



**NEVADA COUNTY
TRANSPORTATION COMMISSION**

**POLICIES AND PROCEDURES
MANUAL**

Adopted on March 21, 2012

Amended July 18, 2012

Updated September 20, 2017

Updated July 18, 2018

Updated July 17, 2019

Updated September 18, 2024

TABLE OF CONTENTS

Introduction / What is NCTC?	
NCTC Responsibilities	4
Mission Statement and Organization Flow Chart.....	4
Memorandum of Understanding	6
NCTC Members	
Term of Office	7
Attendance at Meetings.....	7
Statement of Economic Interests	7
AB 1234 Ethics Training	7
Travel/Meals/Lodging Reimbursement	8
Meetings	
Regular and Adjourned Meetings	9
Special Meetings	9
Public Comment.....	9
Public Hearings.....	9
Communications Between Commissioners and Staff.....	10
Quorum and Voting	11
Officers and Duties	11
Agenda Content	11
Agenda Submittal and Deadlines.....	11
Records of Meetings	11
Resolutions.....	11
NCTC Staff	
Executive Director	13
Deputy Executive Director	13
Transportation Planner.....	13
Administrative Services Officer	13
Administrative Assistant.....	13
NCTC Committees	
Technical Advisory Committee (TAC)	14
Social Services Transportation Advisory Council (SSTAC).....	14
Regional Transportation Mitigation Fee (RTMF) Executive Committee.....	15
RTMF Administrative Committee.....	15
Ad Hoc Committees.....	16
Membership in Other Organizations	
Nevada County Economic Resource Council (NCERC).....	17
Rural Counties Task Force (RCTF).....	17
California Association for Coordinated Transportation (CalACT)	17
Truckee-North Tahoe Transportation Management Association (TNT/TMA).....	18
North State Super Region (NSSR).....	18
Overall Work Program (OWP).....	20

NCTC Finances.....	21
Transportation Development Act (TDA) Funds	
How Local Agencies Get TDA Funds.....	22
Definitions.....	22
Findings of Apportionment for LTF	23
Apportionment of LTF.....	23
Example of Findings of Apportionment	24
Apportionment of STA Funds	24
TDA Claim Process	27
TDA Claim Procedures.....	28
General Claim Requirements.....	28
LTF/STA Claim for Transit and/or Paratransit Operations or for Capital Projects....	28
LTF Claim for Pedestrian and Bicycle Facilities.....	30
CTS Claim for Operations and Capital Projects	31
LTF Claim for Streets and Roads Projects	33
Allocation.....	33
Payment.....	33
LTF/STA Fund Operations Claim Checklist.....	35
LTF/STA Fund Capital Project(s) Claim Checklist.....	36
LTF Pedestrian and Bicycle Facilities Claim Checklist	37
CTS Operations Claim Checklist.....	38
CTS Capital Projects(s) Claim Checklist.....	39
Annual Transportation/Transit Claim Form	40
TDA Statutes and CCR Reference List Used for Submitting Claims	41
Standard Assurances by Claimant Form.....	42
Operator Performance Table.....	43
Regional Surface Transportation Program (RSTP) Funds	
Apportionment of RSTP Funds	44
Claim Procedure.....	44
Claim Form for RSTP Funds	45
Regional Transportation Mitigation Fee (RTMF) Program.....	46
Congestion Mitigation and Air Quality (CMAQ) Program.....	47
State Transportation Improvement Program (STIP) & Regional Improvement Program (RIP) ..	48
Airport Land Use Commission (ALUC).....	50

INTRODUCTION

This Policies and Procedures Manual is created by Nevada County Transportation Commission (NCTC) to provide guidelines concerning administrative procedures and activities and to ensure the smooth and proper execution of NCTC business. It is designed to be a working guide for the NCTC staff and Commissioners, committee members, and local jurisdiction staff.

This manual has been reviewed and adopted by the Commission. Policy and procedure additions or revisions will be developed and adopted by the NCTC as necessary. Each individual can assist in keeping this manual a useable, up-to-date tool, by notifying the NCTC Executive Director when needed improvements are identified. When changes are warranted and approved, amendments will be made and distributed with the effective dates of the change.

WHAT IS NCTC?

NCTC is a Regional Transportation Planning Agency (RTPA) created pursuant to Title 7.88 of the State of California Government Code, Section 67920. As the RTPA for Nevada County, NCTC coordinates transportation planning for Grass Valley, Nevada City, Nevada County, and the Town of Truckee.

NCTC Responsibilities

The Commission has four major areas of authority and responsibility to accomplish improvements to the overall county transportation system:

1. NCTC develops and adopts a Regional Transportation Plan (RTP), which describes policies, strategies, and facilities that exist or are proposed for future development. NCTC develops a Regional Transportation Improvement Program (RTIP), which is a multi-year program or listing of projects that are derived from the RTP.
2. NCTC administers federal, state, and local funding programs for the jurisdictions in Nevada County in accordance with federal and state statutes and regulations.
3. NCTC reviews the transportation plans and programs of member agencies and endorses them based upon their satisfaction of regional needs and the consistency of their plans or programs with adopted regional plans and policies.
4. The NCTC meetings provide a venue for the citizens of Nevada County to voice their interests and concerns regarding transportation needs.

Mission Statement and Organization Flow Chart

The Mission of the Nevada County Transportation Commission is to plan, communicate and coordinate with the citizens and decision-makers of Grass Valley, Nevada City, Nevada County, the Town of Truckee and with Caltrans to identify transportation needs, propose solutions, and assist in implementing projects to create a balanced regional transportation system, while protecting the rural qualities and historic character of Nevada County.

Activities to achieve the Mission, include, but are not limited to the following:

NCTC develops a Regional Transportation Plan (RTP), which includes the actions, funding recommendations, and policy direction necessary to meet the needs of each transportation system component in the region.

NCTC interacts with the community through workshops, news media, the Internet, and its quarterly newsletter.

NCTC develops and adopts a Regional Transportation Improvement Program (RTIP) that is consistent with the RTP.

NCTC conducts a comprehensive planning process in the development of its annual Overall Work Program so that funds expended on planning projects will implement the goals of the RTP.

NCTC reviews transportation plans and programs of member agencies and endorses them based on consistency with the RTP and RTIP. In keeping with this responsibility, the NCTC strives to be creative in assisting the region in developing the revenues to construct improvement projects.

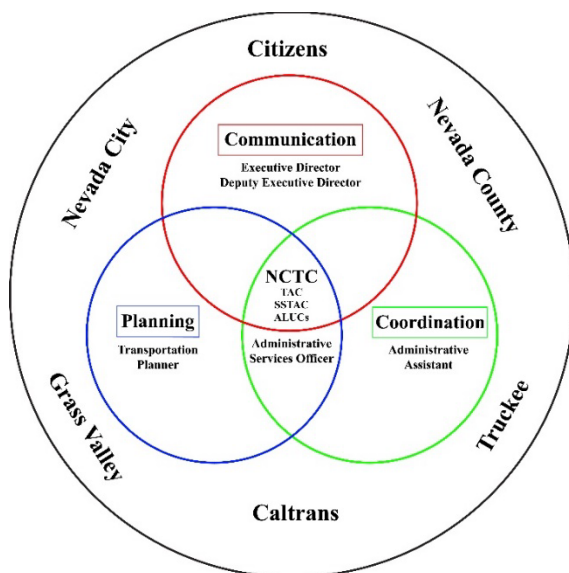
NCTC communicates and participates in workshops with Caltrans on proposed projects to be developed in the County of Nevada to ensure that the policies and goals of the RTP are implemented.

NCTC coordinates with regional transportation planning agencies on legislation and statewide policy issues to ensure the region receives appropriate attention and funding from the State of California and the Federal government.

NCTC participates in interregional planning projects to ensure Nevada County projects support both regional and statewide transportation goals.

NCTC administers Transportation Development Act funds to ensure all statutory requirements are met, including the identification of the region's transit needs.

NCTC manages Regional Surface Transportation Program funds and Regional Improvement Program funds in accordance with Federal acts and statutes promulgated by the State of California, selecting and funding eligible transportation improvement projects based upon those that are most effective and beneficial to the region.



Memorandum of Understanding

A Memorandum of Understanding (MOU) between Caltrans and the Nevada County Transportation Commission provides for the accomplishment of the duties and responsibilities outlined above through the development and implementation of an Overall Work Program (OWP). The OWP details the planned projects and activities proposed by the Commission for each fiscal year. After the OWP is created by NCTC staff, the plan proceeds through local and state reviews before final adoption is made by the Commission. The OWP is updated each year to report on the progress of identified projects, propose new or continuing projects for the ensuing year, and to provide an estimate of the required funding for the OWP elements.

A MOU between the NCTC, the City of Grass Valley, the City of Nevada City, the Town of Truckee, and the County of Nevada provides for the coordination of regional transportation planning with local governments in the region. This MOU provides for local governments to comment on the OWP prior to its adoption by the NCTC. The Commission meetings provide a forum for the discussion of common interests by having issues placed on the agenda of a meeting when requested by any participant of the MOU.

Additional Information

The NCTC website is a valuable resource for additional information at www.nctc.ca.gov .

NCTC MEMBERS

NCTC has seven members; four members are appointed by the Nevada County Board of Supervisors and three are appointed by the incorporated municipalities in the county. The Board of Supervisors appoints two members of the Board of Supervisors and two county at-large representatives, with one member representing the general public and one representing the elderly/disabled of the community. The municipalities appoint three city/town representatives, one each from Grass Valley, Nevada City, and the Town of Truckee. The appointing authority may designate an alternate member to serve in place of the regular member when they are absent or disqualified from participating in a meeting.

Term of Office – The county at-large appointments are for four-year terms. Other appointed commissioners serve until replacements are named by the appointing authority.

Attendance at Meetings – When an appointed member becomes aware that they are unable to attend a Commission meeting, they shall notify NCTC staff in advance of the meeting to enable staff to determine if there will be a quorum. It is the responsibility of the appointed member to notify the alternate to fill the vacancy. If the appointed member and the appointed alternate are not available, this seat on the Commission will be vacant for that meeting.

In the event a commissioner does not send an alternate representative and misses three (3) consecutive regular meetings for reasons other than illness, a letter shall be sent to the appointing jurisdiction notifying them of the lack of representation on the Commission.

Statement of Economic Interests – The NCTC adopted by resolution a Conflict of Interest Code (requirements of the Political Reform Act of 1974 – Gov. Code § 81000, *et seq.*) designating positions required to file a disclosure statement and disclosure categories specifying the types of interest to be reported. Commissioners may be required to disclose their personal financial interests if they make or participate in making a decision that could affect their private financial interests. Disclosure is made annually on the Fair Political Practices Commission’s Form 700 – Statement of Economic Interests. The Form 700 is a public document that must be made available to anyone who requests it. Commissioners must file a Form 700, with an original signature, with NCTC.

AB 1234 Ethics Training – Effective January 1, 2006, AB 1234 requires that elected and appointed officials of a local agency governing body, and commissions, who are provided compensation for their service or are reimbursed for their expenses, receive training in public services ethics laws and principles every two years. All documents relating to reimbursable expenditures are public records subject to disclosure. AB 1234 applies to NCTC members because the NCTC Policies and Procedures Manual provides for reimbursement of travel expenses (see “Reimbursement” information below).

