VENTURA COUNTY TRANSPORTATION COMMISSION

AIRPORT LAND USE COMMISSION
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
CONSOLIDATED TRANSPORTATION SERVICE AGENCY
CONGESTION MANAGEMENT AGENCY

[***www.goventura.org***](http://www.goventura.org)

AGENDA*

Actions may be taken on any item listed on the agenda

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, MARCH 4, 2011
9:00 AM

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a Commission meeting, please contact the Clerk of the Board at (805) 642-1591 ext 101. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **PUBLIC COMMENTS** – *Each individual speaker is limited to speak three (3) continuous minutes or less. The Commission may, either at the direction of the Chair or by majority vote of the Commission, waive this three minute time limitation. Depending on the number of items on the Agenda and the number of speakers, the Chair may, at his/her discretion, reduce the time of each speaker to two (2) continuous minutes. In addition, the maximum time for public comment for any individual item or topic is thirty (30) minutes. Also, the Commission may terminate public comments if such comments become repetitious. Speakers may not yield their time to others without the consent of the Chair. Any written documents to be distributed or presented to the Commission shall be submitted to the Clerk of the Board. This policy applies to Public Comments and comments on Agenda Items.*

   Under the Brown Act, the Board should not take action on or discuss matters raised during Public Comment portion of the agenda which are not listed on the agenda. Board members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.

5. **APPROVE SUMMARY FROM FEBRUARY 4, 2011 REGULAR VCTC MEETING –PG.6**

6. **CALTRANS REPORT**
   This item provides the opportunity for the Caltrans representative to give update and status reports on current projects.

7. COMMISSIONERS / EXECUTIVE DIRECTOR REPORT
This item provides the opportunity for the commissioners and the Executive Director to report on attended meetings/conferences and any other items related to Commission activities.

8. ADDITIONS/REVISIONS – *The Commission may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Commission subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Commission. If there are less than 2/3 of the Commission members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.*

9. CONSENT CALENDAR
All matters listed under the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no discussion of these items unless members of the Commission request specific items to be removed from the Consent Calendar for separate action.

9A. MONTHLY BUDGET REPORT – PG.11
Recommended Action:
Receive and file the monthly budget report for January, 2011.
Responsible Staff: Sally DeGeorge

9B. RAIL OPERATIONS UPDATE- PG.18
Recommended Action:
Receive and file the Commuter Rail Program Update.
Responsible Staff: Mary Travis

9C. MARKETING BUDGET AMENDMENT- PG.22
Recommended Action:
Amend the VCTC Fiscal Year 2010/2011 Marketing and Community Outreach Task budget to include $50,000 in Federal Transit Administration (FTA) Congestion Mitigation Air Quality(CMAQ) funds for bus graphic redesign and decals.
Responsible Staff: Donna Cole

9D. SANTA PAULA BRANCH LINE BUDGET AMENDMENT- PG.23
Recommended Action:
Amend the Santa Paula Branch Line Budget to include expenditure of $45,473 for the Santa Paula Branch track work project and revenues of $45,473 from the State Transportation Improvement Program (STIP).
Responsible Staff: Samia Maximous

9E. LEGISLATIVE REPORT – PG.24
Recommended Action:
Receive and file legislative report
Responsible Staff: Peter De Haan

9F. REQUEST FOR PROPOSALS FOR TRANSPORTATION DEVELOPMENT ACT (TDA) FISCAL AND COMPLIANCE REPORTS – PG.28
Recommended Action:
Approve the Request for Proposals (RFP) for completion of State required Transportation Development Act (TDA) annual fiscal and compliance audits of TDA claimants for distribution to appropriate consulting firms.
Responsible Staff: Mary Travis

9G. ACQUISITION OF SURPLUS MOORPARK TRANSIT VEHICLES – PG.36

Recommended Action:

- Authorize negotiations with the City of Moorpark for the possible acquisition of two surplus Moorpark buses.
- Authorize negotiations with FATCO and Coach America regarding possible operation of a VISTA Route 126 service.
- Direct the Executive Director to pursue additional funding sources, including, but not limited to Ventura College.

Responsible Staff: Vic Kamhi

10. AMENDMENT TO HANSEN BRIDGETT CONTRACT – PG.38

Recommended Action

Amend agreement with Hanson Bridgett LLP (HB) for legal services to develop and assist in implementation of a retirement healthcare plan increasing the not to exceed amount by $24,700 to $99,600.

Responsible Staff: Darren Kettle

11. ACTUARIAL VALUATION FOR OTHER POST EMPLOYEMENTS (OPEB) BENEFITS – PG.40

Recommended Action:

- Receive and file the Other Postemployment Benefits (OPEB) actuarial valuation by Bartel Associates LLC.
- Increase the OPEB prefunding budget from $126,000 to $138,000 based on the updated actuarial valuation with the $12,000 increase to be funded from the unobligated general fund balance.

Responsible Staff: Sally DeGeorge

12. PERSONNEL POLICIES AND PROCEDURES – PG.42

Recommended Action:

Approve Updated Personnel Policies and Procedures Manual.

Responsible Staff: Darren Kettle

13. UNPAID/DELINQUENT RENTS – PG.47

Recommended Action:

Place tenants' nonpayment/delinquent payment information on the consent agenda to authorize the service of notices to pay rent or quit and grant authority to serve and file the unlawful detainer actions immediately following the tenants' failure to meet the terms of the notices.

Responsible Staff: Darren Kettle

14. AGRICULTURAL WORKER VAN POOL PROGRAM JPA – PG.48

Recommended Action:

- Approve Attachment A, CalVans Joint Powers Authority
- Appoint one commissioner and one alternate to the CalVans Board of Directors

Responsible Staff: Alan Holmes

15. DRAFT TRANSPORTATION DEVELOPMENT ACT (TDA) LOCAL TRANSPORTATON FUND (LTF) APPORTIONMENT FY 2011/12 – PG.65

Recommended Action:

Adopt the Local Transportation Fund Draft Apportionment for Fiscal Year 2011/2012 apportioning $29.4 million including increasing reserves to approximately10% of the amount apportioned to local agencies as shown in Attachment 1, Option C.

Responsible Staff: Sally DeGeorge

16. CALTRANS COMMUNITY BASED TRANSPORTATION GRANTS – PG.73

Recommended Action:

- Authorize staff to submit a $250,000 Caltrans Community-Based Transportation Planning competitive grant on behalf of California State University Channel Islands (CSUCI) for the development of a bike sharing program.
- Approve the attached resolution in support of the Community-Based Transportation Planning Grant.
- Authorize the Executive Director to submit the attached letter of support to the Santa Barbara County Association Governments (SBCAG) for their submittal of a Caltrans Community-Based Transportation Planning competitive grant to perform a license plate survey.
- Authorize the Executive Director to contribute $10,000 in Local Transportation Funds (LTF) to be used as local match for Santa Barbara County Association Governments (SBCAG) for their submittal of a Caltrans Community-Based Transportation Planning competitive grant to perform a license plate survey.

Responsible Staff: Steve DeGeorge

17. DIESEL MULTIPLE UNIT (DMU) FEASIBILITY STUDY – PG.77

Recommended Action:

Authorize development of a Scope of Work, Request for Proposal and budget amendment to perform a Diesel Multiple Unit (DMU) feasibility study.

Responsible Staff: Steve DeGeorge

18. REVISIONS TO CMAQ PROGRAM AND APPROVAL OF CMAQ PROGRAM OF PROJECTS (POP) - PUBLIC HEARING – PG.79

Recommended Action:

- Approve Congestion Mitigation and Air Quality (CMAQ) program changes as follows:

  Simi Valley: Shift $41,000 in CMAQ funds from the Transit Maintenance Facility Expansion and $113,090 in CMAQ from the delayed Expansion Paratransit Van Purchase to the Garage Modernization project. Program $113,090 of CMAQ in Fiscal Year (FY) 2012/13 for the Expansion Paratransit Van Purchase.

  Thousand Oaks: Shift $60,000 in CMAQ funds from the Street Sweeper Alternate-Fueled Vehicle Replacement to the Transit Service Hours Extension, and revise the scope of the Transit Service Hours Extension to include fixed-route transit as well as dial-a-ride services.

- Approve Fiscal Year (FY) Program of Projects for CMAQ as shown in the Attachment.

Responsible Staff: Peter DeHaan

19. REQUEST FROM CITY OF MOORPARK TO PURCHASE MOORPARK TRAIN STATION NORTH PARKING LOT PARCEL – PG.82

Recommended Action:

Authorize staff to negotiate sale of Moorpark Train Station north parking lot parcel to the Moorpark Redevelopment Agency.

Responsible Staff: Mary Travis

20. VISTA PROMOTIONAL FARES – PG. 86

Recommended Action:

Approve the recommended VISTA promotional fare policy and authorize the Executive Director to implement the policy.

Responsible Staff: Vic Kamhi

21. COMPREHENSIVE TRANSPORTATION PLAN UPDATE – PG.88

Recommended Action:

Receive and File.

Responsible Staff: Darren Kettle

22. GENERAL COUNSEL'S REPORT

This item provides the opportunity for General Counsel to give update and status reports on any legal matters related to Commission activities.

23. REPORTS FROM OTHER AGENCIES

24. CLOSED SESSION

Pursuant to Government Code section 54957(b)(1), public employee evaluation:
Executive Director
General Counsel

25. ADJOURN

The next Commission meeting is scheduled to be held at 9:00 a.m. Friday**, April 1,** 2011, Camarillo City Hall, City Council Chambers, 601 Carmen Drive, Camarillo.

Item #5

Meeting Summary

VENTURA COUNTY TRANSPORTATION COMMISSION

AIRPORT LAND USE COMMISSION
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
CONSOLIDATED TRANSPORTATION SERVICE AGENCY
CONGESTION MANAGEMENT AGENCY

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, FEBRUARY 4, 2011
9:00 AM

MEMBERS PRESENT:

Dennis Gillette
Bill Fulton
Steve Bennett
Ralph Fernandez
Peter Foy
Brian Humphrey
Kathy Long
Michael Morgan
Irene Pinkard
Keith Millhouse
Linda Parks
Carlon Strobel
Steve Sojka
Keith Turner
Patti Walker
Mike Miles, Caltrans

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ELECTION OF VICE CHAIR
Commissioner Parks nominated Commissioner Zaragoza. The motion was seconded by Commissioner Foy and passed unanimously.

PUBLIC COMMENTS
Kevin Heckart brought the board's attention to a problem he has been having with his GoVentura bus pass. He was referred to staff for resolution.

APPROVE SUMMARY FROM JANUARY 7, 2011 REGULAR VCTC MEETING - *APPROVED*

CALTRANS REPORT
Mike Miles
Current SHOPP projects in the county total $33 million in design and $88 million in construction. The 118 project is expected to be completed ahead of schedule and a ribbon cutting is being planned for mid-March.

COMMISSIONERS REPORTS
Commissioner Long attended the Fillmore and Western event celebrating a 1913 steam engine. It was well attended and will be at the Rail Festival which will be held in March.

Commissioner Sojka thanked Mike Miles for the work Caltrans has cone on 118. The work has minimized the impact on community. The City of Simi Valley appreciates the great response Caltrans has given to all the local cities.

Commissioner Millhouse recognized Commissioner Brian Humphrey and VCTC staff member Mary Travis for doing a great job in support of rail operations in Ventura County and the region.

EXECUTIVE DIRECTOR REPORT

Spring Bond Sale Cancelled -The Commission will recall that in the past few years the availability of transportation bond funding has been uncertain due to the State's inability to sell General Obligation bonds in a reliable fashion. Typically, the State Treasurer has held two bond offerings per year, one in the Spring and one in the Fall. The most recent sale, in November, 2010, was fairly successful, providing sufficient Proposition 1A High Speed Rail funds to allocate the needed funds for Positive Train Control; and also providing enough Proposition 1B money to continue payments for ongoing projects such as the Route 118 Widening and the Rice/101 Interchange and to provide $78 million for transit capital projects, of which VCTC is expected to receive a share, as described in Agenda Item #11. However, the Treasurer has indicated that due to budget issues there will be no Spring bond sale, with the next bond sale to be Fall, 2011, at the earliest. While the State should have sufficient bond proceeds available to continue cash flow through the Fall for prior commitments, the cancellation of the Spring bond sale will lengthen the cue for projects that are not yet funded. Significantly for VCTC, this development increases the likelihood that the Route 101 Widening from Mussel Shoals to Carpinteria may have to wait before Proposition 1B funds become available. VCTC will also likely have to wait awhile for any additional Proposition 1B Transit funds beyond what is currently available for ready-to-go projects.

Legislative Analyst's Suggestions for State Transit Assistance - Last week the Legislative Analyst's Office (LAO) published a report regarding use of transportation funds to provide State General Fund relief. The report was very supportive of the Brown Administration's recommendations for readopting the transportation tax swap and using Weight Fees to offset the transportation funds lost to the General Fund due to Proposition 22. Unfortunately, the report concluded with suggested loopholes by which the Legislature could further reduce or even eliminate State Transit Assistance (STA) funds despite the intent of Proposition 22 to prevent State raids on STA. Specifically, the LAO has opined that the Proposition 22 restriction does not apply to the additional sales tax on diesel fuel added by the swap (assuming the Legislature readopts the swap). The LAO also suggested that the Legislature could make another swap to eliminate the diesel fuel sales tax which funds STA, and increase weight fees, using the increased weight fees for transportation bond payments. As a result, STA could be completely eliminated to benefit the General Fund. Transit agencies have been voicing their strong opposition since the LAO's report was released, but the bottom line is that STA is again entirely vulnerable to the State budget process, although this time there is one significant difference in that that the new Administration has recommended a relatively high level of STA funding. Attached is a letter from the Executive Director expressing VCTC's opposition to the suggested STA reduction. Also attached is a letter expressing support for the proposed transportation funding fix that was discussed at the January VCTC meeting. Similar letters were sent to the Senate Budget Committee and to the Ventura County legislative delegation. This coming Tuesday, VCTC staff will be participating in a Mobility 21 trip to Sacramento to express support for the transportation tax swap, continued STA funding, and reinstatement of the Spring bond sale.

Federal Transportation Authorization Act Update - As the newly sworn-in 112th Congress begins to organize for the legislative business ahead, a few key committee leaders have begun to reveal their plans for the next surface transportation authorization bill. Last week, in a series of meetings with transportation industry groups, new Transportation & Infrastructure Chairman John Mica (R-FL) announced his commitment to writing a full six-year bill this year, and outlined four guiding principles for the legislation. Chairman Mica plans to introduce legislation that will achieve the following:

- **Stabilize the Highway Trust Fund** by ensuring that spending authorized in the bill will not exceed actual Trust Fund receipts.
- **Recapture unspent federal funds within the transportation program**. Specific funds have not been identified, but the Chairman has noted that there are significant unobligated funds available throughout the federal transportation program. These funds could be used to supplement trust fund spending.
- **Utilizing public private partnerships and other alternative financing mechanisms to leverage federal funds.** Chairman Mica plans to encourage more investment from the private sector for transportation projects. He expressed interest in expanding and improving current authorized programs that provide loan assistance and innovative financing such as the Transportation Innovative Financing and Innovation Act (TIFIA) program and Building America Bonds. He is also open to developing new programs to encourage private investment.
- **Streamline programs and speed project delivery**. The Chairman noted that delays in project delivery add unnecessary costs to programs funded with federal dollars.

Annual Unmet Transit Needs Hearing - The annual unmet transit needs public hearing will be Monday February 7th, at 1:30 PM here at Camarillo City Hall with a follow-up meeting to review the draft hearing findings on Monday April 26th, same time, same place – Commissioners Humphrey, Morgan, and Walker have agreed to serve as the hearing board but other commissioners are encouraged to attend if time permits. We have expanded the unmet hearing needs process this year in that we also convened more informal community meetings on this topic on January 18th at 6:30 PM at Oxnard Public Library, January 19th at Thousand Oaks City Hall also at 6:30 PM and the Moorpark City Council held an unmet needs hearing as part of their February 2nd City Council meeting. VCTC staff attended these meetings and will also be collecting information for the hearing record by email to VCTC's website: goventura.org, by calls to the Transit Info Center at 1-800-438-1112 or by regular mail.

Private Rural Railroad Crossings Construction – In 2007 and 2008, Congressman Elton Gallegly secured federal funds naming VCTC as the lead agency to improve private rural railroad crossings along the Union Pacific Coast Mainline. In consultation with the Union Pacific Railroad and the two passenger carriers, Metrolink and Amtrak; Sand Canyon and the Peach Hill Soils crossings were identified as the next two crossing in need of improvement. Union Pacific Railroad is the owner of the Coast Mainline at these locations and will construct the improvements. UP advised VCTC that they will begin work at Sand Canyon on Wednesday, February 9th, 2011. UP is scheduled to start construction on February 15, 2011 at the Peach Hill Soils crossing. The Peach Hills improvements consist of the installation of standard crossing arms with signals to protect motorists when crossing the tracks. Construction is expected to be completed by the end of April 2011 for both crossings. The Peach Hill Soils crossing is being widened to accommodate two lanes of traffic and includes the private approach at the property owner's expense. Since 2007 VCTC staff and Union Pacific have been trying to convince the westerly neighboring property to use the Peach Hill Soils crossing for access and close their own crossing. Citing concerns that the narrow crossing and approach would not accommodate anticipated traffic volumes during harvest time, to date, the owner has declined to participate. We will keep the Commission informed of any new development regarding this issue.

Metrolink Montalvo Station Name Change to East Ventura Station – Attached to this report is a letter sent to Metrolink Chief Executive Officer John Fenton requesting, that coinciding with the next Metrolink schedule printing, that the name of the end of the line station at Montalvo be changed to identify the name of the city it is located in as is the case with all other stations in Ventura County. As is mentioned in the letter, the name change will make the location easier to find for those unfamiliar with West Ventura County, is more reflective of the area served by the station, and is a more recognized destination by Metrolink system riders. In follow-up conversations Mr.

Fenton has advised me that Metrolink is taking the steps to make the station name change official with the next schedule printing.

ADDITIONS/REVISIONS

The SCAG General Assembly conflicts with the May 6th VCTC meeting. By unanimous vote the May meeting has been moved to Friday, May 13th.

