

ATTACHMENT A

MEMORANDUM OF UNDERSTANDING REGARDING REGIONAL TRANSPORTATION PLANNING CONDUCTED BY THE NEVADA COUNTY TRANSPORTATION COMMISSION

This Memorandum of Understanding, made and entered into by and between the Nevada County Transportation Commission, a local transportation commission created pursuant to the State of California Government Code; the City of Grass Valley, a municipal corporation; the City of Nevada City, a municipal corporation; the Town of Truckee, a municipal corporation; and the County of Nevada, a political subdivision of the State of California.

W I T N E S S E T H :

WHEREAS, the Nevada County Transportation Commission functions as a Local Transportation Commission and as a Regional Transportation Planning agency pursuant to Sections 29532 and 29535 of the State of California Government Code; and

WHEREAS, Section 6614, Article 2, Subchapter 2, Chapter 3, Title 21 of the California Code of Regulations defines the term "Transportation Planning Process" as the "joint effort of all governmental agencies with transportation responsibilities within a given region or metropolitan area by which plans are developed in a continuing and coordinated manner and which is documented annually by the adoption of an annual work program evidencing the respective contributions in monies and staff time of the respective agencies to that effort."

WHEREAS, the parties hereto desire to cooperate and coordinate with each other for the purpose of regional transportation planning and to have a forum to discuss and consider the problems which are of common concern to the local governments which they represent.

NOW, THEREFORE, in consideration of the premises hereinbefore set forth, the Nevada County Transportation Commission will conduct its transportation planning process in accordance with the provisions of this Memorandum of Understanding.

ARTICLE 1 - ANNUAL WORK PROGRAM

The Nevada County Transportation Commission is hereby authorized to continue to receive and spend monies in the furtherance of the purposes of the transportation planning process, in accordance with applicable statutes and regulations of the State of California, provided that, no funds shall be spent for transportation planning during a fiscal year except in accordance with an annual work program for the fiscal year which shall begin on the 1st day of July of each year and end on the 30th day of June of the following year. The annual work program for any fiscal year shall be adopted by the Nevada County Transportation Commission after submitting the proposed work program to each party hereto for review and comment. Each party hereto will acknowledge its approval of the projects contained in the proposed annual work program by adoption of a resolution. No transfers, variations,

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changes, or modifications shall be made in connection with monies budgeted for work program costs without the approval of the Nevada County Transportation Commission. To allow each party sufficient time to review and comment on the proposed annual work program the Nevada County Transportation Commission will deliver its proposed annual work program to Grass Valley, Nevada City, the Town of Truckee, and Nevada County not later than the one hundred and eighty days prior to the commencement of the fiscal year for which the proposed annual work program has been prepared. To enable the Nevada County Transportation Commission to respond to the comments made and submit the proposed annual work program to the State of California in accordance with the guidelines promulgated by the California Department of Transportation, each reviewing agency will submit its comments, by adoption of a resolution, not later than one hundred and thirty-five days prior to the commencement of the fiscal year for which the proposed annual work program has been prepared. After considering the comments received, the Nevada County Transportation Commission will submit the proposed annual work program to the California Department of Transportation. After consideration of comments from the California Department of Transportation, the final annual work program will be adopted by the Nevada County Transportation Commission. Amendments to a work program are required under the following circumstances:

1. A new work element is added.
2. There is a major change in the scope of work element.
3. A work element is deleted.
4. Work element budget modifications are needed.

Amendments to a work program necessitated by items 1 through 3 above will be submitted to Grass Valley, Nevada City, the Town of Truckee, and Nevada County for review and comment, and will be discussed and approved or disapproved at a regular meeting of the Nevada County Transportation Commission. Amendments to a work program necessitated by item 4 above will only be submitted to Grass Valley, Nevada City, the Town of Truckee, and Nevada County for review and comment if the work element budget modifications cannot be accomplished through the utilization funds held in the fund balance of the Nevada County Transportation Commission's Planning and Administration Fund (Fund #327).

