



**NAPA VALLEY TRANSPORTATION AUTHORITY**  
**TAC Agenda Letter**

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**TO:** Technical Advisory Committee (TAC)  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Diana Meehan, Associate Planner  
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**SUBJECT:** Transportation Development Act Article 3 (TDA-3) Project Review

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**RECOMMENDATION**

That the TAC review submitted Transportation Development Act Article 3 (TDA-3) projects and make recommendations to the NVTA Board for project awards.

**EXECUTIVE SUMMARY**

The NVTA Board opened a call for projects for the FY 2017-18 TDA-3 Program at its February meeting. Four applications were received by the March 17, 2017 deadline and are being considered for funding.

The FY 2017-18 revenue estimate (Attachment 1) is \$180,604. There is approximately \$20,500 in additional funds available from a previous program allocation for a total of \$201,104 for the FY 2017-18 cycle. The four project requests total \$287,534 (Attachment 2) leaving a funding shortfall of \$86,430.

**FISCAL IMPACT**

Is there a fiscal impact? No, although approximately \$201,104 is available for programming to Napa Valley jurisdictions' projects by NVTA in the FY 2017-18 Cycle.

**BACKGROUND AND DISCUSSION**

The TDA-3 program is a grant program funded by approximately 2% of the ¼ cent Statewide Sales Tax. This generates approximately \$150,000 per year in revenues for

Napa Valley jurisdictions. The purpose of the TDA-3 program is to provide grants for local bicycle and pedestrian projects.

The TDA-3 call for projects was closed on March 17, 2017. Four project applications were received from three jurisdictions, one from the Town of Yountville, two from the City of Calistoga and one from the County of Napa.

Project prioritization should consider the TDA-3 Project Selection Criteria for Napa County (excerpt below) listed in the TDA-3 Guide to ensure moving priority projects forward. The TAC will review program applications and make recommendations to the NVTB Board consistent with Metropolitan Transportation Commission's (MTC) Resolution No. 4108, revised (Attachment 3). The TDA-3 Timeline is shown on **Table A** below.

### **TDA-3 Project Selection Criteria for Napa County**

#### For Bicycle Projects

- The project is listed in the jurisdiction's adopted Bicycle Plan
- The project priority level is "high" as indicated in the jurisdiction's Bicycle Plan
- Environmental Clearance is secured

#### For Pedestrian Projects

- The project is listed in the jurisdiction's Pedestrian Plan
- Environmental Clearance is secured

All projects must be listed in the jurisdiction's Capital Improvement Plan

Additional credit will be given to projects that

- Are on the Countywide "Primary Bikeway Network"
- Provide additional local matching funds

**Table A: TDA-3 Timeline FY 2017-18 (tentative)**

ITEM	DATE
Board Approval – Call For Projects	February 15, 2017
Issue Call For Projects	February 15, 2017
TDA-3 Applications - due to NVTB by 5:00 PM	March 17, 2017
Draft Program Review by ATAC	April 24, 2017
Draft Program Review by TAC	<b>May 4, 2017</b>

Board Approval – Program of Projects	May 17, 2017
Execute Funding Agreements	June 14, 2017

**SUPPORTING DOCUMENTS**

Attachment(s):      (1) 2/22/17 FY 2017-18 Fund Estimate-TDA Funds Napa County  
                              (2) Staff Recommendations  
                              (3) Resolution 4108 Revised

