



# NEVADA COUNTY TRANSPORTATION COMMISSION

Grass Valley • Nevada City • Nevada County • Truckee

## MINUTES OF MEETING January 21, 2015

A meeting of the Nevada County Transportation Commission (NCTC) and Nevada County Airport Land Use Commission (NCALUC) was held on Wednesday, January 21, 2015 in the Nevada County Board of Supervisors Chambers, 950 Maidu Avenue, Nevada City, California. The meeting was scheduled for 9:30 a.m.

Members Present: Terri Andersen, Nate Beason, Carolyn Wallace Dee, Jason Fouyer, Ann Guerra, Larry Jostes, and Ed Scofield

Staff Present: Daniel Landon, Executive Director; Mike Woodman, Transportation Planner; Nancy Holman, Administrative Services Officer; Toni Perry, Administrative Assistant

Standing Orders: Chairman Jostes convened the Nevada County Transportation Commission meeting at 9:31 a.m.

Pledge of Allegiance

### PUBLIC COMMENT

There was no public comment.

### CONSENT ITEMS

1. Financial Reports

A. October 2014 and November 2014. *Approved.*

3. Final Report: Nevada County Coordinated Public Transit – Human Services Transportation Plan. *Approved.*

Chairman Jostes noted that several Commissioners were not present at the previous meeting, so the Minutes were pulled. Commissioner Fouyer made a motion to adopt the Consent Calendar minus Item #2. Commissioner Andersen seconded the motion. The motion passed unanimously with Aye votes from Commissioners Andersen, Beason, Dee, Fouyer, Guerra, Jostes, and Scofield.

### ITEM PULLED FROM THE CONSENT CALENDAR

2. NCTC Minutes

November 19, 2014 NCTC Meeting Minutes. *Approved.*

Commissioner Andersen made a motion to approve the November 19, 2014 NCTC Minutes. Commissioner Fouyer seconded the motion. The motion passed with Aye votes from Commissioners Andersen, Fouyer, and Jostes. Commissioners Beason, Dee, Guerra, and Scofield abstained due to their absence from the meeting.

#### INFORMATIONAL ITEMS

#### 4. Correspondence

- A. Letter from Supervisor Anderson to Truckee North Tahoe Transportation Management Association (TNT/TMA) – Formal request to name the NCTC as the designating authority for the Nevada County TNT/TMA Board seat. 11/7/14, File 1420.

Executive Director Landon said he is working with Commissioner Dee to identify someone appropriate who would be interested in sitting on the TNT/TMA Board. He said he would bring a name forward in a future meeting, once the person is identified.

- C. Letter from Greater Champion Neighborhood Association to the NCTC – A thank you letter for securing bike funds and implementing safety changes to Highway 49 between the Newtown and Old Downieville Roads. 1/7/14, File 70.

Executive Director Landon reported that he forwarded this letter that raised questions about signage to guide bicycles and drivers in the location of improvements to Winder Bajwa at Caltrans. Winder, in turn, forwarded the letter to their Operations Branch. NCTC staff will be working with Caltrans and Nevada County to see what appropriate signage may be needed.

#### 5. Executive Director's Report

##### 5.1 National Association of Development Organizations (NADO) Transportation Conference

Executive Director Landon reported that he attended the NADO Transportation Conference in Cincinnati, Ohio in December and made two presentations during the conference. He said it was an interesting and educational experience. One presentation was on how rural agencies in California are approaching the performance measurement concept that has been put forward in MAP-21, the current Federal Transportation Act. The second presentation was a case study highlighting the SR 49/La Barr Meadows Road Widening Project as a local safety issue that did not meet the statewide criteria for a "safety" project. He presented how NCTC was able to get the project funded and then constructed. Executive Director Landon stated he felt both of the presentations were well attended with a lot of interest.

Commissioner Beason stated that Executive Director Landon was being modest and he wanted to remind everyone that when the SR 49/La Barr Meadows Road project proposal was submitted to the California Transportation Commission (CTC), the CTC Executive Director said it was the best proposal in the entire state that was submitted. Commissioner Beason commended Executive Director Landon and Transportation Planner Woodman for their work.

## 5.2 Rural Counties Task Force: *Streets and Roads Performance Measurement Data Project*

Executive Director Landon reported the previous month there was a discussion about the Rural Counties Task Force (RCTF) *Streets and Roads Performance Measurement Data Project* and he had hoped the final report would be completed by this meeting. He noted, however, that the Federal Highway Administration (FHWA) came out with a Notice of Proposed Rulemaking (NPRM), which is an opportunity for local and state agencies to comment on what they are proposing to do, relative to pavement maintenance. The opportunity to comment fits right in with this project and the report that the consultant, NCE, is preparing for the RCTF and NCTC. Executive Director Landon stated that NCE took the NPRM and is adding comments into the final report. He said that will give the twenty-six rural counties in California the ability to use those comments and make formal comment on the process to the FHWA, so he thought it was very timely. The consultant will have the final report completed, with those comments on the federal proposed standards, by the end of January.

Commissioner Guerra asked what the role of NCTC is with this project. Executive Director Landon replied that staff is the project manager on behalf of the twenty-six rural counties.

