



VENTURA COUNTY TRANSPORTATION COMMISSION

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

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AGENDA*

**Actions may be taken on any item listed on the agenda*

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, APRIL 4, 2014
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. CALTRANS REPORT

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

6. 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.*

7. 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.*

8. 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.*

8A. APPROVE SUMMARY FROM MARCH 7, 2014 VCTC MEETING – PG. 7

Recommended Action:

Approve

Responsible Staff: Donna Cole

8B. MONTHLY BUDGET REPORT – PG. 11

Recommended Action:

Receive and File

Responsible Staff: Sally DeGeorge

8C. PASSENGER RAIL UPDATE – PG.19

Recommended Action:

Receive and File

Responsible Staff: Ellen Talbo

8D. FEDERAL TRANSIT ADMINISTRATION TRIENNIAL REVIEW STATUS/ADOPTION OF REVISED DISADVANTAGED BUSINESS ENTERPRISE AND DRUG-FREE WORKPLACE PROGRAMS – PG. 23

Recommended Action:

Approve the revised Disadvantaged Business Enterprise (DBE) Program (Attachment A) and Alcohol and Drug-Free Workplace Program (Attachment B). (Attachments A and B provided separate from this agenda)

Responsible Staff: Peter De Haan

8E. PROP 1B TRANSIT CAPITAL AGREEMENTS AND BUDGET AMENDMENT–PG. 25

Recommended Action:

- *Approve the agreements (Attachments A through F) with the Cities of Ojai, Simi Valley, and Thousand Oaks and Gold Coast Transit to provide \$5,099,120 in Proposition 1B Transit Capital (PTMISEA) funds for bus replacement projects, and \$150,000 in PTMISEA funds to Metrolink for the Sealed Corridor project.*
- *Amend VCTC Fiscal Year (FY) 2013/14 budget to increase Transit Grant Administration Pass-Through Grants by \$5,099,120 and increase Metrolink Sealed Corridor by \$150,000. The revenue source is Proposition 1B Transit Capital.*
- *Approve shifting \$1,010,000 in PTMISEA funds from the Thousand Oaks Replacement Buses to the VISTA Intercity Bus Purchase.*

8E (Continued)

Recommended Action:

- Commit \$1,010,000 in a future year for the Thousand Oaks Replacement Buses when needed based on the scheduled bus replacement.
- Approve shifting \$2,000,000 in PTMISEA funds from the VCTC Office Building to the VISTA Intercity Bus Purchase and shifting \$2,000,000 in State Transit Assistance (STA) funds from the VISTA Intercity Bus Purchase to the VCTC Office Building.

Responsible Staff: Stephanie Young

8F. REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES TO COMPLETE STATE REQUIRED TRANSPORTATION DEVELOPMENT ACT FISCAL AND COMPLIANCE AUDITS – PG. 65

Recommended Action:

Release a Request for Proposals (RFP) for professional services for completion of State required Transportation Development Act (TDA) annual fiscal and compliance audits of TDA claimants.

Responsible Staff: Mary Travis

8G. ROUTE 101 IMPROVEMENTS PROJECT STUDY REPORT – PG.95

Recommended Action:

Receive and File

Responsible Staff: Peter De Haan

8 H. ACTIVE TRANSPORTATION PROGRAM REGIONAL GUIDELINES – PG.97

Recommended Action:

Approve scoring methodology for the Ventura County share of Active Transportation Program funds.

Responsible Staff: Stephanie Young

8I. REVISION TO CAMARILLO SURFACE TRANSPORTATION PROGRAM FUNDING- PG.101

Recommended Action:

Approve shifting \$500,000 in Surface Transportation Program (STP) from the Camarillo Adolfo Road Repaving project to the Santa Rosa Road Widening.

Responsible Staff: Stephanie Young

8J. APPROVAL OF SEALED CORRIDOR PROJECT CROSSING EASEMENTS – PG. 103

Recommended Action:

Authorize the Executive Director to sign crossing easement agreements for widened crossings at First Street, Erringer Road, and Sycamore Drive in Simi Valley and at Moorpark Avenue in Moorpark, in conjunction with the Sealed Corridor improvements.

Responsible Staff: Peter De Haan

8K. BUDGET AMENDMENT TO CARRYOVER EAST COUNTY INTERCITY AMERICANS WITH DISABILITIES ACT FUNDS – PG.105

Recommended Action:

Amend Fiscal Year 2013/2014 budget to increase Americans with Disabilities Act (ADA) East County Intercity Service by \$140,000, consisting of \$100,000 in prior-year carryover and \$40,000 in additional Federal Transit Administration (FTA) funds approved in the Program of Projects.

Responsible Staff: Peter De Haan

9. **RANGE ADJUSTMENT FOR DIRECTOR CLASSIFICATION; RANGE ESTABLISHMENT FOR ACCOUNTING TECHNICIAN AND CUSTOMER SERVICE REPRESENTATIVE CLASSIFICATIONS; SALARY SCHEDULE REVISIONS; COST OF LIVING ADJUSTMENTS & EMPLOYEE PERS CONTRIBUTIONS – PG.107**

Recommended Action:

- Adjust Director salary range to bring the classification closer to market standards, effective July 1, 2014. (See Attachment 1)
- Establish a salary range for the Accounting Technician and Customer Service Representative, effective July 1, 2014. (See Attachment 1)
- Update the salary schedule's classification titles effective July 1, 2014. (See Attachment 1)
- Approve a 3% Cost of Living Adjustment (COLA) to VCTC's maximum salary ranges effective July 1, 2014.

Responsible Staff: Darren Kettle

10. **FISCAL YEAR 2014/15 DRAFT BUDGET – PUBLIC HEARING – PG.111**

Recommended Action:

- Receive the Fiscal Year 2014/2015 Draft Budget
- Conduct Public Hearing to receive testimony on the Draft Fiscal Year 2014/2015 Budget.

Responsible Staff: Sally DeGeorge

11. **LEGISLATIVE UPDATE AND POSITIONS ON BILLS – PG.115**

Recommended Action:

- Adopt OPPOSE position on SB 990 (Vidak) regarding required use of State Transportation Improvement Program funds in small low-income communities.
- Adopt WATCH position on SB 1298 (Hernandez) regarding high-occupancy toll lanes.

Responsible Staff: Peter De Haan/Ellen Talbo

12. **STATUS OF REQUEST FOR PROPOSALS (RFP) FOR VISTA TRANSIT OPERATIONS AND CAPITAL SUPPORT, AND, CONTRACT EXTENSION FOR INTERCITY TRANSIT SERVICE - PG.127**

Recommended Action:

- Receive status report of Request for Proposals and Contract Extension for the VISTA Intercity Bus Service
- Reschedule the July VCTC Commission Meeting from July 11, 2014 to July 25, 2014

Responsible Staff: Vic Kamhi

13. **AUTHORIZATION TO FINALIZE VISTA BUS ACQUISITION – PG.129**

Recommended Action:

- Authorize the Executive Director to provide MCI with a notice to proceed and issue a purchase order for the acquisition of 10 MCI D4500 over the road coaches for VISTA Intercity Service to be delivered by November 2014
- Authorize the Executive Director to exercise the option for 4 additional MCI with a notice to proceed and issue a purchase order for the 10 MCI D4500 over the road coaches for VISTA Intercity Service to be delivered in early 2015.
- Direct staff to proceed with activities necessary to receive and put into service the new buses, including "E" plate licensing, vehicle inspection, and decaling beyond the basic levels provided through the MCI contract.

Responsible Staff: Vic Kamhi

14. HERITAGE VALLEY TRANSIT – PG.131

Recommended Action:

Authorize staff to negotiate six month contract extension with the Fillmore Area Transit Company for VISTA Community/Dial-A-Ride contractor to allow for the finalization of implementation of the Heritage Valley Transit service.

Responsible Staff: Vic Kamhi

15. VCTC 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.

16. AGENCY REPORTS

17. CLOSED SESSION

1. Conference with Real Property Negotiators (Gov Code Sec. 54956.8)

Property: Santa Paula Branch Line

Agency Negotiator(s): Darren Kettle

Negotiating Parties: VCTC and Fillmore and Western/lessee to be determined

Under Negotiation: Price and terms of payment

2. Conference with Legal Counsel – Existing Litigation, (Gov Code Sec. 54956.9(a) and (d)(1))

a) Fillmore & Western v. VCTC 56-2014-00450239

b) FILLMORE and WESTERN FREIGHT SERVICE, LLC d/b/a FILLMORE & WESTERN RAILWAY, INC., a California Corporation v. VENTURA COUNTY TRANSPORTATION COMMISSION, THE CITY OF SANTA PAULA, THE SANTA PAULA BRANCH LINE ADVISORY COMMITTEE -- STB Finance Docket No. 35830

c) VCTC v Fillmore & Western Railway Inc. 56-2014-00449769

3. Conference with Real Property Negotiators (Gov Code Sec. 54956.8)

Agency Negotiator(s): Darren Kettle

Negotiating Parties: VCTC and City of Camarillo

Under Negotiation: Price and terms of payment

18. ADJOURN to 9:00 a.m. Friday, May 9, 2014

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Item #8A

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, MARCH 7, 2014
9:00 AM

Members Present: Ralph Fernandez, City of Santa Paula, Chair
Peter Foy, County of Ventura, Vice Chair
Steve Bennett, County of Ventura (arrived 9:15)
Claudia Bill-de la Peña, City of Thousand Oaks (arrived 9:35)
Manuel Minjares, City of Fillmore
Brian Humphrey, Citizen Rep., Cities
Bryan MacDonald, City of Oxnard
Jan McDonald, City of Camarillo
Keith Millhouse, City of Moorpark
Carl Morehouse, City of San Buenaventura
Linda Parks, County of Ventura
Jon Sharkey, City of Port Hueneme
Steve Sojka, City of Simi Valley
Jim White, Citizen Rep., County
John Zaragoza, County of Ventura
Aziz Elattar, Caltrans District 7

Not Present: Betsy Clapp, City of Ojai
Kathy Long, County of Ventura

Call To Order

Pledge of Allegiance

Roll Call

Public Comments for those items not listed in this agenda

Charles Alvarez, Fillmore resident, presented a petition with more than 200 signatures seeking signal lights at Mountain View and 126 and at the entrance to the El Dorado community. The concern at Mountain View is the elementary school with no crosswalk. At El Dorado seniors have a difficult time getting across the highway.

Darren Kettle addressed the issue and said that we have been working with Caltrans and Fillmore to get the Mountain View Signal and will check into the El Dorado request. There is funding available for this purpose.

CALTRANS REPORT

Aziz Ellatar reported there have been a number of incidents involving copper wire theft. Two projects are now in progress with a new design which helps prevent theft.