An on-line free training program is available for NCTC members to satisfy the AB 1234 requirements and is accessed at <http://localethics.fppc.ca.gov>. This is a self-serve training program and it is the commissioner’s obligation to print a certificate and provide it to NCTC staff; no copies are retained by the program on the website. Email questions to: ab1234@fppc.ca.gov.

Travel/Meals/Lodging Reimbursement – If a commissioner or employee is required to travel to conduct NCTC business, they are entitled to be reimbursed for travel costs, in accordance with Internal Revenue Service guidelines, including food and lodging. Reimbursement shall be limited to documented trip expenses submitted on a travel expense voucher. However, if the Commissioner’s jurisdiction provides for reimbursement, none will be provided by NCTC.

- **Travel:** Members will be reimbursed for operation of an automobile at the current federal rate determined by the Internal Revenue Service when conducting NCTC business. A trip expense voucher and proof of automobile insurance must be submitted. Public liability and property damage limits for the insurance policy should be \$100,000 – \$300,000 – \$100,000. Reimbursement for airline travel is at the actual cost and requires submission of itemized receipts.
- **Meals:** Meal expenses shall be reimbursed at the actual cost of the meal up to the following maximum for breakfast \$15.00, lunch \$20.00, dinner \$30.00, including tax and tips. The meal allowance will be reduced for any full meals provided at conferences or training programs. Out-of-pocket expenses for food purchased at training sessions, workshops, or purchasing of meals for commissions or committees may be reimbursed. Trip departure time must be before 7:00 a.m. or return after 7:00 pm. to be reimbursed for breakfast or dinner.
- **Lodging:** Overnight lodging is reimbursed at the actual cost upon submission of itemized receipts. Single occupancy rates prevail unless the room is occupied by more than one commissioner or employee.
- **Incidental Expenses:** When traveling on NCTC business, members and employees will be reimbursed, including, but not limited to ferry and bridge tolls, taxi fares, business calls, parking fees and tips. Receipts are required for airport parking, but not required for meter parking, taxi fares, shuttle buses, bridge tolls, and tips.
- **Completing an Expense Reimbursement Form:** A completed expense form includes the date and time of departure and return, destination, and purpose. Expenditures are to be specifically accounted for using the descriptive categories on the form. Any expense form not submitted to NCTC staff within 30 days from the date of occurrence shall not be paid. An Expense Reimbursement Form can be obtained at the NCTC office.

MEETINGS

Regular and Adjourned Meetings – The NCTC shall meet on the third Wednesday of every other month at a time and location provided on a yearly schedule, unless noticed otherwise. A proposed annual meeting schedule for the following year will be presented at the November NCTC meeting and approved by a majority vote of the Commission. All NCTC meetings shall be governed by “Robert’s Rules of Order,” except as otherwise provided by these Policies and Procedures and shall be conducted in the manner prescribed by the Ralph M. Brown Act. An interpreter for the hearing impaired, or other special accommodations, can be made available upon request to Commission staff 72 hours in advance of the NCTC meeting.

Any regular meeting may be adjourned to a later date during the period between regular meetings, and at any other place in Nevada County, as stated in a motion. The adjourned meeting will be a continuation of the regular meeting. If a quorum is not established, no business other than adjournment may be transacted. The NCTC shall restrict business at an adjourned regular meeting to that specified in the agenda noticed for the meeting.

Special Meetings – A special meeting may be called by the Chair at his or her discretion, and a meeting must be called by the Chair when requested by four members of the NCTC. A special meeting may be called in the manner specified in the Ralph M. Brown Act, Section 54956.

Public Comment – The Commission may allow members of the public to address the Commission on items appearing on the agenda, if the Commission determines that there is time available. In the interest of time, the Commission may limit the length of any such comment or input. The public will be afforded the opportunity to comment on any items not listed on the agenda. The Commission or staff may respond to the comment; however, no action may be taken on items not listed on the posted agenda.

Public Hearings – The NCTC will hold a public hearing, as described in Section 99238.5 of the Public Utilities Code, in conjunction with the Regional Transportation Plan, the Regional Transportation Improvement Program, or for other purposes as deemed necessary by the NCTC. Notice of a public hearing will be published in newspapers of general circulation within Nevada County and in the geographically served area appropriate to the hearing business. Public hearings shall be recorded and summarized proceedings transcribed into the NCTC minutes.

To conduct a public hearing, the NCTC Chair shall call the public hearing to order at the designated time. All members of the public shall be allowed to address the Commission regarding any item which is noticed on the Commission’s agenda as a public hearing. The Chairman may limit the total time allocated for the public hearing, and may limit any individual to 3 minutes. Any person may provide the Commission with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Ten copies of written statements shall be submitted to the Commission’s staff (preferably in advance) to allow for distribution to the Commission. Copies of the agenda, correspondence and reports may be obtained from the Commission’s staff at a cost of ten cents per page, plus the cost of postage. An interpreter for the hearing impaired, as well as other special accommodations may be made upon request to the Commission’s staff at least 72 hours in advance of the NCTC meeting.

1. By conducting a public hearing, the NCTC is acting in a quasi-judicial capacity; therefore, the hearing must be open to the public, affording every individual an opportunity to comment on the matter being heard.

2. The Chair should conduct the hearing impartially, but in accordance with procedural rules; only one person should speak at a time, common courtesy and decorum must be observed at all times, discourtesy or displays of inappropriate behavior must not be permitted. Should disruptive actions fail to be controlled, the Chair may either close the hearing or adjourn to a future date and time.
3. Formal rules of evidence are not applicable to public hearings; however, the Chair should ensure that redundant, repetitive or irrelevant matters are not asserted by any person. All statements and evidence shall be relevant to the issue(s) being heard.
4. NCTC members should deliberate a matter without bias and be guided only by the evidence produced at the hearing, and apply to that evidence the benefit of their own experience and expertise.
5. It is the responsibility of the Chair to ensure that no persons utilize the platform of a public hearing to introduce issues or topics not relevant to the matter of the hearing or topics that do not lawfully belong before the NCTC.
6. Except as specifically requested by the Chair, long letters or communications should not be read in full during the hearing process. Staff should prepare a summary of the communication or letter, which can be read to the NCTC and recorded into the minutes of the hearing. The original document or letter can then be filed with the proceedings as an exhibit.
7. The Chair may request each person who speaks at a public hearing to sign an “Attendance Sheet.” This is not a mandatory requirement, and failure or refusal to sign shall not be grounds for prejudice or alteration of consideration of any kind.
8. Records or minutes of public hearings and/or proof of conduction will be submitted to appropriate state and/or federal entities as required.

Communications Between Commissioners and Staff – “Serial meetings” are prohibited under the Brown Act, and NCTC members and staff must remain vigilant that serial meetings do not occur. Such a meeting involves only a portion of the Commission at any one time, but eventually involves a majority of the NCTC. Serial meetings deprive the public of an opportunity for meaningful participation in the decision-making process of the Commission. A serial meeting may be a “daisy chain” in which Member A contacts Member B, Member B contacts Member C, Member C contacts Member D and so on, until a quorum has established a concurrence outside of the regular NCTC meeting.

A “hub-and-spoke” process could occur if multiple members of the Commission contact the Executive Director or other staff separately regarding an item that will be considered and, in the process, the Executive Director or staff reveals information about the members’ respective views. In addition, both the daisy chain and the hub-and-spoke scenarios could occur via email communications, phone calls, or personal meetings. By contrast, it is acceptable for the Executive Director or staff to send a unilateral communication to the Commission, such as an informational or advisory memo or an email communication. The key is that the communication is not then serially discussed by members to develop a concurrence prior to an official meeting.

Quorum and Voting – A quorum necessary to do business shall consist of four (4) members or their appointed alternates. Motions and resolutions require a majority vote of the members present, including the Chair. When there is no quorum at a regular meeting, the Chair, or any member of the Commission, shall adjourn said meeting until the next regular meeting or call for a special meeting.

Officers and Duties – The officers of the NCTC shall be Chair and Vice Chair who serve for a period of one calendar year. Duties of the Chair include: Preside at all meetings; call special meetings as needed; sign minutes, resolutions, correspondence, and other documents as approved by the NCTC; review agenda items and plan Commission meetings with the Executive Director; perform such other duties as may be assigned by the NCTC. The Vice Chair shall perform these duties in the absence or disability of the Chair.

The offices of Chair and Vice Chair shall be elected by a majority vote of the members present at the January meeting or at the next NCTC meeting after a vacancy occurs. The officers may be removed with or without cause by the affirmative vote of four (4) members. A vacancy shall be filled by the election of the majority of the members present at the meeting.

The Chair or Vice Chair shall call the meeting to order at the appointed time. In the absence of the Chair and Vice Chair, the Executive Director shall call the meeting to order, whereupon a temporary Chairperson shall be elected from among the members present. If the Chair or Vice Chair arrives during the meeting, the temporary Chairperson shall relinquish the chair upon completion of the item before the Commission. If it is known prior to the meeting that both the Chair and Vice Chair will be absent, an alternate Chairperson may be appointed by the Chair to conduct the meeting in his or her absence.

Agenda Content – The Executive Director is authorized to prepare agendas based upon the issues that he believes are appropriate to accomplish the Commission's objectives. Agendas for meetings of the NCTC shall be prepared to include: Consent Items, Informational Items, Action Items, Public Comment, Commission Announcements, Schedule for Next Meeting, and Adjournment. Agenda items are placed in the order decided by the NCTC Executive Director and the Chairman. Copies of the agenda may be obtained from the NCTC website.

Agenda Submittal and Deadlines – Matters requiring action by the NCTC shall be submitted to the Executive Director no later than twenty-three days prior to the scheduled meeting date of the Commission. Submitted items shall include a memo summarizing the item (with backup information as needed) and the action being requested. Late submittals of items for the agenda will be dealt with in accordance with the Ralph M. Brown Act as it pertains to urgent items of public health and safety. Agendas and packet information shall be distributed as directed by the Commission in advance of the meeting date.

Records of Meetings – NCTC staff shall record all proceedings of every NCTC meeting. These recordings shall be transcribed into written form of official minutes that are submitted and approved by the Commission at their meeting. Minutes files will be maintained in the NCTC staff office. Recordings will be retained for a minimum of one year and are available for listening upon request at a time designated by the Executive Director in the NCTC office.

Resolutions – A resolution is a formal expression of intent of a voting body. A resolution is necessary when a finding is required to be made by the Commission. A resolution shall contain a summary of any such findings and identification of a subsequent action based upon and resulting from the findings. In lieu of entering resolutions in full into the minutes, NCTC staff shall keep a

resolution file in which all original signed resolutions shall be entered in order of their sequential identification number. A written index will be kept in the front of the folder with resolution date, number, and subject.

NCTC STAFF

Specific duties are maintained in the NCTC Personnel Policies and Procedures Manual.

Executive Director

Under the direction of the Commissioners, the Executive Director's duties shall be to plan, organize, direct, and review the activities and operations of the Commission; to implement and administer Commission policies and directives; and to provide highly responsible and complex administrative support to the Commission.

Deputy Executive Director

Under the direction of the Executive Director, the Deputy Executive Director's duties are to plan, organize, direct and review activities, resources and operations as they relate to transportation planning; to assist the Executive Director with the overall administration of the Commission; and to provide highly responsible and complex administrative support to the Executive Director and Board Commissioners.