## 5.3 Incorporation of the Town of Truckee's Trails and Bikeways Master Plan and Eastern Nevada County Bicycle Facilities into the Nevada County Bicycle Master Plan Update

Transportation Planner Woodman reported they are moving forward with incorporating the update of the Town of Truckee Bikeways and Trails Master Plan into the Nevada County Bicycle Master Plan. He said the Town of Truckee should be completing their project this spring, and NCTC staff has been working with Fehr & Peers to incorporate Truckee data into the County's Master Plan. He said in terms of the eastern Nevada County bicycle facilities, there was a meeting on January 14<sup>th</sup> with some eastern Nevada County bicycle stakeholders and Supervisor Richard Anderson to review the draft proposed bicycle facilities outside of the Town limits. They received community input on those proposals and they will be incorporated into the plan also. He said once they get the amendments from the Town of Truckee and eastern Nevada County incorporated into the Nevada County Bicycle Master Plan, staff will take the plan before the Nevada County Board of Supervisors for comment on facilities in eastern Nevada County and then the plan will be brought before NCTC. The amended update of the Bicycle Master Plan will also be presented to the Truckee Town Council for comments. Transportation Planner Woodman said the plan should be finalized in the spring of 2015.

## 5.4 Multi-Year Congestion Mitigation and Air Quality (CMAQ) Improvement Program Status

Transportation Planner Woodman said he has been coordinating review of the CMAQ projects submitted in response to the call for projects for FFY 2014/15 and FFY 2015/16. He prepared a ranking of the projects and has been meeting with jurisdiction staff to review them. He had intended to bring the CMAQ program of projects to the Commission at the March 2015 meeting, but he indicated there may be a need to bring it to a special NCTC meeting in February. Mr. Woodman explained there is a new interpretation of a FHWA requirement. It indicates when a project is constructed, FHWA requires the person, who is identified in the Agreement as the responsible person in charge of the project, to be a full time employee. He said in the case of the Nevada City CMAQ project, the City Engineer and the Engineering Consultant are both contract employees, so they have run into an issue in terms of billing and invoicing for the project. Transportation Planner Woodman said Nevada City is working with Caltrans to establish a

resolution to the issue, but they have delayed delivery of some of their previously approved CMAQ projects, and this may necessitate moving some of their projects programmed in FFY 2014/15 out to another year. He said if they are moved out, they will not lose the funding, and it will give them more time to work through these issues, but it will leave a funding gap in the FFY 2014/15 program. He noted that Grass Valley has indicated if this move is necessary, they have some projects they can move into FFY 2014/15, and they would be able to do both the Preliminary Engineering phase and Construction, even though it would be a tight time frame for them. Transportation Planner Woodman said he would be meeting with Nevada City staff in the coming week to verify whether they need to move out some projects. If that is indicated, staff would let the Commission know of the need to hold a special meeting to expedite the actions necessary to keep the projects moving forward in this Federal Fiscal Year.

Commissioner Fouyer asked if it was possible for Nevada City staff to bill time towards some of the CMAQ funds available. Transportation Planner Woodman responded that with the current Funding Agreement, they have the City Engineer identified as the responsible person in charge, so that is the issue on their existing projects. He said they are looking into ways to work with Caltrans on the new projects that have not been obligated yet, as to whom they could identify as the person in charge to allow the projects to move forward. Currently they are in a state of limbo and he thinks it is necessary to move the program forward and take the appropriate steps to be sure none of the funding is lost.

Commissioner Beason said he thought this had been done previously when the Commission swapped projects for different reasons. He recalled the county moved the Newtown Road shoulder improvement out because there was trouble acquiring right-of-way, and they moved another project in that place to not lose the funding. Transportation Planner Woodman said that was correct and stated the benefit of a multi-year program is you have multiple projects that can be moved to replace and back-fill another project. He said once staff meets with Nevada City and determines the need for a special meeting in February, they will send out a notice to the Commission.

6. Project Status Report

Caltrans Projects: Winder Bajwa, Caltrans District 3 Project Manager for Nevada County

Mr. Bajwa gave a brief summary of projects listed in his January Project Status Report.

- *SR 174 Safety Improvement from Mosswood Lane to just South of Dalmatian Drive* – Mr. Bajwa reported this project proposes to realign two curves and widen shoulders between Mosswood Lane and Dalmatian Drive just outside of Grass Valley. He said the purpose of the project is to improve safety and operations for all users, including bicyclists and pedestrians, and it will help reduce accidents within that stretch of highway. The project was amended into the 2014 State Highway Operations and Protection Program (SHOPP) in September 2014 at a total cost of \$12,080,000, which includes Engineering, Environmental, Right-of-Way, and Construction costs. Mr. Bajwa said Preliminary Engineering work has begun in the Caltrans office and they have completed some survey work. Environmental studies will start in spring 2015. Caltrans hopes to have a public open house in the spring or summer to receive comments when they have the geometric alignments and all of the Right-of-Way identified.

Commissioner Beason noted that Caltrans started preliminary work and the handout indicated that construction was expected to start in FY 2018/19. He asked if it would take three years to get through all of the preliminary work, including environmental work. Mr. Bajwa said normally

this type of project takes three to four years in order to go to Construction. The first two years are set aside for Environmental studies to clear the project area. The next year or two is for final Engineering work and Right-of-Way acquisition. Mr. Bajwa said there will be twenty to twenty-five parcels that will be affected by either Construction work or utilities. He said the SHOPP program is a four year cycle. Commissioner Beason asked if Mr. Bajwa anticipated the Army Corps of Engineers (ACE) might be involved somewhere along the process. Mr. Bajwa replied it is very possible. He thought Caltrans would start early on the coordination work and communication with the ACE, so there will be no issues getting the permits on time. Commissioner Beason asked how much of the \$12 million is going into actual Construction costs. Mr. Bajwa said normally this type of project has about \$8 million for Construction, but he did not know for certain the break out of numbers for this project. Commissioner Beason said he has heard everything from one-third to one-half the total on a major project is spent before Construction. Mr. Bajwa said numerous Right-of-Way acquisitions and permits can take more effort, plus widening the roadway versus typical roadway work. He said the project was triggered due to a death on that portion of the roadway.