Regarding the 101/23, many calls were received from the public about lack of notice on the restriping. Work progressed faster than anticipated so the contractor began restriping. The Resident Engineer has developed a communication plan which will provide notice to the public a week in advance. Caltrans will be at all weekly construction meetings. They are working on finding a way to increase the number of open lanes from one to two.

COMMISSIONER REPORTS

Commissioner Morehouse, SCAG is looking at water and drought implications and at the Regional Council the executive committee met with High Speed Rail people and voted to support an amicus brief in the courts to address issues with bonding.

The SCAG General Assembly in May will focus on technology and implications for future jobs and the economy.

Commissioner White commended Roadrunner Shuttle for assisting 100 homeless with transportation to a shelter during the rain at no charge.

EXECUTIVE DIRECTOR REPORT -

Unmet Transit Needs Workshops and Hearing – VCTC participated in Unmet Transit Needs listening sessions in Fillmore, Thousand Oaks, Moorpark and at the Gold Coast Transit Board meeting room in the last month, leading up to the Commission formal hearing in Camarillo, with Commissioners Bryan MacDonald, Jan McDonald, Jim White, and Brian Humphrey serving as the Hearing Board. During the process (which actually started last summer), VCTC received 116 individual contacts, including two petitions with multiple signers, with slightly more than 200 comments. The public comment period ended on Monday, March 3. Staff is beginning evaluation of the comments. Those comments that are clearly OPERATION comments will be forwarded to the affected transit operators, and if possible, that information will be conveyed to the commenter.

Status of VCTC OPEB Prefunding Decision- In Fiscal Year 2008/2009 VCTC took a proactive approach and began prefunding its Other Postemployment Benefits (OPEB) obligations with the California Employer's Retiree Benefit Trust (CERBT). Prefunding the trust allows the Commission to offset retirement healthcare/OPEB costs through compounded investment earnings. We received our annual report from CalPERS in late February and I'm pleased to report that to date the Commission has earned over \$200,000 in investment income with an average annual internal rate of return of 12.04%.

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VCTC Teen Council Annual Project – This year's teen council has launched a countywide K-12 student art contest. Winning artwork will be enlarged and printed on the side of a VISTA bus which will be seen throughout the county. Students are asked to depict what their town is known for or what they would like for it to be known for. The contest deadline is April 7, and the winning artwork will be presented at the June VCTC Meeting. This very talented group of students has created all the artwork and forms and databases to distribute their message and also a 30 second video to announce the contest, which we have brought to share with you today.

VCTC has partnered with SBCAG and SLOCOG on an Origin/Destination study. SBCAG is the lead agency responsible for public opinion and outreach.

ADDITIONS/REVISIONS – None

CONSENT CALENDAR

Commissioner MacDonald made a motion to approve all items as presented on the Consent Calendar. The motion was seconded by Commissioner Sojka and passed unanimously.

8A. APPROVE SUMMARY FROM FEBRUARY 7, 2014 VCTC MEETING - *Approve*

8B. MONTHLY BUDGET REPORT - *Receive and File*

8C. PASSENGER RAIL UPDATE - *Receive and File*

8D. COMMUTER SERVICES QUARTERLY REPORT - *Receive and File*

8E. INVESTMENT POLICY UPDATE - *Adopt the updated Ventura County Transportation Commission Investment Policy.*

8F. CALLEGUAS MUNICIPAL WATER DISTRICT QUITCLAIM DEED - *Authorize the Executive Director to execute acceptance of a quitclaim deed from the Calleguas Municipal Water District (CMWD) for the original pipeline alignment at the Camarillo Rail Station.*

8G. CONTRACT EXTENSION FOR AMERICANS WITH DISABILITIES ACT CERTIFICATION SERVICES - *Approve an amendment to the contract with Mobility Management Partners, Inc., for countywide ADA certification services, increasing the Fiscal Year (FY) 2013/14 ceiling from \$128,320 to \$132,458, and extending the contract by one year through Fiscal Year 2014/15 with a contract ceiling of \$133,452.*

8H. ROUTE 101 IMPROVMENTS PROJECT STUDY REPORT *Receive and File*

8I. AMENDMENT TO FY 2013/14 TRANSPORTATION PROGRAMMING BUDGET

Approve a budget amendment to the Fiscal Year 2013/14 budget for Transportation Programming, to replace \$108,173 in Planning Programming and Monitoring funds with \$108,173 in property lease revenue

9. SHORT RANGE TRANSIT PLAN CONSULTANT SERVICES CONTRACT AWARD

Commissioner Sojka made a motion to award a consultant services contract to Nelson/Nygaard for the VCTC Short Range Transit Plan in an amount not to exceed \$100,000. The motion was seconded by Commissioner MacDonald and passed unanimously.

10. AUTHORIZATION TO CANCEL REQUEST FOR PROPOSALS (RFP) FOR VISTA TRANSIT OPERATIONS AND CAPITAL SUPPORT (RFP No. 2013-VISTA-01)

Commissioner Bennett made a motion to cancel the Request for Proposals for VISTA Transit Operations and Capital Support (RFP No. 2013-VISTA-01) and authorize staff to negotiate six month contract extension with current VISTA fixed-route contractor to allow for the re-solicitation of a revised Request for Proposals. The motion was seconded by Commissioner Millhouse and passed by the following roll call vote:

Yes: Commissioners McDonald, Millhouse, MacDonald, Sojka, Zaragoza, Morehouse, Bennett, Humphrey, White, Minjares, Sharkey, Parks, Bill-de la Peña, Fernandez

No: Commissioner Foy

Abstain: None

Absent: Commissioners Clapp and Long

11. VCTC GENERAL COUNSEL'S REPORT – No Report

12. AGENCY REPORTS – No Reports

13. CLOSED SESSION – No Report

1. Conference with Real Property Negotiators (Gov Code Sec. 54956.8)
Property: Santa Paula Branch Line
Agency Negotiator(s): Darren Kettle
Negotiating Parties: VCTC and Fillmore and Western/lessee to be determined
Under Negotiation: Price and terms of payment
2. Conference with Legal Counsel – Existing Litigation, (Gov Code Sec. 54956.9(a) and (d)(1))
Fillmore & Western v. VCTC
3. Conference with Real Property Negotiators (Gov Code Sec. 54956.8)
Agency Negotiator(s): Darren Kettle
Negotiating Parties: VCTC and City of Camarillo
Under Negotiation: Price and terms of payment
(Commissioner McDonald abstained from participating in the discussion)
4. Conference with Legal Counsel — Anticipated Litigation
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: 2 Cases

14. ADJOURN to 9:00 a.m. Friday, April 4, 2014



Item # 8B

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for February 2014

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. Staff monitors the revenues and expenditures of the Commission on an on-going basis.

The February 28, 2014 budget reports indicate that revenues were approximately 53.33% of the adopted budget while expenditures were approximately 40.53% of the adopted budget. The revenues and expenditures are as expected. 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.

Some revenues are received at the beginning of the year while other revenues are received after grants are approved. In many instances, VCTC incurs expenses and then submits for reimbursement from federal, state and local agencies. Furthermore, the State Transit Assistance (STA), Local Transportation Fund (LTF) and Service Authority for Freeway Emergencies (SAFE) revenues are received in arrears. The State Board of Equalization collects the taxes and remits them to the Commission after the reporting period for the business. STA revenues are paid quarterly with a two to three month additional lag and LTF receipts are paid monthly with a two month lag. For example, the July through September STA receipts are often not received until October or November and the July LTF receipts are not received until September. The Department of Motor Vehicles collects the SAFE funds and remits them monthly with a two month lag.

The Commission's capital assets are now presented on the Balance Sheet. Capital assets that are "undepreciated" consist of land and rail lines owned by the Commission. Capital assets that are depreciated consist of buildings, rail stations, transit equipment, highway call box equipment and office furniture. Depreciation is booked annually at yearend.

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In February, VCTC received approximately \$13 million in Proposition 1B funds. These funds were received from the State earlier than anticipated. Over half of these funds are pass-through funds and will be sent to the Thousand Oaks, Simi Valley, Ojai and Gold Coast Transit (see April 2014 agenda item) after the budget is amended and agreements are signed. The remaining funds will remain in deferred revenue until the new buses for VISTA Intercity Services and Heritage Valley Transit are purchased.

**VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF FEBRUARY 28, 2014**

ASSETS

Assets:

Cash and Investments - Wells Fargo Bank	\$18,052,723
Cash and Investments - County Treasury	29,803,966
Petty Cash	50
Receivables/Due from other funds	548,099
Prepaid Expenditures	511,031
Deposits	13,065
Capital Assets, undepreciated	25,885,133
Capital Assets, depreciated, net	24,453,420

Total Assets: \$99,267,487

LIABILITIES AND FUND BALANCE

Liabilities:

Accrued Expenses/Due to other funds	\$ 971,960
Deferred Revenue	14,385,660
Deposits	400

Total Liabilities: \$15,358,020

Net Position:

Invested in Capital Assets	\$50,338,553
Fund Balance	33,570,914

Total Net Position \$83,909,467

Total Liabilities and Fund Balance: \$99,267,487

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE EIGHT MONTHS ENDING FEBRUARY 28, 2014**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Revenues								
Federal Revenues	\$ 4,337,760	\$ 0	\$ 0	\$ 0	\$ 4,337,760	\$ 12,420,057	(8,082,297)	34.93
State Revenues	2,210,307	20,603,140	2,465,785	369,307	25,648,539	46,152,639	(20,504,100)	55.57
Local Revenues	3,337,445	0	0	2,973	3,340,418	4,112,935	(772,517)	81.22
Other Revenues	114,118	0	0	0	114,118	3,751	110,367	3,042.34
Interest	537	19,081	21,591	5,857	47,066	105,000	(57,934)	44.82
Total Revenues	10,000,167	20,622,221	2,487,376	378,137	33,487,901	62,794,382	(29,306,481)	53.33
Expenditures								
Administration								
Personnel Expenditures	1,533,036	0	0	0	1,533,036	2,782,200	(1,249,164)	55.10
Legal Services	13,105	0	0	0	13,105	30,000	(16,895)	43.68
Professional Services	90,837	0	0	0	90,837	119,300	(28,463)	76.14
Office Leases	96,447	0	0	0	96,447	144,000	(47,553)	66.98
Office Expenditures	257,062	0	0	0	257,062	287,000	(29,938)	89.57
Total Administration	1,990,487	0	0	0	1,990,487	3,362,500	(1,372,013)	59.20
Programs and Projects								
Transit & Transportation Program								
Senior-Disabled Transportation	219,278	0	0	0	219,278	333,070	(113,792)	65.84
Go Ventura Smartcard	149,719	0	0	0	149,719	259,900	(110,181)	57.61
VISTA Fixed Route Bus Service	4,042,620	0	0	0	4,042,620	14,197,408	(10,154,788)	28.47
VISTA DAR Bus Services	1,696,075	0	0	0	1,696,075	2,620,400	(924,325)	64.73
Nextbus	28,243	0	0	0	28,243	173,800	(145,557)	16.25
Trapeze	15,163	0	0	0	15,163	30,900	(15,737)	49.07
Transit Grant Administration	3,117,419	0	0	0	3,117,419	8,940,616	(5,823,197)	34.87
Total Transit & Transportation	9,268,517	0	0	0	9,268,517	26,556,094	(17,287,577)	34.90

