

**NAPA COUNTY  
GRAND JURY  
2009-2010**

**Final Report on**

**NAPA COUNTY TRANSPORTATION AND  
PLANNING AGENCY**

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A Tradition of Stewardship  
A Commitment to Service

**NAPA COUNTY GRAND JURY**  
**P.O. BOX 5397**  
**NAPA, CALIFORNIA 94581**

May 17, 2010

The Honorable Stephen T. Kroyer  
Presiding Judge  
Superior Court of the State Of California  
County of Napa  
825 Brown Street  
Napa, CA 94559

Dear Judge Kroyer:

Pursuant to Section 933(a) of the California Penal Code, the 2009-2010 Napa County Grand Jury submits to you its Final Report on the Napa County Transportation and Planning Agency. Our investigation was conducted in a manner consistent with the California Penal Code, this Court's Charge, and the historic role of the Grand Jury - to protect the interests of the citizens of Napa County.

This is the seventh in a series of final reports we will be issuing before our term ends. I would like to acknowledge the hard work and dedication of the Grand Jury which our reports reflect. It is a privilege and a pleasure to work with them.

Respectfully submitted,

A handwritten signature in blue ink that reads "John K. Morris".

John K. Morris  
Foreperson  
2009-2010 Napa County Grand Jury



A Tradition of Stewardship  
A Commitment to Service

# NAPA COUNTY GRAND JURY

P.O. BOX 5397  
NAPA, CALIFORNIA 94581

To the Citizens of Napa County:

Napa County residents have become increasingly aware of the number of new high-tech buses around the County of Napa and wonder why there are usually so few passengers. Questions arise as to the efficiency of a system that is seemingly unused. Who is authorized to purchase the new buses? How much do we, the citizens of Napa County, subsidize the system? Why are our roadways in such a deteriorated state? Are we sacrificing proper maintenance of our streets to the operation of empty buses?

The Napa County Transportation and Planning Agency ( NCTPA) is an independent agency formed as a Joint Powers Agency with a Board of Directors and full-time staff of twelve. From its beginning in 1998, the NCTPA has grown to a complex organization responsible for the public transportation system in Napa County including buses and other public transit related services. The NCTPA's stated goals include the maintenance of our roadways, land-planning oversight, and many other functions listed in this Report.

The NCTPA provides the County with public transit options that serve the residents and is also involved with activities of which most residents are unaware. The 2009 outside audit of the NCTPA listed a number of deficiencies that have gone unresolved for several years, thus leading to questions regarding the direction and management of the NCTPA. The Grand Jury intends to present facts about the operation of the NCTPA so the reader of this Report will have a clearer understanding of this public agency financed by Napa County residents.

Napa County Counsel's Office has reviewed this final report on the Napa County Criminal Justice Facilities: Napa County Department of Corrections/County Jail and the Presiding Judge of the Napa County Superior Court certified that the report complies with Title 4 of the California Penal Code. The report has been accepted and filed as a public document by the County Clerk,

Copies of this report are available for your review in the Napa City/County Library and online by following the link to the Grand Jury at <http://www.napacounty.com>. It is our pleasure and honor to serve you during the 2009-2010 Grand Jury tenure.

Respectfully submitted,

The 2009-2010 Napa County Grand Jury

# **THE NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY**

## **Our Transit Provider and More**

### **SUMMARY**

The 2009-2010 Napa County Grand Jury, as a function of its charge to investigate and report to the citizens of Napa County on their local governmental agencies and districts, conducted an investigation of the Napa County Transportation and Planning Agency (NCTPA). The NCTPA has never before been investigated by the Grand Jury although the 2006-2007 Grand Jury did conduct an investigation of the Napa Downtown Trolley, which was part of the NCTPA.

Napa County residents have become increasingly aware of the number of new high-tech buses around the County of Napa and wonder why there are usually so few passengers. Questions arise as to the efficiency of a system that is seemingly unused. Who is authorized to purchase the new buses? How much do we, the citizens of Napa County, subsidize the system? Why are our roadways in such a deteriorated state? Are we sacrificing proper maintenance of our streets to the operation of empty buses?

