



October 5, 2017
NVTA Technical Advisory Committee (TAC)
Meeting Handouts

1. Item 5.2 - Project Monitoring Funding Programs
 - a. TDA 3 Project List – October 2017
 - b. Caltrans Inactive Obligations - October 2017
 - c. Federal at Risk Report - October 2017
 - d. STIP at Risk Report - October 2017
2. Item 5.3 - Caltrans Report
3. Item 7.2 - Measure T Maintenance of Effort (MOE)
 - a. MOE Examples of Eligible Expenses
 - b. Measure T Documents with City of Napa's Comments
 - i. Draft Master Agreement
 - ii. Exhibit B Draft NVTA Jurisdiction Resolution
 - iii. Exhibit C Measure T Accounting
 - iv. Measure T Progress Report
 - v. Measure T Project Expenditure Plan
 - c. Measure T Master Agreement with County of Napa's Comments
4. Item 7.5 - Legislative Update
5. Item 7.6 - October 18, 2017 NVTA Board Meeting Draft Agenda

TDA 3 Project List - October 2017

Index	TIP ID	Allocation Number	Sponsor	Project Title							
	Source		Prog'd Amount	Phase	FY	Req'd Activity	Approval Date	Eligible Costs Incurred By	Zone	Notes	Prev Zone
1			City of Napa	Tulocay Creek Bridge and Trail Completion							
	TDA 3	94	\$163,125	CON	13/14	Closeout/audit	3/26/2014	6/30/2017	G	Project complete	
2			American Canyon	Rio Del Mar/Los Altos/Theresa Ped Project							
	TDA 3	70	\$47,855	CON	14/15	Submit invoice/ closeout/ audit	10/22/2014	6/30/2017	G	Project complete	
3			St. Helena	Mitchell Drive Sidewalk Project							
	TDA 3	78	\$107,278	CON	14/15	Closeout/audit	1/28/2015	6/30/2017	G	Project complete	
4			Calistoga	Riverside Ped Project							
	TDA 3	68	\$106,427	CON	14/15		9/24/2014	6/30/2019	G	Funds reallocated from FY 17 to FY 19. Waiting to hear back from CDFW on Streambed Alteration Agrmt.	
5			Yountville	Washington St. Sidewalk Project							
	TDA 3	69	\$51,086	CON	14/15	Closeout/audit	9/24/2014	6/30/2017	G	Project complete	
6			NVTA	Vine Trail Soscol Avenue Gap Closure							
	TDA 3	88	\$50,000	PSE	14/15		5/27/2015	6/30/2017	G	Funds spent, design work at 50%, project shortfall.	

STIP At Risk Report

2014 STIP Locally-Sponsored Napa County Projects

Status Date: October 2017

Red Zone Projects									
Ind	PP No.	Sponsor	Project Title						
	Source		Prog'd Amount (\$x 1,000)	Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes
1	FMS 6013	Calistoga	Petrified Forest Road and SR 128 Intersection Improvements						
			\$105	PAED	16/17	Invoice	11/1/17	R	Project changed from PS&E to PA&ED. Env/ special studies in progress due on 6/30. Working on fund transfer agreement b/w the City and CT
	TDIF								
	RIP-T4-FED		\$50	ROW	17/18	Request obligation	11/1/17	R	Funds delayed to FY 17/18 from 16/17.
	RIP-T4-FED		\$425	CON	18/19	Request obligation	11/1/18	G	Funds delayed FY 18/19 from FY17/18
2	2130F	City of Napa	California Roundabouts						
	RIP-T4-FED		\$431	ROW	16/17	Invoice	2/21/18	G	CTC approved allocation 6/2016. Working on 1st invoice.
	RIP-T4-FED		\$1,070	CON	17/18	Request obligation	11/1/17	R	Funds allocated in FY 17/18 from FY16/17

STIP At Risk Report
2014 STIP Locally-Sponsored Napa County Projects

Status Date: October 2017

Yellow Zone Projects								
Index	PP No.	Sponsor	Project Title					
	Source	Prog'd Amount (\$x 1,000)	Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes
3		City of Napa	Silverado Five-Way Intersection Improvements					
		\$1,153	CON	17/18	Request obligation	11/1/17	Y	Project likely to become a SHOPP project - not in the TIP yet needs to be amended once PID is complete. S2.7M needs to be addressed

STIP At Risk Report
2014 STIP Locally-Sponsored Napa County Projects

Status Date: October 2017

Green Zone Projects								
Index	PPNO	Sponsor	Project					
	Source	Prog'd Amount (\$x 1,000)	Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes
3	2130Q	St. Helena	Highway 29/ Grayson Ave Signal Construction					
	RIP	\$300	CON	14/15			G	Completed.
4	FMS 5725	American Canyon	Eucalyptus Drive Extension					
	RIP -T4-FED	\$1,154	CON	20/21	Request obligation	11/1/20	G	Postponed from FY18/19
	RIP -T4-FED	\$1,665	CON	21/22	Request obligation	11/1/21	G	Funds reallocated from Devlin Road Ex. To FY 21/22
5	FMS 5942	Yountville	Hopper Creek Pedestrian Path					
	RIP-T4-FED	\$100	PS&E	18/19	Request obligation	11/1/18	G	Postponed from FY 16/17
	RIP-T4-FED	\$400	CON	19/20	Request obligation	11/1/19	G	Postponed from FY 17/18
6	FMS 5934	County of Napa	Airport Boulevard Rehab					
	STIP	\$57	PS&E	21/22	Request obligation	11/1/21	G	Postponed until FY 21/22 from 17/18
		\$1,275	CON	21/22	Request obligation	11/1/21	G	Postponed until FY 21/22 from 18/19
7	FMS 5932	American Canyon	Devlin Road and Vine Trail Extension					
		\$297	PE	15/16	Invoice	1/5/17	G	Working on 3rd invoice. 40% plans have been reviewed.
	RIP - T4 -ST							

STIP At Risk Report
2014 STIP Locally-Sponsored Napa County Projects

Status Date: October 2017

2010 STIP -Timely Use of Funds Provisions

The Timely Use of Funds and At Risk reports monitor the STIP Timely Use of Funds Provisions included in the current STIP Guidelines as adopted by the CTC. The current Timely Use of Funds Provisions are as follows:

Required Activity	Timely Use of Funds Provision
Allocation	For all phases, by the end (June 30th) of the fiscal year identified in the STIP.
Construction Contract Award ¹	Within six (6) months of allocation.
Accept Contract (Construction)	Within 36 months of contract award.
Complete Expenditures	For Env, PSE, & R/W funds, costs must be expended by the end of the second FY following the FY in which the funds were allocated.
Final Invoice/Project Completion (Final Report of Expenditures)	For Env, PSE, & R/W funds, within 180 days (6 months) after the end of the FY in which the final expenditure occurred. For Con funds, within 180 Days (6 months) of contract acceptance.

Zone Criteria

The Timely Use of Funds and At Risk reports utilize the deadlines associated with each required activity of the STIP Timely use of Funds Provisions to assign a zone of risk. The following zone criteria was developed for each of these risk zones (Red, Yellow, & Green). For the Final Invoice, this activity is tracked but no zone of risk is assigned.

Required Activity	Criteria Timeframes for Required Activities		
	Red Zone	Yellow Zone	Green Zone
Allocation -Env Phase	within four months	within four to eight months	All conditions other than Red or Yellow Zones
Allocation -PS&E Phase	within six months	within six to ten months	All conditions other than Red or Yellow Zones
Allocation -Right of Way Phase	within eight months	within eight to twelve months	All conditions other than Red or Yellow Zones
Allocation -Construction Phase	within eight months	within eight to twelve months	All conditions other than Red or Yellow Zones
Construction Contract Award	within six months	within six to eight months	All conditions other than Red or Yellow Zones
Accept Contract	within six months	within six to twelve months	All conditions other than Red or Yellow Zones
Complete Expenditures	within eight months	within eight to twelve months	All conditions other than Red or Yellow Zones
Final Invoice/Project Completion (Final Report of Expenditures)	NA	NA	NA

Other Zone Criteria

Yellow Zone	STIP /TIP Amendment pending
Red Zone	Extension Request pending

Notes:

1. Statute requires encumbrance by award of a contract for construction capital and equipment purchase within twelve months of allocation. CTC Policy is six months.

Federal At Risk Report

Status Date: October 2017

Federally-Funded Locally-Sponsored Napa County Projects

Red Zone Projects								
Index	TIP ID	Sponsor	Project Title					
	Source	Prog'd Amount (\$x 1,000)	Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes
1	NAP130001	City of Napa	PDA Planning Program Funds					
	STP	\$275	PE	13/14	Submit invoice	7/12/16	R	Project is inactive. Invoice submitted 1/12/2016. Working on re-scoping the project.
2	NAP110028	City of Napa	California Blvd. Roundabouts					
	CMAQ	\$1,740	CON	17/18	Request obligation	11/1/17	R	
	CMAQ	\$723	ROW	16/17	Invoice	02/21/18	G	Received Authorization August 2016
	RIP-T4-FED	\$431	ROW	16/17	Invoice	02/21/18	G	Received Authorization August 2016
	RIP-T4-FED	\$1,070	CON	17/18	Request obligation	11/01/17	R	Funds moved to FY 17/18.
	STP	\$275	PE	13/14	Submit invoice	7/12/16	Y	Project is inactive. Invoice submitted 1/12/2016. Working on re-scoping the project.
3	NAP110006	American Canyon	American Canyon PDA Development Plan					
	STP	\$318	PE	13/14	Submit invoice	11/20/2017	R	Invoice no. 6 was accepted and paid 8/2017. working on invoice 7.
	PDA - STP	\$475	PE	13/14	Submit Invoice	11/20/2017	R	Invoice no. 6 was accepted and paid 8/2017. working on invoice 7.