Item #10E (Lewis Road Bond Redemption) was pulled from the Consent Calendar for discussion. Commissioner Gillette read a letter from former Executive Director, Ginger Gherardi, acknowledging that this project would not have been successful without the outstanding staff work of Sally DeGeorge and Peter De Haan.

CONSENT CALENDAR

MONTHLY BUDGET REPORT - ***RECEIVED AND FILED***

RAIL OPERATIONS UPDATE- ***RECEIVED AND FILED***

AGRICULTURAL WORKER VANPOOL PROGRAM (AWVP) UPDATE- ***RECEIVED AND FILED***

LEGISLATIVE REPORT - ***RECEIVED AND FILED***

UPDATE OF LEWIS ROAD BOND REDEMPTION - ***RECEIVED AND FILED***

AUTHORIZE CALL FOR PROJECTS FOR FTA SECTION 5310 (ELDERLY AND DISABLED SPECIALIZED TRANSIT)

Authorize a call for projects for FTA Section 5310 (Elderly and Disabled Specialized Transit) using the Caltrans criteria for project evaluation.

APPROVED

PROPOSITION 1B PROJECTS

- Adopt Attachment A, a resolution programming $8,232,440 of newly-available Proposition 1B Transit Capital funds, and reprogramming approximately $230,000 to the Metrolink Car Purchase from the Coordinated Paratransit Information System unexpended balance.

- Adopt Attachment B, a resolution programming VCTC's $709,972 apportionment of Fiscal Year 2010/11 Proposition 1B Transit Safety and Security funds for the Metrolink Ventura County Grade Crossing Rehabilitation Project.

- Approve the Proposition 1B Transit Capital subrecipient grant agreements with the Southern California Regional Rail Authority (Attachment C), the City of Camarillo (Attachment D), Gold Coast Transit (Attachment E), the City of Simi Valley (Attachment F), and the City of Thousand Oaks (Attachment G).

- Amend the VCTC budget to add $2,463,580 to the Metrolink budget for the Proposition 1B funds contained in the Attachment C Agreement; add $4,641,601 to the Transit Grant Administration item for the Proposition 1B funds contained in the Attachment D – G subrecipient agreements; revise the Transit Grant Administration budget to replace $1,267,149 in State Transit Assistance funds for the Simi Valley Compressed Natural Gas (CNG) Fueling facility with an equal amount of Proposition 1B funds; and add $90,000 to the VISTA budget for the Particulate Trap project to be funded with Proposition 1B
  APPROVED

FY 2011/12 LTF DRAFT APPORTIONMENT
Adopt the Local Transportation Fund Draft Apportionment for Fiscal Year 2011/2012 apportioning $29.4 million including increasing reserves to $1.5 million.- ***CONTINUED TO MARCH 4, 2011***
(*Staff was directed to bring this item back to the March meeting with an analysis of the impacts of increasing the reserve by $500,000 or up to 10%.)*

HR 304 (GALLEGLY) RAILROAD LIABILITY CAP LEGISLATION
Adopt Watch position on HR 304.
APPROVED

ADMINISTRATIVE CODE AMENDMENT
Adopt Ordinance 2011-01 amending the Administrative Code establishing a 4 year term for Commission's two (2) Citizen members.
APPROVED

REPORTS FROM OTHER AGENCIES
Metrolink
Commissioner Humphrey congratulated and thanked Commissioner Millhouse for the two years he served as Chair of Metrolink. Mr. Millhouse assumed the Chairmanship at a very difficult time. His tireless efforts guided the organization after the Chatsworth tragedy, and saved the region hundreds of millions of dollars. He has set the agency on course for decades to come.

SCAG
John Procter reported SCAG will be conducting a SB 375 outreach 2/16 event for planners on February 16th. This event will be primarily to gather data to support public outreach in June. Outreach for elected will be scheduled in the Fall.

GENERAL COUNSEL'S REPORT - *NONE*

CLOSED SESSION
Pursuant to Government Code section 54957(b)(1), public employee evaluation:
Executive Director
General Counsel
(There was nothing to report from the Closed Session)

ADJOURN

Item # 9A

March 4, 2011

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for January 2011

BACKGROUND:

The monthly budget report is presented in a comprehensive agency-wide format with the investment report presented at the end. The Annual Budget numbers are updated as the Commission approves budget amendments or administrative budget amendments are approved by the Executive Director.

The January 31, 2011 budget report indicates that revenues were approximately 70.7% of the adopted budget while expenditures were approximately 28.7% of the adopted budget. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on a percentage or monthly basis. For instance, some revenues are received at the beginning of the year while other revenues are received after grants are approved by federal agencies. In many instances, VCTC incurs expenses in advance of the revenues.

The GARVEE bond funds from the State were received the end of January. These funds will be used to partially pay off the Lewis Road Bond on March 1, 2011.

VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF JANUARY 31, 2011

ASSETS

Assets:	
Cash and Investments - Wells Fargo Bank	$ 2,567,538
Cash and Investments - County Treasury	18,689,106
Cash and Investments - Bank of New York	24,325,859
Petty Cash	50
Receivables/Due from other funds	2,131,272
Prepaid Expenditures	818,373
Deposits	10,380
Total Assets:	**$48,542,578**

LIABILITIES AND FUND BALANCE

Liabilities:	
Accrued Expenses/Due to other funds	$ 997,748
Deferred Revenue	325,084
Advance from DOT	428,000
Deposits	3,400
Total Liabilities:	**$ 1,754,232**
Net Assets:	
Fund Balance	**$46,788,346**
Total Liabilities and Fund Balance:	**$48,542,578**

VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE SEVEN MONTHS ENDING JANUARY 31, 2011

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Debt Service Actual	Capital Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Revenues										
Federal Revenues	$ 6,406,973	$ 0	$ 0	$ 0	$ 0	$ 0	$ 6,406,973	$15,719,511	(9,312,538)	40.76
State Revenues	157,296	15,005,500	2,427,794	306,993	21,474,844	0	39,372,427	50,215,872	(10,843,445)	78.41
Local Revenues	4,024,699	0	0	10,000	0	0	4,034,699	4,422,799	(388,100)	91.23
Other Revenues	1,036	0	0	0	0	0	1,036	0	1,036	0.00
Interest	1,475	29,918	33,675	11,999	1,012	773	78,852	210,000	(131,148)	37.55
Total Revenues	**10,591,479**	**15,035,418**	**2,461,469**	**328,992**	**21,475,856**	**773**	**49,893,987**	**70,568,182**	**(20,674,195)**	**70.70**
Expenditures										
Administration										
Personnel Expenditures	1,256,768	0	0	0	0	0	1,256,768	2,413,000	(1,156,232)	52.08
Legal Services	12,557	0	0	0	0	0	12,557	35,000	(22,443)	35.88
Professional Services	48,715	0	0	0	0	0	48,715	110,000	(61,285)	44.29
Office Leases	79,274	0	0	0	0	0	79,274	131,300	(52,026)	60.38
Office Expenditures	144,230	0	0	0	0	0	144,230	271,675	(127,445)	53.09
Total Administration	**1,541,544**	**0**	**0**	**0**	**0**	**0**	**1,541,544**	**2,960,975**	**(1,419,431)**	**52.06**
Programs and Projects										
Transit & Transportation Program										
Senior-Disabled Transportation	44,995	0	0	0	0	0	44,995	252,800	(207,805)	17.80
Go Ventura Smartcard	117,759	0	0	0	0	0	117,759	819,178	(701,419)	14.38
VISTA Fixed Route	2,953,925	0	0	0	0	0	2,953,925	5,150,660	(2,196,735)	57.35
VISTA DAR	1,284,183	0	0	0	0	0	1,284,183	2,339,200	(1,055,017)	54.90
Nextbus	5,010	0	0	0	0	0	5,010	879,650	(874,640)	0.57
Trapeze Paratransit & Dispatch	11,504	0	0	0	0	0	11,504	30,200	(18,696)	38.09
Transit Grant Administration	3,197,386	0	0	0	0	0	3,197,386	7,482,324	(4,284,938)	42.73
Total Transit & Transportation	**7,614,762**	**0**	**0**	**0**	**0**	**0**	**7,614,762**	**16,954,012**	**(9,339,250)**	**44.91**
Highway Program										
Congestion Management Program	5,100	0	0	0	0	0	5,100	25,000	(19,900)	20.40
Motorist Aid Call Box System	0	0	0	176,275	0	0	176,275	462,900	(286,625)	38.08
SpeedInfo Highway Speed Sensor	0	0	0	79,400	0	0	79,400	144,200	(64,800)	55.06
Road & Highway Projects	1,654,623	0	0	0	0	574,992	2,229,615	3,952,200	(1,722,585)	56.41
Total Highway	**1,659,723**	**0**	**0**	**255,675**	**0**	**574,992**	**2,490,390**	**4,584,300**	**(2,093,910)**	**54.32**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Debt Service Actual	Capital Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Rail Program										
Metrolink Commuter Rail	1,431,491	0	0	0	0	0	1,431,491	2,764,047	(1,332,556)	51.79
LOSSAN & Coastal Rail	407	0	0	0	0	0	407	32,683	(32,276)	1.25
Santa Paula Branch Line	367,654	0	0	0	0	0	367,654	422,850	(55,196)	86.95
Total Rail	**1,799,552**	**0**	**0**	**0**	**0**	**0**	**1,799,552**	**3,219,580**	**(1,420,028)**	**55.89**
Commuter Assistance Program										
Dial A Route Transit Information	11,933	0	0	0	0	0	11,933	27,000	(15,067)	44.20
Rideshare & Employer Services	17,970	0	0	0	0	0	17,970	52,217	(34,247)	34.41
Total Commuter Assistance	**29,903**	**0**	**0**	**0**	**0**	**0**	**29,903**	**79,217**	**(49,314)**	**37.75**
Planning & Programming										
TDA LTF & STA Administration	194,230	7,196,803	0	0	0	0	7,391,033	21,579,623	(14,188,590)	34.25
Transportation Improvement Program	6,535	0	0	0	0	0	6,535	12,600	(6,065)	51.87
Regional Transportation Planning	14,779	0	0	0	0	0	14,779	149,500	(134,721)	9.89
Regional Transit Planning	57,329	0	0	0	0	0	57,329	208,400	(151,071)	27.51
Freight Movement	55,525	0	0	0	0	0	55,525	594,080	(538,555)	9.35
Total Planning & Programming	**328,398**	**7,196,803**	**0**	**0**	**0**	**0**	**7,525,201**	**22,544,203**	**(15,019,002)**	**33.38**
General Government										
Marketing & Community Outreach	188,233	0	0	0	0	0	188,233	499,332	(311,099)	37.70
State & Federal Relations	32,303	0	0	0	0	0	32,303	62,455	(30,152)	51.72
Debt Service	0	0	0	0	548,276	0	548,276	24,586,253	(24,037,977)	2.23
Management & Administration	12,979	0	0	0	0	0	12,979	431,061	(418,082)	3.01
Total General Government	**233,515**	**0**	**0**	**0**	**548,276**	**0**	**781,791**	**25,579,101**	**(24,797,310)**	**3.06**
Total Expenditures	**13,207,397**	**7,196,803**	**0**	**255,675**	**548,276**	**574,992**	**21,783,143**	**75,921,388**	**(54,138,245)**	**28.69**
Revenues over (under) expenditures	**(2,615,918)**	**7,838,615**	**2,461,469**	**73,317**	**20,927,580**	**(574,219)**	**28,110,844**	**(5,353,206)**	**33,464,050**	

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Debt Service Actual	Capital Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Other Financing Sources										
Transfers Into GF from LTF	1,566,277	0	0	0	0	0	1,566,277	1,607,360	(41,083)	97.44
Transfers Into GF from STA	2,556,507	0	0	0	0	0	2,556,507	4,082,595	(1,526,088)	62.62
Transfers Into GF from SAFE	30,834	0	0	0	0	0	30,834	695,800	(664,966)	4.43
Transfers Into DS from Cap	0	0	0	0	730	0	730	0	730	0.00
Transfers Out of LTF into GF	0	(1,566,277)	0	0	0	0	(1,566,277)	(1,607,360)	41,083	97.44
Transfers Out of STA into GF	0	0	(2,556,507)	0	0	0	(2,556,507)	(4,082,595)	1,526,088	62.62
Transfers Out of SAFE into GF	0	0	0	(30,834)	0	0	(30,834)	(695,800)	664,966	4.43
Transfers Out of Cap into DS	0	0	0	0	0	(730)	(730)	0	(730)	0.00
Total Other Financing Sources	**4,153,618**	**(1,566,277)**	**(2,556,507)**	**(30,834)**	**730**	**(730)**	**0**	**0**	**0**	**0.00**
Net Change in Fund Balances	**1,537,700**	**6,272,338**	**(95,038)**	**42,483**	**20,928,310**	**(574,949)**	**28,110,844**	**(5,353,206)**	**33,464,050**	
Beginning Fund Balance	**1,570,432**	**2,570,057**	**7,700,785**	**2,863,729**	**1,872,350**	**2,100,149**	**18,677,502**	**11,643,000**	**7,034,502**	
Ending Fund Balance	**$3,108,132**	**$8,842,395**	**$7,605,747**	**$2,906,212**	**$22,800,660**	**$1,525,200**	**$46,788,346**	**$6,289,794**	**$40,498,552**	

VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF JANUARY 31, 2011

As stated in the Commission's investment policy, the Commission's investment objectives are safety, liquidity, diversification, return on investment, prudence and public trust with the foremost objective being safety. Below is a summary of the Commission's investments that are in compliance with the Commission's investment policy and applicable bond documents.

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo – Checking	Government Checking	N/A	$2,099.59	0.05%	$2,567,537.96
Wells Fargo Fidelity MM	Fidelity Inst. Money Market Gov. Portfolio (FCGXX)	N/A	$6.08	0.01%	0.00
County of Ventura	Treasury Pool	N/A	$75,110.68	0.97%	18,644,710.36
Bank of New York	JP Morgan US Government Money Market (MJGXX)	N/A	$277.77	0.03%	24,325,858.68
Bank of New York	U.S. Treasury Bill	08/26/10	$590.27	0.20%	0.00
Bank of New York	U.S. Treasury Bill	10/21/10	$916.65	0.24%	0.00
Total			**$79,001.04**		**$45,538,107.00**

Because VCTC receives a large portion of their state and federal funding on a reimbursement basis, the Commission must keep sufficient funds liquid to meet changing cash flow requirements. For this reason, VCTC maintains checking accounts at Wells Fargo Bank.

The Commission's checking accounts for the General Fund and the Service Authority for Freeway Emergencies (SAFE) fund are swept daily into a money market account. The interest earnings are deposited the following day. The first $250,000 of the combined deposit balance is federally insured and the remaining balance is collateralized by Wells Fargo Bank.

The Wells Fargo Fidelity money market account was closed due to low interest rates.

A portion of the interest earned by the General Fund is attributed to the Proposition 1B advance and is deducted from the interest revenue as it is due back to the State if not expended on the eligible projects.

The Commission's Local Transportation Funds (LTF), State Transit Assistance (STA) funds and SAFE funds are invested in the Ventura County investment pool. Interest is apportioned quarterly, in arrears, based on the average daily balance. The investment earnings are generally deposited into the accounts in two payments within the next quarter. Amounts shown are not adjusted for fair market valuations.

The Debt Service and Capital funds for the Lewis Road bond are currently invested in JP Morgan money market funds at the Bank of New York (VCTC's bond trustee) as well as in United States Treasury Bills. The funds were invested to meet anticipated cash flow needs and the investment income will be booked at maturity. The bond will be paid on March 1, 2011.

Item # 9B

March 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **MARY TRAVIS, MANAGER, TRANSPORTATION DEVELOPMENT ACT AND RAIL PROGRAMS**

SUBJECT: **RAIL OPERATIONS UPDATE**

RECOMMENDATION:

- Receive and file.

DISCUSSION:

Metrolink Ridership:

Attached are tables and charts that summarize the Ventura Line ridership for the past several years with detailed data through January, including station-by-station counts of passengers boarding in the morning peak-hour period. Using January, 23011 as a snapshot, the ridership tables indicate overall ridership on the Ventura Line is down around 200 passengers per day from January counts in past years. The station boardings at the Ventura County stations have stayed about the same over the past several years, but the lack of ridership growth in this County is a concern and will continue to be evaluated.

Metrolink On-Time Performance:

The Ventura Line's on-time performance (trains arriving within five minutes of scheduled time) continued to be very good. Overall, during the month of January, 97% of the inbound trips and 94% of the outbound trips ran on-time.

Express Train Service to Los Angeles

Metrolink is studying the Antelope Valley, San Bernardino and Orange County Lines to see if express service could be operating during peak-hours on some of the trains on these lines. The plan would be to skip some stops on the lines to achieve faster travel times to downtown Los Angeles. The results of the review will be shared with the impacted counties and passengers to make the final feasibility determination.

Also, on February 14th, Amtrak started a new express train between San Diego and Los Angeles. The express Pacific Surfliner train departs San Diego at 7:05 AM and arrives in Los Angeles at 9:33 AM or about twenty minutes faster than the regularly-scheduled Surfliner trains. The Surfliner Express is a demonstration project that will operate for the next year.

Metrolink Connections:

Mobile.MetrolinkTrains.com is a new, smartphone friendly version of Metrolink's website that allows passengers to check on routes, schedules and connecting transit on cell phones. It joins several other platforms Metrolink passengers can use for online communications including the website MetrolinkTrains.com; Facebook.com/Metrolink; MetrolinkTrains.blogspot.com; and, YouTube.com/Metrolink Matters.

Metrolink FY 2011/2012 Budget:

Development of the Metrolink budget for the next fiscal year has started. At this time, no service changes are planned in Ventura County, however, additional trains servicing Chatsworth might be added if there is time in the overall daily schedule to accommodate more trips. It is not expected there will be a significant change in Ventura's share of the budget next year.

Santa Paula Branch Line (SPBL) Operations:

Staff is continuing to work with Fillmore and Western Railway (F&W) and Union Pacific Railroad (UP) which are the two operators on the SPPL, on generating additional revenues with the goal of making this vital asset self-sustaining in the near future. We are also working with Legal Counsel to update the existing VCTC/F&W agreement to reflect the current arrangements more accurately. There will be a meeting of the Santa Paula Branch Line Advisory Committee (SPBLAC) on March 3, 2011 to review the draft FY 11/12 SPBL budget and other issues. An update from the meeting will be given to the Commission as needed.