During this investigation, the Grand Jury reviewed many documents and conducted multiple interviews. Grand Jury members learned that the NCTPA is an independent agency formed as a Joint Powers Agency with a Board of Directors (BOD) and full-time staff of twelve. The NCTPA was originally given responsibility to oversee congestion management in Napa County. From its beginning in 1998, the NCTPA has grown to a complex organization responsible for the public transportation system in Napa County including buses and other public transit related services. The NCTPA's stated goals include the maintenance of our roadways, land-planning oversight, and many other functions listed in this Report.

The BOD is composed of representatives from the Napa County municipalities and the Napa County Board of Supervisors (BOS). The Directors change when not re-elected in their local jurisdictions or when the local municipality or town council changes the representative.

Although there are stated interests to maintain street and road infrastructure and to invest in strategic road system expansion in South County, the public has not seen much evidence of these elements being a priority at the NCTPA. Many of the roadway repairs completed last year were funded by the American Recovery and Reinvestment Act (ARRA) rather than from an on-going maintenance program.

The NCTPA provides the County with public transit options that serve the residents and is also involved with activities of which most residents are unaware. The 2009 outside audit of the NCTPA listed a number of deficiencies that have gone unresolved for several years, thus leading to questions regarding the direction and management of the NCTPA. The Grand Jury intends to present facts about the operation of the NCTPA so the reader of this Report will have a clearer understanding of this public agency financed by Napa County residents.

## **BACKGROUND**

The NCTPA is the public agency that operates the transit system (public buses and paratransit vehicles) in Napa County. The NCTPA is also involved in other lesser known activities/services. In addition to providing the bus and van services in our communities, the NCTPA manages the following activities:

- Agricultural Workers Vanpool program
- Provides staff for the Arts Council
- Coordinates the countywide Bike Lane Program
- Provides taxi scrip
- Assists the Transportation for Clean Air Program in Napa County
- Establishes the Climate Protection Plan for Napa County
- Develops potential land use planning regulations

Another stated goal of the NCTPA is to improve the quality and safety of our street and road infrastructure.

## **History of Napa County Transportation and Planning Agency**

In June 1998 the NCTPA was established as a “Joint Powers Agency” composed of the City of Calistoga, the City of St. Helena, the Town of Yountville, the City of Napa, the City of American Canyon, and Napa County. Members of the NCTPA Board of Directors include the mayors of each municipality, the Chairman of the Napa County BOS, the County representative to the regional

Metropolitan Transportation Commission (MTC), and one additional member from each jurisdiction.

NCTPA is the operator of the countywide transit system, “The VINE,” the Paratransit system, “VINE-Go,” community shuttles/trolley in each of the municipalities and other specialized transit services. NCTPA also convenes as a monthly “Issues Forum” established to provide the County’s elected leadership with an opportunity to discuss significant strategic development issues including land use, environment, economic development, and arts and culture. The NCTPA also acts as the Abandoned Vehicle Abatement Authority (AVAA) and the Program Manager for Air Quality Funds (Assembly Bill 32 and Senate Bill 375).

Four standing committees, appointed by the BOD and made up of technicians and interested citizens from the Napa region, advise the NCTPA Board:

- Technical Advisory Committee (TAC)
- Bicycle Advisory Committee (BAC)
- Para transit Coordinating Council (PCC)
- VINE Consumer Advisory Committee (VCAC)

In 2000 six separate transit operations were consolidated under the NCTPA Board which provides oversight for Transportation Development Act (TDA) with funding through the MTC. In 2002 the NCTPA also added coordinating responsibilities for the Napa County League of Governments (NCLOG) Community Development Task Force. In 2004 NCTPA assumed management of funds from the Transportation for Livable Communities (TLC), Transportation Enhancement (TE), Housing Incentive Program (HIP), and Lifeline Transit Funds.

In addition to the NCTPA, the Napa Valley Transportation Authority (NVTA) was established on November 15, 2005, by the BOS to create a local transportation authority as a mechanism for developing a local transportation-funding source in Napa County, thus creating a new taxing authority. The NVTA was created to address and identify transportation shortfalls and provide local matching funds for state and federal transportation funding to assist in maintaining Napa County’s quality of life and economic viability by providing congestion relief, travel choices, and a safer transportation system. The NVTA is governed by the same members of the NCTPA BOD.