Index	TIP ID	Sponsor	Project Title						
	Source	Prog'd Amount (\$x 1,000)	Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes	
1	NAP130001	City of Napa	PDA Planning Program Funds						
	STP	\$275	PE	13/14	Submit invoice	7/12/16	R	Project is inactive. Invoice submitted 1/12/2016. Working on re-scoping the project.	
2	NAP110028	City of Napa	California Blvd. Roundabouts						
	CMAQ	\$1,740	CON	17/18	Request obligation	11/1/17	R		
	CMAQ	\$723	ROW	16/17	Invoice	02/21/18	G	Received Authorization August 2016	
	RIP-T4-FED	\$431	ROW	16/17	Invoice	02/21/18	G	Received Authorization August 2016	
	RIP-T4-FED	\$1,070	CON	17/18	Request obligation	11/01/17	R	Funds moved to FY 17/18.	
	STP	\$275	PE	13/14	Submit invoice	7/12/16	Y	Project is inactive. Invoice submitted 1/12/2016. Working on re-scoping the project.	
3	NAP110006	American Canyon	American Canyon PDA Development Plan						
	STP	\$318	PE	13/14	Submit invoice	11/20/2017	R	Invoice no. 6 was accepted and paid 8/2017. working on invoice 7.	
	PDA - STP	\$475	PE	13/14	Submit Invoice	11/20/2017	R	Invoice no. 6 was accepted and paid 8/2017. working on invoice 7.	

Yellow Zone Projects Continued									
Index	TIP ID	Sponsor	Project Title						
	Source	Prog'd Amount (\$x 1,000)	Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes	
4	NAP110014	NVTA	Napa Vine Trail Design and Construction - various locations						
	TCSP	\$800	PE	11/12		1/26/14	Y	Invoice submitted week of 7/27/15.	
	Other local	\$228	PE	13/14		9/30/13	G	Complete	
	CMAQ	\$211	PE	11/12		1/26/14	G	Complete	
	TCSP	\$120	ROW	13/14			Y	Unspent funds being programmed for CON	
	Other local	\$211	CON	13/14		2/1/14	G	Complete	
	TCSP	\$1,580	CON	13/14	Invoice		Y	Construction in progress	
	ATP	\$3,600	CON	15/16	Invoice		G	Construction in progress. Anticipated project completion date March 2017. Traffic signal will be electrified 1st & 2nd weeks of March.	
	TDA 3	\$50	PE	15/16	Invoice		G	Design work in progress at 50%. Project has a funding shortfall.	
	ATP	\$6,100	CON	18/19	Invoice		G	PSR in progress.	
5	NAP110023	County of Napa	Silverado Trail Phase H Rehab						
	STP-T4-2-OBAG	\$794	CON	16/17	Request Authorization	5/1/2017	Y	Awarded and NTP issued. CON May/June 2017	
6	0414000362L	County of Napa	Chiles Creek Bridge Replacement						
	BRLS	\$745.5	PE		Submit invoice	05/01/17	Y	Pre-lim design. Invoice will be submitted in June.	
7	0414000363L	County of Napa	Dry Creek Bridge Road Replacement						
	BRLO	\$899	PE		Submit invoice	07/25/17	Y	Pre-lim design. Invoice will be submitted in June.	

Green Zone Projects									
Index	TIP ID	Sponsor	Project Title						
	Source	Prog'd Amount (\$x 1,000)	Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes	
8	NAP130002	NVTA	Napa County SRTS Program						
	CMAQ	\$420	PE	13/14	Submit invoice	08/10/17	G	Submitted FY 16/17 Q2 invoice on 2/10/17. Qtr. 3 invoice submitted 6/2017.	
9	NAP150002	County of Napa	Garnett Bridge Greenwood Ave						
	HBP-T4-L	\$650	PE	15/16	Submit invoice	07/25/17	G	Revised E76 issued. Tentative award 2017	
10	5921010-00	County of Napa	Oakville Crossroad Bridge Replacement						
	BRLO	\$5,376	CON	95/96	Submit invoice	7/30/17	G	Construction Complete. Payment for invoice no. 16 rcvd. In env monitoring.	
		\$1,238	PE		Submit invoice				
11	REG070009	County of Napa	Napa County High Friction Surface						
	HSIP6-04-009	\$335	CON	15/16	Submit invoice	05/01/17	G	Close out in process. Final invoice submitted 4/2017.	
12	REG070009	County of Napa	Napa Co Metal Beam Guard Rail						
	HSIP6-04-010	\$360	CON	15/16	Submit invoice	05/01/17	G	Close out in process. Final invoice submitted 4/2017.	
13	NAP130009	County of Napa	Silverado Trail Phase G Rehab						
	PCA	\$1,107	CON	15/16	Submit invoice	05/01/17	G	Close out in process. Final invoice submitted 4/2017.	
14	NAP130010	County of Napa	Silverado Trail Yountville-Napa Safety Improvement						
	STP	\$143	CON	15/16	Submit invoice	05/01/17	G	Completed. Invoice No. submitted 4/2017	
15	NAP110007	American Canyon	Theresa Ave Sidewalk Phase III						
	CMAQ	\$200	CON	13/14	Submit invoice		G	Completed. Sent revised final invoice to Caltrans on 09/12/2016.	

Updated on
09/21/2017

Inactive Obligations
Local, State Administered/Locally Funded and Rail Projects

Project No.	Status	Agency Action Required	Reason for delay	State Project No	Prefix	District	County	Agency	RTPA	MPO	Description	Latest Date	Authorization Date	Last Expenditure Date	Last Action Date	Program Codes	Total Cost	Federal Funds	Expenditure Amount	Unexpended Balance
5470012	Future	Records indicate project is in Final Voucher. District to contact Final Voucher Unit to check status of project closure.		0412000565L	CML	4	NAP	American Canyon	Metropolitan Transportation Commission (MTC)	MTC	THERESA AVENUE SIDEWALK, PHASE 3, ROADWAY REHABILITATION	10/28/2016	4/14/2014	10/28/2016	10/28/2016	M400	\$226,000.00	\$198,970.00	\$192,093.99	\$6,876.01

PROJECT INITIATION DOCUMENT

EA 4J820

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

Scope: Bridge Replacement

EA 4J830

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

Scope: Bridge Replacement

EA 0K000

ADA Compliance; NAPA 29 PM 0.0/14.6 in County of Napa

Scope: Upgrade Pedestrian Facilities

EA 0K630

Bridge Rails; NAPA 29 PM 14.1/19.04 in County of Napa

Scope: Upgrade / Replace Bridge Rails

EA 2K150

Bridge Rails; NAPA 29 PM 28.43/29.3 in County of Napa

Scope: Upgrade / Replace Bridge Rails

EA 4J990

Storm Water Quality Improvement; NAPA 29 PM 32.0/33.0 in County of Napa

Scope: Improve water quality and fish passage

EA 4J410

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

Scope: Rehabilitate Culverts

EA 0J890

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

Scope: Intersection Improvement

EA 2K810

Anti-Vandalism Measure; NAPA 29 121-PM 11.0/R21.0 in County of Napa

Scope: Replace Fencing

EA 0J760

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

Scope: Construct Class 1 Multiuse Path

EA 4J300 PID Completed; SHOPP Programming Pending

Pavement Preservation; NAPA 29-PM 29.3/36.9 From York Creek Bridge to Junction Route 128 in Calistoga

Scope: Roadway/ Pavement preservation (CAPM)

PID (Project Initiation Document)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)

ENVIRONMENTAL

EA 2J880

Garnett Creek; NAPA 29-PM 39.1 in County of Napa

Scope: Scour repair

Cost Estimate: \$2,000 K Construction Capital

Schedule: PAED: 9/2018 PS&E: 02/2020 RWC: 3/2020 RTL: 4/2020 CCA: 12/2021

EA 2J770

Bridge Maintenance; NAPA 29, 121 and 128-Various Locations in County of Napa

Scope: Sub-structure rehabilitation and bridge scour mitigation

Cost Estimate: \$1,000 K Construction Capital

Schedule: PAED: 9/2018 PS&E: 02/2020 RWC: 3/2020 RTL: 4/2020 CCA: 12/2021

EA 4J210

Capell Creek Bridge #21-0064; NAPA 121-PM 18.59 in County of Napa

Scope: Sub-structure rehabilitation and bridge scour mitigation

Cost Estimate: \$1,400 K Construction Capital

Schedule: PAED: 9/2018 PS&E: 2/2020 RWC: 3/2020 RTL: 4/2020 CCA: 12/2021

EA 2J570

Storm Damage; NAPA 121-PM 20.06 in County of Napa

Scope: Culvert and erosion repair

Cost Estimate: \$1.8M Construction Capital

Schedule: DED: 5/1/17 PAED: 7/24/17 PS&E: 4/2018 RWC: 5/2018 RTL: 6/2018 CCA: 11/2019

EA 4G210

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

Scope: Remove existing triple box culvert and replace with a new bridge

Cost Estimate: \$8.7M Construction Capital

Schedule: DED: 9/15/17 PAED: 12/2017 PS&E: 4/2019 RWC: 5/2019 RTL: 5/2019 CCA: 12/2025

EA 28120

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

Scope: Construct Flyover Structure at SR 221/29/12

Cost Estimate: \$35M Construction Capital-Not Programmed

Schedule DED: 3/16/15 PAED: TBD

DESIGN

EA 4G840

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

Scope: Bridge Replacement

Cost Estimate: \$12.1M Construction Capital

Schedule: DED: 1/29/16 PAED: 6/16/16 PS&E: 2/2018 RWC: 3/2018 RTL: 4/2018 CCA: 12/2021

EA 2J100

Construct Roundabout; NAPA 29-PM 11.36 in City of Napa

Scope: Cooperative Project to construct roundabout at northbound First St. Interchange.

Cost Estimate: \$3.8M Construction Capital

Schedule: PAED: 7/18/16 PS&E: 1/2018 RWC: 3/2018 RTL: 3/2018 CCA: 12/2019

PID (Project Initiation Document)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)

EA 1G430

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

Scope: Replace Bridge at Conn Creek

Cost Estimate: \$7.1M Construction Capital

Schedule: PAED: 10/5/15 PSE: 12/2017 RWC: 02/2018 RTL: 2/2018 CCA: 07/2020

EA 4G920

Tulucay Creek Bridge Repair; NAPA 121-PM 6.1/6.2 in City of Napa

Scope: Bridge Repair

Cost Estimate: \$2.2M Construction Capital

Schedule: PAED: 10/19/2016 PS&E: 1/2018 RWC: 2/2018 RTL: 3/2018 CCA: 6/2019

EA 4G490

Concrete Barrier; NAPA 29 PM 11.9 at Solano Ave. Southbound Onramp in City of Napa

Scope: Install Concrete Barrier (Type 60)

Cost Estimate: \$1.3M Construction Capital

Schedule: PAED: 1/06/16 PS&E: 12/12/16 RWC: 1/5/17 RTL: 3/2/17 CCA: 12/2018

EA 3J740

Wooden Valley Earthquake Damage; NAPA 121-PM 14.80 in County of Napa

Scope: Earthquake damage permanent restoration/ Install anchored wire mesh

Cost Estimate: \$891K Construction Capital

Schedule: PAED: 8/15/17 PS&E: 9/15/17 RWC: 9/15/17 RTL: 9/15/17 CCA: 11/2018

EA 4H200

Pavement Preservation; NAPA 29-PM 13.5/25.5 from 0.4 mile north of Trancas St. to Mee Ln. in County of Napa

Scope: Resurface existing pavement

Cost Estimate: \$17.1M Construction Capital

Schedule: PAED: 1/29/2016 PS&E: 05/25/17 RWC: 5/25/17 RTL: 6/14/17 CCA: 12/2019

EA 3G140

ADA Curb Ramps; NAPA 29 and 128; in City of Calistoga

Scope: Upgrade and construct curb ramps at various locations.