FY 2017-18 FUND ESTIMATE TRANSPORTATION DEVELOPMENT ACT FUNDS NAPA COUNTY												Attachment A Res No. 4268 Page 5 of 17 2/22/2017	
FY2016-17 TDA Revenue Estimate				FY2017-18 TDA Revenue Estimate									
FY2016-17 Generation Estimate Adjustment				FY2017-18 County Auditor's Generation Estimate									
1. Original County Auditor Estimate (Feb, 16)				8,160,000				13. County Auditor Estimate				8,638,000	
2. Revised Estimate (Feb, 17)				8,469,000									
3. Revenue Adjustment (Lines 2-1)				309,000									
FY2016-17 Planning and Administration Charges Adjustment													
4. MTC Administration (0.5% of Line 3)				1,545				14. MTC Administration (0.5% of Line 13)				43,190	
5. County Administration (Up to 0.5% of Line 3) <sup>1</sup>				1,545				15. County Administration (0.5% of Line 13)				43,190	
6. MTC Planning (3.0% of Line 3)				9,270				16. MTC Planning (3.0% of Line 13)				259,140	
7. Total Charges (Lines 4+5+6)				12,360				17. Total Charges (Lines 14+15+16)				345,520	
8. Adjusted Generations Less Charges (Lines 3-7)				296,640				18. TDA Generations Less Charges (Lines 13-17)				8,292,480	
FY2016-17 TDA Adjustment By Article				FY2017-18 TDA Apportionment By Article									
9. Article 3 Adjustment (2.0% of line 8)				5,933				19. Article 3.0 (2.0% of Line 18)				165,850	
10. Funds Remaining (Lines 8-9)								20. Funds Remaining (Lines 18-19)				406,332	
11. Article 4.5 Adjustment (5.0% of Line 10)				14,535				21. Article 4.5 (5.0% of Line 20)				7,720,298	
12. Article 4 Adjustment (Lines 10-11)				276,172				22. TDA Article 4 (Lines 20-21)					
TDA APPORTIONMENT BY JURISDICTION													
Column	A 6/30/2016 Balance (w/o interest)	B FY2015-16 Interest	C=Sum(A:B) 6/30/2016 Balance (w/ interest) <sup>2</sup>	D FY2015-17 Outstanding Commitments <sup>3</sup>	E FY2016-17 Transfers/ Refunds	F FY2016-17 Original Estimate	G FY2016-17 Revenue Adjustment	H=Sum(C:G) 6/30/2017 Projected Carryover	I FY2017-18 Revenue Estimate	J=Sum(H:I) FY2017-18 Available for Allocation			
Article 3	451,008	2,998	454,006	(601,857)	0	156,672	5,933	14,754	165,850	180,604			
Article 4.5	46,282	372	46,654	(430,129)	0	383,846	14,535	14,906	406,332	421,238			
SUBTOTAL	497,290	3,370	500,660	(1,031,986)	0	540,518	20,468	29,660	572,182	601,842			
Article 4/8													
NVTA <sup>3</sup>	7,248,572	52,882	7,301,455	(12,489,388)	0	7,293,082	276,172	2,381,320	7,720,298	10,101,618			
SUBTOTAL	7,248,572	52,882	7,301,455	(12,489,388)	0	7,293,082	276,172	2,381,320	7,720,298	10,101,618			
GRAND TOTAL	\$7,745,862	\$56,253	\$7,802,115	(\$13,521,374)	\$0	\$7,833,600	\$296,640	\$2,410,980	\$8,292,480	\$10,703,460			

1. Balance as of 6/30/16 is from MTC FY2015-16 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/16, and FY2016-17 allocations as of 1/31/17.

3. NVTA is authorized to claim 100% of the apportionment to Napa County.

**ATTACHMENT 2**  
**TAC Agenda Item 7.2**  
**May 4, 2017**

<b>Project Sponsor</b>	<b>Project Description</b>	<b>Amount Requested</b>	<b>Staff Recommendation</b>	<b>Notes</b>
County of Napa	Vine Trail Maintenance-Oak Knoll Segment (covers 3 years)	\$33,534	\$33,534	
Yountville	Washington Park Subdivision ADA Improvements	190,000	155,570	
Calistoga	Sidewalk installation at Logvy Park on Washington St.-Pedestrian Lighting	52,000	Not recommended	Project has TDA-3 funds allocated from previous cycle
Calistoga	Bicycle Education Program-	12,000	12,000	
<b>Total</b>		<b>\$287,534</b>	<b>\$201,104</b>	
	<b>Total Requests</b>	<b>\$ 287,534</b>		
	<b>Available Funds</b>	<b>\$ 201,104*</b>		
	<b>Program Shortfall</b>	<b>\$ 86,430</b>		

\*\$180,604 plus additional funds-\$20,500 from program reallocation

**ABSTRACT**

**Resolution No. 4108, Revised**

This resolution establishes policies and procedures for the submission of claims for Article 3 funding for pedestrian and bicycle facilities as required by the Transportation Development Act in Public Utilities Code (PUC) Section 99401.(a). Funding for pedestrian and bicycle projects is established by PUC Section 99233.3.

This resolution supersedes MTC Resolution No. 875, Revised commencing with the FY2014-15 funding cycle.

This resolution was revised on February 24, 2016 to make pedestrian safety education projects eligible for funding, in accordance with recent state law changes.