On November 16, 2005, the NVTA approved bylaws, which provided for administration of revenues from a sales tax measure to be placed before the voters for future approval. This sales tax measure was defeated at the polls in November 2006.

The NCTPA structure changed significantly during the 2006 – 2009 period:

- June 2006 the Transportation Program Manager resigned
- August 2006 the Executive Director resigned
- December 2006 a new Executive Director was retained under contract
- March 2007 the Transportation Program Manager – Fiscal was promoted to the Transportation Program Manager – Transit
- June 2007 a new Transportation Program Manager – Fiscal was hired
- December 2007 the Deputy Executive Director retired
- September 2008 contract Executive Director resigned
- Interim Executive Director served September to December 2008
- January 2009 a new Executive Director was hired

Individuals interviewed indicated that during this period of time there was little direct oversight of the NCTPA. Due to the technical nature of the operations of the NCTPA, the BOD appears to have accepted most of the recommendations presented to them by staff.

In March 2007 the Napa County Transportation Planning Agency changed its name and became the Napa County Transportation **and** Planning Agency (emphasis added) to more aptly describe the NCTPA's expanding role in land use planning in addition to transportation planning. Thus the NCTPA assumed an increasing role in forward planning functions within Napa County.

The NCTPA became an independent agency in July 2008. Prior to this event, all the staff was County of Napa (through a contract for services with the County) or other agency employees. Currently the NCTPA employs a staff of twelve (See Appendix A, Organizational Chart):

- Executive Director
- Deputy Executive Director
- Manager of Public Transit
- Manager of Transportation, Land Use, and Climate
- Manager of Finance
- Manager of Planning and Programming
- Manager of Human Resources and Administration
- Administrative Assistant
- Agricultural Transportation Coordinator
- Accountant
- Environmental Analyst/Coordinator
- Transportation Program Analyst



# **METHODOLOGY**

## **Interviews Conducted**

- Interested citizens of Napa County
- Members of the NCTPA Board of Directors
- NCTPA staff members
- Representatives of the Napa County Auditor's Department

## **Documents Reviewed**

- Appendix 5: Annual Emission Reduction & Savings for Van Projects, no date
- August 2008 VINE Maps and Schedules
- CARB Fact Sheet AB 32: California Global Warming Solutions Act of 2006
- FY 2008 Triennial Review (Final Report), August 2008
- FY 2009-2010 Financial Projection – New Budget
- Glossary of Transportation Planning Acronyms and Terms
- Letter to The Napa Valley Register by Bill Dodd titled “NCTPA the right agency for linked regional issues,” dated November 24, 2009
- MTC Fact Sheet SB 375: Linking Regional Transportation Plans to State Greenhouse Gas Reduction Goals
- Napa County Baseline Data Report, Version 1, November 30, 2005
- Napa Valley Register articles: “Napa OKs energy-saving guru plan,” November 19, 2009; “Keeping an eye on the road,” November 15, 2009; “Time for a new countywide growth summit?” November 9, 2009; “Company says Napa ignored rules on bus deal,” November 6, 2009; “Transit agency finds missing millions,” November 3, 2009; “A van plan for farm workers,” October 19, 2009, “Transportation officials seek to boost ridership on VINE,” February 22, 2008
- Napa's Transportation Future – A Strategic Transportation Plan, April 2009
- Napa's Transportation Future - Board Summary, April 2009
- NCTPA Agenda Item 17, Draft 07/08 OWP, March 21, 2007
- NCTPA Agenda Item 19 Review of Draft FY 08/09 Budget, May 21, 2008
- NCTPA and NVTAP Personnel Policies and Procedures, approved December 12, 2009
- NCTPA Audit Report FY ending June 30, 2009 prepared by Brown Armstrong, December 21, 2009
- NCTPA Board of Directors meeting agenda for various meetings