Transportation Planner

The Transportation Planner serves under the supervision of the Executive Director and is responsible for developing and maintaining the Regional Transportation Plan, including public and interagency coordination, and the Plan's various implementation programs.

Administrative Services Officer

Under general direction of the Executive Director, the Administrative Services Officer plans, organizes, directs, and performs administrative services for the Executive Director and the Commission.

Administrative Assistant

Under general supervision of the Executive Director, the Administrative Assistant performs a variety of administrative and secretarial duties for the Commission and staff.

NCTC COMMITTEES

Technical Advisory Committee

The Technical Advisory Committee (TAC) is made up of representatives of local public works and planning departments, Caltrans District 3, public airport operators, the air pollution control district, public transit operators, and the NCTC consultant engineer on retainer. Members are assigned by staff of local jurisdictions and other participating organizations. Any decisions made or actions proposed by the TAC shall be subject to the review and approval of the NCTC.

TAC responsibilities include:

1. Provide technical input, assistance, and recommendations to the Commission to ensure there is comprehensive coordination and cooperation in the transportation planning process for Nevada County.
2. Review and comment on comprehensive regional transportation plans for the area, which include the Regional Transportation Plan (RTP), the Regional Transportation Improvement Program (RTIP), and the Overall Work Program (OWP).
3. Coordinate efforts and discussions to create and maintain circulation elements of the General Plan and specific plans of the member governments.

The Executive Director of NCTC shall act as the Chair of the TAC and he shall create and distribute meeting agendas and designate meeting locations. Regular TAC meetings are scheduled for the last Wednesday of each month, unless rescheduled or cancelled. Meeting agendas shall be posted in a public place at least 72 hours prior to a meeting, in accordance with Section 54952 of the Ralph M. Brown Act. A majority of the members of the TAC shall constitute a quorum for the transaction of business. In lieu of organized meetings, the Executive Director may choose to telephone TAC members to discuss and obtain consensus on a topic of interest, as is deemed necessary. The Executive Director shall also delegate certain duties to the NCTC Transportation Planner as it relates to the TAC.

Social Services Transportation Advisory Council

The Social Services Transportation Advisory Council (SSTAC) consists of representatives of potential transit users including the general public, seniors and/or disabled; social service providers for seniors, disabled, and persons of limited means; local consolidated transportation service agencies; and Truckee residents who represent the senior and Hispanic communities. Membership is secured by filling out an application through the NCTC office and being appointed by the Commission for a three-year term. The required establishment and makeup of the SSTAC is prescribed by the Transportation Development Act (P.U.C. Section 99238).

SSTAC responsibilities include:

1. Maintain and improve transportation services to the residents of Nevada County, particularly the elderly and disabled.
2. Review and recommend action to NCTC regarding the identification of unmet transit needs and advise the Commission on transit issues, including coordination and consolidation of specialized transportation services.

3. Provide a forum for members to share information and concerns about existing elderly and handicapped transportation resources.

In accordance with the TDA, SSTAC will meet at least once annually. Additional meetings will be called, as needed and determined, by NCTC staff or SSTAC members. The Chair and Vice-Chair of the SSTAC shall be elected by a majority of the voting members for a one year term, commencing upon the first meeting of the calendar year and terminating on January 1 of the succeeding year. The NCTC Executive Director will appoint a secretary from NCTC staff to keep minutes of SSTAC meetings, distribute meeting notices and agendas, keep track of members termination dates, provide assistance in the reappointment process, and advertise for vacant positions in the local newspaper. Meeting agendas shall be posted in a public place at least 72 hours prior to an SSTAC meeting, pursuant to Section 54952 of the Ralph M. Brown Act.

Regional Transportation Mitigation Fee (RTMF) Executive Committee

The RTMF Executive Committee shall be comprised of one member on the NCTC representing Nevada County, the City of Grass Valley, and Nevada City.

The RTMF Executive Committee shall be responsible for the following:

1. Review and act upon recommendations for project selection and prioritization of projects in the RTMF Capital Improvement Program (CIP), Strategic Plan, and the Transportation Improvement Program (TIP). The RTMF Executive Committee has final authority.
2. Review and consider recommendations on projects from the Administrative Committee and the NCTC TAC.
3. Approve the Administrative Plan and any subsequent amendments thereto.
4. Recommend changes to the program for consideration by participating jurisdictions.

All actions must be approved by all three members in order to be in force. If there is a dispute regarding project prioritization of a specific project and a consensus cannot be reached, that project shall be tabled until such time as new information is presented and the matter can be resolved. In developing recommendations on RTMF projects for consideration by the Executive Committee, NCTC staff and TAC shall work to coordinate compatibility with local project priorities and schedules of area transportation improvements.

RTMF Administrative Committee

The RTMF Administrative Committee is comprised of the NCTC's Executive Director and the chief administrative officer, public works director or designee from the three participating jurisdictions of the RTMF Program: Nevada County, City of Grass Valley, and Nevada City.

The Administrative Committee shall be responsible to:

1. Develop objective criteria for RTMF project selection and prioritization, including: traffic safety issues potentially created by growth, regional significance, availability of matching funds, mitigation of congestion created by new development, system continuity, geographic balance, project readiness, and completed projects with reimbursement agreements.
2. Provide additional assistance to the RTMF Program as requested by the Executive Committee and/or the NCTC TAC.

3. Prepare the Strategic Plan.
4. Prepare the Five-Year TIP, which is reviewed annually.
5. Review and recommend changes in project priorities to the NCTC TAC and Executive Committee.
6. Select a lead agency for each of the projects in the CIP.
7. Review the Annual Report prepared by NCTC.
8. Review and revise the Regional System as may be necessary, a minimum of every five years.
9. Review and revise Project Cost Estimates for the Regional System projects as necessary, a minimum of every five years.

Ad Hoc Committees

NCTC may form advisory Ad Hoc Committees or participate on committees created by other entities, as it deems necessary.

MEMBERSHIP IN OTHER ORGANIZATIONS

Nevada County Economic Resource Council (NCERC)

The NCERC is a nonprofit economic development corporation. As a public/private partnership comprised of business, government, and education it represents the county's best efforts to support local job creation and economic opportunity. The NCERC serves as a central point of contact for employers requiring assistance in business endeavors. While the NCERC works on broad and overarching issues dealing with infrastructure, tax revenue generation, and the workforce, its principal focus is on how to help individual businesses prosper. The NCERC mission centers around three principal programs: existing industry retention and expansion; targeting new industry attraction; and creation of new business.

NCTC decided to become a member of the NCERC based on the nexus between transportation and economic development. At its November 15, 2006 meeting, the NCTC adopted Resolution 06-34 authorizing participation on the NCERC Board of Directors. To avoid an overlap of representation on the NCERC by member agencies, it was agreed an At-Large NCTC Commissioner would be appointed as primary representative and alternate. At the June 17, 2009 NCTC meeting, Resolution 09-20 was adopted to continue participation on the NCERC Board. The Commission requested a review of the usefulness of the position in six months. On January 20, 2010 the Commission determined it was beneficial to continue membership on the NCERC Board and adopted Resolution 10-05. The NCTC representative reports on the status of current and future transportation projects at the NCERC regular meetings.

Meetings of the NCERC are held the first Thursday of each month (excluding July). The appointed representative will serve a two-year term or until a successor is selected by NCTC. NCTC pays \$1,000 per year for membership.

Rural Counties Task Force (RCTF)

The RCTF was formed in 1988 as a joint effort between the California Transportation Commission and the rural counties that are represented by Regional Transportation Planning Agencies (RTPAs). The purpose of the RCTF is to ensure rural counties are informed, have a voice, and are actively engaged as decisions are made regarding statewide transportation policies and programs.

Meetings of the RCTF are held on the third or fourth Fridays of odd numbered months. Voluntary dues are utilized to offset the costs incurred by officers attending CTC meetings and other meetings statewide representing the rural RTPAs. Dues are based on Rural Planning Assistance Allocations. NCTC pays \$2,000 per year for membership.

California Association for Coordinated Transportation (CalACT)

CalACT is a statewide, non-profit organization with over 300 members dedicated to promoting professional excellence, stimulating ideas, and advocating for effective community transportation. CalACT is the largest state transit association in the United States. They support local efforts to increase revenue for public transportation. CalACT is governed by a member-elected Board of Directors, who volunteer their time and expertise, and is managed by staff according to an adopted set of bylaws and business plan.

Membership is comprised of individuals and agencies from diverse facets of transportation, including large and small transit and paratransit operators, social service organizations, planning and government agencies, suppliers/commercial vendors, and consultants. A CalACT membership provides the NCTC with opportunities to network with peer organizations, attend educational conferences at special membership rates, participate in CalACT Legislative Mobilization efforts, and provides eligibility for scholarships and other services provided through the Rural Transit Assistance Program (RTAP). NCTC pays \$560 annually for membership.

Truckee-North Tahoe Transportation Management Association (TNT/TMA)

Founded in 1990, the TNT/TMA is a public-private nonprofit organization dedicated to developing innovative transportation and air quality solutions in the North Lake Tahoe - Truckee Resort Triangle, which includes parts of Nevada and Placer Counties in California and Washoe County in Nevada. Its Board of Directors consists of business and citizen representatives from North Lake Tahoe, Truckee, and Incline Village; and government representatives from the Town of Truckee, Nevada County, Placer County, Washoe County, Nevada County Transportation Commission, Placer County Transportation Planning Agency, and the Tahoe Regional Planning Agency. The TNT/TMA focuses on community mobility and transit services as fundamental elements of maintaining the economic and environmental health of the area. Coordination with and between Caltrans, the State of Nevada Department of Transportation, and local agencies is an important function of the TNT/TMA.

TMA meetings are on the first Thursday of each month and are open to the public. Membership dues for the NCTC are \$4,125.00 annually.

North State Super Region (NSSR)

In 2010, regional transportation planning agencies in sixteen North State counties (Butte, Colusa, Del Norte, Glenn, Humboldt, Lake, Lassen, Mendocino, Modoc, Nevada, Plumas, Sierra, Siskiyou, Shasta, Tehama, and Trinity) formed an alliance called the North State Super Region. The goals of the NSSR are:

- To collaborate on endorsement of projects, share resources and information, and bring political attention to the needs of the area, including interregional roads, transit, and goods movement
- To unite as a larger voice to influence state and federal policy and funding priorities
- To coordinate compliance with state and federal requirements, including blueprint planning and air quality regulation
- To share and generate innovative ideas for project delivery and funding, among others

Infrastructure investment and transportation funding are identified as some of the most difficult policy issues facing California today. New funding for transportation is focused on portions of the state with the most population and economic vitality. Therefore, rural counties struggle to fund necessary transportation improvements in economically depressed and often geographically challenging areas.

The North State Super Region is a unique region that has opportunities and challenges not seen elsewhere in California. The following statistics highlight the uniqueness of the North State:

- Total land area: 42,620 square miles totaling 26% of California
- Has 37% of California's state and federal roads

- Total population: 1,044,002 (2008 U.S. Census data)

On NSSR website, these figures are from 2010 white paper, which has not been updated. Participation in the North State Super Region is voluntary and there are no membership dues. Biannual meetings are held in the spring and fall and additional meetings are held as needed to deal with current issues.