Further discussion of these procedures and criteria are contained in the Programming and Allocations Summary Sheet dated June 12, 2013 and February 10, 2016.

Date: June 26, 2013  
W.I.: 1514  
Referred By: PAC

RE: Transportation Development Act, Article 3. Pedestrian and Bicycle Projects.

METROPOLITAN TRANSPORTATION COMMISSION

RESOLUTION NO. 4108

WHEREAS, the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., requires the Transportation Planning Agency to adopt rules and regulations delineating procedures for the submission of claims for funding for pedestrian and bicycle facilities (Article 3, PUC Section 99233.3); state criteria by which the claims will be analyzed and evaluated (PUC Section 99401(a); and to prepare a priority list for funding the construction of pedestrian and bicycle facilities (PUC Section 99234(b)); and

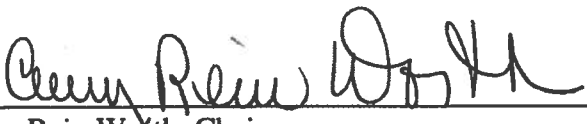
WHEREAS, the Metropolitan Transportation Commission (MTC), as the Transportation Planning Agency for the San Francisco Bay Region, adopted MTC Resolution No. 875 entitled "Transportation Development Act, Article 3, Pedestrian/Bicycle Projects", that delineates procedures and criteria for submission of claims for Article 3 funding for pedestrian and bicycle facilities; and

WHEREAS, MTC desires to update these procedures and criteria commencing with the FY2014-15 funding cycle, now therefore be it

RESOLVED, that MTC adopts its policies and procedures for TDA funding for pedestrian and bicycle facilities described in Attachment A ; and be it further

RESOLVED, that the prior policy governing allocation of funds contained in Resolution No. 875 is superseded by this resolution, effective with the FY 2014-15 funding cycle.

METROPOLITAN TRANSPORTATION COMMISSION

  
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Amy Rein Worth, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on June 26, 2013.

Date: June 26, 2013  
W.I.: 1514  
Referred By: PAC  
Revised: 02/24/16-C

Attachment A  
Resolution No. 4108  
Page 1 of 7

TRANSPORTATION DEVELOPMENT ACT, ARTICLE 3,  
PEDESTRIAN/BICYCLE PROJECTS  
Policies and Procedures

Eligible Claimants

The Transportation Development Act (TDA), Public Utilities Code Sections 99233.3 and 99234, makes funds available in the nine-county Metropolitan Transportation Commission (MTC) Region for the exclusive use of pedestrian and bicycle projects. MTC makes annual allocations of TDA Article 3 funds to eligible claimants after review of applications submitted by counties or congestion management agencies.

All cities and counties in the nine counties in the MTC region are eligible to claim funds under TDA Article 3. Joint powers agencies composed of cities and/or counties are also eligible provided their JPA agreement allows it to claim TDA funds.

Application

1. Counties or congestion management agencies will be responsible for developing a program of projects not more than annually, which they initiate by contacting the county and all cities and joint powers agencies within their jurisdiction and encouraging submission of project applications.
2. Claimants will send one or more copies of project applications to the county or congestion management agency (see "Priority Setting" below).
3. A project is eligible for funding if:
  - a. The project sponsor submits a resolution of its governing board that addresses the following six points:
    1. There are no legal impediments regarding the project.
    2. Jurisdictional or agency staffing resources are adequate to complete the project.
    3. There is no pending or threatened litigation that might adversely affect the project or the ability of the project sponsor to carry out the project.
    4. Environmental and right-of-way issues have been reviewed and found to be in such a state that fund obligation deadlines will not be jeopardized.
    5. Adequate local funding is available to complete the project.



6. The project has been conceptually reviewed to the point that all contingent issues have been considered.
- b. The funding requested is for one or more of the following purposes:
1. Construction and/or engineering of a bicycle or pedestrian capital project
  2. Maintenance of a multi-purpose path which is closed to motorized traffic
  3. Bicycle safety education program (no more than 5% of county total).
  4. Development of a comprehensive bicycle or pedestrian facilities plans (allocations to a claimant for this purpose may not be made more than once every five years).
  5. Restriping Class II bicycle lanes.
- Refer to Appendix A for examples of eligible projects.
- c. The claimant is eligible to claim TDA Article 3 funds under Sections 99233.3 or 99234 of the Public Utilities Code.
- d. If it is a Class I, II or III bikeway project, it must meet the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual (Available via Caltrans headquarters' World Wide Web page); or if it is a pedestrian facility, it must meet the mandatory minimum safety design criteria published in Chapter 100 of the California Highway Design Manual (Available via Caltrans headquarters' World Wide Web page).
- e. The project is ready to implement and can be completed within the three year eligibility period.
- f. *If the project includes construction, that it* meets the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.) and project sponsor submits an environmental document that has been stamped by the County Clerk within the past three years.
- g. A jurisdiction agrees to maintain the facility.
- h. The project is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.