Property Leases

Staff has been working with F&W to review the existing SPBL leases to determine if additional revenues can be generated to offset the ongoing maintenance work. While it does not appear that significant additional revenues can be found at this time, there is some opportunity to approach leaseholders about adding property to their existing leases and bringing in more money; we will continue working on this effort.

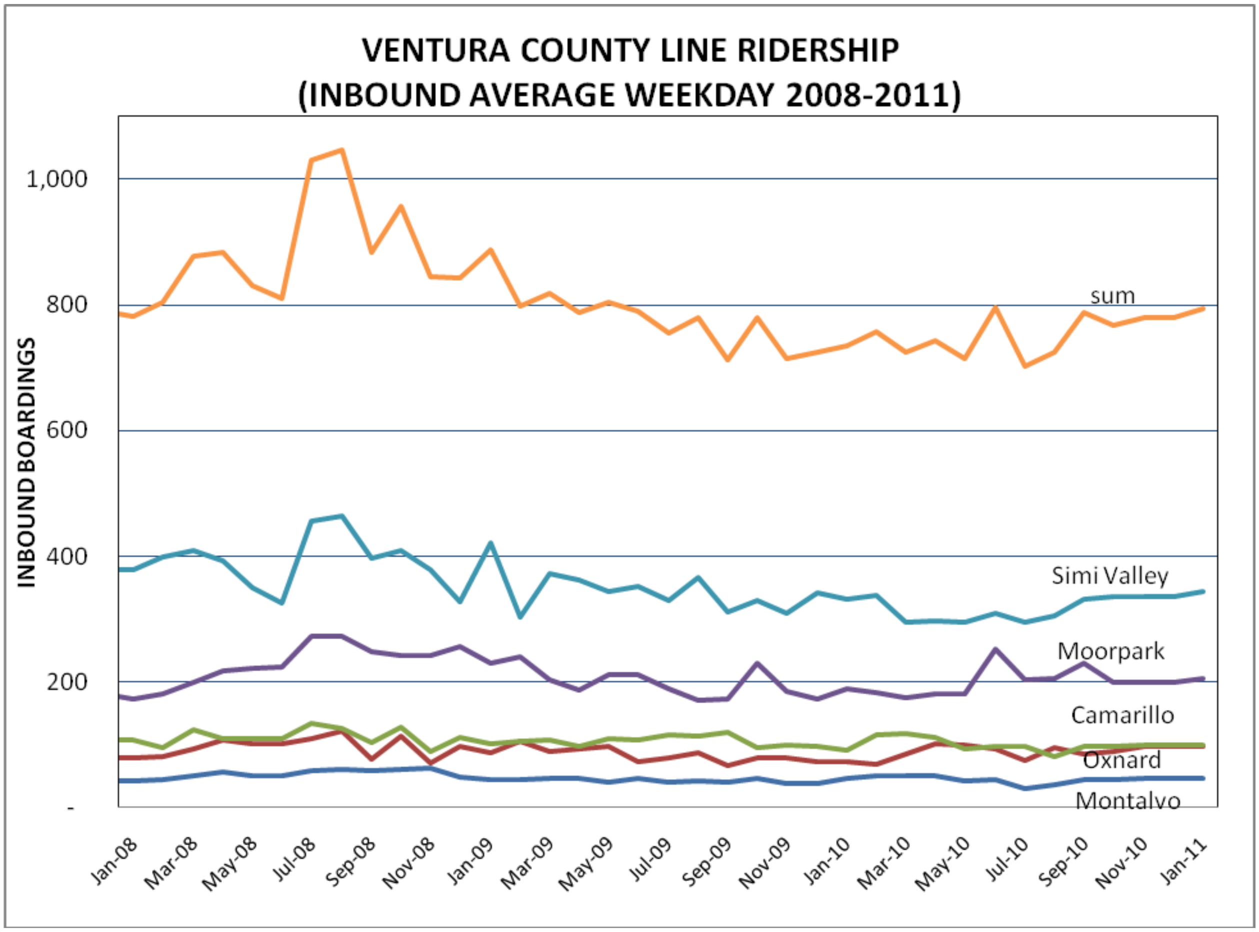
Union Pacific (UP) Railroad

VCTC's agreement with UP requires the Commission maintain the tracks between Montalvo and Santa Paula without charge as long as UP runs freight on the Line. They currently have one customer, International Paper, with deliveries/pickups by rail three times a week. Staff is continuing discussions with UP and F&W to possibly establish a transloading arrangement, where the freight would be shifted from UP to F&W near Montalvo. In this type of arrangement, UP would pay F&W to transport freight to the existing UP customer i.e. International Paper, however, F&W could also provide other freight hauling opportunities to customers all along the SPBL corridor. It is possible additional freight customers could be added. This hasn't been a priority in the past because UP got all the revenue while VCTC shouldered all the costs. Staff will continue working with both UP and F&W on this potential new source of revenue to support F&W operations.

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA
Jan-11	3,481	2,061	39,631	259
Jan-10	3,694	2,022	40,765	325
Jan-09	4,307	2,341	43,988	283
Jan-08	4,178	2,164	43,322	264
Jan-07	3,962	2,050	41,095	228
Jan-06	3,902	1,991	40,343	136
Jan-05	3,378	1,471	37,254	268
Jan-04	4,001	1,864	36,399	110
Jan-03	3,673	1,760	33,708	88
Jan-02	3,566	1,854	32,443	15
Jan-01	3,736	1,920	32,404	45

INBOUND BOARDINGS (on Metrolink trains*)

	Montalvo	Oxnard	Camarillo	Moorpark	Simi Valley	VTA Cnty Total	Total Line
Jan-11	47	97	101	205	344	794	1,264
Jan-10	47	74	92	190	332	735	1,343
Jan-09	45	88	101	231	422	887	1,632
Jan-08	42	80	108	174	378	782	1,510
Jan-07	43	90	97	176	340	746	1,442
Jan-06	44	70	113	195	322	744	1,458
Jan-05	30	96	83	137	215	561	1,288
Jan-04	18	72	61	172	284	607	1,303
Jan-03	9	94	71	193	231	598	1,248
Jan-02	0	94	71	193	310	668	1,285
Jan-01	0	91	66	196	310	663	1,289


VENTURA COUNTY LINE RIDERSHIP
(INBOUND AVERAGE WEEKDAY 2008-2011)
INBOUND BOARDINGS
1,000
800
600
400
200
-
sum
Simi Valley
Moorpark
Camarillo
Oxnard
Montalvo
Jan-08
Mar-08
May-08
Jul-08
Sep-08
Nov-08
Jan-09
Mar-09
May-09
Jul-09
Sep-09
Nov-09
Jan-10
Mar-10
May-10
Jul-10
Sep-10
Nov-10
Jan-11

Item # 9C

March 4, 2011

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DONNA COLE, PUBLIC INFORMATION OFFICER

SUBJECT: MARKETING AND COMMUNITY OUTREACH BUDGET AMENDMENT

RECOMMENDATION:

- Amend the VCTC Fiscal Year 2010/2011 Marketing and Community Outreach Task budget to include $50,000 in Federal Transit Administration (FTA) Congestion Mitigation Air Quality(CMAQ) funds for bus graphic redesign and decals.

BACKGROUND:

The 2010/11 Marketing and Community Outreach budget task included VISTA bus graphic redesign and decals. The project was expected to begin in 2010/11 and continue into the following fiscal year, however it has been completed ahead of schedule. Funds were included in the current budget to cover the anticipated costs for this year and funds were set aside to cover the balance of the costs for this project when completed in 2011/12. Since the project was completed sooner than anticipated staff is recommending utilizing $50,000 in FTA CMAQ Funds that were previously set aside to cover the $50,000 expenditure for bus graphic redesign and decals.

Item # 9D

March 4, 2011

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SAMIA MAXIMOUS, CAPITAL PROJECTS DIRECTOR

SUBJECT: SANTA PAULA BRANCH LINE BUDGET AMENDMENT

RECOMMENDATION:

- Amend the Santa Paula Branch Line Budget to include expenditure of$45,473 for the Santa Paula Branch track work project and revenues of $45,473 from the State Transportation Improvement Program (STIP).

DISCUSSION:

In FY 2008/2009, the Commission contracted with Metrolink to replace old track on the Santa Paula Branch line; the project was completed last fiscal year. The work included rehabilitation and improvement of the tracks from Montalvo to Saticoy. The project was completed in March 2010 and Metrolink invoiced VCTC for all the costs incurred including their overhead costs. VCTC processed all invoices except for the overhead costs as the overhead rates have to be approved and certified by Caltrans. The project was closed without paying the overhead costs. In September 2010, Metrolink received the approved and certified overhead rates from Caltrans and requested payment of $45,473 of overhead applied to the Santa Paula Branch Line track work project.

VCTC staff contacted Caltrans and requested to amend the Intercity Rail Passenger Facility Contract between Caltrans and VCTC to allow the processing of the last invoice from Metrolink. The request was recently approved by Caltrans. However, the project was no longer budgeted in fiscal year 2010/2011. Therefore, a budget amendment is needed in order to process the invoice received from Metrolink in the amount of $45,473.

FISCAL IMPACT

Funding for the final invoice in the amount of $45,473 is available within the project's initial budget within the state grant funded through the STIP.

Item #9E

March 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **PETER DE HAAN, PROGRAMMING DIRECTOR**

SUBJECT: **LEGISLATIVE UPDATE**

RECOMMENDATION:

- Receive and file legislative report.

BACKGROUND:

Federal Issues

VCTC's Executive Director participated in a Mobility 21 Washington DC trip February 15th – 17th, while this report was being written. He will report on the trip as part of the Executive Director's report at the Commission meeting.

On February 11th the House Republicans unveiled their proposed Fiscal Year (FY) 2011 Budget, which would extend the approved federal appropriation from the March 4th expiration of the current Continuing Resolution, through the end of the fiscal year on September 30th. The proposal has been presented as delivering on a promise to cut $100 billion from the Administration's FY 2011 budget proposal.

The House FY 2011 Budget proposal would reduce total Department of Transportation appropriations by $7.87 billion compared with FY 2009/10, and would also rescind $3.75 in previous transportation appropriations from the American Recovery and Reinvestment Act (ARRA). The transportation cuts include elimination of funds for High Speed Rail and Positive Train Control, including rescission of previously-appropriated funds, and a $700 million reduction in the Transit New Starts program. As of this writing, staff is not aware of any proposed reductions to the highway or transit formula funding. However, the adopted rules allow any House Member to introduce from the floor an amendment for further cuts, so more cuts are possible. The House leadership hoped to vote the bill by February 18th, before Congress takes a one-week recess. Since the Senate upon returning from the recess will likely not have enough time to act on the annual appropriation bill prior to March 4th, another short-term Continuing Resolution will likely be needed.

On February 14th, the Administration released its proposed FY 2012 Budget. The budget also contains an outline of a proposed $551 billion six-year authorization from 2012 to 2017, funded in part from $231 billion in unidentified additional revenues. For the upcoming budget year, the proposal includes a one-time $50 billion "up front" infrastructure funding infusion to help create jobs. The budget amounts include $69.7 billion for highways, including $27.6 billion of the "up front" funds, representing a 72% increase over FY 2009/10; and $22.4 billion for transit, including $11.5 billion of "up front" funds, for a 109% increase over FY 2009/10. However, the funding increases excluding the "up front" money are very modest, about 1% for both highways and transit. The budget proposal contains a large number of program changes, combining, for example, the Fixed Guideway Modernization and Bus and Bus Facilities program into a program called Bus and Rail State of Good Repair Program.

Meanwhile, House Transportation and Infrastructure Committee Chair John Mica (R-Florida) has introduced legislation to extend the transportation authorization at the existing level through September 30th. This legislation appears likely to pass soon, given that the current authorization expires March 4th, the same date as the current Continuing Resolution.

Congressman Ken Calvert (R-Riverside) has introduced HR 526, entitled the "ON TIME" Act, which is a reintroduction of his previous bill, HR 5102. This bill would levy a fee on imports of 0.075% of the value of a shipment, or $500, whichever is less, to be allocated to state departments of transportation for improvements to goods movement corridors. Funds could only be used for improvements in the same corridor where they were collected. Corridors would be defined by the Secretary of Transportation in consultation with the Secretary of Commerce. Thus far the Southern California transportation agencies have not had significant involvement in the bill.

The annual Capitol Hill reception sponsored by California transportation agencies will be held on the evening of March 15th in Washington, DC. Any Commissioners who expect to be in Washington at that time and would be interested in attending should contact Peter De Haan of VCTC staff by March 7th to ensure a name tag will be prepared for them.

<u>State Issues</u>

Attached is the monthly report from Tim Egan, VCTC's Sacramento representative. The deadline for introduction of bills occurred Feb 18th, just before the report was written, and as of yet staff is not aware of any bills of interest for possible VCTC positions. The report provides an update on the status of the state budget deliberations.

ATTACHMENT

Capital Representation Group

February 22, 2011

To: Ventura County Transportation Commission
Darren Kettle
Peter DeHaan

Subject: **LEGISLATIVE REPORT**

STATE BUDGET

Since the Governor introduced his budget on January 10, 2011, the Legislature has conducted numerous Budget Subcommittee Hearings to consider and take action on the proposed budget, with a goal of passing a budget bill and budget trailer bills by March 7, 2011 in time to submit to the voters for a June, 2011 Special Election a proposition to extend the previously enacted temporary taxes for an additional five-year period. On February 18, 2011, the Senate and Assembly Budget Committees completed work on their versions of the 2011-12 Budget which will now go to a budget conference committee. This concluded an intense and extensive series of budget subcommittee meetings and full budget committee hearings where testimony and public input from virtually all the major stakeholders was taken on the Governor's budget proposals and other alternatives.

When the Governor released his budget, he indicated that the State has a General Fund deficit of $25.4 billion for the two-year period ending June 30, 2012. On February 8, 2011, the Governor indicated that he will cancel the sale-for-leaseback of 11 state properties which reduces 2010-11 revenues by $1.2 billion. With this action, and a desired budget reserve of $1.0 billion, a total of about $27.6 billion in budget solutions and revenues are needed. The General Budget Framework adopted by the Senate and Assembly Budget Committees pretty much solves the $27.6 billion with equal expenditure reductions and revenues solutions (primarily the extension of the temporary taxes) and some other budget solutions. Overall the budget plans currently before the Senate and Assembly prioritizes K-12 education and public safety and significantly reduces funding for Health and Human Services and other safety net programs, as well as to eliminate redevelopment agencies (RDA) for expenditure savings of $1.7 billion, which would be directed to offset state costs for Trail Courts and Medi-Cal. In the out-years, the RDA property tax increment would supplement funding for schools and cities and counties. Funding for RDAs would continue as necessary to retire outstanding debt.

So How Did Transportation Funding Come Out?

The Budget Committees voted to support the Governor's proposal to re-enact the March, 2010 fuel tax swap to conform to the two-thirds vote requirement of Proposition 26, in addition to substitute the fuel tax with truck weight fee revenue for payment of the outstanding transportation-related general obligation (GO Bond) debt and loans to the General Fund to conform to the requirements of Proposition 22 enacted last year.

This recommended action would maintain the benefits of last year's fuel tax swap for transit and highways and also maintains the previous General Fund relief. If adopted by the Legislature, public transit would retain the state support of $350 million annually that was achieved as part of last year's "Gas Tax Swap." Highway and local streets and roads funding would be maintained at the full "Prop 42" level. Truck weight fees (instead of gas excise revenues) would go to GO bond debt service and outstanding loans to maintain the previously agreed General Fund relief of $1.7 billion over the next two years ($1,040 billion for GO bonds and $760 million for General Fund loans).

Item # 9F

March 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **MARY TRAVIS, MANAGER, TRANSPORTATION DEVELOPMENT ACT AND RAIL PROGRAMS**

SUBJECT: **REQUEST FOR PROPOSALS FOR STATE REQUIRED TRANSPORTATION DEVELOPMENT ACT (TDA) FISCAL AND COMPLIANCE AUDITS**

RECOMMENDATION:

- Approve the Request for Proposals (RFP) for completion of State required Transportation Development Act (TDA) annual fiscal and compliance audits of TDA claimants for distribution to appropriate consulting firms.

DISCUSSION:

Every year, the State requires that VCTC, in its role as the County Transportation Commission and Transportation Planning Agency for Ventura County, contract with an independent auditor to complete fiscal and compliance audits of any agency receiving TDA Local Transportation Funds (LTF) or State Transit Assistance (STA) money.

Vavrinek, Trine, Day & Co, LLP was awarded the contract for completion of the FY 09/10 audits. These reports have just been completed and have been submitted to local agencies and the State Controller's Office. The current contract for the project is $35,160. In previous years, the work was performed by Charles Rivera, CPA, based in Oxnard.

In the past, VCTC issued an annual contract for this work but this RFP is for three years or to complete audits for FY 10/11, 11/12 and 12/13. It is expected a multiyear contract will result in better bids to fulfill complete this annual requirement.

Attached is a Request for Proposals to circulate to appropriate auditing consultant firms to complete the work including a schedule for the work to be performed; the RFP allows for a three-year contract to perform the work for FY 10/11, FY 11/12 and FY 12/13.

The audits must be completed no later than December 30 each year. It is estimated the FY 10/11 audits will cost about $40,000 and each subsequent year should be about the same or less. Once the contract is awarded, the final amount for the work will be included in VCTC's FY 11/12 budget and in subsequent year budgets.

March 7, 2011

SUBJECT: __**REQUEST FOR PROPOSALS FOR AUDITOR TO PERFORM TRANSPORTATION DEVELOPMENT ACT (TDA) FINANCIAL AND COMPLIANCE REPORTS FOR SPECIFIED AGENCIES IN THE COUNTY OF VENTURA**__

The Ventura County Transportation Commission (VCTC) is requesting proposals for the conpletion of audits on the accounts and records of Ventura County claimants of Transportation Development Act (TDA) funds for Fiscal Year 2010/2011 (see Appendix A) and also the same audits for Fiscal Years 2011/2012 and 2012/2013. These audits will include a financial and a compliance examination, and also, preparation, where necessary, of required transit operator State Controller Reports.