OVERALL WORK PROGRAM

The Annual Overall Work Program (OWP) includes the administrative and transportation planning activities and budgets for the work to be performed by the NCTC each fiscal year (July 1 through June 30) in accordance with Public Utilities Code Section 99233.1 and California Administrative Code Section 6617. The PUC states that NCTC shall be allocated funds to administer the Transportation Development Act (TDA); therefore, NCTC adopts an annual Administrative Budget. PUC Section 99233.2 provides that the NCTC may approve up to 3% of the annual Local Transportation Fund (LTF) revenues for transportation planning and programming included in the OWP work elements.

The OWP is submitted to the NCTC for approval in May of each year. Prior to NCTC review and approval, the draft OWP is submitted to Caltrans and NCTC member agencies for comment.

NCTC FINANCES

The Executive Director is responsible for administration of NCTC finances. The Executive Director has designated the Administrative Services Officer to maintain QuickBooks software to account for all fiscal operations of NCTC. The Executive Director provides the NCTC with regular reports on the funds held by the agency.

Under the requirements of the Transportation Development Act (TDA), fiscal and compliance audits of NCTC held funds and those of all TDA claimants must be completed annually. Also, a triennial performance audit must be performed on NCTC and on operators of public transportation systems to evaluate the efficiency, effectiveness, and economy of the operation of the entity being audited. Detailed information on fiscal policies is included in the Nevada County Transportation Commission Fiscal Manual.

TRANSPORTATION DEVELOPMENT ACT FUNDS

The Transportation Development Act (TDA) was established in 1971 by the State of California and provides a major source of funding for public transportation and transit projects. The TDA creates a Local Transportation Fund (LTF) and a State Transit Assistance (STA) fund. The LTF and STA funds comprise what is referred to as TDA funds.

LTF revenues are derived from one-quarter cent of the state retail sales tax collected statewide, which is then returned from the State Board of Equalization to the county of its origin. STA revenues from the excise tax on gasoline and diesel fuel are appropriated to the State Controller's Office by the Legislature for allocation to transit operators by regional transportation planning agencies.

HOW LOCAL AGENCIES GET TDA FUNDS

NCTC is the administrator of TDA funds, which includes the activities of apportionment, allocation, and payment of those funds. Apportionment consists of dividing the available revenues among the cities, the town, and the county based on population. Once apportionments are adopted, the various applicants can file claims with NCTC for specific amounts and purposes, as defined in the TDA statutes and regulations, and under NCTC's administrative procedures. Once a claim is approved, allocation instructions are transmitted from the Executive Director of NCTC to the Nevada County Auditor-Controller and payments are made according to the terms in the instructions established in the NCTC Resolution. The TDA manual contains sections from the Public Utilities Code (PUC) and California Codes of Regulations (CCR) and can be found on the internet at: http://dot.ca.gov/drmt/docs/tda/TDA_07-2018.pdf.

Definitions

Apportionment - That proportion of the total annual estimated LTF revenue to be received in the fund that the population of the area bears to the total population of the county. Apportionment of STA funds is described later in this section.

Allocation - The approval of a claim by the NCTC setting apart monies in the LTF for a claimant for the purpose authorized under the TDA.

Claim - A proposed expenditure of LTF or STA funds by a claimant for a specific project or purpose, which conforms to requirements of the TDA and applicable rules and regulations as revised. This claim is eventually approved, modified, or disapproved in whole or in part by NCTC.

Claimant - An incorporated area (city or town), county, operator, or consolidated transportation service agency within Nevada County. A claimant may not always be an operator, i.e. the cities contributing their share for operations of Gold Country Stage or the Town of Truckee.

Community Transit Services Funds - May be used for transportation services which link intra-community origins and destinations. May be used for services for persons with disabilities who are unable to use conventional transit.

Fiscal Year - Reference to the year commencing July 1st and ending June 30th.

Fund - Refers to either of the two sources of TDA monies and other resources held separately in trust in the Nevada County Treasury.

Operator - Nevada County, who operates a public transportation system, the Gold Country Stage. An operator can also be a claimant. The Town of Truckee contracts provision of its transit services and is therefore considered to be a claimant.

Regional Transportation Planning Agency (RTPA) - NCTC is the RTPA for Nevada County for purposes of the administration of the TDA rules and regulations.

FINDINGS OF APPORTIONMENT FOR LTF

Prior to March 1 of each year, NCTC staff transmits Findings of Apportionment to the jurisdictions indicating LTF available for the ensuing fiscal year. The Findings of Apportionment are determined from the Nevada County Auditor's estimate of LTF, less those funds allocated for Administrative and Planning Services, Pedestrian and Bicycle projects, and Community Transit Services. The funds are apportioned according to the percentage of population that each applicant's jurisdiction bears to the total population of the county. Once apportionments are adopted at the March NCTC meeting, applicants can then file claims with NCTC for the next fiscal year.

Apportionment of LTF

Apportionments, per the TDA, must be made according to specific priorities:

1. To NCTC, such sums necessary to perform administrative duties assigned under the TDA.
2. To NCTC, in accordance with TDA Statute 99233.2, sufficient funds of up to three percent of the annual revenues for the conduct of the transportation planning and programming process.
3. In accordance with TDA Statute 99233.3, NCTC may apportion up to two percent of the remaining LTF, after allocation of administration and planning, for allocation to Grass Valley, Nevada City, Nevada County, and the Town of Truckee for the exclusive use of Pedestrian and Bicycle Facilities. Five percent of the amount made available to the cities, town, and county may be expended to supplement monies from other sources to fund bicycle safety education programs.

NCTC has discretion over allocation of monies in the NCTC Pedestrian and Bicycle Fund Account. It was determined that these funds will be divided into "annual bid targets" by dividing the annual revenues and interest into four equal parts for allocation to the two cities, the town, and the county.

4. Five percent of the remaining monies are then available for Community Transit Service claims by claimants, i.e. the Town of Truckee, and the Consolidated Transportation Service Agency (CTSA), Nevada County. However, NCTC may determine that such available funds would be better utilized for claims made for support of public transportation systems.
5. Local Transportation Funds are then apportioned by dividing the available revenues among the cities and the county based on population. NCTC staff uses population estimates prepared

by the California Department of Finance each May. An example of the Findings of Apportionment according to specific priorities in the TDA is shown below.

Example of Findings of Apportionment

FY 18/19
Reso 19-03

Sales and Use Tax - Estimate from County Auditor	\$3,871,886
Interest	\$40,000
Total Estimated Revenue for Fiscal Year	\$3,911,886
TDA Administration	\$360,000
Planning = 3% of Sales & Use Tax	\$117,357
Total Admin & Planning-NCTC Budget	\$477,357
Subtotal	\$3,434,529
Ped & Bike =2%	\$68,691
Subtotal	\$3,365,839
Community Transit Svc Allocations=5%	\$168,292
Available for Apportionment	\$3,197,547

	Population	% of Total	Apportionment
Nevada County	66,207	66.77%	\$2,135,041
Grass Valley	13,041	13.15%	\$420,546
Nevada City	3,226	3.25%	\$104,032
Truckee	<u>16,681</u>	<u>16.82%</u>	<u>\$537,928</u>
	99,155	100%	\$3,197,547

APPORTIONMENT OF STA FUNDS

The State Controller allocates STA funds to NCTC based on PUC Sections 99313 and 99314. Under Section 99313, NCTC receives funding based on the ratio of the population of Nevada County to the total population of the state. Under Section 99314, NCTC receives funding based on the ratio of the total revenue of the "operators" in Nevada County during the prior fiscal year to the total revenue of all the operators in the state during the prior fiscal year (Example see Figure 1 below).

**Figure 1:
State Transit Assistance Allocations FY17/18**

Agency	% Population	STA 99313 Regional (Population Revenue)	STA 99314 (Operator Revenue)	Total STA
Truckee	16.09%	\$94,315	\$10,138	\$104,453
Nevada County (incl. Grass Valley, Nevada City, and County)	83.91%	\$491,859	\$18,910	\$510,769
Total	100%	\$586,174	\$29,048	\$615,222

During FY 18/19, NCTC retained Michael Baker International to conduct a study to determine if NCTC’s distribution policies provided an equitable amount of funding to each transit service in the region. Michael Baker International analyzed factors such as demographics, financial data and operating data for each of the operators and noted in their report, “In general, defining funding equity is a challenge and is interpreted differently, in consideration of various metrics used, including sales tax generation by jurisdiction, transit dependent populations in western and eastern Nevada County, and relative transit operating efficiencies.” After reviewing the analysis prepared by Michael Baker International, a Project Advisory Committee acknowledged that, when Local Transportation Fund (LTF) and State Transit Assistance (STA) funding allocations are considered based on a strict return-to-source formula (revenue generated by jurisdiction), Truckee generates a greater percent of sales tax versus the percent of population that is the basis of LTF allocations amongst the jurisdictions. Western Nevada County has a higher percent of transit dependent population versus the percent of total population used as the basis for allocations, and historically has stronger cost/efficiency metrics. All of these measures are important considerations in meeting the goal of equitable distribution and allocation of transit funding.

In response to the study findings, on March 20, 2019, NCTC approved the following priorities that have been developed to facilitate equitable distribution and allocation of transit funding:

Priority 1: Existing Services: Based on a review of operating and performance data, consistent with California Code of Regulations Section 6634, *Eligibility for Funds*, NCTC’s first priority for allocation of transit funding will be the continuation of existing services and funding capital needs identified in approved transit development plans.

Priority 2: Service Expansion: A transit operator may request operating and capital funding to establish new routes, extend existing routes, or implement new types of transportation services. In evaluating these claims, NCTC will consider sustainability and performance data for the proposed services included in approved transit development plans and review the eligibility of the claims in accordance with the provisions of the Transportation Development Act.

Annual allocations by NCTC will consider demographic factors that reflect service need, such as relative population of transit dependent riders. Performance and efficiency metrics will also be considered (see PUC 99314.6 eligibility standards) as they correlate with the ability to provide increased services for a given funding amount. Each year at the commencement of the budget/claims process (February 1st, or as soon as possible thereafter), NCTC staff will meet with the staff of the two transit operators to discuss service plans, capital purchases, and planned FTA 5311 and LTF/STA claims for the ensuing year. This coordination will ensure that provision of existing services and planned service enhancements/expansions are taken into consideration. NCTC expects to receive claims for services and capital purchases that reflect what was discussed and agreed to in the pre-budget/claims meeting.

After the above considerations, annually, concurrent with the development of transit budgets and claims for the ensuing fiscal year, NCTC will utilize data from the California Board of Equalization to determine the sales tax generated by jurisdiction (see Figure 2).

**Figure 2:
FY 17/18 Sales Tax Percentages**

	⁽³⁾ County Share	Town Share	Total
⁽¹⁾ FY 17/18 Bradley Burns Sales Tax Generated by Jurisdiction	\$9,923,745	4,250,611	\$14,174,356
⁽²⁾ Percent of Total Sales Tax Revenue Generated by Jurisdiction (Return to Source)	70%	30%	100%

- (1) Source: CA Board of Equalization and CA Dept. of Tax and Fee Administration, Quarterly Allocation Summary of Bradley Burns Local Tax, allocation period 3rd & 4th quarters 2017 and 1st & 2nd quarters 2018.
 (2) Calculation of percentage of sales tax generated by jurisdiction countywide.
 (3) County Share includes Grass Valley, Nevada City, and Nevada County.