#### Priority Setting

1. The county or congestion management agency (CMA) shall establish a process for establishing project priorities in order to prepare an annual list of projects being recommended for funding.
2. Each county and city is required to have a Bicycle Advisory Committee (BAC) to review and prioritize TDA Article 3 bicycle and pedestrian projects and to participate in the

development and review of comprehensive bicycle plans. BACs should be composed of both bicyclists and pedestrians.

A city BAC shall be composed of at least 3 members who live or work in the city. More members may be added as desired. They will be appointed by the City Council. The City or Town Manager will designate staff to provide administrative and technical support to the Committee.

An agency can apply to MTC for exemption from the city BAC requirement if they can demonstrate that the countywide BAC provides for expanded city representation.

A county BAC shall be composed of at least 5 members who live or work in the county. More members may be added as desired. The County Board of Supervisors or Congestion Management Agency (CMA) will appoint BAC members. The county or congestion management agency executive/administrator will designate staff to provide administration and technical support to the Committee.

3. All proposed projects shall be submitted to the County or congestion management agency for evaluation/prioritization. Consistent with the county process, either the Board of Supervisors or the Congestion Management Agency (CMA) will adopt the countywide list and forward it to MTC for approval.
4. The county or congestion management agency will forward to MTC a copy of the following:
  - a) Applications for the recommended projects, including a governing body resolution, stamped environmental document, and map for each, as well as a cover letter stating the total amount of money being claimed; *and confirmation that each project meets Caltrans' minimum safety design criteria and can be completed before the allocation expires.*
  - b) The complete priority list of projects with an electronic version to facilitate grant processing.
  - c) A Board of Supervisors' or CMA resolution approving the priority list and authorizing the claim.

#### MTC Staff Evaluation

MTC Staff will review the list of projects submitted by each county. If a recommended project is eligible for funding, falls within the overall TDA Article 3 fund estimate level for that county, and has a completed application, staff will recommend that funds be allocated to the project.

### Allocation

The Commission will approve the allocation of funds for the recommended projects. The County Auditor will be notified by allocation instructions to reserve funds for the approved projects. Claimants will be sent copies of the allocation instructions and funds should be invoiced in accordance with the “Disbursement” section below.

### Eligible Expenditures

Eligible expenditures may be incurred from the start of the fiscal year of award plus two additional fiscal years. Allocations expire at the end of third fiscal year following allocation. For example, if funds are allocated to a project in October 2014, a claimant may be reimbursed for eligible expenses that were incurred on or after July 1, 2014. The allocation expires on June 30, 2017 and all eligible expenses must be incurred before this date. All disbursement requests should be submitted by August 31, 2017.

### Disbursement

1. The claimant shall submit to MTC the following, no later than two months after the grant expiration date:
  - a) A copy of the allocation instructions along with a dated cover letter referring to the project by name, dollar amount and allocation instruction number and the request for a disbursement of funds;
  - b) Documents showing that costs have been incurred during the period of time covered by the allocation.
  - c) With the final invoice, the claimant shall submit a one paragraph summary of work completed with the allocated funds. This information may be included in the cover letter identified in bullet “a” above and is required before final disbursement is made. If the project includes completion of a Class I, II or III bicycle facility, this information should be added to Bikemapper or a request should be made to MTC to add it to Bikemapper.
2. MTC will approve the disbursement and, if the disbursement request was received in a timely fashion and the allocation instruction has not expired, been totally drawn down nor been rescinded, issue an authorization to the County Auditor to disburse funds to the claimant.

### Rescissions and Expired Allocations

Funds will be allocated to claimants for specific projects, so transfers of funds to other projects sponsored by the same claimant may not be made. If a claimant has to abandon a project or cannot complete it within the time allowed, it should ask the county or congestion management

agency to request that MTC rescind the allocation. Rescission requests may be submitted to and acted upon by MTC at any time during the year. Rescinded funds will be returned to the county's apportionment.