Firms interested in performing this work should send their proposal **NO LATER THAN 4 P.M. MONDAY MAY 9, 2011** to:

VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)
950 County Square Drive, Suite 207
Ventura, CA 93003
Attention: Mary Travis, TDA Program Manager

Respondents should address the components as stated in the enclosed RFP.

Disadvantaged Business Enterprises (DBE's) as defined in 49 CFR, Part 23, shall have maximum opportunity to participate. DBE respondents should submit an affidavit of certification with their proposals.

Questions regarding the scope of work or any administrative questions should be addressed to Mary Travis at (805) 642-1591 ext. 102. Thank you for your interest.

REQUEST FOR PROPOSAL
FOR AUDITOR TO PERFORM FINANCIAL AND COMPLIANCE AUDITS
AND STATE CONTROLLER TRANSIT REPORTS

SCOPE OF PROJECT

The project involves the financial and compliance audits of claimants and funds, and, assistance where needed, to prepare required State Controller transit reports for Fiscal Years 2010/2011, 2011/2012 and 2012/2013. The work will be conducted in accordance with the rules and regulations of the Transportation Development Act.

Note the dates and schedule included in this RFP concern FY 2010/2011. Work for subsequent years will be adjusted accordingly but will follow the same basic schedule to ensure completion of the audits by the State-required dates.

The intent of these audits and reports is to certify compliance with appropriate TDA (LTF and STAF) regulations and requirements and to verify claims. The format and accompanying notes must be consistent for all claimants, and presented so that required information can be readily transferred to claim forms. Auditing requirements include the following:

A. Examine the financial activities of claimants and funds, including internal systems of checks and balances, prior to December 30, 2011. The examination must encompass both expenditures and projects for which funds were allocated but not expended. A list of all major projects comparing actual revenues/expenses to budgeted revenues/expenses must be included in the audit report, as well as an accounting of interest earned on these accounts. The report shall include the audited amounts for the fiscal year prior to the year audited.

B. A compliance examination of the claimants' transportation activities under the Transportation Development Act due prior December 30, 2011.

C. Technical assistance to claimants, when applicable, in the implementation of the Uniform System of Accounts for Public Transit Operators and in compliance with TDA regulations.

D. Examine the financial activities of recipients of State Proposition 1B funds. The examination must encompass both expenditures and projects for which funds were allocated but not expended. A list of all major projects comparing actual revenues/expenses to budgeted revenues/expenses must be included in the audit report, as well as an accounting of interest earned on these funds. The report shall also include the audited amounts for the fiscal year prior to the year audited.

- **PRODUCTS**

1. Where requested by claimant, prepare and deliver one copy of the State Controller's Report for each transit claimant by September 30, 2011 to the following agencies:

   Claimant
   Ventura County Transportation Commission
   The State Controller's Office

2. Deliver one copy of the Draft Audit Report for each claimant by November 18, 2011 to:

   Claimant
   Ventura County Transportation Commission

3. Deliver one copy of the Final Audit Report for each claimant by December 30, 2011 to the following agencies:

   Claimant
   Ventura County Transportation Commission
   The State Controller's Office

- **PROJECT SCHEDULE**

May 9, 2011	Submit proposal to VCTC
June 3, 2011	Contract approved by VCTC
June 6, 2011	Contract signed, work begins
September 30, 2011	Complete or verify State Controller's Report
November 18, 2011	Draft audits completed, submitted to agencies/VCTC
December 30, 2011	Final audits completed submitted to State Controller, agencies and VCTC

(Also, FY 11/12 audits completed/submitted by December 30, 2012, and, FY 12/13 audits completed/submitted by December 30, 2013)

I. SELECTION PROCESS

- Three (3) copies of typewritten proposals shall be submitted **MONDAY MAY 9, 2011 NO LATER THAN 4 PM** to:

  VENTURA COUNTY TRANSPORTATION COMMISSION
  950 COUNTY SQUARE DRIVE #207
  VENTURA, CA 93003

  ATTENTION: MARY TRAVIS, TDA MANAGER

The Proposals will then be reviewed by appropriate individuals:

- The proposals will be ranked in accordance with the criteria described in Part III.

- Applicants will be notified of the selection by June 6, 2011

II. PROPOSAL INFORMATION AND CONTENT

Proposals should be organized as specified below:

- **Title Page**

  Indicate RFP subject, name of proposer's firm, local address, telephone number, name of contact person, and date of proposal.

- **Table of Contents**

  Include a clear identification of the material by section and by page number.

- **Letter of Transmittal**

  - Briefly state the proposer's understanding of the work to be done and make a positive commitment to perform the work within the specified time period.

  - Provide the names of the individuals authorized to make representations for the proposer, their titles, addresses, and telephone numbers.

- **Profile of the Proposer**

  - State whether the firm is local or national, and provide a summary of representative experience relevant to the work solicited by this RFP.

  - Give the location/telephone number of the office from which the work is to be done.

- **Summary of Proposer's Qualifications**

  - Provide a brief statement of similar jobs performed. Identify individual who performed work on similar prior jobs.

  - Provide a list of references (both firms and individuals within the firms) for whom similar work has been performed.

  - Identify the individuals who will perform VCTC's work. The individuals assigned should have similar prior experience. Resumes for each supervisory person to be assigned to the work should be included.

  - Provide a copy of your firm's last Peer Review report.

- **Fee Structure**

  - Include fee structure for attached (Appendix A) list of claimants and funds. Identify the fee rate and estimate the level of effort required for the work. Submit one fee estimate for the attached list of claimants, agencies, and funds.
  - Please detail the total cost for each fiscal year, that is, for FY 2010/2011, for 2011/12, and, for 2012/2013.

- **<u>Disadvantaged Business Enterprises (DBE's)</u>**

  - Disadvantaged Business Enterprises (DBE's) as defined in 49 CFR, Part 23, shall have maximum opportunity to participate. If your firm is a DBE, please submit an affidavit with your proposal.

III. EVALUATION OF PROPOSALS

Proposals will be evaluated according to the following criteria:

- Technical experience with similar projects.
- Demonstrated competence to perform, including the ability to meet the schedule.
- Assigned personnel qualifications and availability.
- Capacity to perform within the time frame.
- Evidence of full understanding of the work to be performed.

VCTC reserves the right to reject any and all proposals submitted and to request additional information. The contract fort this work will be awarded to the firm that the VCTC deems best qualified.

APPENDIX A: AGENCIES AND FUNDS TO BE AUDITED/SCOPE OF SERVICES

AGENCIES	TDA ARTICLE NUMBER 3	8a	8c*	STA 6.5**	4.5	STATE BOND PROP. 1B
City of Camarillo	X	X				X
City of Fillmore	X	X	X			
City of Moorpark	X	X	X			X
City of Ojai	X	X	X			
City of Oxnard	X	X	X			X
City of Port Hueneme	X	X				
City of San Buenaventura	X	X	X			X
City of Santa Paula	X	X	X			
City of Simi Valley	X	X				X
City of Thousand Oaks	X	X	X			X
County of Ventura	X	X	X			X
VCTC***	X	X	X	X	X	X
Southern California Regional Rail Authority****	X					X
County Auditor****	X	X	X			
County Auditor*****				X		

* State Controller Reports should be prepared for these transit claimants, <u>if requested</u> by claimant. You should secure a copy of the report for VCTC records.

** VCTC is currently the only claimant for STA funds.

*** VCTC claims: Article 3 Administrative and Planning Funds as well as Article 3 and 6.5 funds for transit and rail services. VCTC also receives Article 8c and local funds for VISTA intercity bus service from the cities and County. These allocations need to be audited and appropriate reports prepared and filed.

**** These agencies already prepare audits/reports for their respective allocations; your responsibility is to secure copies of these audit/reports, which are needed for the VCTC's records.

***** A separate audit needs to be done at the County Auditor-Controller's for the Countywide STA fund.

APPENDIX B: SCOPE OF SERVICES

1. GENERAL BACKGROUND

Audits of claimants, agencies, and funds will be conducted in accordance with the requirements of each funding source.

2. SCOPE OF SERVICES/TRANSPORTATION DEVELOPMENT ACT AUDITS

Audits of expenditures of Transportation Development Act (TDA) funds claimed by cities, the county, and VCTC in accordance with the requirements of the TDA and following the TDA conformance auditing guide. The intent of these audits is to certify compliance with the appropriate TDA regulations and requirements. The format and accompanying notes should follow the auditing guide. The intent of these audits is to certify compliance with the appropriate TDA regulations and requirements. The format and accompanying notes should follow the auditing guide summary, and should allow for verification of required revenue ratios. Note the following dates concern FY 2010/2011 and will be adjusted accordingly for FY 2011/2012 and 2012/2013.

Also, in keeping with State administrative guidelines concerning State Proposition 1B funds, an audit of the recipients of these funds is included in the work to be performed under this contract.

Auditing requirements include the following:

2.1 Examine financial activities, including internal systems of checks and balances.

2.2 Prepare financial statements including balance sheet, statement of cash receipts, and disbursements during FY 2010/2011 and statement of changes in the fund balance.

2.3 Identify net amounts allocated and disbursed for specific purposes.

2.4 Identify interest or other income earned by investment of funds during FY 2010/2011.

2.5 Examine projects for which funds were allocated but not expended.

2.6 Identify/list all major projects, comparing actual revenues/expenditures with budgeted revenues and expenditures, including audited amounts for the fiscal year prior to FY 2010/2011.

2.7 Examine current and prior fiscal year expenditures and allocations of regional funds; identification of these allocations as deferred revenues, interest, and expenditures separately from other funds; certification of encumbrances or regional funds according to VCTC policy; and, identification of any appropriations due to be returned to VCTC.

2.8 Conformance and compliance audit of claimants' transportation activities under State Transportation Development Act (TDA).

2.9 Technical assistance to claimants, when applicable, in the preparation and submittal of the report to the State Controller on the Uniform System of Accounts for Public Transit Operators and in compliance with TDA regulations.

2.10 Where receipts from State Transportation Bond Proposition 1 B have been received and used in conjunction with TDA funds, the Proposition funding should be included in the audit review and report.

Item # 9G

March 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **VICTOR KAMHI, BUS SERVICES DIRECTOR**

SUBJECT: **ACQUISITION OF SURPLUS MOORPARK TRANSIT VEHICLES**

RECOMMENDATION:

- Authorize negotiations with the City of Moorpark for the possible acquisition of two surplus Moorpark buses.
- Authorize negotiations with FATCO and Coach America regarding possible operation of a VISTA Route 126 service.
- Direct the Executive Director to pursue additional funding sources, including, but not limited to Ventura College.

DISCUSSION:

VCTC, as the operator of VISTA, has not acquired any buses or facilities, obtaining the transit capital (buses/facilities) through contracts and leases. This policy has allowed a significant amount of flexibility and also has kept VISTA from competing with the other operators in the need for large amounts of Capital funds for bus purchase and replacement. However, VISTA is currently facing a confluence of issues which are causing consideration of a modification of that policy.

The peak hour VISTA 126 services in the Santa Clara Valley are consistently exceeding capacity, specifically on days when Ventura College is in session, and several of the communities on that corridor are already using all available Transit funds for transit services. In addition, it is likely that the amount of Federal Transit funds will be constant or decrease, meaning that finding funds to add service will be very challenging. The VISTA contractors are willing and able to add service, however, if they have to add a new vehicle to their fleets to increase peak hour service, they will need to be able to recover that cost, which will require either a long agreement or the lease of the buses for at least five (5) hours per day, more than is currently needed.

A final uncertainty is created due to the possible changes in the service provider resulting from the VCTC Regional Transit Study and possible changes in the types of service to be provided, resulting from the Heritage Valley Transit Service study.

At the same time, VCTC has provided the City of Moorpark with funding for new transit vehicles, replacing ones previously funded through VCTC. The existing buses, which are being taken out of service this year, have a 25 seat capacity and space for two wheelchairs each. The buses are both less than 10 years old, and the city installed the California Air Resources (CARB) required particulate traps. Coach America has currently been operating and maintaining the buses. While the vehicles only have a few years of serviceable life left, they should be sufficient to allow VCTC to use them for several years, at which time the direction of transit in Ventura County should be clear, and a long term strategy will be implemented.

The buses have a relatively low economic value, and acquisition can range from the city just transferring the buses to VCTC to negotiating a price. If an agreement is reached, staff will return to the Commission with a recommended action. At the same time, staff will also discuss with both FACTO and Coach America the operation of additional service to alleviate overcrowding on the existing VISTA 126 services – which occurs when Ventura College is in session.

Finally, staff will work to develop a funding plan which will identify the possible source(s) of funding for the expanded service. This will include, but not be limited to discussions with Ventura College.

Item # 10

MARCH 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **DARREN KETTLE, EXECUTIVE DIRECTOR**

SUBJECT: **AMENDMENT NO. 2 TO HANSON BRIDGETT CONTRACT FOR RETIREMENT HEALTH PLAN PROGRAM IMPLEMENTATION**

RECOMMENDATION

- Amend agreement with Hanson Bridgett LLP (HB) for legal services to develop and assist in implementation of a retirement healthcare plan increasing the not to exceed amount by $24,700 to $99,600.

DISCUSSION

In July 2008 the Commission approved a legal services agreement with Hanson-Bridgett to assist the Commission in restructuring its existing retirement healthcare plan. The objectives of the restructured plan were threefold:

- Control and reduce future healthcare costs.
- Preserve vested rights of existing employees and current retirees.
- Eliminate unlimited healthcare benefits for future hires.

The first phase of the contract required the consultant to evaluate the legal requirements, associated costs and potential cost savings of the proposed plan and further define the plan to meet the Commission's objectives. In April 2009, the Commission approved amendment no. 1 to the agreement increasing the not to exceed amount $74,900 for the Phase II component of the work i.e. assisting the Commission with program implementation. Due to a variety of circumstances, the process for implementing the program was more complicated and complex with heightened risk of litigation then was contemplated when amendment no. 1 was approved. In June 2010, HB submitted final billing for services rendered that exceeded the approved agreement amount by $43,181. Following a thorough review of HB invoices and available resources, staff negotiated a final due and payable amount of $24,700.

Amendment No. 2 to Agreement with Hanson Bridgett LLP

This Amendment to Agreement is made and entered into this 4th day of March, 2011, by and between the Ventura County Transportation Commission (hereinafter referred to as VCTC), and the law firm of Hanson Bridgett LLP (hereinafter referred to as CONSULTANT) to provide professional services to include the development and implementation of a restructured retiree healthcare benefit program for VCTC. This Agreement shall begin on the date of execution listed above and shall expire one year after the date of execution. All sections of the original agreement remain in effect except as amended below.

VCTC and CONSULTANT agree as follows:

4. **COMPENSATION**

4.1 - Payments for CONSULTANT's services under this Agreement shall not exceed $99,600.00 for both phases without the prior written approval of VCTC. Work required in Phase II will be contingent upon the acceptance of the proposed plan by the VCTC. This not-to-exceed amount includes CONSULTANT'S total direct costs, indirect costs, travel and profit for the performance of said work and shall be paid in the manner specified below. VCTC shall not be obligated to pay CONSULTANT for costs incurred in excess of this amount. If at anytime the CONSULTANT or VCTC deems the proposed plan non-viable, all work shall cease until approval to proceed is received from VCTC.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives.

VENTURA COUNTY TRANSPORTATION COMMISSION:

____________________________ ___________
William Fulton, VCTC Chair Date

APPROVED AS TO FORM:

____________________________ ___________
Mitchel B. Kahn, General Counsel Date

CONSULTANT:

____________________________ ___________
Signature Date

____
Title

Item #11

MARCH 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **SALLY DEGEORGE, FINANCE DIRECTOR**

SUBJECT: **ACTUARIAL VALUATION FOR OTHER POST EMPLOYMENT BENEFITS**

RECOMMENDATION:

- Receive and file the Other Postemployment Benefits (OPEB) actuarial valuation by Bartel Associates LLC.
- Increase the OPEB prefunding budget from $126,000 to $138,000 based on the updated actuarial valuation with the $12,000 increase to be funded from the unobligated general fund balance.

BACKGROUND:

In 2004, the Governmental Accounting Standards Board (GASB) approved Statement No. 45, "*Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*." Generally speaking, Other Postemployment Benefits (OPEB) are retirement benefits excluding pension such as the retirement health benefit that is offered by the Ventura County Transportation Commission (VCTC). GASB Statement 45 required the Commission to begin reporting the "full costs" of this benefit on an accrual basis beginning with the annual financial statements ending June 30, 2009.

In April 2009, the Commission decided to "prefund" its OPEB liability into an irrevocable trust. VCTC began investing in the California Employers' s Retiree Benefit Trust (CERBT) in June of 2009 using a thirty-year amortization period. Since the Commission pays the Annual Required Contribution (ARC) each year, no liability is reported on the financial statements because the ARC is fully funded for the year. Additional OPEB information is disclosed each year in the Comprehensive Annual Financial Report (CAFR).

In order to comply with GASB and CERBT requirements, VCTC needs to have an actuarial study completed every two years. Bartel Associates LLC who prepared the first actuarial evaluation for the period ending June 30, 2008 has finished the actuarial valuation for the period ending June 30, 2010 and Mr. Doug Pryor will attend the March Commission meeting to present the analysis and answer questions The Valuation Summary is a separate attachment.

Based on the new valuation study, VCTC's annual required contribution for Fiscal Year 2010/2011 will increase from $126,000 to $138,000. The increase is largely due to an upward adjustment for the assumptions used for health care trends. The increase of $12,000 can be funded from the unobligated general fund balance. VCTC will need to pay the higher amount to continue fully funding the annual required contribution.

In 2010, GASB issued a new requirement that all employers participating in a multiple-employer plan use the same date for their OPEB actuarial valuations beginning June 30, 2011. Since VCTC invests in the CERBT which is classified as a multiple-employer plan, VCTC must align with the other agencies as of June 30, 2011 and have an actuarial valuation completed again next year. After the alignment, VCTC will return to the two year cycle.

As of December 31, 2010, VCTC has invested $190,426.82 in the CERBT trust. The investment earnings through December 31, 2010 were $51,041.55 and fees for the same period were $209.00. Therefore the balance in the trust as of December 31, 2010 is $241,259.37.