Commissioner Beason said the state is forming a working group to look at road usage fees versus getting revenue from the gas tax. He thought the investigation into road usage fees should include an examination of costs, and how costs and time of delivery could be reduced. Mr. Bajwa said he thought that was a good point. Commissioner Beason said he thought at some point the NCTC should weigh in on it. Mr. Bajwa said at Caltrans District 3 they are doing task mapping in order to help reduce time and find efficiencies in the way they do things. Commissioner Beason stated his comments were not a criticism of Mr. Bajwa, and he thought he was doing a good job. Mr. Bajwa thought all entities involved should be challenged to find efficiencies to get the projects completed as fast as they can. He said there are certain outside constraints, such as environmental, that they have to go through, as well as property owners they work with to acquire the land needed, and to get approval for the scope of work. Commissioner Beason said that might be "too large of a rock to roll up hill." Mr. Bajwa said it has to start somewhere and the new District 3 Caltrans Director is emphasizing efficiencies and task management to work toward faster delivery in a more efficient way. He thought throughout the State of California Caltrans needs to work to become more efficient.

Commissioner Scofield was not familiar where Mosswood Lane was located on SR 174 in relation to Dalmatian Drive. Mr. Bajwa said it is south of Mosswood Lane and the project will not impact Dalmatian Drive at all. He said there are a few curves that will need to be modified for proper sight distance and proper width.

- *SR 49 Operational Improvements at Holcomb Drive and Cherry Creek Road* – Mr. Bajwa said he checked with Dave Catania, Caltrans Construction Engineer, on the current status of the project and it is done. They had been waiting for PG&E to hook up the lights and they have completed that action.

Commissioner Scofield thanked Mr. Bajwa for a good job on this project. Mr. Bajwa thanked the Commission and staff for their support and stated because many of these projects are included in the SR 49 Corridor System Management Plan list, Caltrans is able to get them done.

- *SR 49 Operational Improvements at Brewer Road* – Mr. Bajwa reported they advertised the project on December 22, 2014 and the bids will be opened on January 22, 2015. He said they will be taking the project to construction soon and it should be completed this summer.

- *SR 49 Operational Improvements at Smith Road* – Mr. Bajwa said this is the last project in the Minor B SHOPP program. They will continue Design and Environmental studies and Construction is scheduled to begin in the summer of 2016.

Mr. Bajwa noted planning for the SR 49 project segment between La Barr Meadows Road and McKnight Way will begin soon.

Chairman Jostes commented that he thought it was very important to do the safety work on SR 174, but it was very interesting to him that the \$12 million project popped up in the past two or three months, and \$12 million in funding magically appeared to do this important work. He said it took 25 years to get \$25 million for the Dorsey Drive Interchange and many years to get \$14 million for the Truckee Mousehole, and he did not understand how the process works. Chairman Jostes stated it could be argued that Dorsey Drive Interchange will save twice as many lives as the SR 174 project will because of congestion issues. He said it certainly can be argued that the Mousehole would save more lives than the SR 174 project, for the same price, essentially. He clarified them as being pedestrian lives in this case, and a quick review of the project would justify that this is not out-of-line thinking. Chairman Jostes said it was very frustrating to him if you look at the amount of man hours put into the Mousehole and the Dorsey Drive Interchange project over all of those years, and what appears to be a minimum amount of man power put into the SR 174 project. He noted that he was not putting this project down, but thought there was something totally wrong with the system. He referred to Commissioner Beason's comments about cost, and said this is part of the problem. There is talk about being productive and efficient in the projects, but one can sit back as a taxpayer and say, "What the heck is going on?" Chairman Jostes said his comments were more as a citizen than as a NCTC Commissioner, but it was frustrating to him how the system works sometimes.

Commissioner Dee commented on Commissioner Beason's point and said the pre-costs on the Mousehole project was one-third of the project costs. She said the Town started talking actual costs six or seven years ago, and at that point the actual build-out cost was \$6 million. Today it is over \$10 million, because the project was delayed numerous times. She understood the frustration and she shared in it that the project could have been completed sooner and for much less money. Commissioner Dee said the conversation usually is how many deaths are there and how many injuries occurred because of the Mousehole. She commented that it is impossible to tell because the teenagers no longer walk through the Mousehole, they go up over the train track and it is extremely dangerous. The good news is the contractor has started the Mousehole project and the tree cutting is done. Commissioner Dee said that Caltrans wanted to delay the project for another year, but the Town was able to get around that. She reiterated that a project that costs twice as much as it would have if it had been constructed earlier just made no sense to her.

Chairman Jostes said it may be too big a situation to change, but he thought it was good to speak up occasionally on this.

## ACTION ITEMS

### 7. 2013/14 Fiscal and Compliance Audits

Executive Director Landon introduced Robert D. Griffith, CPA, a partner with Matson & Isom, who was present to report on the completion of the audits. Mr. Griffith greeted the Commission and reported his firm merged effective January 1, 2015 and is now known as K•Coe Isom.

Mr. Griffith directed the Commissioners to the NCTC Financial Statement, on page 1, which stated his firm's opinion that the financial statements have been audited and are fairly stated. Mr. Griffith explained that based on their audit, and looking at the controls, they did not see anything in the internal controls that would be considered deficient. Mr. Griffith said the last portion of that report pertains to the Transportation Development Act (TDA) and they audit the books of all the entities in accordance with the TDA; some are in accordance with Section 6666 or Transit in Section 6667. Again, they found no instances of noncompliance with those statutes. They found nothing wrong with internal controls, or compliance in general, or with the TDA. Mr. Griffith said it was a very clean report. He stated the last report in the financial statement is regarding Public Transportation Modernization Improvement & Service Enhancement Account (PTMISEA). He noted NCTC received \$466,000 this year that they are going to give out, but nothing was spent this year, so NCTC was in compliance. He said next year those funds will be spent and they will audit the expenditures to be sure they are in compliance with the Act.