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Highway Program								
Congestion Management Program	3,750	0	0	0	3,750	25,000	(21,250)	15.00
Motorist Aid Call Box System	0	0	0	197,258	197,258	440,000	(242,742)	44.83
SpeedInfo Highway Speed Sensor	0	0	0	59,600	59,600	144,000	(84,400)	41.39
Total Highway	3,750	0	0	256,858	260,608	609,000	(348,392)	42.79
Rail Program								
Metrolink & Commuter Rail	1,942,665	0	0	0	1,942,665	3,242,930	(1,300,265)	59.90
LOSSAN & Coastal Rail	20,768	0	0	0	20,768	30,600	(9,832)	67.87
Santa Paula Branch Line	685,912	0	0	0	685,912	951,601	(265,689)	72.08
Total Rail	2,649,345	0	0	0	2,649,345	4,225,131	(1,575,786)	62.70
Commuter Assistance Program								
Transit Information Center	32,538	0	0	0	32,538	53,200	(20,662)	61.16
Rideshare Programs	5,347	0	0	0	5,347	56,500	(51,153)	9.46
Total Commuter Assistance	37,885	0	0	0	37,885	109,700	(71,815)	34.54
Planning & Programming								
Transportation Development Act	88,462	13,840,708	0	0	13,929,170	34,534,714	(20,605,544)	40.33
Transportation Improvement Program	248,505	0	0	0	248,505	650,650	(402,145)	38.19
Regional Transportation Planning	10,453	0	0	0	10,453	64,000	(53,547)	16.33
Airport Land Use Commission	61,737	0	0	0	61,737	206,000	(144,263)	29.97
Regional Transit Planning	9,112	0	0	0	9,112	97,700	(88,588)	9.33
Freight Movement	30	0	0	0	30	12,500	(12,470)	0.24
Total Planning & Programming	418,299	13,840,708	0	0	14,259,007	35,565,564	(21,306,557)	40.09
General Government								
Community Outreach & Marketing	253,691	0	0	0	253,691	519,600	(265,909)	48.82
State & Federal Relations	50,131	0	0	0	50,131	76,025	(25,894)	65.94
Management & Administration	65,649	0	0	0	65,649	130,456	(64,807)	50.32
Total General Government	369,471	0	0	0	369,471	726,081	(356,610)	50.89
Total Expenditures	14,737,754	13,840,708	0	256,858	28,835,320	71,154,070	(42,318,750)	40.53

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)
Revenues over (under) expenditures	(4,737,587)	6,781,513	2,487,376	121,279	4,652,581	(8,359,688)	13,012,269
Other Financing Sources							
Transfers Into GF from LTF	2,667,190	0	0	0	2,667,190	2,667,190	0
Transfers Into GF from STA	4,165,065	0	0	0	4,165,065	10,443,610	(6,278,545)
Transfers Into GF from SAFE	3,724	0	0	0	3,724	41,900	(38,176)
Transfers Out of LTF into GF	0	(2,667,190)	0	0	(2,667,190)	(2,667,190)	0
Transfers Out of STA into GF	0	0	(4,165,065)	0	(4,165,065)	(10,443,610)	6,278,545
Transfers Out of SAFE into GF	0	0	0	(3,724)	(3,724)	(41,900)	38,176
Total Other Financing Sources	6,835,979	(2,667,190)	(4,165,065)	(3,724)	0	0	0
Net Change in Fund Balances	2,098,392	4,114,323	(1,677,689)	117,555	4,652,581	(8,359,688)	13,012,269
Beginning Fund Balance	1,592,617	10,411,113	13,403,280	3,511,323	28,918,333	22,314,000	1,788,827
Ending Fund Balance	<u>\$3,691,009</u>	<u>\$14,525,436</u>	<u>\$11,725,591</u>	<u>\$3,628,878</u>	<u>\$33,570,914</u>	<u>\$13,954,312</u>	<u>\$14,801,096</u>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF FEBRUARY 28, 2014**

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. VCTC has the ability to meet its expenditure requirements, at a minimum, for the next six months. 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	\$673.75	0.02%	\$18,052,723.25
County of Ventura	Treasury Pool	N/A	\$46,497.26	0.38%	\$29,836,155.11
Total			\$47,171.01		\$47,888,878.36

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 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. A small portion of interest earned in the General Fund is for Proposition 1B funds and is reclassified to those funds and not shown as General Fund interest.

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.

For Management Reporting Purposes Only

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Item #8C

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: ELLEN TALBO, PROGRAM ANALYST
SUBJECT: PASSENGER RAIL UPDATE

RECOMMENDATION:

- Receive and file.

BACKGROUND:

This report provides a monthly update of regional passenger rail activities. The information in this update focuses on regional commuter rail (Metrolink), intercity rail (Amtrak), and other rail-related issues pertinent to Ventura County.

DISCUSSION:

Metrolink

Ridership & On-Time Performance (OTP)

During the month of February 2014, ridership on the Ventura County Line averaged 3,677 total boardings per weekday (inbound and outbound). This represents an average increase of 4.0% from ridership during the previous month but it is a 3.6% decrease from the same period last year. Staff is continuing to evaluate the ridership loss. Ridership statistics for the month of February 2014 are provided in the attachment for reference.

On-time performance data (which denotes trains arriving within five minutes of scheduled time) for the months of January and February were as follows:

January:	98.6% (inbound/outbound)
February:	96.7% (inbound/outbound)

Board and TAC Updates

In March, the Metrolink TAC reviewed and discussed an extension of the Rail2Rail agreement between Metrolink and California Amtrak. Caltrans has presented an initial proposal seeking a much higher reimbursement rate than in the past as a result of the agreement's expiration which occurred at the end of fiscal year (FY) 2013. The reimbursement rate that Caltrans is requesting could require small to moderate increases in VCTC's Metrolink budget. Metrolink staff is currently reviewing the agreement and will negotiate the agreement terms with Caltrans through May. Amtrak is seeking to execute the new Rail2Rail agreement by July 2014.

Metrolink continues to maintain a positive cash flow position. At the March Board of Directors meeting, KPMG staff reported average daily cash on hand for the agency was \$33 million. The agency also welcomed the addition of Sam Joumblat as the new Chief Financial Officer, whose most recent previous experience includes the City of Long Beach. Metrolink continues to work with external auditors to complete the 2013 CAFR and single audit, as well as prepare the FY 14-15 budget.

LOSSAN JPA

Ridership & On-Time Performance (OTP)

As of this commission meeting, ridership statistics for the month of February are unavailable and will be presented at the next commission meeting. For January 2014, total LOSSAN rail corridor ridership was 591,154, an 8.5% increase from December 2013, and a 0.8% increase compared to January 2013, mostly a result of increased ridership on the OC line.

Amtrak Pacific Surfliner (San Luis Obispo to San Diego) ridership increased in January 2014 by 3.2%, compared to the same period last year.

Metrolink systemwide ridership was down 2.1% in January 2014 compared to the same period last year, with a decrease of 9.2% on the Ventura County Line (serving East Ventura to Los Angeles) and a decrease of 1 % on the Orange County Line (serving Los Angeles to Oceanside). COASTER (serving Oceanside to San Diego) ridership increased by 6.7% in January 2014.

October 2013 was the first month in which Amtrak began reporting ridership for Amtrak-issued multi-ride passes based on eTicketing rather than the previous methodology which utilized monthly estimates. As such, some routes will see a decline in reported ridership, especially those with a large proportion of riders using monthly passes; however, this is a more accurate method of recording ticket sales. Ticket revenue is not impacted.

The methodologies for calculating OTP for intercity and commuter services are different. Commuter trains (Metrolink trains) are considered late if trains arrive to the terminal location six or more minutes late behind schedule. Intercity trains (Amtrak trains) operating between Goleta and San Diego are considered late if trains arrive ten or more minutes after their scheduled times, and 20 minutes or more for trains operating between San Luis Obispo and San Diego.

In January 2014, the Pacific Surfliner OTP was 75.1%, compared to 79.1% in December 2013. The LOSSAN north segment OTP was 95.6 %, and LOSSAN south segment OTP was 74%. Coast Starlight OTP was 82.3%, an increase compared to the previous month, and COASTER OTP was 96.4%. Metrolink OTP was 94.8 % for all lines, with the Ventura County Line at 98.2% and the Orange County Line at 91.6%.

Train delays on the Pacific Surfliner in January 2014 can mostly be attributed to train interference with commuter trains in San Diego County. Train interference is defined as all delays related to other train movements in the area. This category also includes delays due to switching to alternate tracks or routes to operate around other trains.

Board and TAC Updates

LOSSAN staff continues to track state legislative funding issues with particular focus tuned into the Senate Select Committee on Passenger Rail. The Governor's latest budget proposal includes \$108 million for California Amtrak, a portion of which would aid the Pacific Surfliner. The Department of Finance has indicated that this amount may be adjusted in the Governor's May Revise, after Amtrak submits its final operating estimates for FY 2014-2015 this spring, which are expected to be higher than \$108.9 million.

February 2014 Metrolink Ridership

AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)
 FEBRUARY 2014 v. JANUARY 2014 (MONTH OVER MONTH)

MO/YR	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA
Feb-14	3,677	41,564	158
Jan-14	3,535	40,872	152
<i>Change</i>	<i>4.0%</i>	<i>1.6%</i>	<i>3.0%</i>

AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)
 FEBRUARY 2014 V.FEBRUARY 2013 (YEAR OVER YEAR)

MO/YR	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA
Feb-14	3,535	40,872	152
Feb-13	3,892	42,148	188
<i>Change</i>	<i>-3.6%</i>	<i>-3.0%</i>	<i>-1.9%</i>

5 YEAR SNAPSHOT OF AVERAGE DAILY TOTAL BOARDINGS (INBOUND and
OUTBOUND)

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Average Daily Metrolink Monthly Passholders on Amtrak
Feb-14	3,677	n/a	41,546	158
Feb-13	3,816	1,938	42,842	226
Feb-12	3,895	1,920	42,148	188
Feb-11	3,533	1,838	39,109	192
Feb-10	3,943	2,109	43,418	204
Feb-09	4,041	2,115	44,269	212



Item #8D

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: FEDERAL TRANSIT ADMINISTRATION TRIENNIAL REVIEW STATUS / ADOPTION OF REVISED DISADVANTAGED BUSINESS ENTERPRISE AND DRUG-FREE WORKPLACE PROGRAMS

RECOMMENDATION:

- Approve the revised Disadvantaged Business Enterprise (DBE) Program (Attachment A) and Alcohol and Drug-Free Workplace Program (Attachment B). ***(Attachments A and B provided separate from this agenda)***

BACKGROUND:

Every three years the Federal Transit Administration (FTA) conducts a review of compliance with FTA funding requirements. The latest Triennial Review for VCTC was completed in December 2013, and the final report was issued by FTA on January 9, 2014. At the January meeting staff provided the Commission with a summary of the Triennial Review findings. The two items requiring Commission action are adoption of revised DBE and Alcohol and Drug-Free Workplace programs. FTA's final report requires that these actions be completed, and submitted to FTA, by April 14, 2014.