Item #12

March 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **DARREN M. KETTLE, EXECUTIVE DIRECTOR**

SUBJECT: **PERSONNEL POLICIES AND PROCEDURES MANUAL**

RECOMMENDATION:

- Approve Updated Personnel Policies and Procedures Manual.

BACKGROUND:

The Commission previously adopted rules and regulations in 2000, entitled Resolution No: 00-07: A resolution of the Ventura County Transportation Commission establishing a Personnel Procedures and Polices Code for the Ventura County Transportation Commission. Today, the Administrative Committee is being presented with an updated version of that document, entitled, Personnel Policies and Procedures.

Jennifer Bower who has been providing human resources consultant services for VCTC has undertaken a major updating of these rules and regulations to make them more specific to the VCTC environment, the federal and state regulations, the needs of the Commission, and the changes in personnel practices. Ms. Bower has worked and will continue to work closely with our legal counsel to fine tune the document.

The original document had not been updated since its inception. Significant new federal and state laws had been passed that were not included in the original documents. In addition, many of the procedures listed were out of date, no longer applicable, or no longer being followed. Finally, the Commission had approved in the last two years several significant changes to benefits, such as vacation caps, sick leave accrual per year, and administrative leave, all of which needed to be incorporated into the manual. This manual now memorializes those approved actions.

The Administrative Committee reviewed the Manual at its meeting of February 4, 2011 and is forwarding it to the Commission for final approval.

ACTIONS TAKEN

The following steps were taken when revising this manual:

- Assessed what was in the manual, what was current practice, and what was no longer necessary.
- Assessed what should and should not be in the manual.
- Identified any issues where policies either do or do not exist or need to be updated; reviewed operational issues.
- Checked with other public entities to identify best practices and incorporate those, where applicable.
- Reviewed the legal changes in the last 10 years to ensure compliance.
- Talked with employees, managers, and the executive director to ensure that the policies developed were consistent with good practice and what is currently occurring at VCTC.

- Sent draft document to legal counsel for review (done twice); incorporated comments.
- Sent draft document to department directors for comment and review; incorporated comments where applicable.
- Met with department directors and executive director for last review before submitting to Commission.

After Commission approval, the next steps are to:

- Have a meeting with all employees to highlight significant changes.
- Place the document on the internet so that it is readily available to all employees.
- Finalize several new programs, such as the Pull Program, the Injury and Illness Prevention Program, Travel and Reimbursement Policy, and provide training to staff.
- Monitor its effectiveness and identify any policies or procedures that need to be revised or training that needs to be done to ensure equitable application of the policies and procedures.
- Develop a "working version", so as new laws, regulations, or procedures are identified, they are incorporated and ready for review and approval by the Commission, which should occur at least annually.

ANALYSIS:

There is a strong and necessary need for formal and comprehensive policies and procedures. Properly conceived, written, and communicated policies and procedures will help VCTC management and staff to:

- Comply with complex federal and state regulations.
- Ensure fair and consistent treatment of all employees.
- Avoid misunderstandings that could potentially lead to lawsuits.
- Orient new employees.
- Educate supervisors and managers.
- Establish legal protections.
- Ensure compliance with current VCT practices.
- Limit VCTC liability where it could legally, and where it had not been limited before.
- Reflect industry best practices/
- Provide for transparency in employment processes.
- Provide for clarity in benefits and benefit structures.
- Memorialize previous Commission-approved changes.
- Allow for flexibility as needed with the changing political, economic, and legal environment.

Attached is the document. Future versions of this document will be brought to the Commission with highlighted (tracked) changes. Because this is now a "living" manual, it will be updated generally annually to reflect legal and operational changes as needed, and brought to the Commission once a year or as appropriate with changes highlighted.

Listed below are the major components of each section and commentary on any significant modifications.

	Resolution	Will be adjusted based on Commission action.
1.	Introduction, Purpose, and General Information	This section is substantially the same until 1.5 with some changes for clarity and current practice updates. After 1.5 other sections were combined, and additional provisions were developed for such items as conflicting rules, adding in new rules at a later time, employee notification of new rules, compliance with laws, violations of the rules, standards of conduct, word usage, severability, and fair employment.
2.	Definitions	This section was also definitions in the former manual. Definitions have been expanded to cover all areas of where a definition might be needed, such as appointing authority (the Executive Director), anniversary date, compensatory time off, continuous examinations, employee categories, family members, flexible work schedules, years, etc.
3.	Executive Director	This is a new section and delineates the role of the chief executive officer.
4.	At will employment	This is a new section and delineates the at will status of each VCTC employee, limiting liability for VCTC.
5.	Recruitment and selection practices	This is an expanded section moved from the appendices into the main body of the document, covering recruiting, examining, background checking, and selecting new employees, as well as promoting employees.
6.	Classification and compensation	This is an expanded version of what occurred before including provisions for the reclassifying a position from one level to another, as well as delineating VCTC's current practices for compensation adjustment. In addition, this section addresses regulations for employee deductions as well defining a compensation philosophy that guides the setting of salaries.
7.	Performance	This is an expanded version of what occurred before including current practices as well as employment actions that are non-disciplinary, such as voluntary demotions, involuntary demotions, transfers, and resignations.
8.	Health and welfare benefits	This is a considerably expanded section that identifies when an employee qualifies for benefits and what the actual benefits are. This limits VCTC liability in that it clearly delineates who is covered and at what point. Additional areas were added including domestic partner benefits, COBRA requirements, and an educational reimbursement policy providing for up to $1,000 per fiscal year for educational reimbursement compared to the previous undefined amount to encourage VCTC staff to complete their college degrees or expand their education at a graduate level.
9.	Hours of work and attendance	This is an updated version of what occurred before. One significant modification is overtime eligibility – it now complies with state laws as well as federal FLSA regulations, limiting VCTC liability.

10.	Leaves	This is an expanded version of what occurred before including such provisions as military leave, FMLA leave, pregnancy disability leaves, failing to return from leave, jury duty leave restrictions (now only paid for 10 days of jury duty, all other time would be unpaid), parental leave, kin care leave, school leave, time off to vote, unauthorized leaves, unpaid leaves, and fitness for duty certifications. Some of these leaves are specifically governed by various state and federal regulations in which the new policies are in compliance. In addition, this section memorializes the Commission's approval for the carrying over of sick leave from the former "use or lose it} practice to the public agency standard of accruing leave for when actually needed, and the development of 5 days of administrative leave for exempt employees in lieu of allowing for compensatory time.
11.	Holidays	Wording changes, but essentially the same.
12.	Employment activities	This section combined several items within the original documents, such as workplace attire, outside employment, internship program, and gifts. New sections were added in such areas as confidentiality policy, political activity policy, nepotism, personnel files, confidentiality of medical information, workplace accommodations, all of which comply with the various legal requirements.
13.	Workplace respect and equal opportunity,	This expanded section includes harassment, but also consists of such areas as workplace respect – a budding issue – as well as equal opportunity, complaint resolution which includes the anti harassment and discrimination policy. All provisions are in compliance with the various regulations.
14.	Workplace safety, including prohibition against violence in the workplace.	Workplace safety is completely new and delineates management responsibilities as well as employee responsibilities. It encompasses reporting claims, the legally required injury and illness prevention program, the California DMV pull program, use of automobiles including seat belts, prohibition from using electronic devises while driving, vehicle accidents; violence in the workplace; VCTC's role as emergency service workers, and a smoking policy. All these policies, practices, and procedures limit VCTC's liability. The injury and illness prevention program as well as the DMV pull program will need further action by staff to finalize. That action will not change the policy, but rather will refine various practices to ensure compliance.

15.	Equipment, electronic systems, communications, and the internet	This is a considerably expanded provision, which includes former manual sections of employee communications. This now addresses such areas as the brown act, public disclosure, copyrighted materials, public records issues, the electronic communication system, prohibited uses of the electronic systems, intellectual property rights, security of information, audits and inspections, and a revised cell phone/smart phone policy allowing employees the option for reimbursement for using their own cell/smart phones, or using employer-provided phones. Other public agencies were surveyed to ensure that the reimbursement level was well within the amounts approved elsewhere (anywhere from $25 to $125). An amount of $75 was selected that best represented the additional costs for an employee who uses their own cell/smart phones for work-related business.
16.	Separation from Service.	This is an expanded version of the previous policy. It eliminates the severance pay section.
17.	Alcohol and drug-free workplace	This section combines 4 previous sections into one that now specifically pertains only to VCTC staff. Appendix A of this document follows the DOT mandated version for safety sensitive positions of which VCTC currently has none.
18.	Fraud Policy	This is brand new. It defines fraud, investigation procedures, as well as the confidentiality of the investigation.
19.	VCTC Credit Cards	This is an expanded version updating current practices.
20.	Travel and training policy	This is an expanded version updating current practices.
21.	Discipline	This is an expanded version of the policy, providing grounds for discipline, steps in the discipline process, and employee appeal rights. The Administrative Committee now has a role in the complaint procedure.
22.	Complaint procedure	This is a new provision which lays out what a complaint is, how an employee may file a complaint, and the complaint/hearing process. It generally follows what would be considered a “grievance” procedure. The Administrative Committee now has a role in the complaint procedure.
23.	Appendix A as noted before in the alcohol and drug free workplace provision is for safety-sensitive positions only.	VCTC currently has no safety sensitive positions.

Item #13

March 4, 2011

TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **MITCHEL B. KAHN, GENERAL COUNSEL**

SUBJECT: **UNPAID/DELINQUENT RENTS**

RECOMMENDATION:

- Place tenants' nonpayment/delinquent payment information on the consent agenda to authorize the service of notices to pay rent or quit and grant authority to serve and file the unlawful detainer actions immediately following the tenants' failure to meet the terms of the notices.

BACKGROUND:

VCTC, as the owner of the Santa Paula Branch Line, has several leases for the use of portions of the land, including for pipelines and agriculture uses, in addition to the more familiar Fillmore & Western Railway tourist and film production lease. A few of the tenants fall behind in rent payments from time to time, requiring numerous reminders. Most of the time payments are eventually caught up, but the VCTC staff time and expense is never reimbursed. Staff generally has an easier time with licenses because licensees understand that those are revocable upon relatively short timeframes.

REQUEST:

After staff has once communicated with a tenant regarding a rent delinquency, General Counsel would like to bring the nonpayment/delinquent payment information to you at a monthly meeting with the request to serve notices to pay rent or quit and the authority to serve and file the unlawful detainer action immediately following the tenant's failure to meet the terms of the notice. The Commission has the option of considering the item in open or closed session. That is, we can simply provide the tenant's name with or without stating the amount(s) owed as a consent agenda item requesting authority to serve the notice and enforce the lease agreement or we can schedule a closed session for a discussion of your options. However, the agenda for the closed session would require listing the delinquent tenant's name, in any case, because secrecy would not be necessary for the discussion. Closed sessions also consume more time of the Commission.

I recommend that the General Counsel requests to enforce rent payment provisions of leases be placed on the consent agenda because that, alone, may be sufficient to remedy the delinquencies. Of course, if any Commissioner wishes to discuss a particular matter in a closed session, it can be pulled from consent and scheduled for the next month's meeting. Also, if a breach of the lease results from issues other than simply a failure to pay rent, we would handle the item in the usual fashion by scheduling a closed session for a discussion of your options.

Item #14

March 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **ALAN HOLMES, TRANSPORTATION DEMAND MANAGEMENT PROGRAM MANAGER**

SUBJECT: **AGRICULTURAL WORKER VANPOOL PROGRAM JPA**

RECOMMENDATION:

- Approve Attachment A, CalVans Joint Powers Authority
- Appoint one commissioner and one alternate to the CalVans Board of Directors

BACKGROUND:

SB 1135, Statutes of 2006, section 99320 of the Public Utilities Code, required the Department of Transportation to establish the Agricultural Worker Transportation Program (AWTP), effective January 1, 2007. The intent of the AWTP is to provide safe, efficient, reliable and affordable transportation services, utilizing vans and buses, to agricultural workers commuting to/from worksites in rural areas statewide. The emphasis of the AWTP is to implement vanpool operations similar to the successful Agricultural Industries Transportation Services (AITS) program ongoing in Kings County in the Southern San Joaquin Valley, transporting agricultural workers to regional employment sites.

In September 2007 the Commission authorized submission of a Caltrans grant application in the amount of $3,002,744 to develop and implement a countywide agricultural worker vanpool program based on the existing program in Kings County. At the January 2008 meeting the Board approved a revision to the program by outsourcing the daily operations and some of the administrative tasks primarily due to liability and operational concerns. At the March 2008, meeting staff was directed to circulate a Request for Proposals (RFP) based on those changes. Staff received one submission to the RFP which was found to be non-responsive at the May 2008 Board meeting. Staff continued efforts to identify potential program operator(s) by contacting local private/non-profit and other organizations in Ventura County. In all, approximately 25 public, private and private/non-profits were contacted regarding the program in addition to those contacted during the RFP process.

In February 2009 the Board approved the Agricultural Worker Vanpool Program (AWVP) Agreement, which shifted the Caltrans implementation grant to Kings County Area Public Transit Agency (KCAPTA) and authorized KCAPTA, operating as Kings Area Rural Transit/Agricultural Industries Transportation Services (KART/AITS) to implement the Project in Ventura County. A number of other agencies Statewide have also authorized KCAPTA to operate vanpools in their jurisdictions.

In July 2009 KART/AITS launched its Ventura County operations. Office and van storage space was rented at 50 Julian St. in downtown Ventura. Transit coordinator Susan Haverland was hired in July. Accounts were established with local vendors to support van maintenance and furnish the office.

The Program has continued to grow though there have been some fluctuations in the number of vans on the road due to the seasonal nature of the agricultural industry in Ventura County:

	# of vans	mileage	passenger trips
March	10	16,359	3,352
April	10	11,733	3,296
May	10	14,305	3,468
June	10	11,482	3,640
July	13	16,863	4,272
Aug	15	15,889	5,282
Sep	16	18,113	4,684
Oct	13	15,347	3,716
Nov	14	27,037	3,412
Dec	15	7,306	1,434
Total		154,434	36,556

Statewide KART/AITS operates approximately 350 vanpools serving the agricultural industry and other public and private sector employers.

DISCUSSION

Effective July 1st, 2011, KCAPTA will no longer operate or administer the vanpool program in any of its current service areas and will transfer all program responsibilities from KCAPTA to a newly formed public entity called the California Vanpool Authority or “CalVans”. CalVans is a Joint Powers Authority which will operate vanpools within the jurisdictions of its member agencies. There are currently seven agencies that have, or are expected to join the Authority, including the Association of Monterey Bay Area Governments, Fresno Council of Governments, Kings County Association of Governments, Madera County Transportation Commission, Sacramento Area Council of Governments, Tulare County Association of Governments and the Santa Barbara County Association of Governments.

Current Vanpool Operations

KCAPTA/AITS currently operates between 300- 350 vanpools throughout California. Local support and marketing in Ventura County is provided by the office established in the City of Ventura which coordinates marketing/outreach, 24 hour roadside assistance, on-site vehicle service, the fuel card provided with each van, GPS monitoring of van usage and identifying and clearing potential drivers. Random spot inspections are performed, as needed, to insure safe conditions and compliance with all rules and regulations. All vans are insured at $10 million, with $1 million uninsured motorist and $5,000 per person no-fault medical coverage, at a cost of less than $1,400 per unit per year. The end-user cost of the van is currently $ 0.65 per mile which is divided by the van riders. The fares collected from farm workers are used to cover the van maintenance, fuel, insurance and administrative costs of the vans. All farmworker vanpools are acquired using grant monies.

The program also operates a number of non-farmworker vanpools outside of Ventura County. These vanpool vehicles are initially acquired through a five year lease/purchase agreement. After five years the cost to the vanpool group is reduced to reflect that the van is paid for and that lease/purchase payments are no longer being made. Should the vanpool group desire a new replacement vehicle their older vehicle is placed into service in the

Agvan program. It is anticipated that non-farm worker vans will also be available in Ventura County to low income and other users currently not being served by private sector operators.

Funding

The majority of program revenue comes from fares received from the vanpool participants with the exception of the AWTP. Funds from the AWTP are used to purchase and equip vehicles and other capital costs. Additional grant funds are received from the San Joaquin Valley Air Pollution Control District (SJVAPCD) and the Fresno Measure C Program, Congestion Management and Air Quality (CMAQ) and Job Access and Reverse Commute (JARC) for their respective areas.

To date there has been no expenditure of funds from any county's general fund or Local Transportation Funds (LTF) supporting the vanpool program. The passage of SB 716 (Wolk) in 2009, however, provides greater flexibility for rural cities to use their allocation of LTF for vanpool purposes, including farmworker transportation to and from work. The SB 716 provisions regarding vanpools do not apply in Ventura County.

Joint Powers Authority

For future stability and to provide representation of all participants it is recommended that the current vanpool operation be transitioned to a new joint powers agency with representation from each of the entities served by the program. Each member agency shall appoint a representative and alternate to serve as a voting member of the JPA. Any member agency may withdraw its membership from the JPA by written notice 180 days before actual withdrawal.

The current vanpool program does not require outside funding for its operation and it is not anticipated that any member agency would be obligated to provide funding to the new agency. This would not prevent any participating agency from providing support if it so chooses.

The CalVans agency is scheduled to begin official operations on July 1, 2011 and will only operate within areas where the local transportation agency has joined the JPA. We anticipate that the Commissioner assigned to the CalVans Board of Directors will need to commit to approximately one hour per month to attend Board meetings, which will be held via videoconference. The Joint Powers agreement has been reviewed and approved as to form by General Counsel.

Ron Hughes, Executive Director of KCAPTA will have a brief presentation on the CalVans program and will be available to answer any questions.

Attachment A

AGREEMENT TO FORM JOINT POWERS AUTHORITY

by and between the

Association of Monterey Bay Area Governments
Fresno Council of Governments
Kings County Association of Governments
Madera County Transportation Commission
Tulare County Association of Governments
Sacramento Area Council of Governments
Ventura County Transportation Commission

AGREEMENT TO FORM JOINT POWERS AUTHORITY

THIS AGREEMENT is made this ____ day of ________, 2011, by and between the ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS, FRESNO COUNCIL OF GOVERNMENTS, KINGS COUNTY ASSOCIATION OF GOVERNMENTS, MADERA COUNTY TRANSPORTATION COMMISSION, SACRAMENTO AREA COUNCIL OF GOVERNMENTS, TULARE COUNTY ASSOCIATION OF GOVERNMENTS and VENTURA COUNTY TRANSPORTATION COMMISSION (hereinafter sometimes referred to individually as "Member Agency" and collectively as "Member Agencies").