Next, a comparison between LTF apportionments based on population (as required by statute) and an estimated apportionment based on the percentage of sales tax revenue generated by jurisdiction will be developed (see Figure 3).

**Figure 3:
Applying FY 17/18 LTF Apportionment Analysis Percentages to FY 19/20 LTF Estimated Revenue**

	County Share	Town Share	Total
⁽⁴⁾ FY 19/20 Estimated Apportionment (Based on Population)	\$2,693,105	\$544,701	\$3,237,806
FY 19/20 LTF Return to Source Estimated Apportionment based on FY 17/18% of Total Sales Tax Revenue Generated by Jurisdiction (Table Above)	\$2,266,852	\$970,954	\$3,237,806
Difference of LTF Population Based vs Return to Source Apportionments	\$426,253	(\$426,253)	\$0

- (4) Source: Nevada County Transportation Commission Draft Resolution 19-04, Preliminary Findings of Apportionment for Fiscal Year 2019/20.

The difference between the LTF Population Based and the Return to Source based apportionments is used to identify the STA Preliminary Estimated Apportionments as shown in Figure 4: Applying FY 19/20 LTF Apportionment Analysis to FY 19/20 STA Estimated Revenue.

**Figure 4:
Applying FY 19/20 LTF Apportionment Analysis
to FY 19/20 STA Estimated Revenue**

		County Share	Town Share	Total
1	⁽⁵⁾ FY 19/20 STA (99313) Preliminary Estimated Apportionment (Based on	\$437,565	\$88,481	\$526,046
2	⁽⁵⁾ FY 19/20 STA (99314) Preliminary Estimated Apportionment (Based on	\$31,898	\$12,610	\$44,508
3	⁽⁵⁾ FY 19/20 New SB1 (6051.8) Revenue Preliminary Estimate (Apportioned by Population)	\$362,705	\$73,343	\$436,048
	<i>Subtotal STA</i>	\$832,168	\$174,434	\$1,006,602
4	FY 19/20 STA Adjustment	-\$426,253	\$426,253	\$0
5	FY 19/20 STA Total Preliminary Estimated Apportionment (County's Share of Standard STA remains whole and consistent with prior years' apportionment methodology while funding Truckee's shortfall in LTF using the New SB1 revenue source)	\$405,915	\$600,687	\$1,006,602

- (5) Source: Nevada County Transportation Commission. January 31, 2019 California State Controllers 2019-20 STA Allocation Preliminary Estimate.

In approving the annual transit claims the “STA Adjustment” (line 4) will be taken into consideration by NCTC. To ensure that NCTC’s first priority, continuation of existing services and funding capital needs identified in approved transit development plans is achieved, the actual amount of the annual allocations by NCTC will be based on claims submitted and the evaluation of regional priorities and regional needs (see PUC 99314.6) and could be more or less than the “STA Total Preliminary Estimated Apportionment” (line 5) amount.

TDA CLAIM PROCESS

Claims for LTF funds may be submitted by Nevada County, Grass Valley, Nevada City, and the Town of Truckee for the following purposes: Pedestrian/bicycle facilities, community transit services, public transportation services, and local streets and roads projects.

In accordance with TDA requirements, prior to making any allocation of LTF for streets and roads purposes, NCTC would be required to do the following:

1. Consult with the SSTAC to identify any unmet transit needs.
2. Conduct an annual public hearing for the purpose of receiving testimony on unmet transit needs.
3. Prepare a Transit Needs Assessment that analyzes the unmet transit needs identified and make a recommendation as to whether the identified unmet transit needs are reasonable to meet.
4. Solicit a recommendation from the SSTAC regarding the findings in Transit Needs Assessment.
5. Adopt a finding as to whether there are any unmet transit needs that are reasonable to meet. This finding can state either that there are no unmet transit needs; that there are no unmet transit needs that are reasonable to meet; or that there are unmet transit needs, including needs that are reasonable to meet. If NCTC adopts a finding that there are unmet transit needs that are reasonable meet, then the specified unmet transit needs are required to be funded before any LTF allocation is made for streets and roads purposes.
6. Once an unmet transit needs finding is made by NCTC, the Transit Needs Assessment, supporting documentation, and resolution adopting the unmet transit needs finding is sent to the Caltrans Department of Mass Transportation within 30 days of the decision.

After acknowledgement by the Caltrans Department of Mass Transportation of receipt of NCTC’s documentation of their finding, NCTC may allocate LTF funds for local streets and roads purposes. The allocation for streets and roads purposes cannot become effective until 20 days after acknowledgement of receipt by Caltrans. LTF funds can be allocated to the claimant in three ways: NCTC may allocate some or all for transit purposes; for road, streets, and other related purposes; or to be held in reserve in the LTF fund. Priorities for allocations of TDA funds are state mandated and are detailed in PUC Sections 99233.1 through 99233.9.

Claims for STA funds may be submitted for community transit services (PUC 99275) and public transportation services (99400(b), (c), (d), (e)).

TDA CLAIM PROCEDURES

General Claim Requirements

Any applicant planning to expend TDA funds for transit or non-transit purposes shall submit a claim or claims and supporting documents to the NCTC Executive Director 30 days prior to the date of the next scheduled NCTC meeting. Claims shall include the amount of TDA funds being requested, the fiscal year for which the funds are planned to be expended, the purpose for which the claim is made, and the article and section of the TDA that authorizes such claims. The amount of the claim, or sum total of all transit and non-transit claims, submitted by an applicant shall not exceed the Auditor's Finding of Apportionment for that applicant, plus any remaining funds from prior fiscal years.

Transit agencies will utilize LTF apportionments as the first source of funding for existing services or service expansions. If an agency's apportionment of LTF is not sufficient to fund continuation of existing transit services, capital needs, or service expansions identified in an approved transit development plan, the agency may submit a claim for STA. Claims for STA funds by agencies holding unused allocations or unclaimed balances of LTF from prior years will not be considered.

Prior to submitting a claim for STA Section 99313 funds:

- Agencies are to claim available LTF balances, excluding an amount established as an appropriate operating/capital reserve (an amount equal to six months of operating cost).
- Agencies are to budget unearned LTF revenue.
- Agencies are to claim current year LTF apportionments.

When a claim is received by NCTC staff, it is reviewed for completeness, accuracy, and compliance with the applicable rules and regulations. Any questions are usually discussed between the applicant submitting the claim and NCTC staff before the claim is presented to the NCTC for approval by resolution. Funds are paid to the claimant as directed in the approving resolution.

LTF/STA Claim for Transit and/or Paratransit Operations or for Capital Projects

An operator or transit service claimant shall submit a claim form for transit and/or paratransit operations, or for capital projects pursuant to PUC 99260 or 99400. For responsibilities of operators/claimant see CCR Sections 6630-6637 and 6730-6734. Eligibility for STA funds is subject to standards set forth in PUC 99314.6, specifically noting the following:

1. Funds shall be allocated for operating or capital purposes if the operator meets either of the following efficiency standards:
 - a. If the operator's total operating cost per revenue vehicle hour in the latest year for which audited data are available does not exceed the sum of the preceding year's total operating cost per revenue vehicle hour and an amount equal to the product of the percentage change in the Consumer Price Index for the same period multiplied by the preceding year's total operating cost per revenue vehicle hour.

- b. If the operator’s average total operating cost per revenue vehicle hour in the latest three years for which audited data are available does not exceed the sum of the average of the total operating cost per revenue vehicle hour in the three years preceding the latest year for which audited data are available and an amount equal to the product of the average percentage change in the Consumer Price Index for the same period multiplied by the average total operating cost per revenue vehicle hour in the same three years.
2. If an operator does not meet either efficiency standard, the portion of the allocation that the operator may use for operations shall be the total allocation to the operator reduced by the lowest percentage by which the operator’s total operation cost per revenue vehicle hour for the applicable year or three-year period exceeded the target amount necessary to meet the applicable efficiency standard. The remaining portion of the operator’s allocation shall be used only for capital purposes.
3. The transportation planning agency shall adjust the calculation of operating costs and revenue vehicle hours to account for either or both of the following factors:
 - a. Exclusion of cost increases beyond the change in the Consumer Price Index for fuel; alternative fuel programs; power, including electricity; insurance premiums and payments in settlement of claims arising out of the operator’s liability; or state or federal mandates, including the additional operating costs required to provide comparable complementary paratransit service.
 - b. Exclusion of startup costs for new services for a period of not more than two years.

Supporting documents to be submitted with the LTF/STA **Operations** Claim Form:

1. A budget or proposed budget for the fiscal year of the claim and a signed resolution by the board or council approving the budget or submission of the claim.
2. Statement identifying the reason or need for an increase in the operating budget in excess of 15 percent above the previous year.
3. Certification by CHP of compliance with Section 1808.1 of the California Vehicle Code (CVC), as required by PUC Section 99251.
4. Completed Standard Assurances by Claimant, as applicable.
5. Statement that the proposed expenditure is in conformity with the Regional Transportation Plan.
6. Statement of the estimated amount of maximum eligibility of LTF and STA funds per Section 6634(a). No operator or transit service claimant shall be eligible to receive monies during the fiscal year for which the claim is filed for operating costs (excludes principal and interest payments on capital projects funded with certificates of participation) in an amount that exceeds its actual operating cost (including payments for disposition of claims arising out of the operator's liability) in the fiscal year, less the sum of the following amounts:
 - a. The actual or estimated amount of fare revenues received during the current fiscal year;
 - b. The amount of fare revenues/local support needed to achieve a fare recovery ratio of 10 percent (“local funds” mean any nonfederal or nonstate grant funds or other revenues generated by, or distributed to an operator);

- c. The amount of federal operating assistance received or estimated to be received during the fiscal year;
- d. The amount received or estimated to be received during the fiscal year from a city or county to which the operator provides service beyond its boundaries.
- e. Statement signed by the chief financial officer of the claimant attesting to the statements in a. through d. above as reasonable and accurate.

Supporting documents to be submitted with the LTF/STA **Capital Project(s)** Claim Form:

- 1. A budget or proposed budget for the fiscal year of the claim and a signed resolution by the board or council approving the budget or submission of the claim.
- 2. Statement identifying the reason or need for an increase in the operating budget in excess of 15 percent above the previous year.
- 3. Certification by CHP of compliance with Section 1808.1 of the California Vehicle Code as required by PUC Section 99251.
- 4. Completed Standard Assurances by Claimant, as applicable.
- 5. Statement that the proposed expenditure is in conformity with the Regional Transportation Plan.
- 6. Statement of the estimated amount of maximum eligibility of LTF and STA funds per Section 6634(c) and 6634(e). No operator or transit service claimant shall be eligible to receive TDA funds for capital projects in an amount that exceeds actual costs less the revenues for the same purposes from other funding sources.
 - a. Statement signed by the chief financial officer of the claimant attesting to the statement above as reasonable and accurate (also see Standard Assurances by Claimant Form, pg. 38).

LTF Claim for Pedestrian and Bicycle Facilities

In November 2008 NCTC adopted Resolution 08-39 establishing rules and regulations regarding Pedestrian and Bicycle funding and stated that the funds shall be allocated in accordance with requirements described in PUC Section 99234, Claims for Pedestrian and Bicycle Facilities.