DISCUSSION:

Attachment A provides the revised DBE program for Commission adoption. The previously program was adopted by the Commission in 1999, and amended in 2012 to append a Small Business Enterprise (SBE) element. The primary change in the newly-revised program is to re-order the sections according to the current FTA requirements. Another revision to the policy is the change from annual to triennial adoption of the DBE participation goal, based on current FTA policy. As required in the Triennial Review findings, the program specifies that the triennial adoption of the DBE goal shall be publicly noticed in a one general circulation media, one minority-focus media, and one trade association publication. Public notice for this revised program was published in the Ventura County Star and Vida Newspaper, and no comments were received in response to the notice.

The Triennial Review report also required VCTC to submit a DBE Goal Achievement Analysis to evaluate why VCTC did not meet its DBE goal based on its race-neutral DBE program. This documentation has now been submitted to FTA.

April 4, 2014
Item #8D
Page #2

Attachment B provides the proposed revised Alcohol and Drug-Free Workplace section of the VCTC Personnel Manual. As required in the Triennial Review corrective actions, this language has been modified to specify that with regards to an employee reporting a conviction of a drug statute violation, that the offense needs to have occurred in the workplace.

VCTC staff has also submitted to FTA revised grant management procedures that address the other remaining issues raised in the Triennial Review, to provide for on-line submission of DBE reports; preparation of the DBE goal achievement analysis each year that the DBE goal is not achieved; periodic checks to ensure that Title VI Civil Rights Program notices are posted for all operators where available to all patrons; and more specific review of transit operator ADA service no-show policies and written drug and alcohol policies. Staff has also provided FTA with sample revised language for use in future Program of Projects public notices.



Item # 8E

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: STEPHANIE YOUNG, PROGRAM ANALYST

SUBJECT: PROPOSITION 1B TRANSIT CAPITAL AGREEMENTS AND BUDGET AMENDMENT

RECOMMENDATION:

- Approve the agreements (Attachments A through F) with the Cities of Ojai, Simi Valley, and Thousand Oaks and Gold Coast Transit to provide \$5,099,120 in Proposition 1B Transit Capital (PTMISEA) funds for bus replacement projects, and \$150,000 in PTMISEA funds to Metrolink for the Sealed Corridor project.
- Amend VCTC Fiscal Year (FY) 2013/14 budget to increase Transit Grant Administration Pass-Through Grants by \$5,099,120 and increase Metrolink Sealed Corridor by \$150,000. The revenue source is Proposition 1B Transit Capital.
- Approve shifting \$1,010,000 in PTMISEA funds from the Thousand Oaks Replacement Buses to the VISTA Intercity Bus Purchase.
- Commit \$1,010,000 in a future year for the Thousand Oaks Replacement Buses when needed based on the scheduled bus replacement.
- Approve shifting \$2,000,000 in PTMISEA funds from the VCTC Office Building to the VISTA Intercity Bus Purchase and shifting \$2,000,000 in State Transit Assistance (STA) funds from the VISTA Intercity Bus Purchase to the VCTC Office Building.

BACKGROUND:

At the October 4, 2013 meeting, VCTC approved \$5,309,120 of bus purchases to receive Proposition 1B Transit Capital grant funds. The approved projects included vehicle purchases for the cities of Ojai, Thousand Oaks, Simi Valley, and for Gold Coast Transit.

In addition to the above projects, on July 12, 2013, VCTC approved \$800,000 of PTMISEA funds for a Thousand Oaks Replacement DAR Vehicle from the reserve list of future replacement projects. At that time, staff was also accepting proposals for Proposition 1B Transit Security grants and Metrolink applied to VCTC for a Transit Security grant for the Sealed Corridor project. Since there were many security project proposals and limited Transit Security funds, the Commission approved \$150,000 of PTMISEA funds for the Sealed Corridor project instead.

The projects were submitted to Caltrans in October to receive funding from the next available bond sale. The projects were approved by Caltrans and VCTC has received the funds from the State Controller's Office.

RECOMMENDED ACTIONS:

After receiving the funds, staff discussed the \$1,200,000 for Thousand Oaks Replacement Buses project with staff from the City of Thousand Oaks. This bus purchase could not move forward for several years, until the current buses reach the end of their useful life. However, the replacement bus and passenger counters purchases, approved for PTMISEA funds in February 2011, and currently underway, are short a total of \$190,000 so staff recommends that \$190,000 of the PTMISEA funds be applied to these purchases. Staff recommends that Commission also shift the remaining \$1,010,000 from the Thousand Oaks Replacement Buses to the purchase of VISTA Intercity Buses, to allow purchase of 2 additional buses for VCTC. This would allow VCTC to use the funds in a timelier manner. The Thousand Oaks Replacement Buses would receive funds from a different funding source when the funds are required. Since these would be CNG buses, they would be eligible for CMAQ funds.

At this time, VCTC is not ready to purchase the Office Building, which VCTC approved for \$2,000,000 PTMISEA funding in October 2013. Staff recommends that the \$2,000,000 also be shifted to the VISTA Intercity Bus Purchases. The Office Building would be funded instead with State Transit Assistance (STA) funds that had been committed to the VISTA Buses. This will facilitate faster expenditure of the PTMISEA funds and will avoid state rules regarding construction projects funded with bond sales.

Per the staff recommendations, the total distribution of PTMISEA funds would then be the following:

Agency	Project Description	Amount
Ojai	1 replacement bus	\$195,000
Gold Coast Transit	11 replacement CNG buses	\$3,560,000
Simi Valley	4 replacement paratransit vans	\$354,120
Thousand Oaks	Replacement DAR vans	\$800,000
SCRRA	Sealed Corridor	\$150,000
Thousand Oaks	Replacement bus and counter purchases	\$190,000
	TOTAL	\$5,249,120

In order to proceed with the PTMISEA projects, staff recommends that VCTC approve the Proposition 1B Transit Capital program subrecipient funding agreements in Attachments A through E, which provide that VCTC is not liable for any costs beyond what it has received in Proposition 1B payment from the State. The Commission will also need to amend the FY 2013/14 VCTC budget to include the vehicle purchase projects as Pass-Through Grants equal to a total of \$5,099,120 and to increase the FY 2013/14 Metrolink Sealed Corridor budget item by \$150,000.

These recommendations were approved by TRANSCOM at the March 13, 2014 meeting.

COOPERATIVE AGREEMENT

BETWEEN

VENTURA COUNTY TRANSPORTATION COMMISSION

AND

THE CITY OF OJAI

THIS AGREEMENT is entered into this 4th day of April 2014, between Ventura County Transportation Commission (VCTC) and the City of Ojai (City) regarding the administration of funds from the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA).

WHEREAS, California voters in November, 2006, approved the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B), which authorizes state general obligation bonds for transportation infrastructure, including grants for transit system safety, security, and disaster response projects; and,

WHEREAS Senate Bill 88 of the 2007 Statutes appropriates funds from Proposition 1B to the PTMISEA program, administered by the Department of Transportation (Caltrans); and,

WHEREAS, at its October 4, 2013, meeting the VCTC programmed \$195,000 to the Ojai Replacement Bus Purchase Project (Project) which Project is as fully described in the PTMISEA grant submittals dated October 15, 2013, and which are attached as Exhibit A to this Cooperative Agreement; and,

WHEREAS, it is the intention of VCTC to enter into this Cooperative Agreement with the City regarding the administration of PTMISEA funds prior to the disbursement of funds to the City.

NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:

I. FUNDING/PROGRAM MANAGEMENT

1. **Assignments of Participants:** VCTC hereby agrees to engage the City and the City hereby agrees to carry out the work hereinafter described in connection with the administration of PTMISEA funds. The City will be responsible for assuring that the City meets all grant requirements placed on PTMISEA fund recipients.
2. **Scope of Services:**
 - a. **Grant Administration:** VCTC shall be responsible to reserve, apply for and receive PTMISEA funds and to be responsible for assuring that VCTC and the City meet all requirements placed on PTMISEA fund recipients.
 - b. **Project Implementation:** The City shall implement the Project, as described in the attached grant submittals (Exhibit A) to the extent that grant funds from VCTC are available pursuant to this Agreement.
3. **Duration of Agreement and Authorization to Proceed:** The term of this Agreement shall commence when VCTC notifies the City that it has received the PTMISEA

funds from the State Controller, and continue until the earlier of the following events: (1) all work on the Project is completed and accepted, all contracts for the Project are closed, and VCTC has approved and paid the final invoice, or (2) the Agreement is terminated by either party after thirty (30) days written notice. Section III of this Agreement will remain in effect while the Project equipment is in the possession or control of the City.

4. Amendments to the Agreement: The provisions of this Agreement may be amended upon written acceptance and ratification of any such amendment by both VCTC and the City.
5. Method of Payment: VCTC, as the grant applicant, upon receipt of the \$195,000 of PTMISEA funds approved by Caltrans for the Project, shall transfer the funds and any interest that has accrued to the City. The City must keep the unexpended funds in a separate interest-bearing account. Any interest that is accrued must be accounted for and used for the Project. Any Project funds received in excess of the final Project cost, or those found to be owed back to VCTC as a result of a final review or audit, must be refunded to VCTC within twenty (20) days of VCTC invoicing the City.
6. Costs: Under no circumstances will VCTC be responsible for funding the Project in excess of the grant funds and the interest earned thereon.

II. CALTRANS REQUIREMENTS

The City shall note the following provisions apply to PTMISEA grants, and must take all necessary action to ensure its compliance as though it was the grantee directly.

1. Reports: Semi-annual performance reports must be prepared and submitted to VCTC no later than January 31st and July 31st, for the duration of the project performance period, or until all activities are completed and the Projects are formally closed. VCTC will then forward the reports to Caltrans in time for the Caltrans deadline. The semi-annual reporting cycle will start with the June 30 reporting cycle, and must be submitted on or before July 31, 2014. Failure to submit performance reports could result in the reduction of Project funds, termination, or suspension.

Within five (5) months of the Project becoming operable, the City shall provide to VCTC a Final Project Report and a Final Project Itemized Expenditure Table. The City must also provide evidence of project completion in the form of photographs of the completed project or a copy of final invoicing.