Cost Estimate: \$1.4M Construction Capital

Schedule: PAED: 4/29/16 PS&E: 7/3/17 RWC: 6/30/17 RTL: 7/3/17 CCA: 11/2018

EA 4A09A

Troutdale Creek Plant Establishment; NAPA 29 PM 47.0/47.2 in County of Napa

Scope: Permit requirement of riparian planting

Cost Estimate: \$100K Construction Capital

Schedule: PAED: 7/28/13 PSE: 10/13/16 RWC: 10/13/16 RTL: 10/13/16 CCA: 12/2019

CONSTRUCTION

EA 2594A

Replanting; NAPA 29 PM 20.4/20.8 in County of Napa

Scope: Highway Tree Planting

Cost Estimate: \$850K Construction Capital

Schedule: PAED: 6/29/07 RTL: 3/30/16 AWD: 10/28/16 (Empire Landscaping.) CCA: 12/2021

PID (Project Initiation Document)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)

EA 3G640

Napa River Bridge Scour Mitigation; NAPA 29 PM 37.0 in City of Calistoga

Scope: Replace Bridge at Napa River Bridge

Cost Estimate: \$9.2M Construction Capital

Schedule: PAED: 2/9/15 RTL: 6/30/16 AWD: 3/17/17 (Valentine Corp.) CCA: 12/2019

EA 2A320

Sarco Creek Bridge Replacement; NAPA 121 PM 9.3/9.5 near City of Napa In County of Napa

Scope: Replace Bridge at Sarco Creek

Cost Estimate: \$9.7M Construction Capital

Schedule: PAED: 6/28/12 RTL: 4/21/16 AWD: 12/1/16 Ghilotti Const. CCA: 12/2018

EA 2641A

Jameson Canyon Landscape; NAPA 12 PM 0.0/3.3 and SOL 0.0/R2.6 in Counties of Napa & Solano

Scope: Plant replacement

Cost Estimate: \$710K Construction Capital

Schedule: RTL: 11/18/14 AWD: 7/31/15 Bortolussi & Watkin, Inc CCA: 03/2020

EA 2A11A

Capell Creek Bridge Landscaping; NAPA 121 PM 20.2 in County of Napa

Scope: Plant replacement

Cost Estimate: \$440K Construction Capital

Schedule: RTL: 12/01/14 AWD: 5/15/15 Bortollusi & Watkin Inc. CCA: 07/2020

EA 25941

Channelization; NAPA 29 PM 25.5/28.4 in and Near City of St. Helena in County of Napa

Scope: Left-turn channelization and pavement rehabilitation from Mee Lane to Charter Oak Avenue

Cost Estimate: \$19M Construction Capital

Schedule: RTL: 6/18/14 AWD: 3/17/15 Ghilotti Bros. Inc. CCA: 06/27/17

ACTION ITEMS:

PID (Project Initiation Document)

PAED (Project Approval/ Environmental Document)

RWC (Right of Way Certification)

ADV (Advertise Contract)

PSR (Project Study Report)

RTL (Ready to List)

BO (Bid Open)

DED (Draft Environmental Document)

PSE (Plans, Specifications, and Estimate)

CCA (Construction Contract Acceptance)

AWD (Award Contract)

Examples of Measure T Expenses

3a

Activity		Description
1	Street Operations/Admin	Overall management and daily operations of the streets maintenance divisions. General overhead and administration of the streets divisions. Division Manager and support staff are fully or partially paid through this key.
2	Street Cleaning	Various street sweeping and street cleaning elements including contracted services management. This also includes basic street cleanliness, spill clean-up, brooming, hazardous materials surveys, testing, abatement and removal by municipality staff or contracted services.
3	Street Drainage	Typical maintenance of existing street drainage facilities. This maintenance includes, but is not limited to, cleaning drain inlets, replacing/repairing damaged structures, various point repairs and routine maintenance on storm drain pipes. Furthermore, this key involves preventative maintenance on drainage structures as well as responding to localized flooding resulting from deferred maintenance issues. Drainage improvements to remediate or eliminate traffic hazards in the right of way.
4	Street Maintenance, Rehabilitation and Reconstruction	A variety of street rehabilitation including occurring within the road right of way, but not limited to, slurry seals, crack seals, chip seals, cape seals, micro-surfacing, fog seals, reconstruction, pothole repair, minor pavement potholing, overlays, erosion control, grading, utility work and other maintenance activities needed to ensure function of the roadway as well as other activities needed to support the roadway outside the travelled way but within the public right of way, including approaches to railroad crossings.
5	Stormwater Operations	This is a relatively new account (created in 2015) introduced to achieve compliance with the U.S. EPA NPDES permit. This key funds routine inlet cleaning and maintenance, storm drain cleaning and maintenance, trash assessments and various administrative tasks associated with permit compliance and contract management.
6	Signage	Staff assigned to the City's sign shop and the various operational duties performed by the sign shop are covered under this key. Said duties include street sign installation and maintenance. MUTCD and municipality required markings and signs in the ROW.
7	Sidewalk Replacement	Maintenance, rehabilitation and replacement of existing sidewalks, curb and gutter as well as other methods needed to ensure adequate sidewalks. This includes ADA access ramps as required by law.
8	Electrical Admin	Overall management and daily operations of the electrical maintenance division. General overhead, administration and work activities of the electrical work.
9	Street Lighting	Operational and engineering duties related to street lighting. New installation, replacement, repair and maintenance work related to lighting facilities, such as street lights, highway lighting. Utility costs for street lights.
10	Traffic Signals	Electrical support to municipalities' traffic signals, including basic electrical support, instillation of new signal heads and poles, synchronizing signal timing, and any other related electrical maintenance activities.
11	Striping	Installation of pavement markings, center lines, edge lines, curb paint, white, yellow and blue pavement delineators, bike lane striping and pavement markings. MUTCD and municipality required markings and signs in the ROW.
12	Traffic Calming Measures	Speed humps, bulb outs, radar feedback signs and a variety of traffic control devices and materials to help create safe travel ways, and paths.
13	Urban Forest Management	Landscaping, trimming, removal, and re-planting of vegetation in the right of way. Hazardous and nuisance tree removal, Road side grass and brush mowing, Brush trimming and removal, vegetation growth control
14	Bicycle and Pedestrian Facilities	Bicycle and pedestrian maintenance, repair and construction within the street right of way. Includes crack seal, slurry seal, overlay, reconstruct, and remove and replace with a variety of materials including AC, and concrete.

Examples of Measure T Expenses

Activity		Description
15	Bridges and Culverts Facilities	Inspect, maintain, repair and replace various components of the bridge and bridge systems in the street and road right of way. Under the road drainage facilities inspections, maintenance, repair and replacement.
16	Salaries and Benefits	Employees in the street maintenance division, their supervisors, managers, and support staff (to the extent they work on street maintenance). This will include base pay, OT, part time salaries, and al related employee benefits.
17	Engineering Design	This would include design for curb cuts, ramps, striping, and overlays, ADA review of streets, traffic calming, and any sort of street maintenance project requiring professional design support outside of municipality staff.
18	Technology Support	Software, computers, cell phones, etc. used in the street maintenance division.
19	Engineering Support	Street maintenance support, construction management, permit applications, procurement, project bidding, project management, project planning Examples include advertising, environmental review, printing, state/local permitting, speed testing, etc.
20	Materials	Supplies used in street maintenance, rehabilitation and reconstruction, including, but not limited to: signs, gravel, asphalt, barricades, paint, lumber, safety fencing, hardware, etc. Testing and inspecting.
21	Facilities and Engineering Dept. Supplies	Services in support of the employees and facilities used in the street maintenance division, including uniforms, boots, safety equipment, training, certifications, alarm system, office supplies, building maintenance, utilities, etc.
22	Contracting Services	Contractors hired to complete street maintenance projects, including striping, crack sealing, slurry seals, overlays, patching and similar that are not City staff
23	Vehicles and Equipment	Fuel and maintenance of the street maintenance division fleet, to include replacement and addition of vehicles and equipment; Renting equipment for use in street maintenance projects, which could include tractors, lifts, and similar equipment; Purchase of small tools and equipment, and parts/maintenance, needed for street maintenance
24	General Liability Insurance	General Liability insurance for street related losses.
25	Refuse Services	Trash removal, roadkill removal.
26	Safety/ Traffic Control	Traffic control by municipality staff or contracted services. Guard rail installation, repair and maintenance.
27	Traffic Studies	Traffic studies performed by either county staff or contract staff, necessary to complete street and road work.
28	Ditch cleaning	Road side drainage facilities maintenance and repairs
29	Environmental Studies	Environmental studies by contracted services, CEQA and NEPA support, necessary to complete street and road work.

Measure T Items with City of Napa Comments

- 3b.1. Draft Master Agreement
- 3b.2. Exhibit B Draft NVTB Jurisdiction Resolution
- 3b.3. Exhibit C Measure T Accounting
- 3b.4. Measure T Progress Report
- 3b.5. Measure T Project Expenditure Plan

MASTER FUNDING AGREEMENT THE NAPA VALLEY TRANSPORTATION AUTHORITY AND

NVTA AGREEMENT NO. _____
City of Napa Agreement No.

This Master Funding Agreement ("Agreement") is made this ____ day of _____, 201_, by and between the Napa Valley Transportation Authority, a California Joint Powers Authority, hereinafter referred to as "NVTA", and the City of Napa, a California charter city, hereinafter referred to as "Recipient."