NCTC's Rules and Regulations for Use of TDA Article 3 - Pedestrian and Bicycle Facilities Funding in Priority Order:

- 1. Projects shall be:
 - a. Included in an adopted Bicycle Transportation Plan, Non-Motorized Transportation Plan, Transit Plan, or Pedestrian Plan, as applicable.
 - b. Endorsed by a council or board, as applicable.
- 2. The primary use of this fund source shall be as matching funds for projects that are either grant-funded or have a significant contribution by a local agency, i.e. Bicycle Transportation Account funding or other fund source.

3. The funding may be used to augment ongoing construction projects, i.e. a road rehabilitation or construction project that requires additional funding for bicycle/pedestrian facilities or signage.
4. The funding may be used for minor bicycle and pedestrian projects as follows:
 - a. Installation of bicycle racks or lockers.
 - b. Installation of bicycle and pedestrian signage for bicycle routes, school zones, and park-and-ride lots.
 - c. Crosswalk striping, pedestrian refuges, minor bicycle lane striping.
 - d. Maintenance of existing bicycle or pedestrian facilities.
5. Up to five percent of the annual apportionment of bicycle and pedestrian funding may be used to supplement monies from other sources to fund bicycle safety education programs (see PUC 99233.3).

It is NCTC's policy not to allocate funds to Pedestrian/Bicycle projects costing less than \$300.

Supporting documents to be submitted with the **Pedestrian/Bicycle** Claim Form:

1. Statement describing the project and its cost.
2. Statement attesting that a good faith effort was made to involve all interested parties and public comment was invited and considered.
3. Statement that the proposed project is included in an adopted Bicycle Transportation Plan, Non-Motorized Transportation Plan, Transit Plan, or Pedestrian Plan and is in conformity with the Regional Transportation Plan
4. A map of the project no larger than 8.5 inches x 11 inches.
5. Completed *Standard Assurances by Claimant*, as applicable
6. A signed copy of the resolution by the board or council approving the claim.

CTS Claim for Operations and Capital Projects

A claimant or a CTSA, i.e. Nevada County or the Town of Truckee, may claim Community Transit Services (CTS) funds under Article 4.5, Section 99275. These funds can be used to provide intracommunity public transit/paratransit services or can be used for transportation services which are used exclusively by elderly and handicapped persons. NCTC establishes bid targets for each jurisdiction based on its pro rata portion of the countywide population and notifies the jurisdictions of its share. However, NCTC has discretion in allocating CTS funds and may award an agency more or less than its bid target in order to fund high priority regional projects.

Supporting documents to be submitted for all CTS Claims:

1. Statement attesting that the agency is responding to a transportation need currently not being met in the community of the claimant.
2. Statement that the service shall be integrated with existing transit services, if appropriate.
3. Statement that the agency has prepared an estimate of revenues, operating costs, and patronage.

4. Statement attesting that the agency is in compliance with rural requirements set in the TDA for fare recovery ratio of 10 percent.
5. Statement that the agency is in compliance with PUC Sections 99155 and 99155.5.
6. Statement attesting that the agency has met with the other agencies eligible to claim CTS funds and all agree upon the amount of funds being requested.

Additional supporting documentation to be submitted with the CTS Claim Form for Capital Projects:

1. Statement of the estimated amount of maximum eligibility of TDA funds pursuant to Section 6634(e). No claimant is eligible to receive TDA funds in an amount that exceeds its actual expenditures for purchase of vehicles, communications, and data processing equipment essential to providing, consolidating, and coordinating social service transportation.

Additional documentation to be submitted with the CTS Claim Form for Operations Projects:

1. A budget or proposed budget for the fiscal year of the claim and a signed resolution by the board or council approving the budget or submission of the claim.
2. Statement identifying the reason or need for an increase in the operating budget in excess of 15 percent above the previous year.
3. Certification by CHP of compliance with Section 1808.1 of the California Vehicle Code as required by PUC Section 99251.
4. Completed Standard Assurances by Claimant, as applicable.
5. Statement that the proposed expenditure is in conformity with the Regional Transportation Plan.
6. Statement of the estimated amount of maximum eligibility. No operator or transit service claimant shall be eligible to receive monies during the fiscal year for which the claim is filed for operating costs in an amount that exceeds its actual operating cost, including payments for disposition of claims arising out of the operator's liability, in the fiscal year, less the sum of the following amounts:
 - a. The actual or estimated amount of fare revenues received during the current fiscal year;
 - b. The amount of fare revenues/local support needed to achieve a fare recovery ratio of 10 percent;
 - c. The amount of federal operating assistance received or estimated to be received during the fiscal year;
 - d. The amount received or estimated to be received during the fiscal year from a city or county to which the operator provides service beyond its boundaries.
 - e. Statement signed by the chief financial officer of the claimant attesting to the statements in a. through d. above as reasonable and accurate.

LTF Claim for Streets and Roads Projects

A claim may be filed by the cities, the town, and the county for local streets and roads projects pursuant to PUC Section 99402. Claims may be submitted to NCTC only after the unmet transit needs process has been completed and it has been determined that funds are available.

Supporting documents to include with the LTF Claim Form for **Streets and Roads Projects**:

1. Statement describing the project and its cost.
2. Statement attesting that a good faith effort was made to involve all interested parties and public comment was invited and considered.
3. Statement that the proposed project is consistent with adopted plans and programs and is in conformity with the Regional Transportation Plan.
4. A map of the project no larger than 8.5 x 11 inches.
5. Completed Standard Assurances by Claimant, as applicable.
6. A signed copy of the resolution by the board or council approving the claim.

ALLOCATION

NCTC shall review each claim for TDA funds, and if it finds all submitted documentation and certifications to be in accordance with the applicable statutes and regulations of the Transportation Development Act and its own rules, it shall approve the claim. Approval of the claim shall be evidenced by a resolution, and the funds are said to be “allocated” for the specific amount(s) and purpose(s) as noted in the claim.

The following criteria have been developed to facilitate equitable distribution and allocation of transit funding:

Priority 1: Existing Services: Based on a review of operating and performance data, consistent with California Code of Regulations Section 6634, *Eligibility for Funds*, NCTC’s first priority for allocation of transit funding will be the continuation of existing services and funding capital needs identified in approved transit development plans.

Priority 2: Service Expansion: A transit operator may request operating and capital funding to establish new routes, extend existing routes, or implement new types of transportation services. In evaluating these claims, NCTC will consider sustainability and performance data for the proposed services included in approved transit development plans and review the eligibility of the claims in accordance with the provisions of the Transportation Development Act.

PAYMENT

In connection with the approval of any claim or amended claim, the NCTC Executive Director will complete an allocation instruction for each claim approved by the NCTC and transmit it to the County Auditor. Allocations made to an applicant for purposes authorized under different sections of the TDA shall be identified separately. Each allocation instruction shall include the date of the instruction and shall designate the fiscal year for which the allocation is made, the section of the

TDA under which the allocation is authorized, the amount allocated, and the terms of payment. Allocation instructions shall be accompanied by a copy of the corresponding signed resolution.

Included in the next section are the TDA claim form, Claim Checklists, and the Standard Assurances by Claimant form, which are to be submitted with the claim. Electronic copies are available by contacting NCTC staff.

LOCAL TRANSPORTATION FUND (LTF) / STATE TRANSIT ASSISTANCE (STA) FUND OPERATIONS CLAIM CHECKLIST

An operator or transit service claimant shall submit a claim form for transit and/or paratransit operations pursuant to PUC 99260 or 99400. For responsibilities of operators/claimant see CCR Sections 6630-6637 and 6730-6734. Supporting documents to be submitted with the LTF/STA operations claim form include:

- A budget or proposed budget for the fiscal year of the claim. Also, a signed resolution by the board or council approving the budget or submission of the claim.
- Statement identifying the reason or need for an increase in the operating budget in excess of 15 percent above the previous year.
- Certification by CHP of compliance with Section 1808.1 of the California Vehicle Code, as required by PUC Section 99251.
- Completed Standard Assurances by Claimant, as applicable.
- Statement that the proposed expenditure is in conformity with the Regional Transportation Plan.
- Statement of the estimated amount of maximum eligibility of LTF and STA funds per Section 6634(a). No operator or transit service claimant shall be eligible to receive monies during the fiscal year for which the claim is filed for operating costs in an amount that exceeds its actual operating cost (including payments for disposition of claims arising out of the operator's liability) in the fiscal year, less the sum of the following amounts:
 - a. The actual or estimated amount of fare revenues received during the current fiscal year;
 - b. The amount of fare revenues/local support needed to achieve a fare recovery ratio of 10 percent;
 - c. The amount of federal operating assistance received or estimated to be received during the fiscal year;
 - d. The amount received or estimated to be received during the fiscal year from a city or county to which the operator provides service beyond its boundaries;
 - e. Statement signed by the chief financial officer of the claimant attesting to the statements in a. through d. above as reasonable and accurate.
- Completed Operator Performance Table for previous fiscal year.

**LOCAL TRANSPORTATION FUND (LTF) /
STATE TRANSIT ASSISTANCE (STA)
FUND CAPITAL PROJECT(S) CLAIM CHECKLIST**

An operator or transit service claimant shall submit a claim form for transit and/or paratransit capital projects pursuant to PUC 99260 or 99400. For responsibilities of operators/claimant see CCR Sections 6630-6637 and 6730-6734. Supporting documents to be submitted with the LTF/STA capital claim form include:

- A budget or proposed budget for the fiscal year of the claim. Also, a signed resolution by the board or council approving the budget or submission of the claim.
- Statement identifying the reason or need for an increase in the operating budget in excess of 15 percent above the previous year.
- Certification by CHP of compliance with Section 1808.1 of the California Vehicle Code, as required by PUC Section 99251.
- Completed Standard Assurances by Claimant, as applicable.
- Statement that the proposed expenditure is in conformity with the Regional Transportation Plan.
- Statement of the estimated amount of maximum eligibility of LTF and STA funds per Section 6634(c) and 6634(e). No operator or transit service claimant shall be eligible to receive TDA funds for capital projects in an amount that exceeds actual costs less the revenues for the same purposes from other funding sources.
 - a. Statement signed by the chief financial officer of the claimant attesting to the statement above as reasonable and accurate.
- Completed Operator Performance Table for previous fiscal year.

**LOCAL TRANSPORTATION FUND (LTF)
PEDESTRIAN AND BICYCLE FACILITIES CLAIM CHECKLIST**

Pedestrian and Bicycle funding shall be allocated in accordance with requirements described in TDA Statute 99234, Claims for Pedestrian and Bicycle Facilities. NCTC has discretion over allocation of Pedestrian and Bicycle funds. Annual revenue and interest are divided into bid targets of equal parts for each of the four jurisdictions. Supporting documents to be submitted with the Pedestrian/Bicycle claim form include:

- Statement describing the project and its cost.
- Statement attesting that a good faith effort was made to involve all interested parties and public comment was invited and considered.
- Statement that the proposed project is included in an adopted Bicycle Transportation Plan, Non-Motorized Transportation Plan, Transit Plan, or Pedestrian Plan and is in conformity with the Regional Transportation Plan.
- A map of the project no larger than 8½ inches x 11 inches.
- A statement that the claimant agrees to follow the annual fiscal audit process established by the Nevada County Transportation Commission.
- A signed copy of the resolution by the board or council approving the claim.