Within (11) months of the Project becoming operable, the City shall provide to VCTC a report regarding the long-term benefits of the Projects.
2. Other Provisions: The City is subject to all policies and provisions as set forth by Caltrans with regard to the PTMISEA and all applicable laws regarding public works projects, including but not limited to, contract bid procedures and the payment of prevailing wages. Some or all of these regulations may be available from CalTrans at http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/Prop%201B/PTMISEA-Guidelines_2013.pdf
3. Grant Performance Period: Funds allocated under this grant shall be expended by June 30, 2018. Funds remaining unexpended thereafter shall revert to Caltrans.

III. OTHER PROVISIONS

1. Indemnification: The City shall protect, defend, indemnify, and hold harmless VCTC, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of the City or its officers, agents, or servants as a result of any act or omission by the City in its performance pursuant to this Agreement.

VCTC shall protect, defend, indemnify, and hold harmless the City, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of VCTC or its officers, agents, or servants as a result of any act or omission by VCTC in its performance pursuant to this Agreement.

The obligations of the City and VCTC in these indemnity provisions survive the expiration or earlier termination of this agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first stated above.

CITY OF OJAI

**VENTURA COUNTY TRANSPORTATION
COMMISSION**

Carlton Strobel
Mayor

Ralph Fernandez
Chair

Approved as to Form

Approved as to Form

Robert Clark
City Manager

Darren M. Kettle
Executive Director

City Attorney

Steven T. Mattas
General Counsel

Exhibit A

**Public Transportation Modernization, Improvement and
Service Enhancement Program (PTMISEA)
PROJECT DESCRIPTION AND ALLOCATION REQUEST**

	Regional Entity: VCTC
Project Lead*: Ventura County Transportation Commis	County:
PROJECT: CITY OF OJAI TRANSIT TROLLEY BUS PURCHASE	

I certify the scope, cost, schedule, and benefits as identified in the attached Project Description and Allocation Request (Request) and attachments are true and accurate and demonstrate a fully funded operable project. I understand the Request is subject to any additional restrictions, limitations or conditions that may be enacted by the State Legislature, including the State's budgetary process, which may effect the amount of bond proceeds received by the project sponsor now and in the future. Project sponsors may need to consider alternative funding sources if bond proceeds are not available. In the event the project cannot be completed as originally scoped, scheduled and estimated, or the project is terminated prior to completion, project sponsor shall, at its own expense, ensure that the project is in a safe and operable condition for the public. I understand this project will be monitored by the California Department of Transportation -- Division of Mass Transportation.

Name: Darren M. Kettle

Signature: [see signed cover letter]

Title: Executive Director

Agency: Ventura County Transportation Commission

Date:

*If this project includes funding from more than one project sponsor, the project sponsor above becomes the "recipient agency" and the additional contributing project sponsor(s) must also sign and state the amount and type of PTMISEA funds (GC Section 8879.55(a)(2) and/or Section 8879.55(a)(3)) contribution. Sign below or **attach a separate officially signed letter providing that information.**

Name:

Signature:

Title:

Agency:

Date:

Amount: _____

PTMISEA PROJECT DESCRIPTION AND ALLOCATION REQUEST				
	7/8	8/9	9/10	10/11
Request Amount per GC 8879.55(a)(2)/PUC 99313:	\$0	\$0	\$0	\$195,000
Request Amount per GC 8879.55(a)(3)/PUC 99314:	\$0	\$0	\$0	\$0
Total Project Allocation Request:	\$0	\$0	\$0	\$195,000
Project Title:	Transit Trolley Bus Purchase			
Project Location/Address:	408 S. Signal Street Ojai, CA 93023			

Table 1: Project Lead/Recipient Agency Information	
Project Lead/	Legislative District Numbers
Recipient Agency: <u>Ventura County Transportation Commi:</u>	Assembly: <u>37</u>
Contact: <u>Stephanie Young</u>	Senate: <u>19</u>
Contact Phone #: <u>805-642-1591 x108</u>	Congressional: <u>26</u>
Email Address: <u>syoun@goventura.org</u>	Amount: _____ Fund Type: _____
Address: <u>950 County Square Dr, Ste 207</u>	\$ _____ 195000 99313
<u>Ventura, CA 93003</u>	\$ _____

Table 2: Contributing PTMISEA-Eligible Project Sponsor Information		
PTMISEA Contributors: _____	Amount: _____	Fund Type: _____
Contact: _____	\$ _____	_____
Contact Phone #: _____	\$ _____	_____
Email Address: _____		
Address: _____		
Other PTMISEA Contributors (Attach sheet with contact info)	Amount: _____	Fund Type: _____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
TOTAL	\$195,000	_____

(*Contributing project sponsors attach signed letters of verification as to amount and eligibility or sign cover page)

Table 3: Project Category	
Check only 1 box that best fits the description of the project being funded.	
☐ Rehabilitation, Safety or Modernization Improvement	☐ Bus Rapid Transit
☐ Capital Service Enhancement or Expansion	☒ Rolling Stock Procurement:
☐ New Capital Project	☒ Expansion
	☐ Rehabilitation
	☐ Replacement

Table 4: Project Summary

a) Describe the project (or minimum operable segment) for which you are applying for funds. Attach additional sheets if necessary. If the application is for the purchase of vehicles or rolling stock, please include information on number of vehicles, size, passenger count, accessibility, and fuel type:

Write here: Purchase one (1) medium duty transit Trolley bus. The trolley will be 30-34 feet in length, and will accommodate 30-36 passengers. It will be ADA accessible, equipped with a wheel chair lift. Its fuel source is liquid propane gas (LPG).

b) Useful Life of the Project: 10 years

Table 5: Description of Major Benefits/Outcomes

a) Please check appropriate Benefit/Outcome:

☐ Increase Ridership	by <u> </u> %
☐ Reduce Operating/Maintenance Cost	by <u> </u> %
☒ Reduce Emissions	by <u> 2 </u> %
☒ Increase System Reliability	by <u> 5 </u> %

b) Please summarize and describe any other benefits:

Table 6: Project Schedule

	Date
Begin Project Approval & Environmental Document Phase	
CEQA/ Environmental Compliance	
End Project Approval & Environmental Document Phase	
Begin Plans, Specifications & Estimates Phase	
End Plans, Specifications & Estimates Phase	
Begin Right of Way Phase	
End Right of Way Phase	
Begin Construction Phase (Contract Award)	
End Construction Phase (Contract Acceptance)	
Begin Vehicle/Equipment Order (Contract Award)	Oct-14
End Vehicle/Equipment Order (Contract Acceptance)	Apr-15
Begin Closeout Phase	Apr-15
End Closeout Phase	Dec-16

Table 7: Tax Compliance Information

Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State?	☐	YES
	☒	NO
If yes, please describe the source of the money and provide an estimate of the amount:	Estimate:	\$ <u> </u>

COOPERATIVE AGREEMENT

BETWEEN

VENTURA COUNTY TRANSPORTATION COMMISSION

AND

THE CITY OF SIMI VALLEY

THIS AGREEMENT is entered into this ____ day of _____, 2014, between Ventura County Transportation Commission (VCTC) and the City of Simi Valley (City) regarding the administration of funds from the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA).

WHEREAS, California voters in November, 2006, approved the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B), which authorizes state general obligation bonds for transportation infrastructure, including grants for transit system safety, security, and disaster response projects; and,

WHEREAS Senate Bill 88 of the 2007 Statutes appropriates funds from Proposition 1B to the PTMISEA program, administered by the Department of Transportation (Caltrans); and,

WHEREAS, at its October 4, 2013, meeting the VCTC programmed \$354,120 to the Replacement Paratransit Van Project (Project) which Project is as fully described in the PTMISEA grant submittals dated October 15, 2013, and which are attached as Exhibit A to this Cooperative Agreement; and,

WHEREAS, it is the intention of VCTC to enter into this Cooperative Agreement with the City regarding the administration of PTMISEA funds prior to the disbursement of funds to the City.

NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:

I. FUNDING/PROGRAM MANAGEMENT

1. **Assignments of Participants:** VCTC hereby agrees to engage the City and the City hereby agrees to carry out the work hereinafter described in connection with the administration of PTMISEA funds. The City will be responsible for assuring that the City meets all grant requirements placed on PTMISEA fund recipients by Caltrans. What are the grant requirements?
2. **Scope of Services:**
 - a. **Grant Administration:** VCTC shall be responsible to reserve, apply for and receive PTMISEA funds and to be responsible for assuring that VCTC and the City meet all requirements placed on PTMISEA fund recipients by Caltrans. What are the requirements?
 - b. **Project Implementation:** The City shall implement the Project, as described in the attached grant submittals (Exhibit A) to the extent that grant funds from VCTC are available pursuant to this Agreement. Project does not appear to be described in Ex. A.

3. Duration of Agreement and Authorization to Proceed: The term of this Agreement shall commence when VCTC notifies the City that it has received the PTMISEA funds from the State Controller, and continue until the earlier of the following events: (1) all work on the Project is completed and accepted, all contracts for the Project are closed, and VCTC has approved and paid the final invoice, or (2) the Agreement is terminated by either party after thirty (30) days written notice. Section III of this Agreement will remain in effect while the Project equipment is in the possession or control of the City.
4. Amendments to the Agreement: The provisions of this Agreement may be amended in writing upon written acceptance and ratification of any such amendment by both VCTC and the City.
5. Method of Payment: VCTC, as the grant applicant, upon receipt of the \$354,120 of PTMISEA funds approved by Caltrans for the Project, shall transfer the funds, including any accrued interest, to the City. The City must keep the unexpended funds in a separate interest-bearing account. Any interest that is accrued must be accounted for and used for the Project. Any Project funds received in excess of the final Project cost, or those found to be owed back to VCTC as a result of an approved final review or audit, must be refunded to VCTC within twenty (20) days of VCTC invoicing the City.
6. Costs: Under no circumstances will VCTC be responsible for funding the Project in excess of the grant funds and the interest earned thereon.

II. CALTRANS REQUIREMENTS

The City shall note the following provisions apply to PTMISEA grants, and must take all necessary action to ensure its compliance as though it was the grantee directly.

1. Reports: Semi-annual performance reports must be prepared and submitted to VCTC no later than January 31st and July 31st, for the duration of the project performance period, or until all activities are completed and the Projects are formally closed. VCTC will then forward the reports to Caltrans in time for the Caltrans deadline. The semi-annual reporting cycle will start with the June 30 reporting cycle, and must be submitted on or before July 31, 2014. Failure to submit performance reports could result in the reduction of Project funds, termination, or suspension.