SECTION 1. RECITALS

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

SECTION 2. PURPOSE OF FUNDING AGREEMENT

This Agreement is entered into by and between NVTA and Recipient to document the funding conditions necessary for the Recipient to receive sales tax disbursements. This Agreement consists of additional documents which are incorporated in the Agreement by reference.

TERMS

SECTION 3. CLASS 1 BIKE LANE-FACILITY FUNDING. Prior to any disbursements under this Agreement, the Local Agencies must demonstrate to NVTA that they have committed a collective 6.67% in eligible revenues of the value of the total annual allocations of Measure T funds to Class 1 Bike Lane-Facility projects identified in the adopted Countywide Bicycle Plan, as that Plan may be amended from time to time and as provided in the Measure.

SECTION 4. MAINTENANCE OF EFFORT. Prior to January 1, 2018 Recipient shall determine and certify to NVTA provide the average maintenance of Effort for amount with supporting financial documentation from Fiscal Years 2007-08, 2008-09 and 2009-10, consistent with the criteria set forth in Section 9 of Ordinance No. 2012-01, including a memorandum detailing the

supporting financial documentation and the methodology utilized to calculate the so that its average fiscal year street and roads costs can be determined. That amount will be deemed Recipient's "Maintenance of Effort," which must be maintained annually throughout the term of the Measure from the Recipient's General Fund. At the beginning of each fiscal year, Recipient must certify to NVTa that it will meet its Maintenance of Effort expenditures that fiscal year. and must provide a copy of its Street Report bBy January 1st each calendar year, Recipient must provide to NVTa a copy of its Street Report as well as a form of certification along with backup documentation showing that the Maintenance of Effort was met the prior fiscal year. In the event Recipient does not meet its requirement for local Maintenance of Effort for over a period of three years average, NVTa shall reduce Recipient's allocation for the following fiscal year in an amount equal to the deficiency in the Maintenance of Effort. Any such reduction based on a deficiency in the Maintenance of Effort will be withheld by NVTa until a plan to meet the Maintenance of Effort amount moving forward has been approved by NVTa the Authority. When NVTa approves the plan from the Recipient to meet the Maintenance of Effort amount, NVTa shall reallocate the previously reduced amount to the Recipient. The funds withheld will be held in the Recipient's account until such time Recipient is deemed to be in compliance with the Maintenance of Effort requirements after which the funds will be allocated to the Recipient.

Comment [WE1]: This may need to be reworked to reflect the appropriate documentation desired by NVTa

SECTION 5. FIVE-YEAR LIST OF PROJECTS EXPENDITURE PLAN. No later than January 1, 2018, and at least biennially thereafter, Recipient shall provide NVTa its Measure T five-year list of projects (hereinafter "Project List") expenditure plan.

SECTION 6. ALLOCATION & DISBURSEMENT

NVTa shall allocate to the Recipient on a quarterly basis by the 20th day following the end of each quarter a sum allotted to Recipient as defined by under Measure T provided Recipient has complied or will comply with the terms of this Agreement. The allocated funds will be disbursed to Recipient upon application certifying certification that projects are deemed eligible consistent with the Expenditure Plan and the Five-Year Project List 5-year expenditure plan. in conformance with the Accounting, Reporting and Auditing Guidelines.

SECTION 7. COST ELIGIBILITY

Cost eligibility shall be determined by NVTa based upon Recipient's approved Project List biennial five-year project list. Funds may be expended only for streets and roads project(s) included on the pProject list.

SECTION 8. BUDGET AND SCOPE

Recipient shall maintain a project(s) or program budget. Recipient shall carry out the project(s) and shall incur obligations against and make disbursements of Measure T revenues in conformity with the requirements of this the Master Agreement's requirements and the budget.

SECTION 9. PROJECT MANAGEMENT

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

SECTION 10. PROJECT OVERSIGHT

Recipient shall cooperate with NVTa staff or its Measure T consultants for project information and financial information necessary to fulfill the requirements outlined in ~~NVTa~~-Ordinance No. 2012-01; ~~the Napa County Road Maintenance Act~~.

SECTION 11. ATTRIBUTION AND SIGNAGE

If any portion of Measure T revenues is used for production of reports, acknowledgment of the NVTa's role shall be included in the documents. If any project(s) funding receives \$250,000 or more, Recipient shall, upon initiation of field work or at the earliest feasible time thereafter, install and maintain a sign or signs at the construction site utilizing the adopted Measure T logo and text, identifying the Recipient local jurisdiction, identifying Measure T Napa County Road Maintenance Act Tax Funds and NVTa, (e.g., NVTa, Measure T and Recipient's logos – "Your Measure T Sales Tax Dollars at Work"). Recipient shall demonstrate compliance with attribution and signage requirements as an indispensable condition for authorization of future Measure T allocations. Jurisdictions Recipient may provide signage for projects with a value of less than \$250,000 if they so desire.

SECTION 12. PRESS RELEASES

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

SECTION 13. COMPLIANCE WITH LAW

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

SECTION 14. ENVIRONMENTAL COMPLIANCE

Recipient shall comply with the requirements under the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.; as implemented through California Code of Regulations Title 14, Chapter 3, Sections 1500-15000 et seq.), ~~or CEQA~~.

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SECTION 15. FINANCES

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

SECTION 16. RECORDS

All checks, payrolls, invoices, contracts, vouchers, journal entries, work orders, or other accounting documents pertaining in whole or in part to the project(s) shall be maintained by Recipient for a period of five (5) years after the later of project(s) closeout or termination of Agreement. Such project(s) documents shall be clearly identified, readily accessible, and, to the

extent feasible, kept separate and apart from all other similar documents not pertaining to the project(s).

SECTION 17. ELIGIBLE EXPENSES

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

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

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

SECTION 18. AUDITS

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

SECTION 19. THIRD PARTY CONTRACT AUDITS

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

SECTION 20. PROJECT REPORTING AND CLOSEOUT PROCEDURES

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

SECTION 21. INDEMNIFICATION

To the fullest extent permitted by law, NVTA and Recipient shall each defend, indemnify and hold harmless each other as well as their respective officers, agents, employees, volunteers or representatives from and against any and all liability, claims, actions, proceedings, losses, injuries, damages or expenses of every name, kind and

description, including litigation costs and reasonable attorney's fees incurred in connection therewith, brought for or on account of personal injury (including death) or damage to property, arising out of or connected with any acts or omissions of that party or its officers, agents, employees, volunteers, or contractors or their subcontractors, when performing any activities or obligations required of that party under this Agreement. Each party shall notify the other party immediately in writing of any claim or damage related to activities performed under this Agreement. The parties shall cooperate with each other in the investigation and disposition of any claim arising out of the activities under this Agreement, providing that nothing shall require either party to disclose any documents, records or communications that are protected under peer review privilege, attorney-client privilege, or attorney work product privilege.

SECTION 22. INTEGRATION

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

SECTION 23. AMENDMENT

Except as otherwise provided herein, this Agreement may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this Agreement shall be void and of no effect. ~~Notwithstanding the foregoing, non-substantive procedural amendments may be made if approved by all of the cities', town's, and County's Public Works Directors and the NVTB Board.~~

SECTION 24. INDEPENDENT AGENCY

Recipient performs the terms and conditions of this Agreement as an entity independent of NVTB. None of Recipient's agents or employees shall be agents or employees of NVTB.

SECTION 25. ASSIGNMENT

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

SECTION 26. BINDING ON SUCCESSORS, ASSIGNEES OR TRANSFEREES

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

SECTION 27. LEGAL EXPENSES

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

| contemplated. Recipient may not use Measure T funds, or other NVTA ~~or NCTPA~~ programmed funds, for the aforementioned purpose.

SECTION 28. SEVERABILITY

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

SECTION 29 ACCEPTANCE OF ALLOCATION

Recipient does hereby declare that all written statements, representations, covenants, and materials submitted as a condition of this Agreement are true and correct and does hereby accept NVTA's allocations and agrees to all of the terms and conditions of this Agreement. The parties have executed this Agreement as of the date first written above.

SECTION 30. EXHIBITS

| The following Exhibits are hereby made part of this AGREEMENT:

Comment [WE2]: The Exhibits will need to be labeled correctly and there will need to be corresponding corrections made in the body of the Agreement.

| EXHIBIT A: Project ~~Application & Expenditure~~ Five-Year Project List

| EXHIBIT B: ~~Sample~~ Resolution

EXHIBIT C: Accounting, Reporting and Auditing Guidelines

Comment [WE3]: A signature page will need to be inserted that is consistent with the City's signature page.

3.b.ii

RESOLUTION No. X-X

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

Comment [WE1]: This is a generic resolution template. We will modify it accordingly when we bring this to Council to fit our standard resolution format. The purpose of this review is to insure the language that NVTa needs is correct and complete in our eyes.

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

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

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

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

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

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

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

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

WHEREAS, Measure T project(s) will comply with the requirements under of the California Environmental Quality Act (California Code Sections 21000 et seq.; as implemented through California Regulations Title 14, Chapter 3, Sections 1500 et seq.)-(CEQA);

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

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

Passed and adopted this X day of XXX, 2014.

Chair

Ayes:

Nays:

Absent:

ATTEST:

Clerk

APPROVED:

Attorney

1. Fund structure for Measure T Funds held by NVTa (held in County Treasury)

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

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

2. Receipt of Tax Allocations and Interest to the Authority

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

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

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

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

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

Revenues are to be recorded on an accrual basis.

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

3. Disbursements

a. Allocations of Taxes to the Agencies from the Authority

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

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

b. Administration Expenditures: Sub-Division 83100-00

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

c. ITOC Stipends – Section 11.D.2

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

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

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

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

d. Auditor-Controller Administrative Salaries and Expenditures

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

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

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

e. NCTPA Contracted Administrative Salaries and Expenditures

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

(Exhibit C – Contract between ~~NCTPA~~ NVTA and NVTA)

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

f. Authority Counsel Expenditures

The Authority will be provided legal counsel by the Napa County Counsel Department. County Counsel will be required to track all hours and expenses and provide a detailed accounting for all items requested to be reimbursed. County Counsel will provide an annual hourly rate schedule, which varies by staff position, to ensure fair and equitable charges for work performed related to Measure T.

(Exhibit D – Contract Napa County Counsel and NVTA)

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

Comment [WE1]: This section needs to be revised to reflect the fact that NVTA now uses a contract attorney.

g. Auditor-Controller's Authority on Disbursements

The Auditor-Controller may dispute a claim from the Administration budget unit if the expenditure does not appear in accordance with the Ordinance or reasonable in amount.