- NCTPA Internal Control Guide, September 1, 2009
- NCTPA Organizational Chart, August 20, 2009
- NCTPA Overall Work Program – Fiscal Year 2009-2010
- NCTPA Single Audit Report, June 30, 2009, prepared by Brown Armstrong, December, 21, 2009
- NCTPA Staff Listing dated March 2009
- Ordinance No. 06-01 NVTA Ordinance and Transportation Improvement Expenditure Plan
- Ordinance No. 05-01 of the Board of Directors of the NVTA enacting an Administrative Code Prescribing the Powers and Duties of Officers of the Authority and the methods, procedures and systems of management of the Authority
- Resolution No. 05-01 of the Napa Valley Transportation Authority Adopting the By-Laws of the NVTA, November 16, 2005
- Resolution No. 05-211 of the Board of Supervisors creating the Napa Valley Transportation Authority, November 15, 2005
- SF Bay Area ARRA Project Status, September 24, 2009
- Transit Project Funding Matrix, November 19, 2009 and three Sample Federal Grants
- Transit Project Funding Matrix, December 15, 2009
- VCAC Agenda Letter: Transit Services and Operational Data, November 12, 2009

## **DISCUSSION**

### **The Organization**

The NCTPA is an agency originally established to provide transportation services for the Napa County region. Subsequent to its inception in 1998, additional areas of service and land planning oversight have been added. Concerns were expressed to the Grand Jury by citizens and a BOS member regarding the future focus on countywide planning control.

NCTPA Board members serve for only as long as they are elected within their own municipality or the County. Additionally, members are selected from within the city or town council and may serve on the Board for only one year. This has the potential for lack of continuity and accountability.

## **Funding and Budgets**

The majority of NCTPA fund sources are from federal and state grants. The fiscal year (FY) 2009-2010 Funding Source Summary in the Overall Work Program indicates anticipated total revenue of \$15,795,000. Local municipalities and the County contribute about \$140,000 (less than 1 percent), Farebox revenue is an anticipated \$1,006,020 (6.4 percent), Taxi Scrip program \$100,000 (less than 1 percent), and NCTPA advertising revenue and other sources of revenue approximately \$250,000 (1.5 percent). Thus, federal and state sources will fund approximately \$14,298,980 (91 percent) of the NCTPA programs in FY 2009-2010. An NCTPA BOD member commented that, even though there is a federal and state budget crisis, there will always be “lots of money handed out” and that the NCTPA anticipates only a slight decrease in grant funds.

According to a NCTPA staff report, the annual budget is based on secured sources or revenues, meaning grants and funds previously obtained. The funds are then allocated to the highest priority service and the budget is approved by the BOD. Unfortunately, it was difficult for the Grand Jury to understand what the priorities of the NCTPA are based upon its review of the budget.

The budget is broken down into three elements: NCTPA Planning and Administration, NCTPA Transit Services, and Capital Projects. The Planning portion of the proposed FY 2010-2011 Budget indicates a total Operating Expense of \$4,641,000 of which \$2,768,000, (almost 60 percent) is a line item described as “PSS: Other.” The Budget Explanation Sheet describes this line item as “Professional service expenses for studies/reports for planning purposes...” Additionally, Personnel Costs attributed to the Planning Budget are \$1,195,500. Of the total proposed for FY 2010-2011 Budget of \$18,620,000, the Operating Expenses for the Planning element are \$4,641,000, which is almost 25 percent of the total budget. These Planning Operating Expenses are independent of the Operating Expenses for the Transit Services which are listed separately.

The FY 2010-2011 proposed budget has a better breakdown of revenues and expenses than previous budgets. It would be helpful to segregate the transit activities from the non-transit activities, such as support of the Arts Council, Land Use Planning, and Climate Change Plans. Also helpful would be a statement of the total amount spent or total amount budgeted for outside consultants.

The NCTPA received over \$2.9 million in ARRA funds in 2009 for vehicle maintenance, purchase of four new hybrid buses, and construction of a “Park and Ride” lot at the intersection of Redwood Road and Highway 29. The NCTPA also coordinated the applications for additional ARRA funds of \$1 million for bicycle safety improvements along Highway 29 in Yountville and another \$3.48 million for County of Napa and City of Napa local street system preservation and

rehabilitation. An additional four new hybrid buses were purchased with state and federal grants and are on order for a summer 2010 delivery date. A fifth new hybrid bus has recently been ordered using additional ARRA funds. These vehicles will replace older vehicles. NCTPA will soon have nine new buses in its fleet. New vehicles continue to be purchased while ridership is decreasing.