Mr. Griffith asked the Commission to look at the Management Comment Letter and he explained that the biggest finding you could have is a material weakness, which means your financial statements are questionable, but NCTC did not have that. A significant deficiency would be where you have a control deficiency that is important enough to be put in the body of the financial statements, but it has not moved to the level that it would materially affect financial statements. He said it would be considered as a warning of something bad that needs to be fixed; not super bad, but you need to look at it. Mr. Griffith reported that NCTC did not have any of those either. The Management Comment Letter is where the auditor can list opportunities to strengthen controls, or improve controls, or a little item that was found that they would want to highlight for staff and the Commission, so it can be addressed. This way it does not rise to the level of a significant deficiency or eventually a material weakness. Mr. Griffith noted there were two items mentioned this year. He said during the audit they noted that the Executive Director did not indicate his approval of journal entries when reviewed. Mr. Griffith said the auditor did not think that the Executive Director did not review the journal entries, he just did not note it on the actual journal entries so the auditors could see it. Based on what they have seen, the Executive Director does review the journal entries; the auditor just requested that he note it on the actual form. The auditor spoke to staff about that and it has probably already been started as a procedure. Mr. Griffith said the second item was pretty small, but they figure if they do not find something then they are not doing their job. He reported it is a policy of NCTC that every invoice that comes in gets date stamped to make sure there is some control of when it is received and when it has been paid. There are some invoices that are received electronically, and in the case of their testing, they found one invoice that did not have a date stamp because it was received electronically. The auditor suggested that staff print off the cover sheet of the email and attach it to the invoice, so that can serve as a date stamp. Staff agreed to that process and has started that action as well. Mr. Griffith said those were the only two findings and they have been addressed.

Mr. Griffith said in the prior year there were a couple of findings related to payroll and he reviewed the current status. He said there was one timesheet of a sample of twenty timesheets that was not signed off as approved by the Executive Director. He said this year they did not find any timesheets that were missing the proper signature approval, so they consider that comment cleared. He said another finding from last year was they noted that the Executive Director's timesheet did not have anyone else's signature, because it was his timesheet. The auditor said it would be nice if someone else in management initialed that timesheet. The auditor noted that the Executive Director's timesheets this year all have been initialed by another staff member. He said both issues from the previous year have been cleared.

Mr. Griffith commented next on claimants and said there were no material weaknesses they identified or significant inconsistencies for any of the claimants. He said there was no general noncompliance and they all complied with the TDA. He said there were not even any fare box issues this year, so everyone was compliant with fare box ratios. He stated some claimants had PTMISEA funds and RTMF funds, and everything they saw was in accordance with the respective requirements and regulations. Mr. Griffith said this was a very clean audit.

Mr. Griffith stated there was no audit completed for Gold Country Telecare. He said in the past there were Federal Transit Administration (FTA) 5310 funds that Telecare was awarded and they are being held in trust with Caltrans. The funds are expended as they are needed for vehicle purchases. He said that was the only financial statement the auditor was able to look at for this year. Mr. Griffith added that Telecare also received Consolidated Transportation Service Agency (CTSA) money this year and, as part of that, they are required to prepare a financial statement with a balance sheet, income statement, and statement of cash flows that can be audited. Telecare has not been able to provide that to the auditors as yet. All they received was the financial statements of the entity as a whole, but they just want to see the CTSA activities, so they can audit just that to determine if Telecare is in compliance with the TDA. He noted that he and Executive Director Landon would be meeting that afternoon with Dave Walker, Executive Director of Gold Country Telecare, to let him know specifically what financial statements they need from him. Nancy Holman, Administrative Services Officer, got approval from the State Controller for an extension to March 31<sup>st</sup>. Mr. Griffith said if the audit cannot be completed by March 31<sup>st</sup>, he will come back to NCTC staff and let them know, in which case Telecare would not be eligible for future CTSA funding.

Commissioner Fouyer asked Mr. Griffith how many years his firm has worked for NCTC. Mr. Griffith responded that this is the second year they have done the audits. Commissioner Fouyer asked if NCTC has a policy in regards to the number of years the same firm can do the audit. Executive Director Landon replied that NCTC does not have a policy on the number of years a firm can do the audit, but typically they have a three year contract with a firm and then staff goes out to bid again.

Mr. Griffith thanked the Commission for the opportunity to present results of the audits to them and he commented it was a pleasure to work with Ms. Holman and Executive Director Landon. He stated that they were very knowledgeable regarding the financial side of the Commission and the NCTC is in very good hands.

8. Contract with LSC Transportation Consultants, Inc. for the Update of the Western Nevada County Transit Development Plan

Transportation Planner Woodman is the Project Manager on this project. He said this request pertains to the approval of a contract with LSC Transportation Consultants, Inc. to update the five-year short range Western Nevada County Transit Development Plan (WNCTDP). The plan gives an operational blueprint for Susan Healy-Harman, Transit Services Director, to use for western Nevada County's fixed route transit services. He said NCTC staff applied for a Caltrans transit planning grant and was awarded \$50,000. They went through the Request for Proposal process and selected LSC Transportation Consultants, Inc. to do the work.

Chairman Jostes asked when the final report from this contract would be completed. Transportation Planner Woodman replied it would be November 30, 2015.