ARTICLE II - REGIONAL ISSUES

The Nevada County Transportation Commission will provide a forum for the discussion of issues of common concern by placing such issues on the agenda of its regularly scheduled meetings when requested to do so by any party to this Memorandum of Understanding. When such issues are placed on an agenda, they shall be placed under the heading of "Regional Issues" and the City Councils of Grass Valley, the Town of Truckee, Nevada City, and the

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Nevada County Board of Supervisors will receive a copy of the agenda. The City Councils and the Board of Supervisors may send representatives to the meeting to present their position on the issue being discussed. The discussion will be for the purpose of identifying opportunities to coordinate the efforts of each party to expedite resolution of the issue.

ARTICLE III - TERM

The term of this Memorandum of Understanding shall commence on July 1, 1992, and shall continue from year to year provided that this Memorandum of Understanding may be modified at any time, upon the filing of a request for an amendment by any party hereto with the Executive Director of the Nevada County Transportation Commission and approval of such amendment by all of the parties hereto. Any amendment to this Memorandum of Understanding must be in accordance with applicable Federal, State and Local laws.

ARTICLE IV - WITHDRAWAL

Any party hereto may withdraw from this Memorandum of Understanding by providing written notice ninety (90) days prior to the start of any fiscal year. Such withdrawal shall be effective on the last day of the fiscal year in which the notice is provided. Withdrawal shall have no effect on the continuance of regional transportation planning activities by the Nevada County Transportation Commission.

ARTICLE V - EFFECT

This Memorandum of Understanding shall govern only the activities set forth in Articles I and II, and shall not supersede any previous agreements between any of the parties hereto relating to any activities not included herein. This Memorandum of Understanding shall be included in the policies and procedures manual adopted by the Nevada County Transportation Commission. This Memorandum of Understanding is subordinate to the Memorandum of Understanding between the California Department of Transportation and the Nevada County Transportation Commission, executed by the Nevada County Transportation Commission on April 9, 1986.

ARTICLE VI - NOTICE

Notices referenced herein shall be deemed sufficient if delivered to:

Grass Valley:

City Clerk, 125 East Main St., Grass Valley, CA 95945

Nevada City:

City Clerk, 317 Broad St., Nevada City, CA 95959

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Town of Truckee:
Town Manager, P O Box 2884, Truckee, CA 96160
Nevada County:
Clerk of the Board, 950 Maidu Ave., Nevada City, CA 95959
Nevada County Transportation Commission:
Executive Director, 101 Providence Mine Rd., Ste 102, Nevada
City, CA 95959

ARTICLE VII - EXECUTION

This Memorandum of Understanding may be executed in any number
of counterparts, and when so executed, such counterparts shall be
deemed an original hereof.

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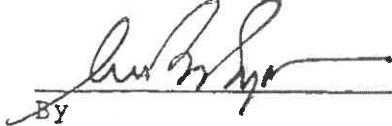
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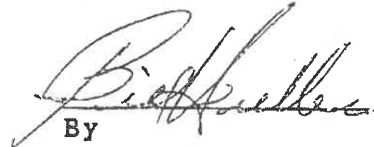
IN WITNESS WHEREOF, the parties have executed this Memorandum
of Understanding on the dates set forth below.

NEVADA COUNTY
TRANSPORTATION COMMISSION


By

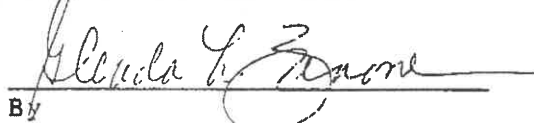
DATE: 4.20.94

CITY OF GRASS VALLEY


By

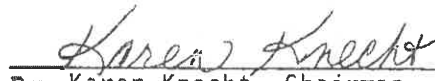
DATE:

CITY OF NEVADA CITY


By

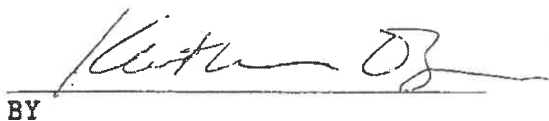
DATE: 5/11/94

COUNTY OF NEVADA


By Karen Knecht, Chairman
Board of Supervisors

DATE: 4/5/94

TOWN OF TRUCKEE


BY

DATE: 5/12/94