## **Transit Operations**

The NCTPA manages the following transit operations:

- The VINE -- the six-route bus system in the City of Napa, the route south to Vallejo and El Cerrito BART, and the one north to Santa Rosa
- VINE-Go -- the countywide paratransit service
- HandyVan -- the demand-response service in Calistoga, St. Helena, Yountville, and American Canyon
- Flex-Ride Life -- limited schedule in the City of Napa for low-income users
- Napa Shuttle -- Americans with Disabilities Act certified riders
- Taxi-Scrip -- program for riders to purchase half price coupons
- The Downtown Trolley was discontinued in 2009

The NCTPA began operating the Agricultural Workers Vanpool Program in early 2010. This follows a \$70,000 study to assess the need for a vanpool system in the County. The NCTPA will operate a fleet of vans for use by the agricultural workers in Napa County. A designated worker will be responsible for the operation and maintenance of a van, collection of fees from the passengers, and will report directly to the NCTPA. Referencing a successful program in Kings County in the San Joaquin Valley, the NCTPA Board approved receipt of \$572,250 special State funding for a two-year pilot project in the rural areas of Napa County. A full-time staff member of the NCTPA is the program coordinator. The program needs to be self-sufficient by June 2011.

## **Performance Statistics**

The Grand Jury reviewed the *NCTPA Transit Performance Statistics & Goals* that indicates VINE ridership is trending downward requiring larger subsidies. The statistics indicate that route changes and elimination may be needed to curb increasing costs and subsidies. An example is the low ridership on Route 11 to Santa Rosa. A previous review completed by a consultant suggested elimination of that route. However, to date, the route still operates with very few riders. Additionally, Route 29 from Calistoga to the Vallejo Ferry has not met its performance goals. It is not clear if the new extension of Route 29 to the El Cerrito BART station is the result of a ridership study or merely an interest in

seeking new riders on the route. The following chart is taken from performance statistics provided by the NCTPA:

**THE VINE PERFORMANCE STATISTICS**

FY	02-03	03-04	04-05	05-06	06-07	07-08	08-09	09-10
Passengers	941,473	756,801	730,778	777,388	791,238	735,157	693,390	630,000*
Farebox Recovery	18%	14%	15%	14%	14%	18%	17%	N/A**
Cost per passenger Trip	\$2.99	\$4.20	\$4.53	\$4.77	\$4.65	\$5.74	\$6.04	N/A

\* Annual estimate based on 8 months of tracking (The VINE only)  
 FY 02-03 through FY 08-09 statistics include the Downtown Trolley  
 \*\* N/A = Not applicable

Other specialized transportation services provide needed services for Napa County residents. The VINE Go, Yountville Shuttle, and the American Canyon Transit all exceed their current performance goals, while the HandyVan and St. Helena VINE are very close and sometimes exceed their goals.

**The VINE Contract**

All transit services are contracted with Veolia Transportation under a five-year agreement approved in September 2009 by the BOD. This approval was contrary to staff recommendations. The BOD approved a request for proposal (RFP) on July 25, 2008, which was sent out to transportation operators before it was reviewed and approved by County Counsel. The RFP was quickly rescinded. The RFP was re-issued and two proposals were received in June 2009. At that time, staff made the recommendation to award the contract to MV Transportation, but the BOD issued the contract to Veolia.

Currently there is pending legal action against the NCTPA by MV Transportation regarding the Veolia contract. While the NCTPA indicates that the contract award was completed in a legal manner, the court will make the final determination.