Commissioner Beason asked if this was the requirement that we were trying to get changed to every four years. Executive Director Landon replied that was the Regional Transportation Plan and not the Transit Development Plan. Commissioner Beason asked who the agency is that requires this report. Executive Director Landon replied the Federal Transit Administration (FTA). Commissioner Beason asked who requires the Human Services Plan. Executive Director Landon replied the FTA also requires that plan. Commissioner Beason said he wondered if it occurred to them that these two plans are very similar and they overlap a lot. He thought a lot of money could be saved. Transportation Planner Woodman said he was not sure it has occurred to them, but that is one thing that staff is going to do with this next cycle of the eastern and western TDP. Staff will talk with the FTA and see if the two plans can be combined into one planning effort. Commissioner Beason said it is not local money, but it is public money that is being spent on both of those plans, and he said if you look at both plans, half of the questions asked are redundant. Transportation Planner Woodman said staff would pursue that.

Commissioner Guerra made a motion to adopt Resolution 15-02 authorizing the NCTC Chairman to execute a contract with LSC Transportation Consultant, Inc. to prepare the Western Nevada County Transit Development Plan Update, with an amount not to exceed \$49,895. Commissioner Dee seconded the motion. The motion passed unanimously with Aye votes from Commissioners Andersen, Beason, Dee, Fouyer, Guerra, Jostes, and Scofield.

9. Preparation of Rural Counties Task Force Report titled, *Performance Monitoring Indicators for Rural and Small Urban Transportation Planning*

Executive Director Landon reported that staff is just finishing a project on behalf of the Rural Counties Task Force (RCTF) related to pavement maintenance that they have been monitoring. He said the RCTF has requested that NCTC manage another project for them, which is *Performance Monitoring Indicators for Rural and Small Urban Transportation Planning*. He gave some background that in 2011 San Diego Association of Governments prepared a lengthy, two year report developing performance monitoring concepts for urban areas in the State of California. As a part of the Federal Transportation Act, it has become a requirement for all agencies to utilize performance monitoring and measurement in their planning processes. Executive Director Landon said the San Diego report looked at large areas, but not small urban and rural areas. The California Transportation Commission (CTC) is now incorporating performance measurement into their guidelines for the State Transportation Improvement Program, and NCTC submits projects into that program every two years. Therefore, the RCTF has sought money from Caltrans for a planning grant to prepare a report specifically focused on small urban and rural applications of performance measurement, and they asked NCTC to manage the project on their behalf. Executive Director Landon said staff will do this in conjunction with a nine member Project Advisory Committee (PAC) that will be made up of several agencies, such as San Luis Obispo, Kings County, Shasta County, Butte County, Amador County, and Tuolumne County. NCTC staff would be administering the contract, if it is the pleasure of the Commission for staff to be the lead agency. He said Caltrans has also indicated that they have \$100,000 for the consultant work and would award that to NCTC on the approval of the Overall Work Program (OWP) Amendment.

Executive Director Landon said staff is requesting two actions at this time: 1) Authorize staff to add a Work Element to the FY 2014/15 OWP titled, *Rural Counties Task Force Performance Monitoring Indicators for Rural and Small Urban Transportation Planning*; 2) Prepare and distribute a Request for Proposal for the project. He added, since the information from this project will be needed by the CTC by June 2015, Executive Director Landon asked the Commission to authorize the Chairman to sign a contract that is in the same form as the NCTC

standard contract template, and as negotiated by the Executive Director and NCTC legal counsel, in an amount not to exceed \$100,000, which is the money provided by Caltrans.

Commissioner Scofield asked what amount of NCTC staff time would be committed to this project and would a portion of the \$100,000 be used to compensate for the hours spent. He asked if there is enough staff available to carry out the tasks needed. Executive Director Landon said he would be the Project Manager and the \$100,000 would go towards the consultant contract. He stated there is a Work Element in the OWP that is titled "Regional Coordination", and he would take his staff time from that funding. He added that there is sufficient funding in that account, so it would not impact any other projects staff is working on. Commissioner Scofield asked which staff members would be used for the project. Executive Director Landon said he would prepare the Request for Proposal, which entails working up the scope of work needed, and then he would distribute it. He would then coordinate the selection of the consultant and then manage the consultant contract as the project proceeds.

Commissioner Fouyer asked who the end agencies would be that would utilize and reference this document once it is completed. Executive Director Landon replied that there are three agencies, but the principal one this is being done for is the CTC as they update their guidelines for project submittals. This report will inform them as to what are reasonable guidelines for rural agencies to accomplish regarding performance measurement and monitoring. This information would be incorporated into the CTC Guidelines; therefore, it will benefit the rural counties to provide this information. Executive Director Landon added that the other two agencies are the FTA and the FHWA, as they are in the process of implementing and issuing these rule making notices for the Federal Transportation Act. He said when he was in Cincinnati, he found that nationwide a lot of the states and local agencies are waiting for the federal government to tell them what to do. When Executive Director Landon spoke with FTA and FHWA staff, they stated they want regional input because they do not want a tops-down approach; they want to know what will work for the regional agencies. He said this report will give scholarly information that is well thought out as the federal agencies do their rule making. It will look across a broad spectrum of rural counties in California to feed back to these federal agencies what will work for rural agencies. Commissioner Fouyer said it represents a baseline. Executive Director Landon replied it does.