Allocations that expire without being fully disbursed will be disencumbered in the fiscal year following expiration. The funds will be returned to county's apportionment and will be available for allocation.

### Fiscal Audit

All claimants that have received an allocation of TDA funds are required to submit an annual certified fiscal and compliance audit to MTC and to the Secretary of Business and Transportation Agency within 180 days after the close of the fiscal year, in accordance with PUC Section 99245. Article 3 applicants need not file a fiscal audit if TDA funds were not expended (that is, costs incurred) during a given fiscal year. However, the applicant should submit a statement for MTC's records certifying that no TDA funds were expended during the fiscal year. Failure to submit the required audit for any TDA article will preclude MTC from making a new Article 3 allocation. For example, a delinquent Article 4.5 fiscal audit will delay any other TDA allocation to the city/county with an outstanding audit. Until the audit requirement is met, no new Article 3 allocations will be made.

TDA Article 3 funds may be used to pay for the fiscal audit required for this funding.

## **Appendix A: Examples of Eligible Projects**

1. Projects that eliminate or improve an identified problem area (specific safety hazards such as high-traffic narrow roadways or barriers to travel) on routes that would otherwise provide relatively safe and direct bicycle or pedestrian travel use. For example, roadway widening, shoulder paving, restriping or parking removal to provide space for bicycles; a bicycle/pedestrian bridge across a stream or railroad tracks on an otherwise useful route; a segment of multi-purpose path to divert young bicyclists from a high traffic arterial; a multi-purpose path to provide safe access to a school or other activity center; replacement of substandard grates or culverts; adjustment of traffic-actuated signals to make them bicycle sensitive. Projects to improve safety should be based on current traffic safety engineering knowledge.
2. Roadway improvements or construction of a continuous interconnected route to provide reasonably direct access to activity centers (employment, educational, cultural, recreational) where access did not previously exist or was hazardous. For example, development of Multi-purpose paths on continuous rights-of-way with few intersections (such as abandoned railroad rights-of-way) which lead to activity centers; an appropriate combination of Multi-purpose paths, Class II, and Class III bikeways on routes identified as high demand access routes; bicycle route signs or bike lanes on selected routes which receive priority maintenance and cleaning.
3. Secure bicycle parking facilities, especially in high use activity areas, at transit terminals, and at park-and-ride lots. Desirable facilities include lockers, sheltered and guarded check-in areas; self-locking sheltered racks that eliminate the need to carry a chain and racks that accept U-shaped locks.
4. Other provisions that facilitate bicycle/transit trips and walk/transit. For example, bike racks on buses, paratransit/trailer combinations, and bicycle loan or check-in facilities at transit terminals, bus stop improvements, wayfinding signage.
5. Maintenance of multiple purpose pathways that are closed to motorized traffic or for the purposes of restriping Class II bicycle lanes (provided that the total amount for Class II bicycle lane restriping does not exceed twenty percent of the county's total TDA Article 3 allocation).
6. Funds may be used for construction and plans, specification, and estimates (PS&E) phases of work. Project level environmental, planning, and right-of-way phases are not eligible uses of funds.
7. Projects that enhance or encourage bicycle or pedestrian commutes, including Safe Routes to Schools projects.

8. Intersection safety improvements including bulbouts/curb extensions, transit stop extensions, installation of pedestrian countdown or accessible pedestrian signals, or pedestrian signal timing adjustments. Striping high-visibility crosswalks or advanced stop-back lines, where warranted.
9. Purchase and installation of pedestrian traffic control devices, such as High-intensity Activated crossWalk (HAWK) beacons, rectangular rapid flashing beacons (RRFB), or pedestrian safety “refuge” islands, where warranted.
10. Projects that provide connection to and continuity with longer routes provided by other means or by other jurisdictions to improve regional continuity.
11. The project may be part of a larger roadway improvement project as long as the funds are used only for the bicycle and/or pedestrian component of the larger project.
12. Bicycle and Pedestrian Safety Education Programs. Up to five percent of a county's Article 3 fund may be expended to supplement monies from other sources to fund public bicycle and pedestrian safety education programs and staffing.
13. Comprehensive Bicycle and Pedestrian Facilities Plan. Funds may be allocated for these plans (emphasis should be for accommodation of bicycle and walking commuters rather than recreational uses). A city or county may not receive allocations for these plans more than once every five years. Environmental documentation and approval necessary for plan adoption is an eligible expense.