W I T N E S S E T H:

WHEREAS, each Member Agency has an interest in and is authorized to operate van pool services and related activities, including, but not limited to, obtaining grant funds and borrowing funds for purchasing and leasing vans; and

WHEREAS, Federal Transit Administration and State matching funds have provided for the establishment of the "Agricultural Industries Transportation Services" and "RideShare" demonstration programs to help workers have an efficient and safe means of commuting to work within the southern San Joaquin Valley; and

WHEREAS, the California Department of Transportation ("Caltrans") has determined that the Kings County Area Public Transit Agency's vanpool programs should be replicated regionally as a means of addressing the non-traditional transportation needs of California residents; and

WHEREAS, the Member Agencies desire to share resources in order to further their above-described interest by forming a new public entity to handle such matters within the areas of their various political boundaries; and

WHEREAS, the Joint Exercise of Powers Act, found in California Government Code Sections 6500 *et seq.*, authorizes the Member Agencies to form a joint powers authority as an entity that will allow them to share resources in order to further their common interest, NOW, THEREFORE, the Member Agencies agree as set forth below.

Article I

General Provisions

1. Name.

The legal name of the joint powers authority shall be the "California Vanpool Authority," which shall also be known as "CalVans" (hereinafter called "Transit Authority").

2. Boundaries.

The boundaries of the Transit Authority shall be the same as the collective geographic boundaries of the Member Agencies.

3. Purposes and Functions.

The purposes and functions of the Transit Authority shall be to operate van pool services and related activities, including, but not limited to, obtaining grant funds and borrowing funds for purchasing and leasing vans, within the boundaries described above in Section 2 of this Article I of this Agreement.

4. General Powers.

The Transit Authority shall have such powers as may be necessary for the accomplishment of the purposes and functions described above in Section 3 of Article I of this Agreement, including, but not limited to, the power in its own name to make and enter into contracts in its own name; to acquire and maintain insurance of all types; to employ agents and employees; to acquire, lease, construct, manage, maintain and operate any real property including building, works or improvements; to acquire, lease, hold or dispose of any personal property; to accept, hold, invest (pursuant to law, including, without limitation, California Government Code Section 6509.5), manage, and expend monies; to incur debts, liabilities or obligations; to obtain and secure funding from all available public and private sources, including local, state and federal government, including but not limited to, lease purchase agreements, public grants, private contributions, public and private loans, and other funds; and to sue and be sued in its own name. The Transit Authority may accept grants, gifts, donations and other monies made in the public interest to carry out the purposes and functions as provided in this Agreement. To the extent budgeted, and as provided by law, the Board is authorized to pay expenses reasonably and necessarily incurred in the conduct of business, including travel expenses to attend meetings and conferences relating to the business of the Transit Authority.

5. Limitations.

Pursuant to California Government Code Section 6509, the powers of the Transit Authority are subject to the restrictions upon the manner of exercising such powers of one of the Member Agencies so designated, the designee being KINGS COUNTY ASSOCIATION OF GOVERNMENTS, which is a transportation planning agency as defined in paragraph (a) of California Public Utilities Code Section 99214 and paragraph (b) of California Government Code Section 29532 and, therefore, governed by California Public Utilities Code Sections 99200 through 99420, or any statutes superseding the same.

6. Separate Legal Entity.

The Transit Authority shall be a public entity duly formed under the laws of the State of California. It shall be a legal entity that is separate and distinct from Member Agencies. The debts, liabilities, and obligations of the Transit Authority shall be the sole responsibility of the Transit Authority and not of its officers, employees, agents or Member Agencies.

7. Term.

This Agreement will continue in full force and effect and the Transit Authority will continue to exist as a separate entity, until such time as this Agreement is rescinded or terminated by a vote in accordance with Section 7 of Article II of this Agreement.

Article II
Organization

1. Board of Directors.

The powers of the Transit Authority are vested in its Board of Directors ("Board"). The Board shall be composed of representatives from the Member Agencies. Each Member Agency shall appoint one voting member of the Board and one alternate member. Each appointed and alternate Board member shall be a member of the governing body of the Member Agency that he or she represents and shall serve at the pleasure of the Member Agency. Each Member Agency shall have one vote. Each Member Agency shall notify the Transit Authority in writing upon making an appointment or change thereof.

2. Officers.

The officers of the Transit Authority shall be elected, appointed and serve as hereinafter set forth.

(a) The Chair of the Board shall be elected at the first meeting of the Board. Thereafter, the Chair of the Board shall be elected annually at the last regular meeting in each calendar year and shall begin serving as Chair at the first regular meeting in the next calendar year. Any vacancy in the office of Chair shall be filled at the next regular meeting of the Board. Any member of the Board may be authorized to represent the Board upon approval by the Board.

(b) The Vice Chair of the Board shall be elected at the first meeting of the Board. Thereafter, the Vice Chair of the Board shall be elected annually at the last regular meeting in each calendar year and shall begin serving as Vice Chair at the first regular meeting in the next calendar year. Any vacancy in the office of Vice Chair shall be filled at the next regular meeting of the Board. The Vice Chair will have all the powers and act in the place of the Chair in the absence of the Chair.

(c) The Executive Director of the Transit Authority shall serve as Secretary. The Secretary will keep a public record of the Board's resolutions, transactions, findings and determinations, and the preparation of minutes of every meeting.

3. Quorum.

A simple majority of the Board must be present to constitute a quorum for action on the business of the Board.

4. Ex Officio Members.

The California Department of Transportation and the San Joaquin Valley Air Pollution Control District may each designate one non-voting representative to serve as an ex officio member of the Board.

5. Meetings.

The Board shall by resolution establish the date, time, and place for regular meetings. Special meetings may be called by either the Chair of the Board or the Executive Director and as otherwise allowed by law. All meetings of the Board shall be in conformance with the Ralph M. Brown Act (California Government Code Sections 64950, *et seq.*), as will meetings of its committees, if any, to the extent required by law.

6. Executive Director.

The Board shall appoint an Executive Director (hereinafter referred to as "Executive Director"), who shall be charged with managing the operations of the Transit Authority, subject to the authority and direction of the Board.

7. Voting.

Except as otherwise specified herein, all actions, decisions, resolutions, rules and minute orders of the Board shall be approved by at least a two-thirds vote of the Board members present at any meeting at which a quorum, meaning a simple majority of the Board, is present.

8. Bylaws.

The Board may adopt, by resolution, bylaws or rules of procedure to govern organization and operations of the Board and the Transit Authority, and to govern the conduct of the Board's meetings. The bylaws may include rules for the establishment of committees of the Board and may also provide for the establishment of a technical advisory committee to provide program recommendations to the Board. Any bylaws adopted by the Board shall be approved by a unanimous vote of the entire Board.

Article III

Finances

1. Contributions, Payments and Advances.

As allowed by California Government Code Section 6504, funding for the Transit Authority may include, but shall not be limited to, the following:

(a) Contributions may be made from the treasuries of one or more of the Member Agencies for the purposes set forth in this Agreement;

(b) Payments may be made directly by one or more of the Member Agencies to defray the costs of achieving the purposes of the Transit Authority;

(c) Public funds may be advanced by one or more Member Agencies, with the understanding that such advances will be repaid as provided in this Agreement; and

(d) Personnel, equipment or property of one or more of the Member Agencies may be used in lieu of other contributions or advances.

Any advance made in accordance with paragraph (c) of this Section 1 shall be repaid in the manner agreed to by the advancing Member Agency and the Board, at the time the advance is made.

2. Limitation of Financial Commitment.

The Board shall not obligate the Transit Authority to expenditures of funds not appropriated by the legislative bodies of the Member Agencies or received directly from the State or federal government.

3. Approval of Funding Applications.

The Transit Authority shall receive approval from a Member Agency prior to applying for federal, state or local funds within the jurisdiction of said Member Agency.

4. Treasurer.

Pursuant to California Government Code Section 6505.5, the Transit Authority designates the Treasurer of the County of Kings to be the depository and have custody of all money of the Transit Authority, from whatever source. The Treasurer of the County of Kings shall comply with the provisions of paragraphs (a) through (e) of Government Code Section 6505.5 and otherwise act in accordance with Government Code Section 6505.5 and other applicable law. The Kings County Board of Supervisors shall determine the charges to be made against the Transit Authority for the services rendered by its Treasurer.

5. Auditor.

The Auditor shall draw warrants to pay demands against the Transit Authority when approved by the Treasurer. The Transit Authority shall use the Auditor of the County of Kings, who shall comply with all of the applicable provisions of California Government Code Section 6505.5. The Auditor shall provide for strict accountability of all funds and report of all receipts and disbursements pursuant to California Government Code Section 6505. The Kings County Board of Supervisors shall determine the charges to be made against the Transit Authority for the services rendered by its Auditor.

6. Budget.

The Board shall adopt a budget no later than sixty (60) days after the first meeting of the Board, and no later than June 30th of each year thereafter. Each budget shall be adopted by a majority vote of the entire Board.

7. Disposition of Assets.

Upon termination of this Agreement, after the payment of all obligations of the Transit Authority, any surplus money or other assets remaining shall be distributed to the Member Agencies in proportion to the contributions made.

8. Liability of Transit Authority.

Funds of the Transit Authority shall be used to defend, indemnify, and hold harmless the Transit Authority, any Member Agency, any member of the Board or alternate, and any employee or officer of the Transit Authority for their actions taken within the scope of their duties while acting on behalf of the Transit Authority.

9. Liability of Individuals.

All of the privileges and immunities from liability, exemptions from laws, ordinances and rules, all pension, relief, disability, workmen's compensation, and other benefits which apply to the activity of officers, agents or employees of any such public agency when performing their respective functions within the territorial limits of their respective public agencies, shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extraterritorially for the Transit Authority.

10. Transit Equipment.

At the option of the Board, California Government Code Section 6518 shall be applicable to the Transit Authority.

11. Audit.

To the extent required by law, the Transit Authority shall comply with the audit and other requirements set forth in paragraphs (a) through (e) of California Government Code Section 6505. The Transit Authority shall promptly deliver copies of the annual audit report to the Board and the Member Agencies.

12. Accounts and Records.

The Board shall establish and maintain such funds and accounts of the Transit Authority as may be required by good accounting practice. The books and records of the Transit Authority shall be open to inspection at all reasonable times to the Member Agencies and their respective representatives.

13. Insurance.

Within thirty (30) days after the execution of this Agreement by the Member Agencies, Transit Authority shall obtain and continuously maintain general liability insurance with limits of at least Ten Million and No/100 Dollars ($10,000,000.00). Coverage shall be placed with a carrier with an A.M. Best rating of no less than A-:VII, or equivalent.

Article IV

Miscellaneous

1. Custodians of Transit Authority Property.

The Executive Director of the Transit Authority shall have charge of, handle, and have access to, all property of the Transit Authority. Pursuant to California Government Code Section 6505.1, the Executive Director shall file an official bond in an amount determined by the Member Agencies through the Board. To the extent permitted by law, this requirement may be satisfied by the Executive Director filing an official bond obtained in connection with another public office or by the Transit Authority obtaining a fidelity bond or bonds covering all officers and staff of the Transit Authority who have charge of, handle, or have access to any property of the Transit Authority.

2. Severability.

Should any part, term, or provision of this Agreement be decided by the courts to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining parts, terms or provisions hereof shall not be affected thereby.

3. Withdrawal.

A Member Agency may withdraw from the Transit Authority by filing its written notice of withdrawal with the Executive Director 180 days before the actual withdrawal. Such a withdrawal shall be effective on the last day of that 180-day period. The withdrawal of a Member Agency shall not in any way discharge, impair or modify the voluntarily-assumed obligations of the withdrawn Member Agency in existence as of the effective date of its withdrawal. Withdrawal of a Member Agency shall not affect the remaining Member Agencies. A withdrawn Member Agency shall not be entitled to the return of any funds or other assets belonging to the Transit Authority, until the effective date of termination of the Transit Authority or upon a vote of all remaining Member Agencies.

4. Joining the Transit Authority.

Other public entities may join the Transit Authority by filing a written request for inclusion with the Executive Director. The request for inclusion shall be reviewed by the Transit Authority and voted on by the entire Board. By a two-thirds majority vote of the entire Board, a public entity may be accepted as part of the Transit Authority. Thereafter, upon execution of this Agreement, including any amendments thereto, the new member shall become a full and equal member of the Transit Authority.

5. Amendment.

This Agreement may be amended at any time with the unanimous written approval of all Member Agencies.

6. Ratification and Effective Date.

This Agreement shall become effective upon the signature of the last of the aforementioned Member Agencies to sign this Agreement.

7. Notices to Transit Authority and Member Agencies.

Any notices to the Transit Authority and/or Member Agencies required or given pursuant to this Agreement shall be delivered or mailed, U.S. first class, postage prepaid, addressed as follows:

Transit Authority:

California Vanpool Authority
1340 North Drive
Hanford, CA 93230

Member Agencies:

Association of Monterey Bay Area
Governments (AMBAG)
455 Reservation Rd., Suite G
Marina, CA 93933

Fresno Council Governments (FCOG)
2035 Tulare St., Suite 201
Fresno, CA 93721

Kings County Association of
Governments (KCAG)
339 West "D" Street, Suite B
Lemoore, CA 93245

Madera County Transportation
Commission (MCTC)
2001 Howard Road, Suite 201
Madera, CA 93637

Sacramento Area Council of
Governments (SACOG)
1415 L Street
Sacramento, CA 95814

Tulare County Association of
Governments (TCAG)
5955 S. Mooney Blvd.
Visalia, CA 93277

Ventura County Transportation Commission
(VCTC)
950 County Square Drive, Suite 207
Ventura, CA 93003

Any party may change the address to which notices pursuant to this Section are given by giving notice of its new address according to the provisions of this Section.

8. Notice of a Joint Powers Agreement.

Within thirty (30) days after the effective date of this Agreement or any amendment thereto, the Transit Authority shall cause a notice of this Agreement or any amendment thereto, to be prepared and filed with the office of the California Secretary of State. Additionally, the Transit Authority shall furnish an additional copy of the aforementioned notice of this Agreement or any amendment thereto, to the California Secretary of State, who shall forward such copy to the Controller of the State of California. The aforementioned notices shall contain:

(a) The name of each Member Agency that is a party to this Agreement;

(b) The date that this Agreement became effective;

(c) A statement of the purpose of this Agreement or the power to be exercised by the Transit Authority; and

(d) A description of the amendment or amendments made to this Agreement, if any.

9. Venue.

The proper venue for any lawsuit based on any cause of action arising out of or in any way related to this Agreement or the operation of the Transit Authority shall be brought in a court of competent jurisdiction located in Kings County, California.

10. Headings.

The headings used in this Agreement are for convenience only and have no effect on the content, construction, or interpretation of the Agreement.

11. Counterparts.

This Agreement may be executed in any number of counterparts, and by different parties in separate counterparts, each of which, when executed and delivered, shall be deemed to be an original and all of which counterparts taken together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the Member Agencies have caused this Agreement to be executed and attested by their proper officers thereunto duly authorized, and, if appropriate, their official seals to be hereto affixed, to be effective as of the day and year first above written.

ASSOCIATION OF MONTEREY BAY
AREA GOVERNMENTS

Dated:____________________ ___________________________________
Chairperson

Approved as to Form:

Dated:____________________ ___________________________________
County Counsel, County of Monterey

FRESNO COUNCIL OF GOVERNMENTS

Dated: ________________ ___________________________________
Chairperson

Approved as to Form:

Dated: ________________ ___________________________________

County Counsel, County of Fresno

KINGS COUNTY ASSOCIATION OF GOVERNMENTS

Dated: ________________ ________________________________
Chairperson

Approved as to Form:

Dated: ________________ ________________________________
County Counsel, County of Kings

MADERA COUNTY TRANSPORTATION COMMISSION

Dated: ________________ ________________________________
Chairperson

Approved as to Form:

Dated: ________________ ________________________________
County Counsel, County of Madera

SACRAMENTO AREA COUNCIL OF GOVERNMENTS

Dated: ________________ ________________________________
Chairperson

Approved as to Form:

Dated: ________________ ________________________________
Counsel, Sacramento Area Council of Governments

TULARE COUNTY ASSOCIATION OF GOVERNMENTS

Dated: ________________ ________________________________
Chairperson

Approved as to Form:

Dated: ________________ ________________________________
County Counsel, County of Tulare

VENTURA COUNTY TRANSPORTATION COMMISSION

Dated: ________________

____
Chairperson

Approved as to Form:

Dated: ________________

____

Legal Counsel, Ventura County Transportation Commission

Item #15

March 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **SALLY DEGEORGE, FINANCE DIRECTOR**

SUBJECT: **TRANSPORTATION DEVELOPMENT ACT,
LOCAL TRANSPORTATION FUND,
DRAFT APPRTIONMENT FOR FISCAL YEAR 2011/2012**

RECOMMENDATION:

- Adopt the Local Transportation Fund Draft Apportionment for Fiscal Year 2011/2012 apportioning $29.4 million including increasing reserves to approximately10% of the amount apportioned to local agencies as shown in Attachment 1, Option C.

BACKGROUND:

Each year the Ventura County Transportation Commission (Commission) is responsible for apportioning the quarter cent statewide sales tax funds that accrue to Ventura County under the State Transportation Development Act (TDA) Local Transportation Fund (LTF). Eligible uses of LTF funds include Commission administration (amount determined by the Commission), County administration fees, Commission planning activities (capped at 2% of the total), bicycle and pedestrian projects (capped at 2% after administrative and planning costs are deducted) with the remainder going to fund transit and if all transit needs are met, to street and road projects. Staff works with the County Auditor-Controller to determine the estimated fund balance for the upcoming fiscal year and the projected sales tax revenue. These funds are then apportioned by population and allocated throughout the fiscal year as receipts are received.