Commissioner Beason said he recently had an opportunity to voice his concerns about using the road usage fee process to look at costs, because there is a tendency to only look at the revenues. He said one of the other issues is equity. Commissioner Beason asked if this project would give the opportunity, as a rural county, to address equity between rural and urban counties in terms of transportation planning, road usage fees, and the costs. He said, per capita, we spend too much. Executive Director Landon said yes it will. At the November NCTC meeting there was discussion about that issue, as it relates to pavement maintenance, but Commissioner Beason was unable to attend. Executive Director Landon stated that rural counties have higher costs and, as a group, the rural counties in California have a lower pavement condition; they are in worse shape and are closer to "falling off the fiscal cliff." This report will document that and provide data to the decision makers why rural counties need additional consideration, and why they need standards that are different than the urban areas. Commissioner Fouyer said it is a document that will tell them what we have been telling them all along.

Commissioner Scofield said Executive Director Landon has obviously taken on a leadership role in the RCTF and NCTC has become a leadership organization, and he would assume this is a "feather in our cap" and gives Nevada County a little more influence, perhaps, and more knowledge when it comes to grants that are so essential to the county. Executive Director

Landon said it absolutely does because these agencies know that NCTC knows the process, and NCTC is working it in accordance with the guidance that has come out. In fact, NCTC is there helping to write the guidance. Commissioner Scofield complimented Executive Director Landon on his involvement.

Commissioner Dee asked if adoption of Resolution 15-03 would cover both requested actions. Executive Director Landon responded yes. Commissioner Dee made a motion to adopt Resolution 15-03 authorizing staff to add a Work Element to the FY 2014/15 OWP titled, *Rural Counties Task Force Report Performance Monitoring Indicators for Rural and Small Urban Transportation Planning*, to prepare and distribute a Request for Proposals for the project, and authorize the NCTC Chairman to sign a contract for preparation of the RCTF report, as negotiated and recommended by the Executive Director and NCTC legal counsel, in an amount not to exceed \$100,000. Commissioner Beason seconded the motion. The motion passed unanimously with Aye votes from Commissioners Andersen, Beason, Dee, Fouyer, Guerra, Jostes, and Scofield.

10. Contract for Regional Transportation Mitigation Fee Update - PULLED

Executive Director Landon explained that NCTC staff is working to get the Regional Transportation Mitigation Fee (RTMF) Program updated, in coordination with the City of Grass Valley and Nevada County, who are also updating their fee programs at the same time. He said they are all using the newly adopted Nevada County Transportation Commission Traffic Model as a basis for those fee updates. He said everyone is feeling very good about the common data source and are working together on this. Executive Director Landon reported that staff from the three agencies met and interviewed consultants the previous week and they were unanimous in the selection of a consulting firm. They then opened the pricing information and the contract proposal cost exceeded the proposed budget. He indicated he has been working with Joshua Pack at the Nevada County Public Works Department and Trisha Tillotson at the Grass Valley Engineering Department and they went back through the proposal and agreed it is a good proposal. It is just that the consultant's rates are higher than anticipated. Executive Director Landon said he has requested and received their audited rates to be sure they are in accordance with state guidelines. He said Joshua Pack will take the county's contract request to the Nevada County Board of Supervisors on February 10<sup>th</sup>, and Trisha Tillotson will be taking their contract to the Grass Valley City Council on February 10<sup>th</sup>. Executive Director Landon said he is anticipating that the NCTC contract would be ready to take before the Commission in a special meeting, as early as February 11<sup>th</sup>, in order to move the project forward. He will be in touch with the Chairman as the work progresses to see about holding a special meeting of the NCTC.

Chairman Jostes announced that he would like to move forward the items pertaining to the Nevada County Airport Land Use Commission (Items # 15 and 16), to allow people in the audience to participate, and not have them wait until the Staff Compensation Closed Session was completed (Items #11, 12, and 13), which might take some time to do.

Chairman Jostes ADJOURNED AS THE NEVADA COUNTY TRANSPORTATION COMMISSION at 10:25 a.m. and CONVENED AS THE NEVADA COUNTY AIRPORT LAND USE COMMISSION (NCALUC).

15. NCALUC Minutes

September 17, 2014 NCALUC Meeting Minutes. *Approved.*

Commissioner Guerra made a motion to approve the September 17, 2014 NCALUC Minutes. Commissioner Fouyer seconded the motion. The motion passed with Aye votes from Commissioners Andersen, Dee, Fouyer, Guerra, Jostes, and Scofield. Commissioner Beason abstained due to his absence from that portion of the meeting.

16. Request for Nevada County Airport Land Use Commission Consistency Determination, South Woodlands Project

Executive Director Landon referred to the graphic in the handout that showed the location of the South Woodlands Project, which is a residential project being proposed on the east end of the airport. He said it is a fair distance away from the runway, but touches Compatibility Zones B1, C, and D east of the Nevada County Airport. He reported that fees were collected, which is typical for this type of project, to consult with Mead & Hunt, Inc., our land use compatibility consultant. Executive Director Landon said he provided excerpts from their report letter with regard to this project. He noted the project has a very simple issue, which is that parts of three parcels actually fall within Zone B1 that has a policy requirement of only having one dwelling unit per ten acres. He said about six acres of this project are included in Zone B1 and there is a potential for two dwelling units within that six acres.

Executive Director Landon said there are a few mitigating factors. One factor is the same owner owns approximately ten acres to the west of the project and it has been dedicated as permanent open space for the purpose of the airport. He stated that gives less density for the area of the potential project. He also reported that the project is about 130 feet below the elevation of the airport runway, so it drops down and gives you more recovery space and also gives less noise influence. He stated there are policies within the Nevada County Airport Land Use Compatibility Plan that allows the Commission to make a finding that a project is consistent, though it is a variation from the general policies. On that basis, as noted in the recommendation from the consultant, Executive Director Landon stated that the adjacent property to the west of the project is dedicated to open space; secondarily, the overall density of the project is less than the maximum allowed under the policies; and thirdly, the project area is lower in elevation than the airport runway, which reduces the potential for excessive noise exposure. Executive Director Landon said the recommendation from staff is that the NCALUC find that the proposed land use will not create a safety hazard to people on the ground, or aircraft in flight, nor result in excessive noise exposure for the proposed use.