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

Disputed claims may be brought forth by the claimant to the Authority for approval in a public meeting.

4. Financial Reporting Requirements for Measure T Funds held by NVT

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

5. Agency Record Keeping

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

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

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

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

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

6. Financial Reporting Requirements for Each Agency

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

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

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

(Exhibit E – Agency Progress Report)

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

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

7. Annual Audits

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

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

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

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

8. Community Report

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

9. Interagency Loans

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

RESERVE THIS SECTION FOR THE INTERAGENCY LOAN AGREEMENT.

Measure T: Progress Report

Due March 31st and September 30th

3.b.iv

Jurisdiction:

Qtr:

Amount of funds in Special Measure T Revenue Fund:

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

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

This section needs to be reworked in such a way that it is consistent with the language included in the Ordinance which reads "Agencies...must demonstrate that.." funding "...has been committed to Class 1 Bike projects..."

Measure T Napa Countywide Road Maintenance Act **Five-Year List of Projects**
~~Application for Funding~~ Project Submittal Form

3.b.v

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

Maintenance of Effort (MOE)

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

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

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

Planned Measure T Expenditures

Please provide 5 year planned streets and road maintenance projects beginning in FY ~~2013-14~~ 2018-19 (add more lines as needed). Per the Measure T Expenditure Plan, a *Project* is a single effort with a beginning and an end that would cause the construcion or maintenance or reconstruction of some tangible portion of a transportation asset owned or operated by public agency that has indepdendent utility. A *project* is not repeated on an annual basis, it does not appear without a detailed description as to cost and location in a local agency budget, and it must appear in a capital budget. Project numbers will be assigned by NCTPA.

Program	Project Description	Fiscal Year	Total Project Cost	Measure T Amount	Other Funds	Location (Intersection, mile marker, length of alignment)
Surface Treatment			\$ -			
			\$ -			
			\$ -			
			\$ -			
			\$ -			
			\$ -			
			\$ -			
			\$ -			
			\$ -			
			\$ -			
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			\$ -			
			\$ -			
			\$ -			

Program Definitions:
Surface Treatment includes: slurry seal, fog seal, chip seal, microseal, etc.
Overlay - asphalt resurfacing
Reconstruction - includes in or all components associated with complete reconstruction of the roadway including road bed, widening to meet ~~code-complete streets requirements~~,
Concrete work - includes ramps, sidewalks, curbs, and gutters, and pavement
Drainage - includes any work required to address water run off and drainage including culverts, etc. associated with a roadway
Safety includes lights, signage, striping, traffic signals and pavement markings
Intelligent Traffic Systems - includes traffic signal interconnects or other systems to improve traffic management/operations and safety on raodways

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

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

Measure T Master Agreement with County of Napa Comments

3c.1 Draft Master Agreement

**MASTER FUNDING AGREEMENT
THE NAPA VALLEY TRANSPORTATION AUTHORITY
AND**

NVTA AGREEMENT NO. _____

This Agreement is made this _____ day of _____, 201_, by and between the Napa Valley Transportation Authority, a California Joint Powers Authority, hereinafter referred to as "NVTA", and _____, hereinafter referred to as "Recipient."

SECTION 1. RECITALS

1. The voters of Napa County approved Measure T at the General Election held on November 6, 2012, thereby authorizing NVTA to administer the proceeds from a one-half cent transaction and use tax.
2. The tax proceeds will be used to pay for the projects outlined in the Measure T Expenditure Plan allocated to the County of Napa and the cities and town within Napa County ("Local Agencies") as set forth in Measure T.
3. Under the Measure T Expenditure Plan, Measure T funds are provided to the Local Agencies to be used for streets and roads projects as defined in the Measure.

SECTION 2. PURPOSE OF FUNDING AGREEMENT

This Agreement is entered into by and between NVTA and Recipient to document the funding conditions necessary for the Recipient to receive sales tax disbursements. This Agreement consists of additional documents which are incorporated in the Agreement by reference.

TERMS

SECTION 3. BIKE LANE FUNDING. Prior to any disbursements under this Agreement, the Local Agencies must demonstrate to NVTA that they have committed a collective 6.67% in eligible revenues of the value of the total annual allocations of Measure T funds to Class 1 Bike Lane projects identified in the adopted Countywide Bicycle Plan, as that Plan may be amended from time to time and as provided in the Measure.

SECTION 4. MAINTENANCE OF EFFORT. Prior to January 1, 2018 Recipient shall provide the Maintenance of Effort amount with supporting financial documentation from Fiscal Year 2007-08, 2008-09 and 2009-10 including a memorandum detailing the methodology utilized so that its average fiscal year street and roads costs can be determined. That amount will be deemed Recipient's "Maintenance of Effort," which must be maintained annually throughout the term of the Measure from the Recipient's General Fund. At the beginning of each fiscal year, Recipient must certify to NVTA that it will meet its Maintenance of Effort expenditures that fiscal year, and must provide a copy of its Street Report by January 1st each calendar year showing

that the Maintenance of Effort was met the prior fiscal year. In the event Recipient does not meet its requirement for local Maintenance of Effort for a period of three years, recipient's allocation will be withheld until a plan to meet the Maintenance of Effort amount moving forward has been approved by the Authority.

SECTION 5. EXPENDITURE PLAN. No later than January 1, 2018, and at least biennially thereafter, Recipient shall provide NVTA its Measure T five year expenditure plan.

SECTION 6. ALLOCATION & DISBURSEMENT

~~NVTA shall allocate to the~~ Recipient shall be allocated on a quarterly basis by the 20th day following the end of each quarter a sum allotted to Recipient under Measure T provided Recipient has complied or will comply with the terms of this Agreement. The allocated funds will be disbursed to Recipient upon application certifying that projects are consistent with the 5 year expenditure plan.

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SECTION 7. COST ELIGIBILITY

Cost eligibility shall be determined by NVTA based upon Recipient's approved biennial five-year project list. Funds may be expended only for streets and roads project(s) included on the project list.

SECTION 8. BUDGET AND SCOPE

Recipient shall maintain a project(s) or program budget. Recipient shall carry out the project(s) and shall incur obligations against and make disbursements of Measure T revenues in conformity with the Master Agreement's requirements and the budget.

SECTION 9. PROJECT MANAGEMENT

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

SECTION 10. PROJECT OVERSIGHT

Recipient shall cooperate with NVTA staff or its Measure T consultants for project information and financial information necessary to fulfill the requirements outlined in NVTA Ordinance No. 2012-01; the Napa County Road Maintenance Act and Accounting, Reporting and Auditing Guidelines (Exhibit C).

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SECTION 11. ATTRIBUTION AND SIGNAGE

If any portion of Measure T revenues is used for production of reports, acknowledgment of the NVTA's role shall be included in the documents. If any project(s) funding receives \$250,000 or more, Recipient shall, upon initiation of field work or at the earliest feasible time thereafter, install and maintain a sign or signs at the construction site identifying Measure T Napa County Road Maintenance Act Tax Funds and NVTA (e.g., NVTA, Measure T and Recipient's logos – "Your Measure T Sales Tax Dollars at Work"). Recipient shall demonstrate compliance with attribution and signage requirements as an indispensable condition for authorization of future Measure T allocations.

SECTION 12. PRESS RELEASES

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

SECTION 13. COMPLIANCE WITH LAW

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

SECTION 14. ENVIRONMENTAL COMPLIANCE

Recipient shall comply with the requirements under the California Code of Regulations Title 14, Chapter 3, Sections 1500 et seq of CEQA.

SECTION 15. FINANCES

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

SECTION 16. RECORDS

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

SECTION 17. ELIGIBLE EXPENSES

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

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

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

SECTION 18. AUDITS

Recipient shall cooperate with and allow NVTAs Auditor, or any of its duly authorized representatives, to inspect all work, materials, payrolls, and other data and records with regard to the Measure T projects, and to audit the books, records, and accounts of the Recipient and its contractors. Recipient shall see Accounting, Reporting and Auditing Guidelines (Exhibit C).

SECTION 19. THIRD PARTY CONTRACT AUDITS

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

SECTION 20. PROJECT REPORTING AND CLOSEOUT PROCEDURES

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

SECTION 21. INDEMNIFICATION

To the fullest extent permitted by law, NVTA and Recipient shall each defend, indemnify and hold harmless each other as well as their respective officers, agents, employees, volunteers or representatives from and against any and all liability, claims, actions, proceedings, losses, injuries, damages or expenses of every name, kind and description, including litigation costs and reasonable attorney's fees incurred in connection therewith, brought for or on account of personal injury (including death) or damage to property, arising out of or connected with any acts or omissions of that party or its officers, agents, employees, volunteers, or contractors or their subcontractors, when performing any activities or obligations required of that party under this Agreement. Each party shall notify the other party immediately in writing of any claim or damage related to activities performed under this Agreement. The parties shall cooperate with each other in the investigation and disposition of any claim arising out of the activities under this Agreement, providing that nothing shall require either party to disclose any documents, records or communications that are protected under peer review privilege, attorney-client privilege, or attorney work product privilege.

SECTION 22 INTEGRATION

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

SECTION 23. AMENDMENT

Except as otherwise provided herein, this Agreement may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this Agreement shall be void and of no effect. Notwithstanding the foregoing, non-substantive procedural amendments may be made if approved by all of the cities', town's, and County's Public Works Directors and the NVTA Board.

SECTION 24. INDEPENDENT AGENCY

Recipient performs the terms and conditions of this Agreement as an entity independent of NVTA. None of Recipient's agents or employees shall be agents or employees of NVTA.

SECTION 25. ASSIGNMENT

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

SECTION 26. BINDING ON SUCCESSORS, ASSIGNEES OR TRANSFEREES

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

SECTION 27. LEGAL EXPENSES

Each party shall be solely responsible for and shall bear all of its own respective legal expenses in connection with any dispute arising out of this Agreement and the transactions hereby contemplated. Recipient may not use Measure T funds, or other NVTA ~~or NCTPA~~ programmed funds, for the aforementioned purpose.

SECTION 28. SEVERABILITY

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

SECTION 29. ACCEPTANCE OF ALLOCATION

Recipient does hereby declare that all written statements, representations, covenants, and materials submitted as a condition of this Agreement are true and correct and does hereby accept NVTA's allocations and agrees to all of the terms and conditions of this Agreement. The parties have executed this Agreement as of the date first written above.