**Additional Activities “Mission Creep”**

In addition to the transit operations (the Veolia contract) that NCTPA manages, the NCTPA lists the comprehensive planning activities proposed to be undertaken

in the upcoming fiscal year using federal, state, and local planning funds. Some of these for FY 2009-2010 include the following sixty-six items:

- Transportation Development Act (TDA) fund allocation and administration
- Performance Audits
- Fiscal and Compliance Audits
- Transit Planning, Coordination, and Programming
- Transit Development, Organization, and Management
- Ambassador Training Program
- Short Range Transit Plan
- Region-Wide Transit Improvement Study
- Limited English Proficiency Plan Development
- Express Bus/Rapid Transit Gateway
- Planning for System Efficiency
- Transportation Demand Management Program Support and Coordination
- Intelligent Transportation System Development and Deployment
- Performance Monitoring Program
- Execute the Congestion Management Program (CMP)
- CMP Monitoring and Compliance
- Congestion Management Program/System
- Regional Transportation Plan
- Planning for Highways, Corridors, and Routes of Regional Significance
- Air Quality Conformity
- Scenic Byway Program
- Highway Scenic Byway Planning and Coordination
- Highway Gateway Program
- Highway Scenic Byway Signage Program
- GIS/CUBE Development, Data collection for County planning and transit needs
- Transportation Data Collection
- Regional Monitoring and Forecasts
- Planning for Alternative Modes of Transportation including Non-motorized Planning and Coordination and Rail Service Coordination
- Public Outreach
- Commuter Trip Focus
- Shopper Shuttle
- Taxi Scrip
- CyberMill Youth Program
- Job Access and Reverse Commute Program (JARC)
- Intergovernmental Trip Reduction Program Coordinator
- Safe Routes to School Program
- Intergovernmental Review: Plans, Projects, Studies, and Smart Growth

- Transportation/Land Use Mitigation
- Environmental Justice
- Climate Protection
- Green Business Program
- Ongoing Technical Assistance
- Transportation Programming, Delivery, and Financial Management
- Capital Project Administration
- Develop Transportation Sales Tax Plan
- Motorist Aid – Call Box Program
- 511 Ridesharing and Traveler Information Telephone System
- Marketing Segmentation Study
- Marketing Plan
- Dashboard Information Management System
- Route Revision Study
- Community Transit Center Alternatives
- Corridor Planning – Gateway Corridor
- Community 2050 Regional Blueprint Planning
- Work Program Development and Administration
- External Audit
- Agency Administration and Support
- Personnel Classification Study
- Property Management
- State Coordination
- Legislative Program
- Travel
- Arts Commission, including a one-third time NCTPA employee
- County Program Transportation for Clean Air
- Abandoned Vehicle Abatement Program
- Transportation Enhancements Program Administration

## **Management of Consultants and Grants**

Many of the NCTPA work programs involve consultants, staff time to seek and prepare grant fund applications, and management of existing grants. The majority of the resources are spent on outside consultants for preparation of studies, grant writing, and developing planning documents. The FY 2009-2010 Budget allocates \$3,700,000 for outside consultant services. This represents approximately 21 percent of the total budget of \$17,427,313.

In past years, management of grants has been criticized for lack of oversight and compliance with regulations. The NCTPA was recently subjected to public criticism when a story published in the Napa Valley Register indicated that there

was a mismanagement of over \$2,600,000 in grant monies. Several of the deficiencies listed in the June 30, 2009, NCTPA audit indicate that it repeatedly failed to create proper internal controls to monitor grants and reimbursement procedures. It is very important to correctly track federal grant monies, otherwise anticipated reimbursements could be withheld or services denied. Another deficiency listed in the 2009 audit indicates that the NCTPA has been out of compliance by not submitting required quarterly reports to the MTC. Thus, the MTC may impose sanctions against the NCTPA. At the time of this investigation, it is still unclear if the NCTPA established all the required internal control systems to satisfy the grant and regulatory agency's requirements.

## **Land Use Planning**

Much of the NCTPA's increased attention to land use planning is the result of state legislation. The California Legislature passed AB 32, the controversial "California Global Warming Solutions Act of 2006," which requires that statewide greenhouse gas emissions be reduced to the 1990 level by 2020. The NCTPA is preparing a 2009 Climate Change Action Plan. This is a three step process that involves creation of a baseline emissions inventory, a forecast, and adoption of a plan for reduction in greenhouse gas emissions. Efforts to reduce vehicle emissions in Napa County could be offset by increased tourism into Napa Valley and growth of travel through the County from other regions.