VCTC staff received the Fiscal Year 2011/2012 Local Transportation Fund sales tax receipts estimate from the County Auditor Controller who projects that sales tax receipts for Fiscal Year 2011/2012 will be $25.6 million (see Attachment 2). The County Auditor Controller's office also increased their estimate for Fiscal Year 2010/2011 from $22.9 million to $25.6 million, an increase of $2.7 million.

At the end of Fiscal Year 2009/2010 the economy's decline flattened out leaving the LTF fund with a $1.9 million increase over the original County estimate at June 30, 2010. These funds along with the additional estimate of $2.7 million in receipts for Fiscal Year 2010/2011 mentioned above and the $.6 million contingency reserve will leave the Local Transportation Fund an estimated beginning balance of approximately $5.3 million. This larger than normal beginning fund balance will provide a one-time spike in funds to be apportioned to local agencies.

The Commission approves the apportionment in advance of the Fiscal Year. The Commission has maintained a reserve of $600,000 to buffer the estimate used for apportionment. These last few years of economic turmoil have demonstrated that the $600,000 reserve is too low an amount and consequently, VCTC had to reapportion the LTF revenues and reduce the amounts passed-through to local agencies as shown below:

Fiscal Year	Original Apportionment	1st Revision	2nd Revision	Change
2010/2011	22,900,000			
2009/2010	25,800,000	22,900,000		(2,900,000)
2008/2009	30,900,000	29,000,000	27,000,000	(3,900,000)
2007/2008	31,800,000	30,900,000		(900,000)

At the February 4, 2011 meeting, staff recommended increasing the reserve from $600,000 to $1,500,000 as an incremental step in bringing the reserve to a suitable balance. After discussing the item, Commissioner Gillette made a recommendation supported by the Commission to have staff bring back additional options for increasing the reserve. The Commission felt that the one-time spike in LTF apportionments due to a high carry-forward balance offered an opportunity to increase the reserve to a more appropriate level in one-step instead of incrementally.

Maintaining a larger reserve will allow VCTC to “smooth out” sales tax fluctuations lowering the possibility of revised apportionments. Should LTF revenues decrease, VCTC would be able to draw from the reserves to keep local jurisdictions whole for the fiscal year. Other similar agencies who apportion for the whole year keep similar reserves as shown in the table that follows.

Agency	Reserve	Estimate of TDA to Local Agencies
Riverside County Transportation Commission	10% of amount available for apportionment	$62.2 million FY 11/12 $6.2 million reserve
San Bernardino Associated Governments	$5 million (7-10% of revenues)*	$59.5 million FY 11/12 $5 million reserve
Santa Barbara County Association of Governments	No reserve, apportion monthly	$12.4 million FY 11/12 $0 reserve
Kern Council of Governments	No reserve, apportion monthly	$23.1 million FY 10/11 $0 reserve
Ventura County Transportation Commission- Proposed		*$25.8 million FY 11/12* *$2.58 million*

Three options are presented in Attachment 1 for the Commission’s review: a reserve of $1.5 million as presented at the February 4th meeting, a reserve of $2 million, and a reserve of $2.58 million. These reserve amounts represent approximately 5.6%, 7.6% and 10% of the “Total to be Apportioned” to local agencies. Similar to other agencies who apportion for the entire year, staff is proposing to increase the reserve to approximately 10% of the “Total to be Apportioned” to local agencies by raising the amount from $600,000 to $2,580,000 as shown in Attachment 1, Option C.

After reserving $2.58 million, the Fiscal Year 2011/2012 apportionment includes the following allocations:

- $1,966,400 Article 3 funds for Commission use:
    - $400,000 for Metrolink rail purposes continuing to maximize LTF funds provided to local jurisdictions for transit and street and road projects by utilizing other funds, primarily State Transit Assistance (STA) funds.

  - $566,400 for planning activities which include Regional Transportation Planning, Regional Transit Planning, Highway Project Management.

  - $1,000,000 placeholder for administration of Commission activities including ADA and Senior projects, Go Ventura Smartcard, Nextbus, Grant Administration, Transit Information Center, TDA Administration, Transportation Improvement Program, Program Monitoring as well as supporting the Commission's office administration and management.

- $15,000 Article 3 funds for the County Auditor-Controller's administrative costs.

- $434,380 Article 3 funds for Bicycle and Pedestrian projects.

- $25,803,828 (an increase of $4,919,185 from Fiscal Year 2010/2011) for apportionment to Articles 4 and 8 for Transit and Street and Road projects based on the Department of Finance 2009 population numbers.

The Final apportionment will be presented to the Commission in June and will be adjusted for the updated 2010 population figures and the Final Fiscal Year 2011/2012 VCTC Budget.

Attachment 1

VENTURA COUNTY TRANSPORTATION COMMISSION

TDA LOCAL TRANSPORTATION FUND DRAFT APPORTIONMENT FISCAL YEAR 2011/2012 Revision 1

	Option A FY 2011/2012 5.6% reserve	Option B FY 2011/2012 7.6% reserve	Option C FY 2011/2012 10% reserve	FY 2010/2011 Apportionment	Change from Option C
Estimated Unapportioned Fund Balance	**5,300,000**	**5,300,000**	**5,300,000**	600,000	4,700,000
Contingency Reserve	**-1,500,000**	**-2,000,000**	**-2,580,000**	-600,000	-1,980,000
Estimated Annual LTF Receipts	**25,600,000**	**25,600,000**	**25,600,000**	22,900,000	2,700,000
Total Funds Available	**29,400,000**	**28,900,000**	**28,320,000**	22,900,000	5,420,000
Auditor's Administrative Costs	**15,000**	**15,000**	**15,000**	14,700	300
VCTC Administrative Costs	**1,000,000**	**1,000,000**	**1,000,000**	708,277	291,723
VCTC Planning Costs	**588,000**	**578,000**	**566,400**	458,000	108,400
Subtotal	**27,797,000**	**27,307,000**	**26,738,600**	21,719,023	5,019,577
Article 3 Bikeway/Pedestrian Fund	**555,940**	**546,140**	**534,772**	434,380	100,392
Subtotal	**27,241,060**	**26,760,860**	**26,203,828**	21,284,643	4,919,185
Article 3 Commuter Rail	**400,000**	**400,000**	**400,000**	400,000	0
Total to be Apportioned	**26,841,060**	**26,360,860**	**25,803,828**	20,884,643	4,919,185

Article 4 and Article 8 Apportionments by Agency	Option A FY 2011/2012	Option B FY 2011/2012	Option C FY 2011/2012	FY 2010/2011 Apportionment	Change from Option C
Camarillo	**2,119,099**	**2,081,187**	**2,037,209**	1,648,840	388,369
Fillmore	**501,638**	**492,663**	**482,253**	390,317	91,936
Moorpark	**1,193,991**	**1,172,630**	**1,147,851**	929,027	218,824
Ojai	**261,384**	**256,708**	**251,283**	203,380	47,903
Oxnard	**6,355,199**	**6,241,501**	**6,109,612**	4,944,889	1,164,723
Port Hueneme	**695,467**	**683,025**	**668,592**	541,133	127,459
San Buenaventura	**3,493,574**	**3,431,072**	**3,358,570**	2,718,300	640,270
Santa Paula	**954,786**	**937,704**	**917,890**	742,905	174,985
Simi Valley	**4,032,357**	**3,960,216**	**3,876,532**	3,137,519	739,013
Thousand Oaks	**4,137,438**	**4,063,417**	**3,977,553**	3,219,280	758,273
Ventura County – Unincorporated	**3,096,128**	**3,040,736**	**2,976,482**	2,409,053	567,429
Total	**26,841,060**	**26,360,860**	**25,803,828**	20,884,643	4,919,185

Attachment 2

CHRISTINE L. COHEN
AUDITOR-CONTROLLER
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009-1540

CHIEF DEPUTIES
LOUISE WEBSTER
SANDRA BICKFORD
BARBARA BEATTY
JOANNE McDONALD

January 10, 2011

Mr. Darren Kettle, Executive Director
Ventura County Transportation Commission
950 County Square Drive
Ventura, CA 93003

SUBJECT: LOCAL TRANSPORTATION FUND FY 2011-12 ESTIMATES

Dear Mr. Kettle:

The Auditor-Controller's conservative estimate of the Local Transportation Fund (LTF) revenues for fiscal year 2011-12 is $25.6 million based on no current projected growth. As you are aware, projections are very uncertain given the current economic climate and state budget shortfalls. It may be prudent to budget a contingency account to be allocated midyear if projections remain strong. We will continue to review this projection as additional information becomes available and will issue a revised forecast if necessary. In addition, we are monitoring the cash situation at the State level for any impact on the receipt of these funds.

For FY 2010-11 we had projected a range between $22.9 and $23.3 million. This estimate is currently revised to $25.6 million. In addition, based on the allocation schedule provided by your office, we estimate that approximately $65,170 in interest will be earned by the fund during fiscal year 2010-11 and be available for allocation in the subsequent fiscal year. Any changes in the timing of allocations will affect the estimated interest amount.

Based on revised revenue estimates of $25.6 million, budgeted allocations of $22.9 million and interest of $65,170 we project a LTF fund balance at June 30, 2011 of approximately $5,356,000. (see Attachment I).

The Auditor-Controller's estimated LTF administrative costs for fiscal year 2011-12 are $15,000.

We will continue to monitor growth trends and will notify you in the event of a significant change in projected revenues.

If you have any questions, please contact Joanne McDonald at (805) 654-3191.

Sincerely,

CHRISTINE L. COHEN
Auditor-Controller

Enclosure

Phone: (805) 654-3151 Fax: (805) 654-5081 auditor.countyofventura.org christine.cohen@ventura.org

ATTACHMENT 1

COUNTY OF VENTURA
AUDITOR-CONTROLLER
LOCAL TRANSPORTATION FUND
PROJECTED ACTIVITY AND FUND BALANCE
AS OF JUNE 30, 2011

Audited Fund Balance as of June 30, 2010	$	2,570,057	
Reversal of FY10 Fair Value adjustment		(9,977)	
Subtotal:			2,560,080
ADD:			
FY 10-11 Actual LTF Receipts as of December 31, 2010	$	13,116,700	
Projected LTF receipts for remainder of FY 10-11		12,513,602	
Subtotal: (A)			25,630,302
FY 10-11 interest earnings apportioned as of December 31, 2010	$	12,263	
Projected interest earnings for the remainder of FY 10-11		52,907	
Total Interest (B)			65,170
Funding Available		$	28,255,552
LESS:			
FY 10-11 allocations as of December 31, 2010	$	7,345,448	
Projected allocations for the remainder of FY 10-11(C)		15,554,552	
Subtotal:			22,900,000
Projected Fund Balance as of June 30, 2011		$	5,355,552

(A) FY 10-11 projected LTF receipts are based on FY10-11 actual receipts through December, 2010.

(B) Based on actual first quarter earnings and projected second, third, and fourth quarter earnings.

(C) Based on VCTC FY 10-11 Transportation Development Act (TDA) allocations adopted on June 4, 2010.

Item # 16

March 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR**

SUBJECT: **CALTRANS COMMUNITY-BASED TRANSPORTATION GRANTS**

RECOMMENDATION:

- The Commission authorize staff to submit a $250,000 Caltrans Community-Based Transportation Planning competitive grant on behalf of California State University Channel Islands (CSUCI) for the development of a bike sharing program.

- Approve the attached resolution in support of the Community-Based Transportation Planning Grant.

- The Commission authorize the Executive Director to submit the attached letter of support to the Santa Barbara County Association Governments (SBCAG) for their submittal of a Caltrans Community-Based Transportation Planning competitive grant to perform a license plate survey.

- The Commission authorize the executive Director to contribute $10,000 in Local Transportation Funds (LTF) to be used as local match for Santa Barbara County Association Governments (SBCAG) for their submittal of a Caltrans Community-Based Transportation Planning competitive grant to perform a license plate survey.

BACKGROUND:

The Community-Based Transportation grant program administered by Caltrans, funds coordinated transportation and land-use planning projects that encourage community involvement and partnership. Projects must support livable/sustainable community concepts with a transportation or mobility objective and promote community identity and quality of life. Grants up to $300,000 are competitively awarded throughout the state. A minimum local match of ten percent is required and it must contain at least seven and one half percent in a cash match. Grant applications are due to Caltrans by March 30 2011 and are required to include a resolution adopted by the submitting agency.

DISCUSSION:

California State University, Channel Islands

California State University Channel Islands (CSUCI) as a sub-recipient to the VCTC is proposing to submit a $250,000 grant application to receive funding to plan a bicycle sharing program for the University with connections to the surrounding community. Additional partnerships with the County of Ventura, the City of Camarillo and the Bicycle Kitchen located on the CSUCI campus which provides low cost bicycle repairs and maintenance are being pursued by CSUCI at this time. The required cash match will be provided through Transportation Development Act (TDA) Article 3 funds.

While VCTC would formally submit the grant application, CSUCI would be the sub-recipient of the funds and would fully manage a consultant driven contract for program development. VCTC and the other partners would participate for the life of the project through a project steering committee. The resolution in support of this project can be found in Attachment A.

Santa Barbara County Association of Governments

The Santa Barbara County Association of Governments (SBCAG) is also proposing to submit a Community-Based Transportation Planning grant to conduct a license plate survey at several cordon points throughout Santa Barbara County including the Santa Barbara/Ventura County line. The license plate survey will provide detailed information about the origin and destinations of traffic passing through specified cordon points in Santa Barbara County.

By participating in this project with SBCAG, the VCTC will receive valuable data about travel patterns at the northern County line. An accurate count of traffic originating in Ventura County by city and an accurate count of trips that originate outside of Ventura but pass through the County can be gained.

SBCAG has requested that VCTC participate by submitting a letter of support and providing a $10,000 contribution towards the cash match required for the project. The letter of support for this project can be found in Attachment B below.

Staff believes that both of these projects could provide a substantial benefit to the County. Staff therefore recommends that the Commission authorize the submittal of a $250,000 Caltrans Community-Based Transportation Planning grant application on behalf of California State University Channel Islands (CSUCI) for the development of a bike sharing program and adopt a resolution of support. Staff further recommends that the Commission sign and forward a letter of support for SBCAG's license plate survey grant application and authorize the executive Director to contribute $10,000 in Local Transportation Funds (LTF) to be used as local match should the grant be awarded.

ATTACHMENT A

RESOLUTION NO. 2011-03

A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION APPROVING THE GRANT APPLICATION FOR FY 2011/20012 COMMUNITY-BASED TRANSPORTATON PLANNING FUNDS

WHEREAS, The Ventura County Transportation Commission ("VCTC") is the county transportation commission created for Ventura County pursuant to Public Utilities § 130000, et seq;

WHEREAS, the State of California has established the Community-Based Transportation Planning ("CBTP") grant program to fund coordinated transportation and land-use planning projects that encourage community involvement and partnership;

WHEREAS, California State University Channel Islands desires to create a sustainable campus environment through facilitating bicycle use throughout the campus and the surrounding community by the development of a bicycle sharing program; and,

WHEREAS, VCTC wishes to apply for CBTP funds to support California State University Channel Islands desire to develop a green and sustainable campus.

NOW, THEREFORE, THE VENTURA COUNTY TRANSPORTATION COMMISSION DOES HEREBY AUTHORIZE A GRANT APPLICATION FOR $250,000 IN CBTP FUNDS FOR THE DEVELOPMENT OF A BICYCLE SHARING PROGRAM AT CALIFORNIA STSATE UNIVERSITY CHANNEL ISLANDS.

THIS RESOLUTION FURTHER A AUTHORIZES THE VCTC EXECUTIVE DIRECTOR, DARREN M. KETTLE, TO ENTER INTO A CONTRACT WITH THE CALIFORNIA DEPARTENT OF TRANSPORTATION ("CALTRANS') FOR THIS GRANT ON BEHALF OF THE APPLICANT.

Executed this fourth day of March, 2011.

____
Mayor Bill Fulton, Chair VCTC

ATTEST:

____
Donna Cole, Clerk of the Commission

ATTACHMENT B

March 4, 2011,

Mr. Jim Kemp, Executive Director
Santa Barbara County Association of Governments
260 North San Antonio Road, Suite B
Santa Barbra, CA 93110

Subject: Caltrans Community Based Transportation Planning Grant, Central Coast Regional License Plate Survey

Dear Mr. Kemp:

The Ventura County Transportation Commission (VCTC) is pleased to support the Santa Barbara County Association of Governments' (SBCAG's) application for Caltrans' Community Based Transportation Planning (CBPT) Grant. As both VCTC and SBCAG struggle with limited resources, having current and detailed travel pattern data enable the two agencies to invest in highway improvements and transit services prudently. SBCAG's CBTP grant license plate survey will provide just such data. Especially critical are the trips passing though the Santa Barbara/Ventura County line.

VCTC's commitment to this proposed project and inter-county cooperation is such that should SBCAG we awarded the Caltrans CBTP grant, VCTC shall provide a $10,000 dollar cash contribution towards this effort.

Should you have any question concerning VCTC's support of the Santa Barbara Association of Governments Community Based Transportation Planning grant application, please feel free to contact me at, (805) 642-1591.

Sincerely,

Darren Kettle,
Executive Director

Item # 17

March 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR**

SUBJECT: **DIESEL MULTIPLE UNIT (DMU) FEASIBILITY STUDY**

RECOMMENDATION:

- Authorize development of a Scope of Work, Request for Proposal and budget amendment to perform a Diesel Multiple Unit (DMU) feasibility study.

DISCUSSION:

During the past two years staff has been engaged in extensive public outreach, first through the Compact for a Sustainable Ventura County Phase II process and currently through the Comprehensive Transportation Plan outreach effort. While the two efforts have very separate purposes, much of the feedback staff has received has been focused on similar issues.

One issue in particular has been consistently raised by the public, increasing connectivity between Ventura County's cities, especially by leveraging the existing rail line. The notion of exploring greater connectivity between Ventura County's cities is certainly supported by the findings of the 2005-2009 American Community Survey (ACS) 5-year estimates which states that 77.3 percent of the 370,728 workers in Ventura County work within the County. Leveraging the existing rail line and rail right-of-way provides a way of connecting all but one of the County's largest cities and has the potential to create a backbone that local transit services could then connect with to take passengers to activity centers. In a longer view rail also offers a way to expand to the Heritage Valley and Santa Barbara County.