SECTION 30. EXHIBITS

The following Exhibits are hereby made part of this AGREEMENT:

EXHIBIT A: Project Application & Expenditure List

EXHIBIT B: Sample Resolution

EXHIBIT C: Accounting, Reporting and Auditing Guidelines

EXHIBIT D: [Progress Report](#)

DRAFT

October 5, 2017
TAC Agenda Item 7.5
Continued From: New

Action Requested: **INFORMATION**



NAPA VALLEY TRANSPORTATION AUTHORITY TAC Agenda Letter

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

RECOMMENDATION

Information only

EXECUTIVE SUMMARY

Attached are the Federal Legislative update (Attachment 1) from Van Scoyoc Associates, the State legislative update (Attachment 2), and State Bill Matrix (Attachment 3).

FISCAL IMPACT

Is there a Fiscal Impact? No

SUPPORTING DOCUMENTS

- Attachments:
- (1) September 29, 2017 Federal Legislative Update (Van Scoyoc Associates)
 - (2) October 2, 2017 State Legislative Update (Platinum Advisors)
 - (3) October 2, 2017 State Bill Matrix



TO: Kate Miller, NVT
FROM: Steve Palmer, Channon Hanna, and David Haines
DATE: September 29, 2017
SUBJECT: Federal Legislative Update

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

Legislative Action

Autonomous Vehicles. On September 6, the House passed H.R. 3388, the SELF DRIVE Act, legislation to establish a federal framework for the development and regulation of automated vehicles.

FY 2018 Continuing Resolution/Debit Limit. The House and Senate approved legislation to fund the federal government and extend the federal debt limit to December 8, 2017. President Trump signed the bill into law.

FY 2018 Omnibus. On September 6, the House considered amendments to the Transportation, Housing and Urban Development Division of the FY 2018 Omnibus. The House later passed the Omnibus Appropriations for FY 2018.

HUD Deputy Secretary. On September 14, the Senate confirmed Pamela Patenaude, by an 80-17 vote, to serve as Deputy Secretary of the U.S. Department of Housing and Urban Development (HUD). Ms. Patenaude had previously served as former HUD Assistant Secretary for Community Planning and Development under President George W. Bush and as director of housing policy at the Bipartisan Policy Center. She most recently served as president of the J. Ronald Terwilliger Foundation for Housing America's Families.

Tax Reform Proposal. On September 27, Republicans released a plan to reform taxes. The plan attempts to simplify and address personal, corporate, and international tax rates. The Senate hopes to use the procedural budget step called "reconciliation" to pass the reform bill by ensuring the tax bill cannot be filibustered and allowing the bill to pass on a 51-vote majority.

Congressional Hearings

EPA Oversight. On September 6, the House Energy and Commerce Committee's Subcommittee on Oversight and Investigations held a hearing for EPA oversight and to

review unimplemented Inspector General and GAO recommendations. Witnesses included representatives from EPA's Office of Inspector General and the Government Accountability Office.

Rail Stakeholder's Perspectives. On September 12, the House Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing examining rail stakeholder's perspectives on the state of the industry. Witnesses included representatives from the Association of American Railroads, American Short Line and Regional Railroad Association, Amtrak, Loram Maintenance of Way, and the Transportation Trades Department of the AFL-CIO.

Automated Trucks. On September 13, the Senate Commerce, Science, and Transportation Committee held a hearing to examine the benefits of automated truck safety technology as well as the potential impacts on jobs and the economy. Including or excluding trucks, buses, and other heavy-duty vehicles has been a topic of discussion in ongoing bipartisan efforts to draft self-driving vehicle legislation. Witnesses included representatives from the Colorado State Patrol, Navistar, the International Brotherhood of Teamsters, National Safety Council, and American Trucking Associations.

Carbon Capture, Utilization, and Sequestration. On September 13, The Senate Environment and Public Works Committee held a hearing to review expanding and accelerating the deployment and use of carbon capture, utilization, and sequestration. Witnesses at the hearing included representatives from the Office of Wyoming Governor Matt Mead, NRG Energy, and Carbon Wrangler.

Executive Branch

Fair Market Rents. On September 1, HUD announced changes to the methodology used for estimating Fair Market Rents (FMRs). Comments on the changes as well as requests for reevaluation of specific area FMRs are due October 2, 2017.

EPA Nomination. On September 5, President Trump nominated David Ross and Matthew Leopold to be Assistant Administrators of the EPA.

TIGER Grants. On September 7, DOT announced the availability of \$500 million for the Transportation Investment Generating Economic Recovery, or "TIGER Discretionary Grants," program. Funds for the FY 2017 TIGER program will be awarded on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region. Grant applications are due by October 16, 2017.

Condensable Particulate Emissions. On September 8, the Environmental Protection Agency proposed revisions to the EPA's Method 202—Dry Impinger Method for Determining Condensable Particulate Emissions from Stationary Sources to improve

the consistency in results achieved across the testing community. Comments on the proposed rule are due November 7, 2017.

FHWA Nomination. On September 11, President Trump announced he would nominate Paul Trombino to be the Administrator of the Federal Highway Administration (FHWA). Mr. Trombino most recently served as the President of the McClure Engineering Company, and formerly served as Director of the Iowa Department of Transportation. Before serving at the Iowa DOT, he worked at the Wisconsin DOT for 17 years, most recently as the Director of the Bureau of Transit, Local Roads, Rails, and Harbors.

HUD Nomination. On September 14, President Trump nominated Brian Montgomery to be an Assistant Secretary of Housing and Urban Development.

Automated Driving Systems Guidance. On September 15, National Highway Traffic Safety Administration (NHTSA) released new voluntary guidance on automated driving systems—Automated Driving Systems: A Vision for Safety. The new voluntary guidance is based on public comments received on the Federal Automated Vehicles Policy (FAVP) released in September 2016. The purpose of this new voluntary guidance is to support industry innovators, states and other key stakeholders as they consider and design best practices relative to the testing and deployment of automated vehicle technologies. NHTSA invites public comment on the voluntary guidance and additional ways to improve its usefulness. Comments on the guidance are due by November 14, 2017.

Public-Private Partnerships (P3s). On September 26, President Trump criticized P3s as a way to finance infrastructure in a White House meeting with members of the House Ways and Means Committee. President Trump's criticism of P3s places doubt on future infrastructure plans to include P3s as a way to finance infrastructure.

HUD Nomination. On September 28, President Trump nominated Robert Kurtz to be an Assistant Secretary of Housing and Urban Development.

California Anti-Idling Regulations. On September 29, the Environmental Protection Agency (EPA) proposed to approve a revision to the California State Implementation Plan (SIP). This revision concerns emissions of volatile organic compounds (VOCs), oxides of nitrogen (NO_x), and particulate matter (PM) from the idling of diesel-powered trucks. EPA has proposed to approve portions of the California rule to regulate these emission sources under the Clean Air Act. Comments are due October 30, 2017.

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October 2, 2017

TO: Kate Miller, Executive Director
Napa Valley Transportation Authority

FR: Steve Wallauch
Platinum Advisors

RE: Legislative Update

The Legislature adjourned in the wee hours of September 16th. In the last weeks of session, the Legislature remained extremely busy, passing budget clean-up bills, a parks and water bond, a Cap & Trade spending plan, as well as a housing package for which passage had remained in question for the majority of the year. The governor has until October 15th to sign, veto, or allow measures sent to him to become law without his signature. While interim hearings will be held, the Legislature will not reconvene until January 3rd.

SB 1 Repeal: Assemblyman Travis Allen (R-Huntington Beach) received the verdict he wanted in his challenge to the title and summary issued by the Attorney General's Office. Assemblyman Allen filed a lawsuit challenging the AG's title because he claims it is misleading because it does not use the word tax or fee in the title. The official title provided by the AG for this initiative is, *"Eliminates Recently Enacted Road Repair and Transportation Funding by Repealing Revenues Dedicated for This Purposes."*

Sacramento Superior Court Judge Timothy Frawley agreed with Assembly Allen's complaint saying the title is "fundamentally flawed." The Judge ordered state officials to attend the hearing on September 22nd and be prepared to draft alternative language for the ballot measure. An agreement was not reached at that hearing, and Judge Frawley decided to draft the title himself. Judge Frawley's new title is: *"Repeals recently enacted gas and diesel taxes and vehicle registration fees. Eliminates road repair and transportation programs funded by these taxes and fees."* No word yet on whether the state will appeal this decision.

Adding to the SB 1 challenges, another initiative has been filed with the AG's office that goes much further than just repealing SB 1. This new proposal would amend the Constitution in a manner that would not only temporarily repeal SB 1, but it would prohibit the legislature from imposing, extending, or increasing any tax on vehicles or fuel unless that proposal is submitted to the voters where it must be approved with a majority vote. The proposed initiative states this new restriction would apply to any

vehicle or fuel tax that is imposed after January 1, 2017. If enacted, this implementation date would place SB 1 on hold until it is approved by the voters.

Majority Vote Taxes: In response to the hole the State Supreme Court blasted through the 2/3 vote requirement for local taxes, Assemblyman Chad Mayes and colleagues have already introduced ACA 19. While closing this loophole will likely require an initiative, ACA 19 would amend the Constitution to state that “local government” includes the electorate exercising its initiative power.

In *California Cannabis Coalition v. City of Upland*, the court found that a voter initiative that imposed a new fee on new dispensaries could be imposed with a majority vote. The City of Upland decided to place the initiative on a general election ballot, because the City determined that the proposed fee constituted a tax that must adhere to the requirements in Prop 218, which requires taxes to be placed on a general election ballot. However, the Constitution requires an initiative to be placed on a special election ballot. Although the initiative was ultimately rejected by the voters, the City’s action to place it on a general election ballot opened the door for the Supreme Court’s review.

In short, the Court determined that the 2/3 vote requirement for local taxes imposed by Prop 13 and Prop 218 only apply to taxes proposed by local governments. The provisions of Prop 13 and Prop 218 only mention local governments and do not mention citizen initiatives. Therefore an initiative that imposes new fees or increase taxes can be placed on the ballot and enacted with a simple majority vote.

This opens a strange new world of possibilities of creating new local tax programs through the initiative process. In addition, it raises the possibility of a local government simply adopting a valid initiative that imposes a tax or fee without placing it on ballot. The initiative process requires a local government to choose one of three options when an initiative is submitted: 1) adopt the ordinance without alteration, 2) immediately order a special election, or 3) direct staff to draft a report, and once the report is complete to either adopt the ordinance or place it on the ballot.