Within five (5) months of the Project becoming operable, the City shall provide to VCTC a Final Project Report and a Final Project Itemized Expenditure Table. The City must also provide evidence of project completion in the form of photographs of the completed project or a copy of final invoicing.
2. Other Provisions: The City is subject to all policies and provisions as set forth by Caltrans with regard to the PTMISEA and all applicable laws regarding public works projects, including but not limited to, contract bid procedures and the payment of prevailing wages. Some or all of these regulations may be available from Caltrans at http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/Prop%201B/PTMISEA-Guidelines_2013.pdf.
3. Grant Performance Period: Funds allocated under this grant shall be expended by June 30, 2018. Funds remaining unexpended thereafter shall revert to Caltrans.

III. OTHER PROVISIONS

1. Indemnification: The City shall protect, defend, indemnify, and hold harmless VCTC, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of the City or its officers, agents, or servants as a result of any act or omission by the City in its performance pursuant to this Agreement.

VCTC shall protect, defend, indemnify, and hold harmless the City, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of VCTC or its officers, agents, or servants as a result of any act or omission by VCTC in its performance pursuant to this Agreement.

The obligations of the City and VCTC in these indemnity provisions survive the expiration or earlier termination of this agreement, subject to any applicable Statute of Limitations.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first stated above.

CITY OF SIMI VALLEY

**VENTURA COUNTY TRANSPORTATION
COMMISSION**

Bob Huber
Mayor

Ralph Fernandez
Chair

Approved as to Form

Approved as to Form

Eric J. Levitt
City Manager

Darren M. Kettle
Executive Director

Sonia A. Hehir
Acting City Attorney

Steven T. Mattas
General Counsel

Exhibit A

**Public Transportation Modernization, Improvement and
Service Enhancement Program (PTMISEA)
PROJECT DESCRIPTION AND ALLOCATION REQUEST**

	Regional Entity: VCTC
Project Lead*: Ventura County Transportation Commis	County: Ventura County
Project Title: Simi Valley Transit Purchase of 4 Replacement Paratransit Vans	

I certify the scope, cost, schedule, and benefits as identified in the attached Project Description and Allocation Request (Request) and attachments are true and accurate and demonstrate a fully funded operable project. I understand the Request is subject to any additional restrictions, limitations or conditions that may be enacted by the State Legislature, including the State's budgetary process, which may effect the amount of bond proceeds received by the project sponsor now and in the future. Project sponsors may need to consider alternative funding sources if bond proceeds are not available. In the event the project cannot be completed as originally scoped, scheduled and estimated, or the project is terminated prior to completion, project sponsor shall, at its own expense, ensure that the project is in a safe and operable condition for the public. I understand this project will be monitored by the California Department of Transportation -- Division of Mass Transportation.

Name: Darren M. Kettle

Signature: [see signed cover letter]

Title: Executive Director

Agency: Ventura County Transportation Commission

Date:

*If this project includes funding from more than one project sponsor, the project sponsor above becomes the "recipient agency" and the additional contributing project sponsor(s) must also sign and state the amount and type of PTMISEA funds (GC Section 8879.55(a)(2) and/or Section 8879.55(a)(3)) contribution. Sign below or **attach a separate officially signed letter providing that information.**

Name:

Signature:

Title:

Agency:

Date:

Amount:

PTMISEA PROJECT DESCRIPTION AND ALLOCATION REQUEST				
	7/8	8/9	9/10	10/11
Request Amount per GC 8879.55(a)(2)/PUC 99313:	\$0	\$0	\$0	\$354,120
Request Amount per GC 8879.55(a)(3)/PUC 99314:	\$0	\$0	\$0	\$0
Total Project Allocation Request:	\$0	\$0	\$0	\$354,120
Project Title:	Simi Valley: 4 Replacement Paratransit Vans			
Project Location/Address:	490 West Los Angeles Ave, Simi Valley CA			
Table 1: Project Lead/Recipient Agency Information				
Project Lead/Recipient Agency:	Ventura County Transportation Commi		Legislative District Numbers	
Contact:	Stephanie Young		Assembly:	38
Contact Phone #:	805-642-1591 x108		Senate:	27
Email Address:	syoung@govventura.org		Congressional:	25
Address:	950 County Square Dr, Ste 207	Amount:	534120	Fund Type: 99313
	Ventura, CA 93003	\$		
Table 2: Contributing PTMISEA-Eligible Project Sponsor Information				
PTMISEA Contributors:	City of Simi Valley/Transit		Amount:	Fund Type:
Contact:	Eric Levitt		\$	
Contact Phone #:	805/583.6701		\$	
Email Address:	elevitt@simivalley.org			
Address:	2929 Tapo Canyon Road			
	Simi Valley, CA 93063			
Other PTMISEA Contributors (Attach sheet with contact info)			Amount:	Fund Type:
			\$	
			\$	
			\$	
TOTAL			\$534,120	99313
(*Contributing project sponsors attach signed letters of verification as to amount and eligibility or sign cover page)				
Table 3: Project Category				
Check only 1 box that best fits the description of the project being funded.				
☐ Rehabilitation, Safety or Modernization Improvement	☐ Bus Rapid Transit			
☐ Capital Service Enhancement or Expansion	☒ Rolling Stock Procurement:			
☐ New Capital Project	☐ Expansion			
	☐ Rehabilitation			
	☒ Replacement			

Table 4: Project Summary

a) Describe the project (or minimum operable segment) for which you are applying for funds. Attach additional sheets if necessary. If the application is for the purchase of vehicles or rolling stock, please include information on number of vehicles, size, passenger count, accessibility, and fuel type:

FTA Rolling Stock Service Life Policy requires any FTA funded Paratransit Van to remain in transit service for a minimum service life of at least 5-years or an accumulation of at least 150,000 miles. In accordance with FTA policy, by the time of replacement, each of the vans will have accumulated in excess of 170,000 miles. Replacement of these vans will ensure continued reliability of service while reducing maintenance costs.

b) Useful Life of the Project: 5 years

Table 5: Description of Major Benefits/Outcomes

a) Please check appropriate Benefit/Outcome:

☐ Increase Ridership	by _____ %
☒ Reduce Operating/Maintenance Cost	by <u>50</u> %
☐ Reduce Emissions	by _____ %
☒ Increase System Reliability	by <u>50</u> %

b) Please summarize and describe any other benefits:

Table 6: Project Schedule

	Date
Begin Project Approval & Environmental Document Phase	N/A
CEQA/ Environmental Compliance	N/A
End Project Approval & Environmental Document Phase	N/A
Begin Plans, Specifications & Estimates Phase	N/A
End Plans, Specifications & Estimates Phase	N/A
Begin Right of Way Phase	N/A
End Right of Way Phase	N/A
Begin Construction Phase (Contract Award)	N/A
End Construction Phase (Contract Acceptance)	N/A
Begin Vehicle/Equipment Order (Contract Award)	1/6/2014
End Vehicle/Equipment Order (Contract Acceptance)	4/30/2014
Begin Closeout Phase	3/1/2015
End Closeout Phase	6/30/2015

Table 7: Tax Compliance Information

Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State?

☐ YES
☒ NO

If yes, please describe the source of the money and provide an estimate of the amount: Estimate: \$ _____

COOPERATIVE AGREEMENT
BETWEEN
VENTURA COUNTY TRANSPORTATION COMMISSION
AND
THE CITY OF THOUSAND OAKS

THIS AGREEMENT is entered into this 4th day of April, 2014, between the Ventura County Transportation Commission (VCTC) and the City of Thousand Oaks (City) regarding the administration of funds from the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA).

WHEREAS, California voters in November, 2006, approved the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B), which authorizes state general obligation bonds for transportation infrastructure, including grants for transit system safety, security, and disaster response projects; and,

WHEREAS Senate Bill 88 of the 2007 Statutes appropriates funds from Proposition 1B to the PTMISEA program, administered by the Department of Transportation (Caltrans); and,

WHEREAS, at its October 5, 2012, meeting the VCTC programmed \$800,000 to the Thousand Oaks Replacement Dial-A-Ride Vehicles Project which Project is as fully described in the PTMISEA grant submittals dated July 29, 2013, and which are attached as Exhibit A to this Cooperative Agreement; and,

WHEREAS, it is the intention of VCTC to enter into this Cooperative Agreement with the City regarding the administration of PTMISEA funds prior to the disbursement of funds to the City.

NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:

I. FUNDING/PROGRAM MANAGEMENT

7. Assignments of Participants: VCTC hereby agrees to engage the City and the City hereby agrees to carry out the work hereinafter described in connection with the administration of PTMISEA funds. The City will be responsible for assuring that the City meets all grant requirements placed on PTMISEA fund recipients.
8. Scope of Services:
 - a. Grant Administration: VCTC shall be responsible to reserve, apply for and receive PTMISEA funds and to be responsible for assuring that VCTC and the City meet all requirements placed on PTMISEA fund recipients.
 - b. Project Implementation: The City shall implement the Projects, as described in the attached grant submittal (Exhibits A) to the extent that grant funds from VCTC are available pursuant to this Agreement.

9. Duration of Agreement and Authorization to Proceed: The term of this Agreement shall commence when VCTC notifies the City that it has received the PTMISEA funds from the State Controller, and continue until the earlier of the following events: (1) all work on the Project is completed and accepted, all contracts for the Project are closed, and VCTC has approved and paid the final invoice, or (2) the Agreement is terminated by either party after thirty (30) days written notice. Section III of this Agreement will remain in effect while the Project equipment is in the possession or control of the City.
10. Amendments to the Agreement: The provisions of this Agreement may be amended upon written acceptance and ratification of any such amendment by both VCTC and the City.
11. Method of Payment: VCTC, as the grant applicant, upon receipt of the \$800,000 of PTMISEA funds approved by Caltrans for the Project, shall transfer the funds and any interest accrued to the City. The City must keep the unexpended funds in a separate interest-bearing account. Any interest that is accrued must be accounted for and used for the Project. Any project funds received in excess of the final project costs, or those found to be owed back to VCTC as a result of a final review or audit, must be refunded to VCTC within twenty (20) days of VCTC invoicing the City.
12. Costs: Under no circumstances will VCTC be responsible for funding the Project in excess of the grant funds and the interest earned thereon.

II. CALTRANS REQUIREMENTS

The City shall note the following provisions apply to PTMISEA grants, and must take all necessary action to ensure its compliance as though it was the grantee directly.

4. Reports: Semi-annual performance reports must be prepared and submitted to VCTC no later than January 31st and July 31st, for the duration of the project performance period, or until all activities are completed and the Project is formally closed. VCTC will then forward the reports to Caltrans in time for the Caltrans deadline. The semi-annual reporting cycle will start with the June 30 reporting cycle, and must be submitted on or before July 31, 2014. Failure to submit performance reports could result in the reduction of Project funds, termination, or suspension.

Within five (5) months of a Project becoming operable, the City shall provide to VCTC a Final Project Report and a Final Project Itemized Expenditure Table. The City must also provide evidence of project completion in the form of photographs of the completed project or a copy of final invoicing.