COMMUNITY TRANSIT SYSTEMS (CTS) OPERATIONS CLAIM CHECKLIST

A claimant or a CTSA (i.e. Nevada County, Town of Truckee) may claim Community Transit Services (CTS) funds under Article 4.5, Section 99275. These funds can be used to provide intracommunity public transit/paratransit services or can be used for transportation services which are used exclusively by elderly and handicapped persons. NCTC establishes bid targets for each jurisdiction based on its pro rata portion of the countywide population and notifies the jurisdictions of its share. However, NCTC has discretion in allocating CTS funds and may award an agency more or less than its bid target in order to fund high priority regional projects. Supporting documents to be submitted with the CTS operations claim include:

- Statement attesting that the agency is responding to a transportation need currently not being met in the community of the claimant.
- Statement that the service shall be integrated with existing transit services, if appropriate.
- Statement that the agency has prepared an estimate of revenues, operating costs, and patronage.
- Statement attesting that the agency is in compliance with rural requirements set in the TDA for fare recovery ratio of 10 percent.
- Statement that the agency is in compliance with PUC Sections 99155 and 99155.5.
- Statement attesting that the agency has met with the other agencies eligible to claim CTS funds and all agree upon the amount of funds being requested.
- A budget or proposed budget for the fiscal year of the claim. Also, a signed resolution by the board or council approving the budget or submission of the claim.
- Statement identifying the reason or need for an increase in the operating budget in excess of 15 percent above the previous year.
- Certification by CHP of compliance with Section 1808.1 of the California Vehicle Code, as required by PUC Section 99251.
- Completed Standard Assurances by Claimant, as applicable.
- Statement that the proposed expenditure is in conformity with the Regional Transportation Plan.
- Statement of the estimated amount of maximum eligibility. No operator or transit service claimant shall be eligible to receive monies during the fiscal year for which the claim is filed for operating costs in an amount that exceeds its actual operating cost (including payments for disposition of claims arising out of the operator's liability) in the fiscal year, less the sum of the following amounts:
 - a. The actual or estimated amount of fare revenues received during the current fiscal year;
 - b. The amount of fare revenues/local support needed to achieve a fare recovery ratio of 10 percent;
 - c. The amount of federal operating assistance received or estimated to be received during the fiscal year;
 - d. The amount received or estimated to be received during the fiscal year from a city or county to which the operator provides service beyond its boundaries.
 - e. Statement signed by the chief financial officer of the claimant attesting to the statements in a. through d. above as reasonable and accurate

COMMUNITY TRANSIT SYSTEMS (CTS) CAPITAL PROJECT(S) CLAIM CHECKLIST

A claimant or a CTSA (i.e. Nevada County, Town of Truckee) may claim Community Transit Services (CTS) funds under Article 4.5, Section 99275. These funds can be used to provide intracommunity public transit/paratransit services or can be used for transportation services which are used exclusively by elderly and handicapped persons. NCTC establishes bid targets for each jurisdiction based on its pro rata portion of the countywide population and notifies the jurisdictions of its share. However, NCTC has discretion in allocating CTS funds and may award an agency more or less than its bid target in order to fund high priority regional projects. Supporting documents to be submitted with the Community Transit Systems (CTS) capital claim include:

- Statement attesting that the agency is responding to a transportation need currently not being met in the community of the claimant.
- Statement that the service shall be integrated with existing transit services, if appropriate.
- Statement that the agency has prepared an estimate of revenues, operating costs, and patronage.
- Statement attesting that the agency is in compliance with rural requirements set in the TDA for fare recovery ratio of 10 percent.
- Statement that the agency is in compliance with PUC Sections 99155 and 99155.5.
- Statement attesting that the agency has met with the other agencies eligible to claim CTS funds and all agree upon the amount of funds being requested.
- Statement of the estimated amount of maximum eligibility of TDA funds pursuant to Section 6634(e). No claimant is eligible to receive TDA funds in an amount that exceeds its actual expenditures for purchase of vehicles, communications, and data processing equipment essential to providing, consolidating, and coordinating social service transportation.
 - a. Statement signed by the chief financial officer of the claimant attesting to the statement above as reasonable and accurate.

ANNUAL TRANSPORTATION/TRANSIT CLAIM FORM

Fiscal Year _____

TO: NEVADA COUNTY TRANSPORTATION COMMISSION

FROM: _____
Agency requesting funds

CONTACT: _____
Person authorized to submit claim

PHONE: _____

(Agency requesting the funds) hereby requests, in accordance with the Transportation Development Act, and applicable rules and regulations, that this transportation/transit claim be approved in the total amount of \$ _____ of **(LTF or STA)** funds. The total amount of this claim shall be utilized for completion of the project(s) listed below:

Project Title/Description	Authorized by TDA Section	Total Project Cost	Amount Requested LTF	Amount Requested STA
	See TDA Reference List on Next Page			
TOTAL				

(Agency requesting the funds) requests that the funds be distributed as they become available. Resolution **(number)** approving the budget for the project(s) or approving this claim was adopted by the **(board or council)** on **(date of approval)**.

Approval of this claim and payment to the **(Agency requesting the funds)** is subject to such monies being available, and to the provisions that such monies will be used in accordance with the terms contained in the approving resolution of the NEVADA COUNTY TRANSPORTATION COMMISSION.

SIGNED: _____
Person authorized to submit claim

TITLE: _____

DATE: _____

TDA STATUTES AND CALIFORNIA CODE OF REGULATIONS
REFERENCE LIST USED FOR SUBMITTING CLAIMS

The following are TDA Statutes and CCR references commonly used by operators and claimants in support of claims for LTF/STA funds.

Claims for LTF/STA Funds

99260(a) - For claims by an "operator" for the support of a public transportation system (i.e. Nevada County Gold Country Stage).

99400 - Claims filed by Truckee, Nevada City, Grass Valley, Nevada County.

1. **99400(c)** - Payment by a claimant to a contractor for public transportation services, including special transit groups such as elderly and/or persons with disabilities (Grass Valley, Nevada City, Truckee).
2. **99400(d)** - Costs for administration/planning by a claimant with respect to transportation services under 99400(c).
3. **99400(e)** - Funds for claimants to acquire vehicles/equipment, bus shelters, benches, and communication equipment.

Claims for CTS Funds

99275(a) - Claims for Community Transit Services (CTS) Funds. Examples of the use of these funds would be intracommunity transit/paratransit services, purchase of vehicles, equipment, local match for grant funds.

Claims for Pedestrian/Bicycle Funds

99234 - Claims for pedestrian/bicycle funds.

Claims for Local Streets and Roads Projects

99402 - Claimants may reference this section for streets and road projects.

Claims Submitted by Operators for STA Funds - (Article 4, Subchapter 2.5, CCR)

6730(a) - Operating or capital costs of operator's public transit system (i.e. Nevada County).

6730(c) - Community transit service purposes (i.e. Nevada County).

Claims Submitted by Claimants for STA Funds

6731(b) - Payment to contractors for transportation services, or payment for claimant's administrative and planning costs (i.e. Town of Truckee).

6731(c) - Payment to provide or contract for services to elderly and persons with disabilities if the agency is a member of a Joint Powers Agreement operating a public transportation system (i.e. Nevada County).

**STANDARD ASSURANCES BY CLAIMANT FORM
TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDS**

Claimant: _____ (Agency Name)

Fiscal Year: _____ (Project Year)

Please initial all **applicable** paragraphs pursuant to which the claim(s) is being submitted.

1. **STATE CONTROLLER'S ANNUAL REPORT** - Claimant certifies that it has submitted a State Controller's report in conformance with the Uniform System of Accounts and reports to the Commission and State Controller, pursuant to PUC 99243.5, for the prior year (project year minus two). Claimant assures that this report will be completed for the current fiscal year (project year minus one). _____
2. **REVENUE RATIOS FOR OPERATORS IN NEVADA COUNTY** - Pursuant to PUC 99268.2, 99268.4, or 99268.5, claimant certifies that it will maintain for the project year a ratio of fare revenues to operating costs of 10 percent. _____
3. **EXTENSION OF SERVICE** - In the event the claimant receives an allocation of LTF funds for an extension of service pursuant to PUC 99268.8, the claimant certifies it will file a report of these services pursuant to PUC 6633.8b within 90 days after the close of the fiscal year in which that allocation was granted. _____
4. **CALIFORNIA HIGHWAY PATROL (CHP) CERTIFICATION** - Claimant certifies compliance with Drivers Pull Notice Requirements of PUC 99251 and Vehicle Code 1808.1 (**include copy of CHP certification**). _____
5. **ANNUAL FISCAL AUDIT** - Claimant agrees to follow the annual fiscal audit process established by the Nevada County Transportation Commission. _____
6. **TRIENNIAL PERFORMANCE AUDIT** - Claimant agrees to make a reasonable effort to address all issues and recommendations made in the last Triennial Performance Audit. _____
7. **PRODUCTIVITY IMPROVEMENT PROGRAM** - Claimant agrees to make a reasonable effort to implement the productivity improvements recommended pursuant to Public Utilities Code Section 99244. _____
8. **STATE TRANSIT ASSISTANCE FOR OPERATIONS** - Claimant receiving funds pursuant to PUC 99314.6 certifies that it meets one of the efficiency standards as described in PUC 99314.6a. _____.
9. **STATE TRANSIT ASSISTANCE FOR OPERATION** - Claimant receiving funds pursuant to PUC 99314.5 certifies that it is not prohibited or limited from employing part-time drivers or contracting with common carriers of persons operating under a franchise or license. _____

Authorizing Signature

Print Name and Title

Date

Claimant: _____ (Agency Name)

For Most Recently Completed Fiscal Year: _____

OPERATOR PERFORMANCE TABLE

Performance Indicator		Comments
1	Operating Cost/ Passenger Trip	
	<u> </u> / Trip	
2	Operating Cost/ Service Hour	
	<u> </u> /Hour	
3	Passengers/ Service Hour	
	<u> </u> /Hour	
4	Passengers/ Service Mile	
	<u> </u> /Mile	
5	Service Hours/ Employee	
	<u> </u> Hrs/Emp	
6	Farebox Ratio	
	<u> </u> %	

Claimant: Fill in Performance Indicators and return form with claim.

REGIONAL SURFACE TRANSPORTATION PROGRAM FUNDS

The Regional Surface Transportation Program (RSTP) was established by the State of California to utilize federal Surface Transportation Program funds for a wide variety of transportation projects. The State allows NCTC to exchange these federal funds for state funds to maximize the ability of local public works departments to use the funds for transportation purposes including: planning, construction, improvement, maintenance, and operation of public streets and highways and pedestrian and bicycle projects. NCTC is responsible for distributing these exchanged funds to the local jurisdictions. Annual apportionments of RSTP funds range from \$700,000 to \$1,000,000.

APPORTIONMENT OF RSTP FUNDS

Each year Caltrans notifies NCTC of the amount of RSTP funds that will be available based on federal budget appropriations. NCTC then establishes bid targets for each jurisdiction based on its pro rata portion of the countywide population and notifies the jurisdictions of its share. However, NCTC has discretion in allocating RSTP funds and may award an agency more or less than its bid target in order to fund high priority regional projects.

CLAIM PROCEDURE

Prior to the start of each fiscal year, NCTC will prepare and distribute a chart showing the RSTP Bid Targets and amount available for allocation. Each agency will submit a list of projects to NCTC that they propose to fund with RSTP Exchange dollars during the fiscal year. NCTC will approve the project list and return a RSTP Funding Agreement to each agency. Agencies can submit allocation requests on a RSTP claim form (see page 41) with their project list, or as they are ready to receive funding through the year.