Transportation & Cap & Trade Budget Trailer Bills: The legislature sent the Governor several budget trailer bills on the last night of session. These include some policy fixes aimed at expediting the implementation of SB 1 and implementation of the cap & trade expenditure plan. Surprisingly, Governor Brown signed these budget bills only a few hours after the legislature adjourned for the year, including the following bills.

AB 135 – Chapter 255, Statutes of 2017: Transportation Budget Trailer Bill – This measure makes several mainly clarifying changes on the use of SB 1 funds. These changes primarily allow local entities to spend local funds in advance of an SB 1 allocation, and use the SB 1 funds to repay the local funding source. This is commonly known as the Letter of No Prejudice process. Specifically, AB 135 makes the following changes:

- Allows cities and counties to advance a street or road repair project using local funds and use the SB 1 local street and road fund to repay the local source.
- Allows a city or county a 90-day grace period if the city or county fails to submit its list of local street and road repair projects to the California Transportation Commission (CTC) by the deadline.
- Allows a project sponsor to seek a letter of no prejudice from the CTC to allow the local entity to use local funds to advance a project that is programmed to receive funds in a future year in the Transit and Intercity Rail Program, the Solutions for Congested Corridors Program and the Local Partnership Program.
- Allows small (typically rural) transportation planning agencies to receive from Caltrans a single advance payment for programming, planning, and monitoring activities of no more than \$300,000 or less per year. This change essentially formalizes an existing practice at Caltrans.
- Authorizes the California State Transportation Agency (CalSTA) to assume the federal government's responsibility for federal environmental review and clearance under the National Environmental Policy Act of 1969 (NEPA) for any railroad, public transportation, or multimodal project undertaken by state agencies. CalSTA currently assumes this role for highway projects.

AB 134 – Chapter 254, Statutes of 2017 – Cap & Trade Budget Trailer Bill – AB 134 is the primary vehicle that appropriates cap & trade auction revenue to various programs. This bill appropriates \$900 million to the following programs:

- \$250 million for Carl Moyer program funding for the South Coast, San Joaquin Valley, and Bay Area Air Quality management districts;
- \$180 million for Hybrid and Zero-Emission Truck and Bus Voucher Incentive Program. *At least \$35 million is allocated for zero-emission buses.*
- \$140 million for the Clean Vehicle Rebate Program for rebates for light-duty vehicles:
- \$140 million for equipment and improvements at ports, including for projects for ships at birth.
- \$100 million for Enhanced Fleet Modernization Program and light duty equity pilot projects like agricultural vanpools.
- \$85 million for agriculture equipment and tractor replacement.
- \$5 million for technical assistance for environmental justice communities.

AB 109 –Chapter 249, Statues of 2017 – Budget Trailer Bill – This bill contains appropriation and fixes for numerous programs, including \$621 million in cap & trade appropriations and other funding commitments made as part of the cap & trade deal. The cap & trade appropriations include the following:

- \$200 million for healthy forests and fire prevention in State Responsibility areas, of which \$5 million shall be used for activities of the California Conservation Corp;
- \$25 million for fire prevention grants to localities in High Risk Fire Areas;

- \$99 million for methane reduction programs, including dairy digesters research and development and alternative manure management programs. These investments must comply with siting requirements applied to digester projects awarded in the 2016-17 fiscal year;
- \$60 million for energy efficiency funding for agricultural entities, including food processors;
- \$6 million for renewable energy projects related to agriculture;
- \$40 million for waste diversion and recycling infrastructure;
- \$10 million for the Transformative Climate Communities program;
- \$26 million for urban greening;
- \$20 million for urban forestry;
- \$18 million for low income weatherization for multi-family, solar, and farmworker residential units;
- \$15 million for wetland restoration;
- \$26 million for adaptations activities, with \$20 million for natural land adaptation and \$6 million for coastal adaptation;
- \$11 million for competitive grants for research related to climate change, clean energy, and adaptation;
- \$80 million to backfill State Responsibility Area funds for fire protection in local areas. This bill includes a provision to appropriate these funds prior to the application of the continuous appropriation of Greenhouse Gas Reduction funds for the budget year; and
- \$11.7 million for statewide implementation costs

The following funds are part of the cap & trade deal but are appropriated from other sources as specified:

- \$50 million for agricultural diesel replacement and upgrades, of which \$35 million is from the Alternative and Renewable Fuels and Vehicle Technology Fund and \$15 million is from Air Quality Improvement Fund;
- \$28.3 million for implementation costs, including \$27 million of Air Pollution Control fund for local efforts to implement AB 617 (Cristina Garcia), Chapter 136, Statutes of 2017, and \$1.3 million from the Cost of Implementation Fund for the implementation of AB 398 (Eduardo Garcia), Chapter 135, Statutes of 2017.

The Housing Package: They waited until the last minute, but the legislature ultimately passed a package of housing bills to the governor. Deals were cut that resulted in the housing package growing from 4 bills to the rambling list below. SB 2 was the most contentious measure with concerns expressed about the funding source and whether members' districts would reap the benefits of the bill. It was passed on a partisan basis except for Assemblyman Brian Maienschein (R-San Diego) who voted for it and Assemblywoman Sabrina Cervantes (D-Riverside) who voted against.

SB 2 has been contained in various iterations for the last six years. After Senator Atkins amended the measure to return additional funding to local governments, one of the additional sweeteners that may have helped obtain the votes was AB 166 (Salas), which would have authorized low- and very low-income property owners to claim a hardship refund of fees paid in connection with SB 2. AB 166 moved through part of the legislative process the last couple days of session, but did not make it to the governor's desk.

Governor Brown was joined by lawmakers last week when he signed all of the following measures:

SB 2 (Atkins) Building Homes and Jobs Act – establishes the Building Homes and Jobs Act and imposes a \$75 fee on real estate transaction documents, excluding commercial and residential real estate sales, to provide funding for affordable housing.

SB 3 (Beall) Veterans and Affordable Housing Bond – enacts the Veterans and Affordable Housing Bond Act of 2018 and authorizes the issuance of \$4 billion in general obligation bonds for affordable housing programs and a veteran's home ownership program, subject to approval by the voters in the November 6, 2018 election. *SB 3 includes \$150 million for Transit Oriented Development Projects and \$300 million for the Regional Planning, Housing, and Infill Incentive Account, which can be used for transportation improvements related to infill housing projects.*

SB 35 (Wiener) Planning and zoning: affordable housing: streamlined approval process creates a streamlined, ministerial approval process for infill developments in localities that have failed to meet their regional housing needs assessment numbers.

SB 166 (Skinner) Residential density and affordability – This bill requires that a local jurisdiction accommodate its remaining unmet need at all times throughout the housing element planning period.

SB 167 (Skinner) Housing Accountability Act – makes several changes to the Housing Accountability Act.

SB 540 (Roth) Workforce Opportunity Zones – authorizes a city or county to establish a Workforce Housing Opportunity Zone (WHOZ) by preparing an environmental impact report (EIR) to identify and mitigate impacts from establishing a WHOZ and adopting a specific plan. A local government must approve a housing development within the WHOZ that meets specified criteria, and no project-level EIR or a negative environmental declaration would be required on a development within a WHOZ that meets specified criteria.

AB 72 (Santiago) Attorney General: enforcement: housing laws – gives the Department of Housing and Community Development (HCD) authority to find a local government's housing element out of substantial compliance if it determines that the local government acts or fails to act in compliance with its housing element, and allows HCD to refer violations of law to the Attorney General.

AB 73 (Chiu) Planning and zoning: housing sustainability districts – allows a city or county to create a housing sustainability district to complete upfront zoning and

environmental review in order to receive incentive payments for development projects that are consistent with the district's ordinance.

AB 571 (Garcia, E) Farmworker Housing – makes changes to the farmworker housing tax credit set-aside within the Low Income Housing Tax Credit Program and to the Department of Housing And Community Development's Office of Migrant Services.

AB 678 (Bocanegra) Housing Accountability Act – makes several changes to the Housing Accountability Act.

AB 879 (Grayson) Planning and zoning: housing element – makes a number of changes to housing element law, and directs the Department of Housing and Community Development to complete a study evaluating the reasonableness of local fees charged to new developments.

AB 1397 (Low) Local planning: housing element: inventory of land for residential development – makes a number of changes to housing element law by revising what may be included in a locality's inventory of land suitable for residential development.

AB 1505 (Bloom) Land use: zoning regulations – authorizes the legislative body of a city or county to establish inclusionary housing requirements as a condition of the development of residential rental units, and allows the Department of Housing and Community Development to review inclusion ordinances in specified circumstances.

AB 1515 (Daly) Planning and zoning: housing – establishes, for purposes of the Housing Accountability Act, a reasonable person standard for deeming consistency, for a housing development project or emergency shelter.

AB 1521 (Bloom) Assisted Housing developments – strengthens the Preservation Notice Law regarding the preservation of assisted housing developments by requiring an owner of an assisted housing development to accept a bona fide offer to purchase from a qualified purchaser, if specified requirements are met, and by giving the Department of Housing and Community Development additional enforcement authority.