While conventional heavy rail is already established with Metrolink, it does not offer the flexibility or affordability of other types of rail service. Diesel Multiple Units (DMUs), railcars powered by on-board diesel engines that run singularly or hooked together, offer the ability to tailor rail operations to meet the peaks and valleys in demand with greater efficiency than conventional heavy rail. Additionally, startup and operational costs for DMUs are historically lower than that of conventional commuter rail.

As the Commission contemplates Ventura County's future transportation needs and potential solutions in the context of SB 375, a full range of transportation alternatives should be identified.
Unfortunately without a thorough examination of the viability of alternate modal options, preference tends to be given to the more conventional approaches. Staff suggests that given the growing emphasis on reducing Vehicle Miles Traveled (VMT) to reduce greenhouse gas emissions and the Commission's direction to look at broader

modal choices, a detailed study to determine the feasibility of DMU operations in Ventura County would be appropriate. A DMU feasibility study would be consistent with the Commission's two other major efforts underway, the Comprehensive Transportation Plan and Regional Transit Study and could provide a solution to linking services throughout the County.

Should the Commission wish to undertake a DMU feasibility study, staff would prepare a Scope of Work (SOW), Request for Proposal (RFP) and budget amendment for the Commission's review prior to publication. Staff researched similar studies across the Country to determine potential costs and found that costs varied widely based on specific needs such as right-of-way acquisition and types of service but fell within in a range of $300,000 to $500,000 for a comprehensive analysis. If the Commission chooses to move forward with a DMU feasibility study, staff would recommend setting aside $500,000 from the State Transit Assistance (STA) funds for the effort.

Item #18

March 4, 2011

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: REVISIONS TO CMAQ PROGRAM AND APPROVAL OF CMAQ PROGRAM OF PROJECTS (POP) – PUBLIC HEARING

RECOMMENDATION:

- Approve Congestion Mitigation and Air Quality (CMAQ) program changes as follows:

  Simi Valley: Shift $41,000 in CMAQ funds from the Transit Maintenance Facility Expansion and $113,090 in CMAQ from the delayed Expansion Paratransit Van Purchase to the Garage Modernization project. Program $113,090 of CMAQ in Fiscal Year (FY) 2012/13 for the Expansion Paratransit Van Purchase.

  Thousand Oaks: Shift $60,000 in CMAQ funds from the Street Sweeper Alternate-Fueled Vehicle Replacement to the Transit Service Hours Extension, and revise the scope of the Transit Service Hours Extension to include fixed-route transit as well as dial-a-ride services.

- Approve Fiscal Year (FY) Program of Projects for CMAQ as shown in the Attachment.

BACKGROUND:

At the December meeting, the Commission approved the programming of funds through the Mini Call for Projects for federal Surface Transportation Program (STP), Congestion Mitigation and Air Quality (CMAQ) and Transportation Enhancement (TE) funds. Since that action included approval of funding for transit projects, those new funds are required to be included in a Program of Projects which is available for public review and adopted by the Commission. In addition, there are CMAQ projects approved in previous calls for projects which are also ready to go this year and therefore must be included in the Call for Projects. The attached Program of Projects incorporates both the new transit CMAQ projects from the Mini Call for Projects and the previously-approved CMAQ funds which are to be obligated during FY 2010/11.

The proposed Program of Projects also includes two CMAQ program revisions requested by the Cities of Simi Valley and Thousand Oaks. Both of the projects proposed for receiving additional funds are ready to go and will obligate the additional CMAQ funds within the next few months.

For the Simi Valley project, the City is requesting an additional $154,090 in CMAQ funds to address an unanticipated cost increase in the nearly-complete Garage Modernization project, for which VCTC has previously approved CMAQ funds as well as American Recovery and Reinvestment Act (ARRA) funds. The City has proposed that funds be reprogrammed from a $41,000 reduction in the cost of the Transit Maintenance Facility Expansion project, and that an additional $113,090 come from a project to purchase an expansion paratransit van which is not needed at this time due to lack of growth in ridership demand. Since the expansion paratransit van purchase is listed in the Federal Transportation Improvement Program (TIP) as a Transportation Control Measure, the project's funding cannot be taken away unless a substitute project is approved. Since it is recommended to shift $113,090 away from the project, the Commission will need to continue its commitment to providing $113,090 for the van purchase in FY 2012/13 when it is expected to be needed to meet ridership demand. The Southern California Association of Governments (SCAG) has approved the delay of the van purchase to FY 2012/13.

The City of Thousand Oaks proposes to use a $60,000 cost savings from a completed project to purchase alternate-fueled street sweepers to increase the amount of funding for extended evening transit service hours, and to broaden the scope of the extended hours project to include fixed route transit as well as dial-a-ride. It should be noted that CMAQ can only be used to fund transit operations for a new project for a maximum of three years, so after three years it will be the responsibility of Thousand Oaks to fund the extended hours of service.

The Transit Operators Committee (TRANSCOM) approved the recommended actions at its February 10, 2011 meeting, provided that staff works out the air quality conformity impact of the delay in the Simi Valley van purchase, which has now been addressed by the recommendation to commit future CMAQ funds for that project. The FY 2011 CMAQ Project of Projects was published in the Ventura County Star on March 31, 2011.

Program of Projects

The Ventura County Transportation Commission (VCTC) will hold a public hearing on the Program of Projects (POP) for the Oxnard, Thousand Oaks, and SimiValley Urbanized Areas (UAs) for projects to be funded with Federal Transit Administration Congestion Mitigation and Air Quality (CMAQ) funds in the 2010/11 Fiscal Year (FY 2011). The funds available in FY 2011 are $2,300,821 in the Oxnard UA $867,245 in the Thousand Oaks UA, and $2,122,090 in the Simi Valley UA based on the discretionary availability of flexible CMAQ funds for transit planning, operating and capital assistance. The public hearing will be held at 9:00 a.m. on Friday, March 4, 2011, in the Camarillo City Council Chamber, 601 Carmen Drive, in Camarillo. The POP is available for public inspection at 950 County Square Drive, Suite 207, Ventura CA 93003. Unless a subsequent notice is published, this project list will become the final Program of Projects for inclusion in the Southern California Association of Governments Regional Transportation Improvement Program.

FY 2011 CMAQ Program of Projects

	Total Cost	**Federal Share**	**Local Share & Other**
OXNARD/VENTURA URBANIZED AREA			
Planning Assistance			
VCTC Marketing/Outreach FY 2011/12	$499,549	$499,549	-
	$499,549	$499,549	-
Operating Assistance			
Gold Coast Vineyard Avenue Route	$1,701,272	$1,701,272	-
	$1,701,272	$1,701,272	-
Capital Assistance			
Ojai Bus Shelters	$113,000	$100,000	$13,000
	$113,000	$100,000	$13,000
Total CMAQ	$2,313,821	$2,300,821	$13,000
THOUSAND OAKS/MOORPARK URBANIZED AREA			
Operating Assistance			
Expanded Thousand Oaks Operating Hours	$330,000	$285,000	$45,000
	$330,000	$285,000	$45,000
Capital Assistance			
Moorpark Metrolink Station South Entrance	$682,245	$582,245	$100,000
	$682,245	$582,245	$100,000
Total CMAQ	$1,012,245	$867,245	$145,000
SIMI VALLEY URBANIZED AREA			
Capital Assistance			
Two Replacement Paratransit Vans	$201,000	$201,000	-
Transit Maintenance Facility Expansion	$1,614,000	$1,614,000	-
Garage Modernization	$307,090	$307,090	-
	$2,122,090	$2,122,090	-
	$2,122,090	$2,122,090	-

Item #19

March 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **MARY TRAVIS, MANAGER OF TRANSPORTATION DEVELOPMENT ACT (TDA) AND RAIL PROGRAMS**

SUBJECT: **REQUEST FROM CITY OF MOORPARK TO PURCHASE MOORPARK TRAIN STATION NORTH PARKING LOT PARCEL**

<u>RECOMMENDATION:</u>

- Authorize staff to negotiate sale of Moorpark Train Station north parking lot parcel to the Moorpark Redevelopment Agency.

<u>BACKGROUND:</u>

The City of Moorpark Redevelopment Agency (RA) has asked VCTC to consider selling property to the RA for its High Street redevelopment project. The property under discussion is currently used as the small (60 spaces) parking lot on the north, High Street side of the station for train passengers. A larger parking lot of 350 spaces is also available for passengers on the south side of the station.

The Commission acquired this property from Southern Pacific Railroad in 1992 as part of the overall rail property purchase for the establishment of the Metrolink commuter rail operation. The property purchased included the Coast Main Line track from the LA County Line to the west boundary of Moorpark, 40 feet of property on the north side of the track, and, property in Simi Valley and Moorpark for train station construction. VCTC worked in cooperation with the other Metrolink agencies (Los Angeles Metropolitan Transportation Authority “METRO”; Orange County Transportation Authority “OCTA”; Riverside County Transportation Commission “RCTC”; and, San Bernardino Associated Governments “SANBAG”) to buy the property, the purchase of which was coordinated by LA METRO.

VCTC’s share of the property purchase totaled $22 million and was paid with State Proposition 116 Rail Bond money approved in 1991. Because of all the components of the property purchase, it is very difficult to calculate how much VCTC paid for this small portion of the overall transaction. Also, twenty years ago, the Moorpark Train Station area had only limited Amtrak use. Therefore, in order to understand how much the small parking lot is worth today, VCTC engaged an appraiser, Kevin McAtee, MAI, with Hoffman, Vance,& Worthington Inc.

The summary report from the appraiser is attached. The property is appraised at $514,000 or about $11 per square foot. Staff has discussed the future parking needs with planners at both Metrolink and Amtrak, and believes the small lot could be sold without adverse impact to the train operations. Moreover, according to the Moorpark RA, the small lot will continue to be used for parking and transit oriented development.

If the lot is sold, the revenue could be used for other rail transportation capital projects including improvements to the larger lot at the station in Moorpark

HOFFMAN, VANCE AND WORTHINGTON, INC.

1000 SOUTH SEAWARD AVENUE
VENTURA, CALIFORNIA 93001-3798

WALTER W. HOFFMAN (1922-2008)
OATHER C. VANCE (1923-1979)
WILLIAM E. WORTHINGTON (1914-2005)
RICHARD S. HAMBLETON, JR.
BEVERLY C. GUTIERREZ
DOMINICK J. McCORMICK
KEVIN P. McATEE, MAI

TELEPHONE:
(805) 642-0211
FAX:
(805) 642-1220

February 10, 2011

Ms. Mary Travis
Ventura County Transportation Commission
950 County Square Drive, Suite 207
Ventura, CA 93003

Re: High Street Parking Lot, Moorpark, California

Ms. Travis:

In accordance with your request, I have personally examined and appraised the below described real property for the purpose of reporting to you my opinion of its fair Market Value. A careful examination was made of the subject property and surrounding area, and of those factors which tend to influence the value. This examination included the inspection and analysis of market data in the immediate and general vicinity of the property that are physically, locationally and/or economically comparable.

The subject property is a single vacant lot located on High Street, Moorpark. The lot measures **25,696** square feet, or .59 acres in size. The property is improved as a parking lot for the use of the adjacent Metrolink station patrons. The property is under the ownership of the *Ventura County Transportation Commission*. According to the City of Moorpark, the subject is zoned Old Town Commercial (C-OT) and also located within the Downtown Specific Plan. High Street is a small historic strip which includes the Metrolink Station, historic Moorpark train station, small commercial businesses, restaurants and a historic theater. Efforts to renovate the streets retail uses have been ongoing since the Redevelopment and Implementation Plan was adopted in 1994. The most recent updated Plan is dated January 20, 2010. Among the efforts identified is the development of Redevelopment Agency-owned properties on High Street between Moorpark Avenue and the Moorpark Metrolink Station.

Based on my investigation and upon a complete review of the facts presented herein, it is my opinion that the **as is fair Market Value** of the **Fee Simple** interest in the subject property, in cash equivalent terms as of **February 7, 2011** and subject to the Assumptions and Limiting Conditions, was

$514,000

Based on my discussions with knowledgeable brokers active in the area, I would anticipate an exposure period of approximately **6 to 9 months** if the property was exposed to the market for sale at the appraised values.

This Report is a "Summary Appraisal Report". As such, it has been prepared in accordance with **Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice (USPAP) for a Summary Appraisal Report**.

Summary discussions of the data, reasoning and analyses that were used to develop the opinion of value are presented in the appraisal report, including summary descriptions of the subject property, the property locale, and the appraiser's opinion of highest and best use. Any data, reasoning and analyses not discussed in this Summary Appraisal Report are retained in the appraiser's work file.

The intended use of the report, which is for the exclusive use by the ***Ventura County Transportation Commission*** in its negotiations for the potential sale of the property to the Moorpark Redevelopment Agency. The appraiser is not responsible for unauthorized use of this report.

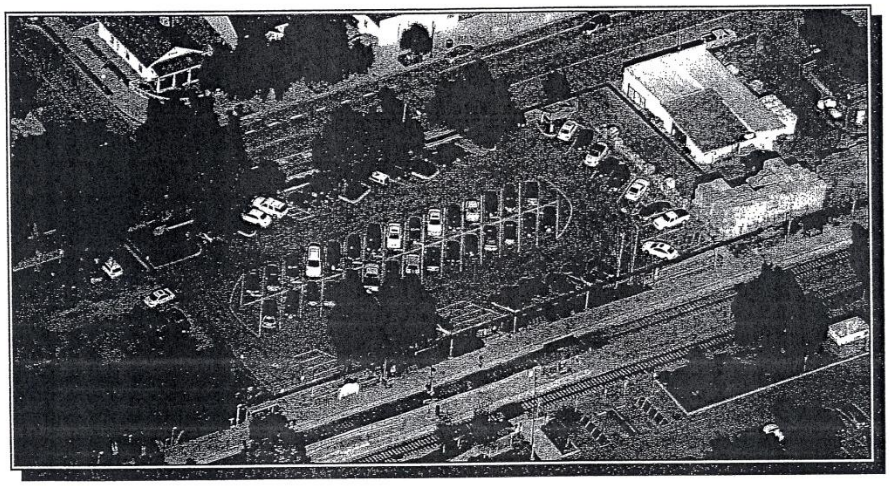
Your attention is directed to the contents of this Appraisal Report, including all descriptions, market data, analyses and other relevant factors upon which my conclusions are based. I have made every effort to ensure that the Appraisal Report which follows complies with USPAP.

I, the undersigned, do hereby certify the statements and opinions rendered herein are true and correct to the best of my knowledge and belief, subject to the limiting conditions contained herein.

Sincerely,

HOFFMAN, VANCE & WORTHINGTON, Inc.

Kevin P. McAtee, MAI
CA Certified General Appraiser AG014257



SUMMARY OF SALIENT FACTS	
Property Location	High Street, Moorpark, CA
Property Description	Vacant parking lot
Assessor's Parcel #	512-0-090-120
Thomas Bros. Map	496/E1 (Ventura County)
Land Area	25,696 Square feet
Zoning	Old Town Commercial (C-OT)
Highest/Best Use	Commercial development
Flood Hazard Zone	Zone X
'As Is' Market Value	**$514,000**
Date of Value	February 7, 2011

Item #20

March 4, 2011

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **VICTOR KAMHI, BUS SERVICES DIRECTOR**

SUBJECT: **VISTA PROMOTIONAL FARES**

RECOMMENDATION:

- Approve the recommended VISTA promotional fare policy and authorize the Executive Director to implement the policy.

DISCUSSION:

In June 2010 the Commission approved the ongoing participation of VISTA in offering promotional fares for the American Public Transit Association (APTA) sponsored "DUMP THE PUMP" day, and the use of discount fares for school field trips under certain conditions. The Commission had previously approved the use of discount VISTA fares, if feasible, for the "Bike to Work" week. At the same time, VCTC has had requests and recommendations for various free or discount fares, in some cases subsidized, and in other cases not. While systemwide free fares have not had success in attracting new riders, targeted free or discount fares have been successful in attracting new riders, and in some cases the use of free or discounted fares has resulted in positive media coverage.

It is recommended that the Commission approve the following comprehensive fare discount policy, and that the Executive Director be directed to implement the policy and report back to the Commission on activities regarding implementation of the policy.

1. The Commission authorize VISTA participation in fare reductions programs for national, state or regionally recognized promotions, such as the APTA "DUMP THE PUMP" day and Bike to Work Week. The participation will be based on a determination that there is sufficient capacity on VISTA to not adversely affect existing riders.

2. The Commission authorize the previously approved DISCOUNT STUDENT PROMOTIONAL FARES for field trips. For a number of years VISTA has provided discount (half-price) fares for student groups to promote the use of transit. The half price fares have been provided if the following criteria were met:
   a. The travel was taking place during an off-peak period where there was sufficient capacity on the buses in both parts of the trip - so that full fare passengers would not be displaced.
   b. Sufficient numbers of teachers/adults would be on the bus to insure that the trip would be a positive experience for both the students taking the trip and the regular riders.
   c. There would be no change in the schedule or stop locations for VISTA.

3. The Commission authorize the provision of free passes for "Travel Trainers" from travel training programs funded through VCTC or done in with the sponsorship of other Ventura County Transit agencies or VCTC recognized travel training programs.

4. The Commission authorize the participation by VISTA in discount or free fares by other agencies, where the cost of the rides is provided by a third party. This would only be allowed on existing services due to the conditions established by the Federal Transit Administration's Charter Regulations.

5. The Commission authorize the use of targeted free fares and “give-a-ways” as part of the VCTC Transit Marketing program. The Commission has successfully used targeted free passes (provided to specific locations as part of a concerted marketing program). While effective, the Commission has not used this marketing tool for several years.

The purpose of the policy for free and discount fares is to provide a flexible tool for the VCTC to use to promote and market VISTA services.

Item #21

March 4, 2011

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN KETTLE, EXECUTIVE DIRECTOR

SUBJECT: COMPREHENSIVE TRANSPORTATION PLAN UPDATE

RECOMMENDATION:

- Receive and File.

BACKGROUND:

VCTC has been conducting stakeholder outreach sessions throughout the county, soliciting input into the development of the Ventura County Comprehensive Transportation Plan. Staff will present a version of the power point presentation being used for these outreach sessions and share some observations of what we have heard.