Although these new requirements place more fiscal burdens on county and municipal agencies, some grants and funding are available to assist with greenhouse gas emission reduction implementation. At a time when counties and municipalities are losing state funding and subject to budget cuts in their planning programs, the NCTPA is expanding its planning programs with a number of funding sources, including the Transportation Fund for Clean Air, TDA funds, and federal highway funds from MTC. In addition to the preparation of a regional transportation plan, the NCTPA is now engaged in regional land use planning studies. It appears that the NCTPA has become the de-facto forward planning agency for Napa County and its municipalities and is their representative within the regional context.

## **Oversight and Accountability**

Previous audits consistently indicated deficiencies within the internal operations of the NCTPA. Several annual audits listed the same failures to properly track equipment and grant monies. There appears to be a lack of follow-up of the NCTPA by the BOD since the same issues continue to remain unresolved. With an annual budget of approximately \$17,000,000 dollars, there is an expectation of careful and complete review of its management.



The NCTPA is a technical agency governed by a BOD that has mainly a non-technical orientation. This has the potential for the BOD to rely on the staff to provide information and direction without an adequate understanding of the issue. A concern was expressed to the Grand Jury that the BOD approves Consent Calendar items with financial and policy implications without full discussion at Board meetings. Consent Calendar items are discussed separately at the request of any person. Consent items are usually approved with a single motion. The following are examples of Consent Items approved by the BOD with no or only one question asked:

- October 2007: Consent #16: approval of contract for eight hybrid buses (even though all funds were not in-hand)
- February 2009: Regular Agenda #9.2: *18 Month Audit* (Follow-up Report to check status of findings listed in June 30, 2008 audit report. No questions asked as to why a follow-up report was needed or the status of recommendations)
- September 2009: Consent #9.4: Purchase four new buses (information in agenda letter appears to contain discrepancies)
- October 2009: Consent #8.8: Approve RFP for on-call services in amount not to exceed \$1.5M (no discussion as to what specific services are needed and why)
- January 2010: Consent #8.5: Accept and File 08-09 Independent External Audit Report (no questions asked even though material weaknesses and deficiencies were identified)

The residents of the County have a right to expect a scale of transportation fitting the rural character of the County of Napa. Residents and tourists coming into the Valley expect quality roadways that provide a pleasant driving experience. Unfortunately residents see a fleet of new, mostly empty buses, a system of deteriorating roadways, and programs that seem to have little or no transportation focus. Constituents expect the BOD, as their elected representatives, to adopt and implement policies that respond to their needs.

## **FINDINGS**

The 2009-2010 Grand Jury finds that:

1. The original intent of the NCTPA was to provide transportation services for Napa County residents.
2. Staffing and funding was increased to provide non-transportation services
3. The NCTPA has become the de-facto forward planning agency for Napa County and its municipalities.
4. Fare box collections account for approximately 15 percent of the 2009-2010 VINE Operating Cost of \$4,736,713.
5. The current NCTPA budget is difficult to understand due to combining transportation and non-transportation revenue and expenses.
6. VINE ridership is trending downward increasing the cost per person trip
7. Passenger subsidies have doubled in the past eight years.
8. New state of the art vehicles have been purchased and more ordered while ridership is decreasing.
9. Many activities of the NCTPA “Overall Work Program F/Y 2009-2010” are for non-transportation related activities.
10. The BOD of the NCTPA has failed to follow up on certain audit findings and recommendations.
11. The BOD approves issues with potential policy and financial impact by consent agenda without discussion.
12. The Agricultural Workers Vanpool Program started with a pilot program under a State grant and the program needs to be self-sufficient by June 2011.
13. The Single Audit Report 2008-2009 indicates there were eight areas of deficiency, some of which had been brought to the attention of the BOD in previous audits.
14. The NCTPA was able to secure ARRA funds for the repair/maintenance of local and county roadways. Continuation of funding for future repair and maintenance programs throughout the County is unclear.