Commissioner Scofield asked where the process stood with the Nevada County Planning Commission and if the Nevada County Airport Commission was involved with the project. Executive Director Landon responded that NCALUC staff received the project from the Nevada County Planning Department requesting our review. He stated that Andy Cassano from Nevada City Engineering, Inc. was present at the meeting and he is the project representative, so the question was referred to him.

Andy Cassano, Land Planner with Nevada City Engineering, stated that he represents the Sacher family on this project. He said the status of the application is they filed the subdivision application with the County of Nevada and they recently met with county staff. County staff has given him assignments on additional information that is needed, which they are currently responding to. Mr. Cassano said the Planning Department has not yet prepared and circulated the environmental documents. He said he began conversations with Executive Director Landon on the project before they made submittal and they paid a fee to the Commission to help provide for the consultant, Mead & Hunt, Inc., to review the application. He noted that they put a lot of thought into the density and placement of everything, and they are pleased with the final design.

Commissioner Scofield said he has an Airport Commissioner that is fairly vocal at times and he wondered if he would be getting a phone call about this project or if the project is being reviewed directly through the Airport Commission. Mr. Cassano replied that it was his understanding the airport review would be at the NCALUC level at this meeting. Commissioner Scofield asked if anyone has talked with the Airport Commission. Executive Director Landon replied that he has not spoken to Lee Ocker, the Nevada County Airport Manager, but he had correspondence with Mr. Ocker about three months previously when the Nevada County Planning Department first sent the project to him. He said that Mr. Ocker did not have a problem with the project, but he did not know if Mr. Ocker took the project before the Airport Commission. Executive Director Landon said he could find out. Mr. Cassano said the Airport Manager was present at an assembly of county staff of all the departments reviewing the application. Commissioner Scofield said that he did not want an Airport Commissioner coming to him and wondering why they were not involved with the review of the project. Commissioner Scofield said the way Executive Director Landon described the process is the NCALUC makes a finding, which means, in essence, the project is compatible and there is no override involved when the application comes through. Executive Director Landon said that is correct.

Commissioner Fouyer said since the project has not completely gone through the county processes yet and no environmental work has been completed yet, he asked Mr. Cassano if he anticipated any potential changes to the project. Mr. Cassano said he does not. He said the application was prepared with his firm's working knowledge of environmental issues and county standards and he thought they presented a project that is compatible and clean with respect to county resource standards, airport planning, and all of the issues. He hoped there would not be any dramatic changes. Commissioner Fouyer commented that if there are changes then Mr. Cassano would have to come back to the NCALUC. Mr. Cassano said if there were any changes with the project that had anything to do with density under the airport flight zones, then it would have to come back to the NCALUC for further review.

Chairman Jostes asked if there are any entities that can be identified, including airport operations, which to him is an important part of this, that we would expect pushback from on this decision. Executive Director Landon said, to his knowledge, there are not. He stated there is a lengthy list of firms and agencies that the planning notice went out to, and he has not heard any negative comments on the project.

Commissioner Scofield asked if the project will go to the Nevada County Planning Commission. Mr. Cassano said it will, so there will be an opportunity for interested citizens or agencies to be involved in the review process.

Executive Director Landon noted that the findings made that day by the NCALUC affect only airport land use compatibility and, as noted, the environmental and the operational issues are separate from this Commission and would have to be dealt with at the county level. Chairman Jostes commented that this is only a piece of the review process for the project and it will be reviewed several times by other agencies before the process is over. Executive Director Landon noted that two things are accomplished in the NCALUC resolution: 1) The two parcels that are within Zone B1 would require that aviation easements are dedicated to the county as the operator of the airport; 2) The other parcels within the project area have overflight notices recorded with them. Executive Director Landon explained an "aviation easement" is very similar to a utility easement in that it says the property owner acknowledges and provides an easement of the airspace for the airport use. He said, in essence, it becomes the airport's airspace; not the land, but the airspace. He explained that the "overflight notice" is a notice that goes on the deed and informs anyone looking at that property that they are in the area of an

airport, there is overflight occurring, and they may have noise issues or other things related to airport operations. Executive Director Landon said the two parcels within Zone B1 would have the avigation easement, which means that airspace is owned by the county. He stated the overflight notice does not include ownership of airspace, but is simply a recorded notice to the purchasers of all of the parcels that they will have impacts from the airport operations, so they cannot come back and say they did not know there was an airport near their property.

Commissioner Fouyer made a motion to adopt Nevada County Airport Land Use Commission Resolution 15-01, finding that the proposed South Woodlands project is consistent with the Nevada County Airport Land Use Compatibility Plan. Commissioner Guerra seconded the motion. The motion passed unanimously with Aye votes from Commissioners Andersen, Beason, Dee, Fouyer, Guerra, Jostes, and Scofield.

Chairman Jostes ADJOURNED AS THE NEVADA COUNTY AIRPORT LAND USE COMMISSION at 10:37 a.m. and RECONVENED AS THE NEVADA COUNTY TRANSPORTATION COMMISSION.

11. Appointment of Labor Negotiation Representatives

Chairman Jostes stated in order to go forward with labor negotiations of unrepresented employees in a closed session, it is necessary to appoint a group of labor negotiation representatives. He suggested that the NCTC Commissioners sitting at the meeting that day be appointed as those representatives.