**REGIONAL SURFACE TRANSPORTATION PROGRAM
CLAIM FORM**

(Date)

To: Nevada County Transportation Commission

From: (Name of Jurisdiction Requesting Funds)

Project Title:

Total Cost Estimate of Project:

Total Requested Amount of RSTP Funds:

Fiscal Year in Which Funds are to be Expended:

Project Description and Purpose:

Include or attach the following supporting documents:

1. Statement attesting a good faith effort was made to involve all interested parties and public comment was invited and considered.
2. Statement attesting that the proposed project is consistent with adopted plans and programs and is in conformity with the Regional Transportation Plan.
3. A map of the project no larger than 8.5 x 11 inches.
4. A copy of the signed resolution by the board or council approving the claim.

REGIONAL TRANSPORTATION MITIGATION FEE PROGRAM

The Western Nevada County Regional Transportation Mitigation Fee (RTMF) Program was established in 2001 through a partnership of Nevada County, Nevada City, the City of Grass Valley, and the Nevada County Transportation Commission (NCTC). The RTMF Program was developed to collect impact fees from new development to help fund transportation improvement projects needed to accommodate growth in the region of western Nevada County.

In 2016 NCTC completed an update of the RTMF Capital Improvement Program (CIP). The CIP lists and prioritizes roadway improvements to mitigate transportation impacts of new development on western Nevada County, and estimates the cost associated with implementing the roadway system improvements identified. Thus, it provides a key element in the formula for calculating the fee levels for the RTMF Program. By adopting a fee on new development in the region, local agencies have established a mechanism by which home builders and retail developers effectively contribute their fair share toward sustaining the regional transportation system.

The RTMF is a twenty year program that will be influenced by a variety of market factors that could cause a shortfall or surplus in revenue projections. Therefore, the RTMF Program is reviewed at a minimum of five-year intervals to insure the integrity of the program. The NCTC is designated as the RTMF Program Administrator, works closely with the member jurisdictions to coordinate expenditure of RTMF funds, and to maximize the effectiveness of future transportation investments in the region. Details of the RTMF Program are in the Administrative Plan, dated October 31, 2016, and in the Nexus Study Report, dated August 2016, and can be found on the NCTC website.

CONGESTION MITIGATION AND AIR QUALITY PROGRAM

Western Nevada County was classified as “non-attainment” in 2004 for the 8-hour ozone standard and now receives Congestion Mitigation and Air Quality (CMAQ) Improvement Program funding to help the area reach and maintain air quality standards. The purpose of the CMAQ program is to fund transportation projects or programs that will reduce emissions and contribute to attainment or maintenance of National Ambient Air Quality Standards (NAAQS) for ozone, carbon monoxide (CO), and particulate matter (PM).

The Nevada County Transportation Commission (NCTC) annually issues a call for projects from agencies interested in submitting applications for the current Federal Fiscal Year CMAQ apportionment. Once the applications are received, they are reviewed and ranked by NCTC staff in coordination with staff from the Northern Sierra Air Quality Management District (NSAQMD). The projects are scored and ranked based on the project benefits and project readiness. The draft ranking list and staff recommendations are presented to the NCTC for their consideration and approval.

After the projects are approved by the Commission, NCTC staff submits the project information to Caltrans for programming into the Federal State Transportation Improvement Program (FSTIP). The FSTIP is a four-year statewide listing of transportation projects prepared by the California Department of Transportation (Caltrans) in cooperation with the Regional Transportation Planning Agencies.

Once the CMAQ projects are programmed into the FSTIP, which takes approximately 45 days, the jurisdictions are then required to submit a Project Authorization (E-76) package to Caltrans Local Assistance. The Project Authorization package documents the project information, funding request, and compliance with environmental and federal requirements. Caltrans reviews the E-76 package and submits it to the FHWA for approval. This process, depending on the complexity of the project, can take from 30-45 days. Reimbursable work cannot commence on the project until the E-76 is approved. Project Authorization packages must be submitted and approved for each project component. The subsequent project component cannot be approved until the previous component is completed.

After evaluating the best way to program CMAQ projects that have multiple project development phases, NCTC at their March 18, 2009 meeting directed staff to begin using a multi-year programming approach for the CMAQ funds. This multi-year programming approach provides jurisdictions some assurance that projects with multiple development phases can be funded over several years through construction. Additionally, this approach could allow jurisdictions the opportunity to coordinate planning projects that might cross jurisdictional boundaries. The multi-year programming approach provides NCTC additional flexibility in managing CMAQ funded projects and reduces the risk of CMAQ funds being lost.

NCTC’s Executive Director is authorized to execute CMAQ loan agreements with other Regional Transportation Planning Agencies for the strategic delivery of larger future projects and to minimize the risk of CMAQ funds being lost. Often times loans of CMAQ funds are necessary towards the end of the Federal Fiscal Year if a local jurisdiction indicates they will not be able to meet federal approval deadlines. The ability to act quickly to execute a loan can prevent funding from being lost. Staff will inform NCTC of the loan agreement at the next NCTC meeting.

**STATE TRANSPORTATION IMPROVEMENT PROGRAM and
REGIONAL IMPROVEMENT PROGRAM**

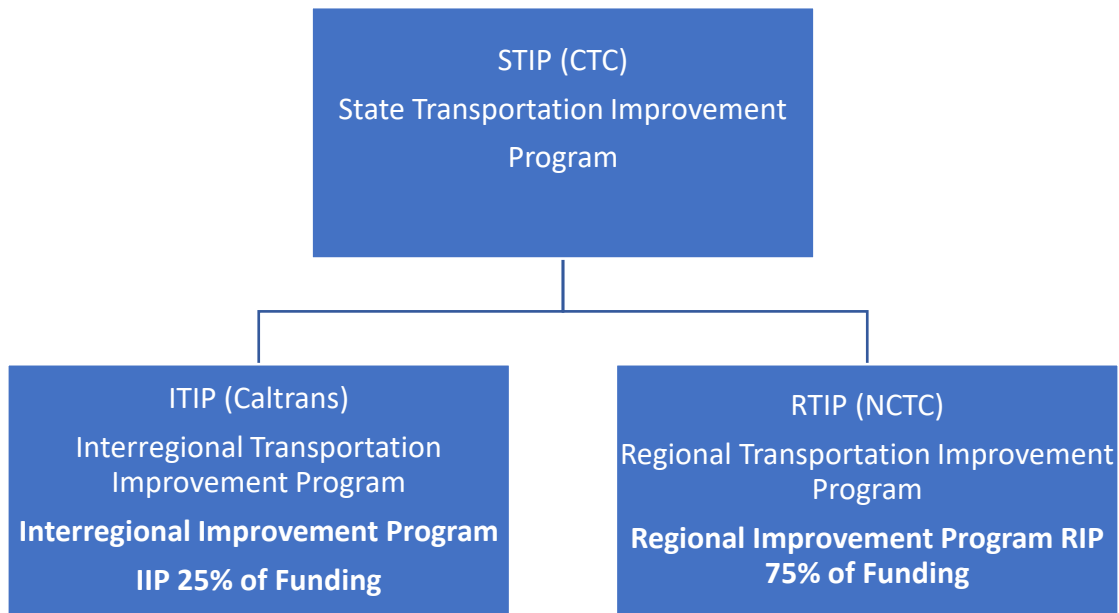
Regional Transportation Planning Agencies, such as NCTC, are tasked with integrating the planning efforts of cities, counties, and Caltrans into a Regional Transportation Plan (RTP).

NCTC submits regional transportation projects to the California Transportation Commission (CTC) for funding in a list called the Regional Transportation Improvement Program (RTIP). Projects from each county are approved by the CTC and are combined into a statewide document called the STIP. The RTIP and STIP are five-year programs proposing projects at the county and state levels that are updated every two years. When the CTC adds projects from the regional programs into the STIP, a schedule for proposed funding is established and these projects are considered “programmed.” A project must be programmed into the STIP to be given funding by the CTC.

The STIP Fund Estimate is a biennial estimate of all resources available for the state’s transportation infrastructure over the next five-year period, and establishes the funding levels for the STIP and the State Highway Operation and Protection Program (SHOPP). The SHOPP provides funds for maintenance and rehabilitation of the state highway facilities. The SHOPP and the STIP comprise the major portion of the state’s transportation infrastructure funding program. As shown in the diagram below, funding for the SHOPP has priority over funding for the STIP.



The diagram below shows the flow of revenues down to the regions for expenditure, and also to Caltrans for planning of projects in cooperation with the counties. Projects nominated in the RTIPs are funded through the Regional Improvement Program (RIP). The RIP receives 75% of the STIP funds and Caltrans is given 25% of the STIP funds for the Interregional Improvement Program (IIP). IIP funds are used for improvements and capacity-increasing projects outside of urban areas.



During each STIP cycle, each RTPA may utilize up to 5% of its RIP funds for Planning, Programming, and Monitoring (PPM). These funds may be used to cover:

- Development and preparation of the regional transportation plan
- Development of project study reports or major transportation investment studies
- Preparation of RTIPs and the studies supporting them
- Monitoring implementation of STIP projects including project delivery

With each STIP cycle, NCTC has the opportunity to set aside funds to be used for Transportation Enhancements (TE) projects. TE funds are to be used for transportation-related capital improvement projects that enhance quality-of-life in or around transportation facilities. Projects must be over and above required environmental mitigation and normal transportation projects, and must be directly related to the transportation system.

AIRPORT LAND USE COMMISSION

Local airports enhance mobility and connectivity, while also providing emergency response, fire suppression, law enforcement accessibility, tourism options, and travel opportunities. Airports play an important role in the safety efforts, day-to-day quality of life, and efficient sustainability of communities. They add a critical element to the regional transportation network of a county and must be maintained and overseen as the community expands and development plans are proposed.

On May 19, 2010 the NCTC accepted designation as the Nevada County Airport Land Use Commission (NCALUC) for the Nevada County Airport as established by the Nevada County Board of Supervisors and members of the City Selection Committee from the City of Grass Valley, Nevada City, and the Town of Truckee. The NCTC/NCALUC approved a fee schedule to review land use proposals and airport plans.

The Truckee Tahoe Airport is situated in both Nevada County and Placer County; therefore an intercounty ALUC with representatives from both counties has been formed. NCTC authorized its staff on May 19, 2010 to support the new Truckee Tahoe ALUC.

ALUCs were established to provide for appropriate development of areas surrounding public airports. Their purpose is to minimize the public's exposure to excessive noise and safety hazards, and to ensure that the approaches to the airport are kept clear of structures that could pose an aviation safety hazard.

ALUCs have the responsibility of developing an Airport Land Use Compatibility Plan for airports. Specifically, these plans seek to protect the public from the adverse effects of aircraft noise, to ensure that people in facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities encroach upon or adversely affect the use of navigable air space. Because an ALUC is responsible for land use compatibility planning, projects located within an airport influence area must be submitted to the ALUC for review in accordance with the policies and criteria set forth in the Airport Land Use Compatibility Plan. Fees are charged to review the proposed plans. A fee schedule for the Nevada County ALUC and the Truckee Tahoe ALUC can be found on NCTC's website at www.nctc.ca.gov under the "About NCTC – ALUC" heading.