## **RECOMMENDATIONS**

The 2009-2010 Grand Jury recommends that the NCTPA BOD:

1. Create oversight committees, including an audit committee
2. Correct the deficiencies listed in the latest outside audit and other regulatory agency reviews

3. Focus on NCTPA stated main purpose of providing for transportation planning and services delivery
4. Prepare and publish a budget summary each year with sufficient detail which can be easily understood by the public
5. Develop a plan for the Agricultural Worker Vanpool Program to be self sufficient after June 2011
6. Establish a plan to seek ongoing funding for street and roadway repair and maintenance

## **REQUEST FOR RESPONSES**

The Grand Jury requests responses from:

- NCTPA Board of Directors for all recommendations

## **GLOSSARY**

AB---Assembly Bill

ARRA---American Recovery and Reinvestment Act (Federal Stimulus)

AVAA---Abandoned Vehicle Abatement Authority

BAC---Bicycle Advisory Committee

BOD---Board of Directors

BOS---Napa County Board of Supervisors

CARB---California Air Resources Board

HIP---Housing Incentive Program

MTC---Metropolitan Transportation Commission

NCLOG---Napa County League of Governments

NCTPA---Napa County Transportation and Planning Agency

NVTA---Napa Valley Transportation Authority

PCC---Para transit Coordinating Council

RFP---request for proposal

SB---Senate Bill

TAC---Technical Advisory Committee

TDA---Transportation Development Act

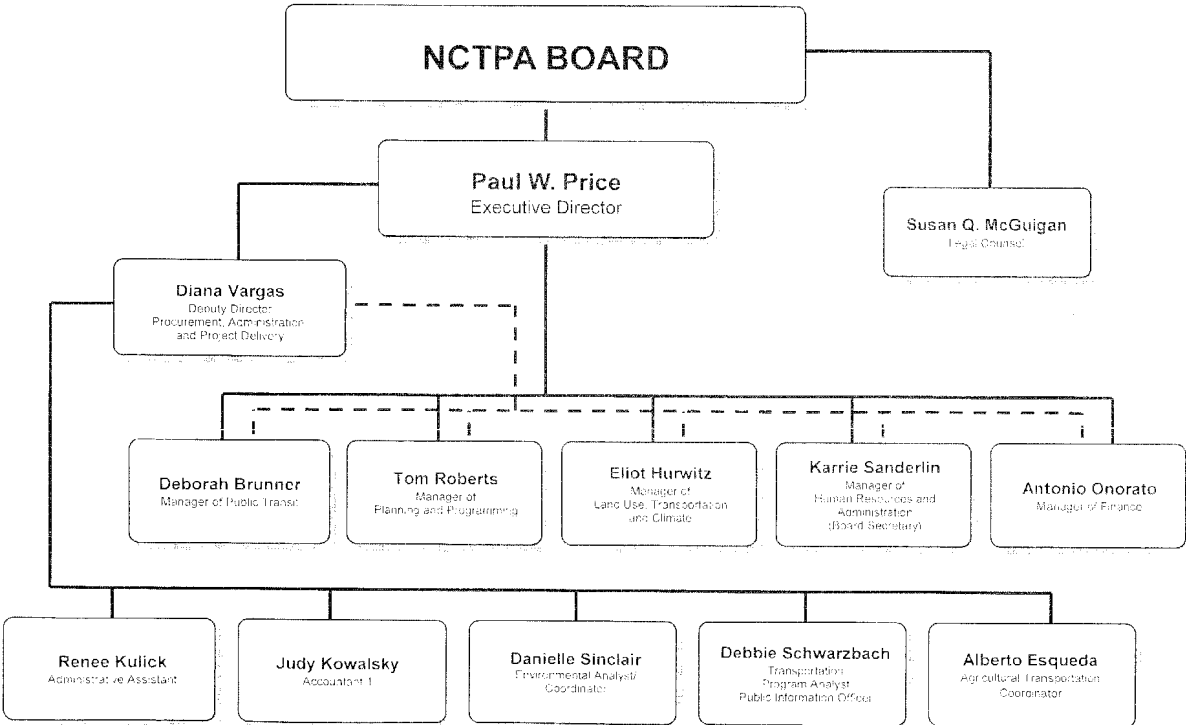
TE---Transportation Enhancement

TLC---Transportation for Livable Communities

VCAC---Vine Consumer Advisory Committee

APPENDIX A

**NCTPA Organizational Chart**



February 2010