October 2, 2017

Existing Positions

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

<p><u>AB 317</u> (Aguiar-Curry D) Napa County; farmworker housing <i>(Continued)</i></p>	<p>administered by the Department of Housing and Community Development to assist in the financing, maintenance, and operation of the Napa County Housing Authority's Farmworker Centers.</p>		
<p><u>AB 399</u> (Grayson D) Autonomous vehicles: Contra Costa Transportation Authority: pilot project.</p>	<p>Last year, legislation was enacted to authorize the Contra Costa Transportation Authority to conduct a pilot project testing the use of autonomous vehicles on streets that are open to the public, but located within a private business park.</p> <p>AB 399 extends the sunset date on the authority for the pilot project to operate according to existing law, prior to the requirement to then comply with regulations being developed by the DMV. Currently, this pilot program must comply with the DMV regulations within 180 days of the operative date of the regulations. AB 399 extends this "phase-in" period to 12 months.</p>	<p>ASSEMBLY 2 YEAR</p>	<p>SUPPORT</p>
<p><u>AB 1113</u> (Bloom D) State Transit Assistance program</p>	<p>Governor Brown signed AB 1113 into law. Since this bill contained an urgency clause the provision of this bill takes effect immediately.</p> <p>The bill makes several clarifying changes that clean-up the structure of these codes governing the allocation of State Transit Assistance revenue. In particular the changes specify that only public transit operators are eligible to receive STA funds directly. It also specifies that when reporting to the Controller an operator's reportable revenue cannot exceed its expenses for purposes of the STA calculation.</p>	<p>Signed Into Law</p>	<p>SUPPORT</p>
<p><u>AB 1444</u> (Baker R) Livermore Amador Valley Transit Authority: demonstration</p>	<p>This measure would authorize the Livermore Amador Valley Transit Authority to conduct a demonstration program within the City of Dublin to test the use of autonomous vehicles on public streets.</p>	<p>Governor's Desk</p>	<p>SUPPORT</p>

<p><u>AB 1454</u> (Bloom D) Transportation projects: lease agreements.</p>	<p>AB 1454 is now a two-year bill that will not be acted on until the legislature returns in January.</p> <p>This bill was amended to remove the language that deletes the sunset date on the authority for Caltrans and regional transportation agencies to enter into public private partnerships. As amended, the bill merely states that it is the intent of the Legislature to reestablish the public-private partnership process.</p>	<p>ASSEMBLY TWO-YEAR BILL</p>	<p>SUPPORT</p>
<p><u>ACA 4</u> (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.</p>	<p>ACA 4 would generally lower the voter threshold to 55% for imposing the following taxes or issuing debt:</p> <ul style="list-style-type: none"> • Creates an additional exception to the 1% limit that would authorize a city or county, to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing. • Authorizes a local government to impose, extend, or increase a special tax for the purposes of funding the construction, rehabilitation or replacement of public infrastructure or affordable housing. 	<p>ASSEMBLY L. GOV</p>	<p>SUPPORT</p>
<p><u>SB 1</u> (Beall D) Transportation funding.</p>	<p>SB 1 contains the Governor's and Leadership's transportation funding proposal. This bill would generate about \$5.2 billion in revenue for the maintenance and rehabilitation of state highways and local streets and roads, as well as provide targeted investments in public transit and good movement corridors.</p>	<p>Signed Into Law</p>	<p>SUPPORT</p>
<p><u>SB 2</u> (Atkins D) Building Homes and Jobs Act.</p>	<p>After being on call for hours, SB 2 was finally approved by the Assembly with a 2/3 vote. The Senate concurrence vote was much smoother, and the bill has been sent to the Governor, and it has been signed into law.</p>	<p>Signed Into Law</p>	<p>SUPPORT & SEEK AMENDMENTS</p>

<u>SB 2</u> (Atkins D) Building Homes and Jobs Act. <i>(Continued)</i>	This bill would create the Building Homes & Jobs Act, which would establish a stable funding source for affordable housing development. SB 2 would impose a fee of \$75 when recording certain real estate instruments, not to exceed a total transaction cost of \$225. This would generate up to \$500 million annually for low income housing projects.		
<u>SB 240</u> (Dodd D) County service areas: farmworker housing: County of Napa.	SB 240 increases the limit on the amount of the annual benefit assessment that the Napa County Board of Supervisors may levy from \$10 to \$15 per planted vineyard acre for the purpose of funding farmworker housing centers.	Signed Into Law	SUPPORT
<u>SB 595</u> (Beall D) Metropolitan Transportation Commission: toll bridge revenues.	<p>SB 595 would place on the ballot in each of the nine Bay Area counties a regional measure to increase bridge tolls by up to \$3.</p> <p>SB 595 includes an expenditure plan that allocates \$4.2 billion in toll revenue for specified projects and programs. This expenditure plan includes funding for several of NVTAs priorities, such as funding for the SR 29, north bay transit improvements, safe routes to transit, and Highway 37 improvements.</p>	Governor's Desk	SUPPORT
<u>SB 496</u> (Cannella R) Indemnity: design professionals.	<p>SB 496 eliminates the ability of a public agency to contract with engineers and architects, known as design professionals, for upfront legal defense costs against claims related to a project's design work.</p> <p>SB 496 is part of the agreement Senator Cannella reached with leadership for his support of SB 1. Another measure that appropriates \$500 million in transportation funds to projects in his district is joined to the passage of SB 496.</p>	Signed Into Law	WATCH

<p><u>SB 649</u> (Hueso D) Wireless telecommunications facilities.</p>	<p>SB 649 makes significant changes to the local government permitting process for small cell wireless facilities. Basically this bill makes this permitting process ministerial rather than discretionary, and it imposes caps on the amount local governments may charge for installing these wireless facilities on local light polls and other publicly owned infrastructure.</p> <p>While this bill continues to move forward, the Department of Finance has expressed its concerns relating to the cost associated with this bill. In addition, labor groups have signed on in opposition to this measure.</p>	<p>Governor's Desk</p>	<p>WATCH</p>
<p><u>SCA 2</u> (Newman D) Motor vehicle fees and taxes: restriction on expenditures.</p>	<p>With the passage of ACA 5, SCA 2 was placed on the Inactive File. SCA 2 and ACA 5 are identical and would prospectively prohibit the use of truck weight fees to pay for transportation bonds approved after January 1, 2017. The bill would also expand the protections for Public Transportation Account revenues to also include the 1.75% increase to the diesel fuel sales tax that was enacted as part of the gas tax swap. The ban on borrowing fees and taxes would also apply to any vehicle fees or taxes dedicated to transportation accounts.</p>	<p>SENATE INACTIVE FILE</p>	<p>SUPPORT</p>
<p><u>SCA 6</u> (Wiener D) Local transportation measures: special taxes: voter approval.</p>	<p>SCA 6 would allow a local government to impose any special tax with a 55% approval of the voters if the special tax dedicates 100% of the revenues, not including collection and administrative expenses, to transportation programs and projects.</p>	<p>SENATE APPR – SUSPENSE FILE</p>	<p>SUPPORT</p>

Napa Valley Transportation Authority

625 Burnell Street
Napa, CA 94559



Agenda - Draft

Wednesday, October 18, 2017
1:30 PM

NVTA Conference Room

NVTA Board of Directors

All materials relating to an agenda item for an open session of a regular meeting of the NVTA Board of Directors are posted on our website at <https://nctpa.legistar.com/Calendar.aspx> at least 72 hours prior to the meeting and will be available for public inspection, on and after at the time of such distribution, in the office of the Secretary of the NVTA Board of Directors, 625 Burnell Street, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for NVTA holidays. Materials distributed to the present members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the NVTA Board or staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

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

This Agenda shall be made available upon request in alternate formats to persons with a disability. Persons requesting a disability-related modification or accommodation should contact Karrie Sanderlin, NVTA Board Secretary, at (707) 259-8631 during regular business hours, at least 48 hours prior to the time of the meeting.

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

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

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

9. PRESENTATION

9.1 Autonomous Vehicles (Kate Miller)

Recommendation: The Board will receive a presentation on autonomous vehicles.

Estimated Time: 1:45 p.m.

10. CONSENT AGENDA ITEMS (10.1 - 10.4)

10.1 Meeting Minutes of September 20, 2017 (Karrie Sanderlin) (Pages x-xx)

Recommendation: Board action will approve the meeting minutes of September 20, 2017.

Estimated Time: 2:00 p.m.

10.2 Resolution 17-16 Authorizing the Executive Director to Execute Fund Transfer Agreements with the State of California Department of Transportation (Caltrans) for Fiscal Year (FY) 2017-18 State Improvement Program (STIP) Planning, Programming and Monitoring (PPM) Program (Antonio Onorato) (Pages xx-xx)

Recommendation: Board action will approve Resolution No. 17-16 authorizing the Executive Director to execute Fund Transfer Agreements with Caltrans for FY 2017-18 STIP PPM program in the amount of \$165,000.

Estimated Time: 2:00 p.m.

10.3 Amended Resolution No. 17-07 Adopting the Transportation Development Act Article 3 (TDA-3) Projects List for Fiscal year (FY) 2017-18 (Diana Meehan) Pages xx-xx)

Recommendation: Board action will approve funding for the Logvy Park Sidewalk Project for an additional \$48,640 in TDA-3 funds for FY 2017-18.

Estimated Time: 2:00 p.m.

10.4 First Amendment to Napa Valley Transportation Authority (NVTA) Agreement No. 17-07 with DoubleMap Incorporated (Matthew Wilcox) (Pages 33-160)

Recommendation: Board action will approve the First Amendment to NVTA Agreement No. 17-07 with DoubleMap Incorporated for additional Scope of Work in an amount not to exceed \$14,000.

Estimated Time: 2:00 p.m.

11. REGULAR AGENDA ITEMS

11.1 Fiscal Year (FY) 2017-17 Vine Transit Operational Summary and Transit Projects Update (Matthew Wilcox) (Pages xx-xx)

Recommendation: The Board will receive the Vine Transit FY 2016-17 performance statistics and an overview of NVTA's current transit projects.

Estimated Time: 2:00 p.m.

11.2 Napa Valley Transportation Authority (NVTA) Fourth Quarter FY 2016-17 Financials, Budget Adjustment and 5-Year Forecast (Justin Paniagua) (Pages 54-60)

Recommendation: The Board will review the NVTA financial performance against budget for the fourth quarter (April-June) period and 5-year forecast model.

Estimated Time: 2:15 p.m.

11.3 Vine Transit Express Bus Corridor Study Final Report (Alberto Esqueda) (Pages xx-xx)

Recommendation: Board action will adopt the Vine Transit Express Bus Corridor Study.

Estimated Time: 2:30 p.m.

11.4 Amendment 4 to Napa Valley Transportation Authority (NVTA) Agreement No. NVTA 12-08 for the Position of the Executive Director (Karrie Sanderlin) (Pages 94-98)

Recommendation: Board action will approve Amendment 4 to NVTA Agreement No. NVTA 12-08 amending certain sections of the Executive Director contract.

Estimated Time: 2:45 p.m.

**11.5 Road Rehabilitation and Accountability Act of 2017 (Senate Bill 1)
(Kate Miller) (Pages xx-xx)**

Recommendation: The Board will receive an update on SB 1.

Estimated Time: 3:00 p.m.

11.6 Federal and State Legislative Updates and State Bill Matrix (Kate Miller) (Pages xx-xx)

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

Estimated Time: 3:00 p.m.

12. FUTURE AGENDA ITEMS

13. ADJOURNMENT

13.1 Approval of Next Regular Meeting Date of November 15, 2017 at 1:30 p.m. and Adjournment

Estimated Time: 3:30 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, October 13, 2017.

Karalyn E. Sanderlin, NVTA Board Secretary