Within (11) months of a Project becoming operable, the City shall provide to VCTC a report regarding the long-term benefits of the Project.
5. Other Provisions: The City is subject to all policies and provisions as set forth by Caltrans with regard to the PTMISEA and all applicable laws regarding public works projects, including but not limited to, contract bid procedures and the payment of prevailing wages. Some or all of these regulations may be available from Caltrans at http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/Prop%201B/PTMISEA-Guidelines_2013.pdf
6. Grant Performance Period: Funds allocated under this grant shall be expended by June 30, 2018. Funds remaining unexpended thereafter shall revert to Caltrans.

III. OTHER PROVISIONS

2. Indemnification: The City shall protect, defend, indemnify, and hold harmless VCTC, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of the City or its officers, agents, or servants as a result of any act or omission by the City in its performance pursuant to this Agreement.

VCTC shall protect, defend, indemnify, and hold harmless the City, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of VCTC or its officers, agents, or servants as a result of any act or omission by VCTC in its performance pursuant to this Agreement.

The obligations of the City and VCTC in these indemnity provisions survive the expiration or earlier termination of this agreement, subject to any applicable Statue of Limitations.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first stated above.

CITY OF THOUSAND OAKS**VENTURA COUNTY TRANSPORTATION
COMMISSION**

Andrew P. Fox
Mayor

Ralph Fernandez
Chair

Approved as to Form

Approved as to Form

Scott Mitnick
City Manager

Darren M. Kettle
Executive Director

City Attorney

Steven T. Mattas
General Counsel

**Public Transportation Modernization, Improvement and
Service Enhancement Program (PTMISEA)
PROJECT DESCRIPTION AND ALLOCATION REQUEST**

Regional Entity: VCTC	
Project Lead*: Ventura County Transportation Commis	County:
Project Title: Replacement DAR Vehicles	

I certify the scope, cost, schedule, and benefits as identified in the attached Project Description and Allocation Request (Request) and attachments are true and accurate and demonstrate a fully funded operable project. I understand the Request is subject to any additional restrictions, limitations or conditions that may be enacted by the State Legislature, including the State's budgetary process, which may effect the amount of bond proceeds received by the project sponsor now and in the future. Project sponsors may need to consider alternative funding sources if bond proceeds are not available. In the event the project cannot be completed as originally scoped, scheduled and estimated, or the project is terminated prior to completion, project sponsor shall, at its own expense, ensure that the project is in a safe and operable condition for the public. I understand this project will be monitored by the California Department of Transportation -- Division of Mass Transportation.

Name: Darren M. Kettle

Signature: [see signed cover letter]

Title: Executive Director

Agency: Ventura County Transportation Commission

Date:

*If this project includes funding from more than one project sponsor, the project sponsor above becomes the "recipient agency" and the additional contributing project sponsor(s) must also sign and state the amount and type of PTMISEA funds (GC Section 8879.55(a)(2) and/or Section 8879.55(a)(3)) contribution. Sign below or **attach a separate officially signed letter providing that information.**

Name:

Signature:

Title:

Agency:

Date: **Amount:**

PTMISEA PROJECT DESCRIPTION AND ALLOCATION REQUEST				
	7/8	8/9	9/10	10/11
Request Amount per GC 8879.55(a)(2)/PUC 99313:	\$0	\$0	\$0	\$800,000
Request Amount per GC 8879.55(a)(3)/PUC 99314:	\$0	\$0	\$0	\$0
Total Project Allocation Request:	\$0	\$0	\$0	\$800,000
Project Title:	Replacement DAR Vehicles			
Project Location/Address:				
Table 1: Project Lead/Recipient Agency Information				
Project Lead/		Legislative District Numbers		
Recipient Agency: <u>Ventura County Transportation Commi</u>		Assembly: _____		
Contact: <u>Stephanie Young</u>		Senate: _____		
Contact Phone #: <u>805-642-1591 x108</u>		Congressional: _____		
Email Address: <u>syounq@coventura.org</u>		Amount:	Fund Type:	
Address: <u>950 County Square Dr, Ste 207</u>		\$ _____	_____	
<u>Ventura, CA 93003</u>		\$ _____	_____	
Table 2: Contributing PTMISEA-Eligible Project Sponsor Information				
PTMISEA Contributors: _____		Amount :	Fund Type:	
Contact: _____		\$ _____	_____	
Contact Phone #: _____		\$ _____	_____	
Email Address: _____				
Address: _____				
Other PTMISEA Contributors (Attach sheet with contact info)		Amount:	Fund Type:	
_____		\$ _____	_____	
_____		\$ _____	_____	
_____		\$ _____	_____	
TOTAL		\$0	_____	
(*Contributing project sponsors attach signed letters of verification as to amount and eligibility or sign cover page)				
Table 3: Project Category				
Check only 1 box that best fits the description of the project being funded.				
☐ Rehabilitation, Safety or Modernization Improvement	☐ Bus Rapid Transit			
☐ Capital Service Enhancement or Expansion	☒ Rolling Stock Procurement:			
☐ New Capital Project	___ Expansion			
	___ Rehabilitation			
	___X___ Replacement			

Table 4: Project Summary

a) Describe the project (or minimum operable segment) for which you are applying for funds. Attach additional sheets if necessary. If the application is for the purchase of vehicles or rolling stock, please include information on number of vehicles, size, passenger count, accessibility, and fuel type:

Replace up to 8, model year 2009 Dial-a-Ride vans and cutaways. Existing stock includes:

2 ea - 7 passenger Ford bubble top vans (gas)
 4 ea - 6 passenger Starcraft cutaway vans (gas)
 2 ea - 14 passenger Starcraft cutaway vans (CNG)

The intent is to replace all existing vans with low floor, CNG vans of between 8 and 12 passengers. However, existing funding may permit only 5 vans to be replaced and some vans may be retained or alternatively may be gas or non low floor.

b) Useful Life of the Project: 5 years

Table 5: Description of Major Benefits/Outcomes

a) Please check appropriate Benefit/Outcome:

<u> </u> Increase Ridership	by <u> </u> %
<u> X </u> Reduce Operating/Maintenance Cost	by <u> 40 </u> %
<u> X </u> Reduce Emissions	by <u> 20 </u> %
<u> X </u> Increase System Reliability	by <u> 20 </u> %

b) Please summarize and describe any other benefits:

The existing vans all have rear of axle wheelchair lifts. Wheelchair passengers complain of harsh ride. Wheelchair lifts are also time consuming to use. The specified vans will permit fast loading of passengers and a more comfortable ride.

Table 6: Project Schedule

	Date
Begin Project Approval & Environmental Document Phase	2/1/2014
CEQA/ Environmental Compliance	N/A
End Project Approval & Environmental Document Phase	N/A
Begin Plans, Specifications & Estimates Phase	N/A
End Plans, Specifications & Estimates Phase	N/A
Begin Right of Way Phase	N/A
End Right of Way Phase	N/A
Begin Construction Phase (Contract Award)	N/A
End Construction Phase (Contract Acceptance)	N/A
Begin Vehicle/Equipment Order (Contract Award)	4/30/2014
End Vehicle/Equipment Order (Contract Acceptance)	10/30/2014
Begin Closeout Phase	11/30/2014
End Closeout Phase	12/30/2014

Table 7: Tax Compliance Information

Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State?	☐ YES ☒ NO
If yes, please describe the source of the money and provide an estimate of the amount:	Estimate: \$ _____

COOPERATIVE AGREEMENT
BETWEEN
VENTURA COUNTY TRANSPORTATION COMMISSION
AND
THE CITY OF THOUSAND OAKS

THIS AGREEMENT is entered into this 4th day of April, between Ventura County Transportation Commission (VCTC) and the City of Thousand Oaks (City) regarding the administration of funds from the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA).

WHEREAS, California voters in November, 2006, approved the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B), which authorizes state general obligation bonds for transportation infrastructure, including grants for transit system safety, security, and disaster response projects; and,

WHEREAS Senate Bill 88 of the 2007 Statutes appropriates funds from Proposition 1B to the PTMISEA program, administered by the Department of Transportation (Caltrans); and,

WHEREAS, at its April 4th, 2014, meeting the VCTC programmed \$190,000 to the Thousand Oaks Bus Purchase Project which Project is as fully described in the PTMISEA grant submittals dated March 24, 2014, and which are attached as Exhibit A to this Cooperative Agreement; and,

WHEREAS, it is the intention of VCTC to enter into this Cooperative Agreement with the City regarding the administration of PTMISEA funds prior to the disbursement of funds to the City.

NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:

I. FUNDING/PROGRAM MANAGEMENT

13. Assignments of Participants: VCTC hereby agrees to engage the City and the City hereby agrees to carry out the work hereinafter described in connection with the administration of PTMISEA funds. The City will be responsible for assuring that the City meets all grant requirements placed on PTMISEA fund recipients.
14. Scope of Services:
 - a. Grant Administration: VCTC shall be responsible to reserve, apply for and receive PTMISEA funds and to be responsible for assuring that VCTC and the City meet all requirements placed on PTMISEA fund recipients.
 - b. Project Implementation: The City shall implement the Project, as described in the attached grant submittals (Exhibit A) to the extent that grant funds from VCTC are available pursuant to this Agreement.
15. Duration of Agreement and Authorization to Proceed: The term of this Agreement shall commence when VCTC notifies the City that it has received the PTMISEA funds from the State Controller, and continue until the earlier of the following events: (1) all

work on the Project is completed and accepted, all contracts for the Project are closed, and VCTC has approved and paid the final invoice, or (2) the Agreement is terminated by either party after thirty (30) days written notice. Section III of this Agreement will remain in effect while the Project equipment is in the possession or control of the City.

16. Amendments to the Agreement: The provisions of this Agreement may be amended upon written acceptance and ratification of any such amendment by both VCTC and the City.
17. Method of Payment: VCTC, as the grant applicant, upon receipt of the \$190,000 of PTMISEA funds approved by Caltrans for the Project, shall transfer the funds and any interest that has accrued to the City. The City must keep the unexpended funds in a separate interest-bearing account. Any interest that is accrued must be accounted for and used for the Project. Any project funds received in excess of the final project costs, or those found to be owed back to VCTC as a result of a final review or audit, must be refunded to VCTC within twenty (20) days of VCTC invoicing the City.
18. Costs: Under no circumstances will VCTC be responsible for funding the Project in excess of the grant funds and the interest earned thereon.

II. CALTRANS REQUIREMENTS

The City shall note the following provisions apply to PTMISEA grants, and must take all necessary action to ensure its compliance as though it was the grantee directly.

7. Reports: Semi-annual performance reports must be prepared and submitted to VCTC no later than January 31st and July 31st, for the duration of the project performance period, or until all activities are completed and the Project is formally closed. VCTC will then forward the reports to Caltrans in time for the Caltrans deadline. The semi-annual reporting cycle will start with the June 30 reporting cycle, and must be submitted on or before July 31, 2014. Failure to submit performance reports could result in the reduction of Project funds, termination, or suspension.

