discretionary grant program to fund projects that reduce emissions at port facilities, including port electrification projects. Funding would begin at \$60 million in FY 2021 and increase to \$90 million in FY 2025.

ATIA also augments the Federal Highway Administration (FHWA) Emergency Relief (ER) program's definition of a natural disaster to include wildfire and sea level rise, and allows the use of ER program funds on "protective features" to improve resiliency (see NHPP summary).

Streamlining

ATIA codifies core elements of President Trump's One Federal Decision permit streamlining Executive Order, including consolidating all permitting decisions for major infrastructure projects into one single environmental document with a schedule set by the federal "lead" agency, setting a two-year goal for completion of environmental reviews, and establishing a 90-day timeline for related project authorizations. In addition, the bill provides project sponsors with the flexibility to apply the core elements of the One Federal Decision policy to highway projects that require an environmental assessment.

ATIA provides flexibility to USDOT during the environmental review process, allowing the agency to set a schedule for projects, and limiting extension requests by other cooperating federal agencies to only one year. In addition, the proposal requires the Secretary to provide to regulatory agencies a list of categorical exclusions applicable to highway projects and directs those agencies to publish a notice of proposed rulemaking to adopt relevant categorical exclusions within one year. Lastly, the bill requires USDOT to develop a simplified template for federal-state stewardship agreements and to remove approval requirements that aren't mandated by federal law from such agreements.

Other Items

- **Tolling:** The bill requires that new interstate tolling projects include discounts for high-occupancy vehicles, transit, and paratransit; ATIA also authorizes a new toll credit exchange pilot to evaluate the demand for a toll credit marketplace.
- **Cybersecurity:** The bill requires FHWA to 1) develop a tool to assist transportation authorities in identifying, detecting, protecting against, responding to, and recovering from cyber incidents; and 2) designate an office as a "cyber coordinator" for monitoring, alerting, and advising transportation authorities of cyber incidents.
- **Ferries:** ATIA Authorizes \$440 million over five years for the FHWA ferry boat program, an increase of \$60 million over FAST Act levels. The bill clarifies that the construction of ferry boats and terminals also includes the construction of maintenance facilities, and permits the use of program funds to procure non-ferry transit vehicles if the vehicles are used exclusively as part of an intermodal ferry trip.
- **TIFIA:** The bill retains TIFIA at FAST Act levels (\$300 million annually) and updates the program, streamlining the application process and expanding program eligibility to include airport projects and additional transit-oriented development projects (economic and residential developments physically or functionally related to rail transit stations).

America's Transportation Infrastructure Investment Act (ATIA) vs. FAST Act Funding \$ in Millions (authorization of Highway Trust Fund revenues, unless otherwise specified.)				
	FAST Act (FY 2020)	ATIA (FY 2021)	ATIA Total (5 years)	California/Bay Area FY 2021 Impact
<i>Federal Highway Formula Programs</i>				
National Highway Performance Program	24,236	27,157	141,529	California would receive \$2.3 billion. New flexibility to spend funding on resiliency improvements.
Surface Transportation Block Grant Program (STP)	11,287	11,958	62,319	California would receive \$1 billion; the Bay Area's suballocated share would increase to \$111 million from \$105 million in FY 2020.
Transportation Alternatives Program (STP set-aside)	850	1,200	6,244	California's funding increases to \$104 million; the share reserved for Bay Area projects would increase to \$12 million from \$7 million in FY 2020.
Highway Safety Improvement Program	2,407	2,608	13,376	California would receive \$229 million.
Congestion Mitigation and Air Quality Improvement Program (CMAQ)	2,499	2,688	13,676	California retains 20 percent of the federal program share, or \$537 million in FY 2021. Of this, the Bay Area would receive \$75 million.
National Freight Program	1,487	1,611	8,428	California's funding increases to \$150 million.
Metropolitan Planning	359	386	2,011	California's funding increases to \$58 million from \$54 million in FY 2020.
Railway-Highway Grade Crossings	245	245	1,225	New emphasis on reducing pedestrian fatalities and increases federal share to 100 percent.
FHWA Ferry Program	80	86	440	California received \$3.2 billion in FY 2018 when the program was funded at \$80 million. WETA and GGBHTD received nearly half of the statewide allocation.
<i>New Formula Programs</i>				
Formula Safety Incentive Program	-	500	2,500	California's program share would be \$47 million in FY 2021; Of this, the Bay Area would receive an estimated \$6 million in suballocated funds.
Carbon Reduction Incentive Program	-	600	3,000	California's program share would be \$56 million in FY 2021; Of this, the Bay Area would receive an estimated \$7 million in suballocated funds.
PROTECT (formula)	-	786	3,930	California would receive \$74 million in FY 2021.

America's Transportation Infrastructure Investment Act vs. FAST Act Funding, cont. \$ in Millions (authorization of Highway Trust Fund revenues, unless otherwise specified)			
	FAST Act (FY 2020)	ATIA (FY 2021)	ATIA Total (5 years)
<i>Freight, Bridge and Climate Change Discretionary Programs</i>			
INFRA	1,000	1,050	5,500
Bridge Investment Program (50 percent HTF-funded)	-	1,200	6,530
Safety Performance Program	-	100	500
Congestion Relief Program	-	100	500
Carbon Reduction Performance Program	-	40	200
Charging and fueling infrastructure grants	-	100	500
PROTECT (competitive)	-	200	1,000
Clean Ports	-	60	370
<i>Other Programs</i>			
TIFIA	300	300	1,500
Technology and Innovation Deployment	68	135	675
Intelligent Transportation Systems	100	110	550
Community Connectivity Planning and Implementation	-	34	120
Planning Prioritization Pilot	-	10	50
Disaster Relief Mobilization Pilot	-	1	5
Data Integration Pilot Program (GF)	-	3	13
Emerging Technologies Research Pilot Program (GF)	-	5	25
FAST Act Rescission	7,569	-	-
Repeal of FAST Act 2020 Rescission	(7,569)	-	-
Other	2,287	3,213	17,284
TOTAL FHWA Contract Authority	47,104	55,128	287,267
TOTAL FHWA General Fund Authorizations	100	1,358	6,733
TOTAL AUTHORIZATIONS	47,204	56,485	293,999

Source: MTC staff analysis of July 29, 2019, Eno Center for Transportation ATIA funding authorization estimates

Note: Totals may not sum due to rounding.