Commissioner Beason made a motion to approve the Commissioners present at the meeting be appointed as labor negotiation representatives. Commissioner Andersen seconded the motion. The motion passed unanimously with Aye votes from Commissioners Andersen, Beason, Dee, Fouyer, Guerra, Jostes, and Scofield.

Chairman Jostes CONVENED THE CLOSED SESSION at 10:39 a.m. The Commissioners and Executive Director Daniel Landon and Transportation Planner Michael Woodman went into a private conference room.

12. Closed Session: Conference with Labor Negotiators, Government Code Section 54957.6.

Chairman Jostes RECONVENED THE NCTC MEETING at 11:17 a.m. in the Board of Supervisors Chambers. He stated there were no items to report out from the Closed Session.

13. Staff Compensation: Executive Director, Transportation Planner, Administrative Assistant, and Administrative Services Officer

Chairman Jostes said the Commission had before them proposed compensation recommendations for NCTC staff, as outlined in Resolution 15-05, which represented salary increases that were listed in Attachment 4 of the Closed Session materials. He reported that it was a two-step proposal for salary increases for each staff member, with the first step being retroactive to July 1, 2014, and a second increase in salary for staff members that will go into effect July 1, 2015.

Commissioner Dee made a motion to adopt Resolution 15-05 approving increases for the Executive Director, Transportation Planner, Administrative Assistant, and Administrative Services Officer, as stated in Figure 4, with a two-step increase being effective as of July 1, 2014 and July 1, 2015. The motion also authorized the NCTC Chairman to execute Amendment II to

the Employment Agreement for the Executive Director, setting forth the specific compensation increases as approved by the Commission. Commissioner Beason seconded the motion. The motion passed unanimously with Aye votes from Commissioners Andersen, Beason, Dee, Fouyer, Guerra, Jostes, and Scofield.

Chairman Jostes stated that during the discussion in the Closed Session, it was deemed appropriate to review in a broad sense the process of establishing salaries for NCTC staff in a number of different ways. He said this included benchmarking of jobs and processes, etc., almost to the point where it might be appropriate to take a clean slate and just take a look at the process, perhaps in consultation with appropriate people from county staff that have a deep knowledge of benefits and salary programs. Chairman Jostes said the idea would be for these qualified people to meet with the Commission in Closed Session, to have these discussions, and then any action items coming out of these discussions would be reported out to the public in the regular NCTC meeting. Chairman Jostes added, in terms of when and how this would happen, he was not exactly sure. The Commission felt it should be sooner rather than later, and Chairman Jostes asked if a special meeting should be called to carry this out. There was a question if something like this could be put on an agenda for a special meeting. Executive Director Landon said the Chairman can determine the agenda for a special meeting. Commissioner Beason replied this action could be done at a regular meeting in a Closed Session. Commissioner Scofield said the Commission would not be looking at salary surveys or anything like that; they would be discussing the negotiating process. He did not think it was necessary to have a special meeting to accomplish this. Commissioner Fouyer said it would depend on the availability of the person or entity that would be in the closed discussions to help the Commission. Chairman Jostes said the issue would be that this session could be quite lengthy and the public would be sitting there waiting for the meeting to reconvene, unless they put the item at the end of the agenda. He added that the Commission would have to report out any conclusions they come to. He thought the discussion could last one or two hours. Commissioner Beason said he may not be at the March 18, 2015 NCTC meeting. Chairman Jostes said he thought the important action accomplished that day was to have an approved salary action for July 1, 2015, so he thought that would give them more time and having the Closed Session in the May 20, 2015 NCTC meeting would be appropriate.

Commissioner Beason made a motion to conduct a Closed Session in the May 20, 2015 NCTC meeting to discuss the structure of the process of salary negotiation procedures to set salaries for NCTC staff. Commissioner Dee seconded the motion. The motion passed unanimously with Aye votes from Commissioners Andersen, Beason, Dee, Fouyer, Guerra, Jostes, and Scofield.

#### 14. Election of Officers

Chairman Jostes opened the nominations for Chairman. Commissioner Beason nominated Chairman Jostes for re-election. Commissioner Guerra seconded the motion. Chairman Jostes accepted the nomination. The motion passed unanimously with Aye votes from Commissioners Andersen, Beason, Dee, Fouyer, Guerra, Jostes, and Scofield.

Chairman Jostes opened the nominations for Vice Chairman. Commissioner Beason nominated Commissioner Fouyer for re-election. Commissioner Guerra seconded the motion. Commissioner Fouyer accepted the nomination. The motion passed unanimously with Aye votes from Commissioners Andersen, Beason, Dee, Fouyer, Guerra, Jostes, and Scofield.

COMMISSION ANNOUNCEMENTS

There were no Commission announcements.

SCHEDULE FOR NEXT MEETING

The next regularly scheduled meeting of the Nevada County Transportation Commission is on March 18, 2015 at the Grass Valley City Council Chambers, Grass Valley, CA.

ADJOURNMENT OF MEETING

Commissioner Dee made a motion to adjourn the meeting. Commissioner Beason seconded the motion. The motion passed unanimously with Aye votes from Commissioners Andersen, Beason, Dee, Fouyer, Guerra, Jostes, and Scofield.

Chairman Jostes adjourned the meeting at 11:26 a.m.

Respectfully submitted: Antoinette Perry  
Antoinette Perry, Administrative Assistant

Approved on: March 18, 2015

By: L. Jostes  
Lawrence A. Jostes, Chairman  
Nevada County Transportation Commission