Within five (5) months of the Project becoming operable, the City shall provide to VCTC a Final Project Report and a Final Project Itemized Expenditure Table. The City must also provide evidence of project completion in the form of photographs of the completed project or a copy of final invoicing.

Within (11) months of the Project becoming operable, the City shall provide to VCTC a report regarding the long-term benefits of the Projects.

8. Other Provisions: The City is subject to all policies and provisions as set forth by Caltrans with regard to the PTMISEA and all applicable laws regarding public works projects, including but not limited to, contract bid procedures and the payment of prevailing wages. Some or all of these regulations may be available from Caltrans at http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/Prop%201B/PTMISEA-Guidelines_2013.pdf
9. Grant Performance Period: Funds allocated under this grant shall be expended by June 30, 2018. Funds remaining unexpended thereafter shall revert to Caltrans.

III. OTHER PROVISIONS

3. Indemnification: The City shall protect, defend, indemnify, and hold harmless VCTC, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of the City or its officers, agents, or servants as a result of any act or omission by the City in its performance pursuant to this Agreement.

VCTC shall protect, defend, indemnify, and hold harmless the City, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of VCTC or its officers, agents, or servants as a result of any act or omission by VCTC in its performance pursuant to this Agreement.

The obligations of the City and VCTC in these indemnity provisions survive the expiration or earlier termination of this agreement, subject to any applicable Statue of Limitations.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first stated above.

CITY OF THOUSAND OAKS

**VENTURA COUNTY TRANSPORTATION
COMMISSION**

Mayor

Ralph Fernandez
Chair

Approved as to Form

Approved as to Form

City Manager

Darren M. Kettle
Executive Director

City Attorney

Steven T. Mattas
General Counsel

**Public Transportation Modernization, Improvement and
Service Enhancement Program (PTMISEA)
PROJECT DESCRIPTION AND ALLOCATION REQUEST**

	Regional Entity: VCTC
Project Lead*: Ventura County Transportation Com.	County: Ventura
Project Title: Thousand Oaks Transit Replacement Buses	

I certify the scope, cost, schedule, and benefits as identified in the attached Project Description and Allocation Request (Request) and attachments are true and accurate and demonstrate a fully funded operable project. I understand the Request is subject to any additional restrictions, limitations or conditions that may be enacted by the State Legislature, including the State's budgetary process, which may effect the amount of bond proceeds received by the project sponsor now and in the future. Project sponsors may need to consider alternative funding sources if bond proceeds are not available. In the event the project cannot be completed as originally scoped, scheduled and estimated, or the project is terminated prior to completion, project sponsor shall, at its own expense, ensure that the project is in a safe and operable condition for the public. I understand this project will be monitored by the California Department of Transportation -- Division of Mass Transportation.

Name: Darren M. Kettle

Signature:

Title: Executive Director

Agency: Ventura County Transportation Commission

Date: March 24, 2014

*If this project includes funding from more than one project sponsor, the project sponsor above becomes the "recipient agency" and the additional contributing project sponsor(s) must also sign and state the amount and type of PTMISEA funds (GC Section 8879.55(a)(2) and/or Section 8879.55(a)(3)) contribution. Sign below or **attach a separate officially signed letter providing that information.**

Name:

Signature:

Title:

Agency:

Date:

Amount:

PTMISEA PROJECT DESCRIPTION AND ALLOCATION REQUEST			
	7/8	8/9	10/11
Request Amount per GC 8879.55(a)(2)/PUC 99313:		\$571,601	\$190,000
Request Amount per GC 8879.55(a)(3)/PUC 99314:		\$	\$
Total Project Allocation Request:		\$0	\$571,601
Project Title:	Thousand Oaks Transit Replacement Buses		
Project Location/Address:	Thousand Oaks/Ventura County		
Table 1: Project Lead/Recipient Agency Information			
Project Lead/Recipient Agency: <u>Ventura County Transportation Commission</u> Contact: <u>Peter DeHaan</u> Contact Phone #: <u>805-642-1591 x106</u> Email Address: <u>pdehaan@pventura.org</u> Address: <u>950 County Square Drive, Suite 207</u> <u>Ventura, CA 93003</u> <i>Legislative District Numbers</i> Assembly: <u>44</u> Senate: <u>27</u> Congressional: <u>26</u> Amount: <u>\$761,601</u> <u>\$</u> Fund Type: GC 8879.55(a)(2)/PUC 99313			
Table 2: Contributing PTMISEA-Eligible Project Sponsor Information			
PTMISEA Contributors: _____ Contact: _____ Contact Phone #: _____ Email Address: _____ Address: _____ Amount: _____ <u>\$</u> _____ <u>\$</u> _____ <u>\$</u> _____ Fund Type: _____ _____ _____			
Other PTMISEA Contributors (Attach sheet with contact info) _____ _____ _____ Amount: _____ <u>\$</u> _____ <u>\$</u> _____ <u>\$</u> _____ Fund Type: _____ _____ _____			
TOTAL \$0			
(*Contributing project sponsors attach signed letters of verification as to amount and eligibility or sign cover page)			
Table 3: Project Category			
Check only 1 box that best fits the description of the project being funded.			
☐ Rehabilitation, Safety or Modernization Improvement		☐ Bus Rapid Transit	
☐ Capital Service Enhancement or Expansion		☒ Rolling Stock Procurement:	
☐ New Capital Project		☐ Expansion ☐ Rehabilitation ☒ Replacement	

Table 4: Project Summary

a) Describe the project (or minimum operable segment) for which you are applying for funds. Attach additional sheets if necessary. If the application is for the purchase of vehicles or rolling stock, please include information on number of vehicles, size, passenger count, accessibility, and fuel type:

Write here: Provide for two replacement buses for aging stock. 2 Buses, 40 foot, 32 passenger (seated), fully ADA compliant (ramp), CNG. 9/14/12 - Project also includes purchase of 1 reserve bus, 1 support vehicle, upgrades to farebox equipment, and 1 transit service vehicle.

b) Useful Life of the Project: 12 years

Table 5: Description of Major Benefits/Outcomes

a) Please check appropriate Benefit/Outcome:

☐ Increase Ridership	by <u> </u> %
☒ Reduce Operating/Maintenance Cost	by <u> 20 </u> %
☒ Reduce Emissions	by <u> <5 </u> %
☒ Increase System Reliability	by <u> 50 </u> %

b) Please summarize and describe any other benefits:

Bus to be replaced are no longer manufactured and are difficult to keep running. Replacement buses will ensure an adequate supply of spares are available.

Table 6: Project Schedule

	Date
Begin Project Approval & Environmental Document Phase	N/A
CEQA/ Environmental Compliance	N/A
End Project Approval & Environmental Document Phase	N/A
Begin Plans, Specifications & Estimates Phase	9/1/2010
End Plans, Specifications & Estimates Phase	7/31/2013
Begin Right of Way Phase	N/A
End Right of Way Phase	N/A
Begin Construction Phase (Contract Award)	N/A
End Construction Phase (Contract Acceptance)	N/A
Begin Vehicle/Equipment Order (Contract Award)	1/11/2011
End Vehicle/Equipment Order (Contract Acceptance)	12/1/2013
Begin Closeout Phase	12/15/2014
End Closeout Phase	1/31/2015

Table 7: Tax Compliance Information

Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State?

☐
☒

YES

NO

If yes, please describe the source of the money and provide an estimate of the amount:

Estimate: \$ _____

COOPERATIVE AGREEMENT

BETWEEN

VENTURA COUNTY TRANSPORTATION COMMISSION

AND

GOLD COAST TRANSIT

THIS AGREEMENT is entered into this 7th day of March 2014, between Ventura County Transportation Commission, a regional transportation planning agency (VCTC) and Gold Coast Transit, a joint powers agency (Gold Coast) regarding the administration of funds from the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA).

WHEREAS, California voters in November, 2006, approved the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B), which authorizes state general obligation bonds for transportation infrastructure, including grants for transit system safety, security, and disaster response projects; and,

WHEREAS Senate Bill 88 of the 2007 Statutes appropriates funds from Proposition 1B to the PTMISEA program, administered by the Department of Transportation (Caltrans); and,

WHEREAS, at its October 4, 2013, meeting the VCTC programmed \$3,560,000 to the Gold Coast Transit Replacement CNG Buses Project (Project) which Project is as fully described in the PTMISEA grant submittals dated October 15, 2013, and which are attached as Exhibit A to this Cooperative Agreement; and,

WHEREAS, it is the intention of VCTC to enter into this Cooperative Agreement with Gold Coast regarding the administration of PTMISEA funds prior to the disbursement of funds to Gold Coast.

NOW THEREFORE in consideration of the above referenced recitals, the promises, conditions, terms and provisions set forth herein the parties do agree as follows:

I. FUNDING/PROGRAM MANAGEMENT

1. Assignments of Participants: VCTC hereby agrees to engage Gold Coast and Gold Coast hereby agrees to carry out the work hereinafter described in connection with the administration of PTMISEA funds. Gold Coast will be responsible for assuring that Gold Coast meets all grant requirements placed on PTMISEA fund recipients.
2. Scope of Services:
 - a. Grant Administration: VCTC shall be responsible to reserve, apply for and receive PTMISEA funds and to be responsible for assuring that VCTC and Gold Coast meet all requirements placed on PTMISEA fund recipients.

- b. **Project Implementation:** Gold Coast shall implement the Project, as described in the attached grant submittals (Exhibit A) to the extent that grant funds from VCTC are available pursuant to this Agreement.
3. **Duration of Agreement and Authorization to Proceed:** The term of this Agreement shall commence when VCTC notifies in writing Gold Coast that it has received the PTMISEA funds from the State Controller, and continue until the earlier of the following events: (1) all work on the Project is completed and accepted, all contracts for the Project are closed, and VCTC has approved and paid the final invoice, or (2) the Agreement is terminated by either party after thirty (30) days written notice.
4. **Amendments to the Agreement:** The provisions of this Agreement may be amended upon written acceptance and ratification of any such amendment by both VCTC and Gold Coast.
5. **Method of Payment:** VCTC, as the grant applicant, upon receipt of the \$3,560,000 of PTMISEA funds approved by Caltrans for the Project, shall transfer the funds plus any accrued interest to Gold Coast. Gold Coast must keep the unexpended funds in a separate interest-bearing account. Any interest that is accrued must be accounted for and used for the Project. Any Project funds received in excess of the final Project cost, or those found to be owed back to VCTC as a result of a final review or audit, must be refunded to VCTC within twenty (20) days of VCTC invoicing Gold Coast.
6. **Costs:** Under no circumstances will VCTC be responsible for funding the Project in excess of the grant funds and the interest earned thereon.

II. CALTRANS REQUIREMENTS

Gold Coast shall note the following provisions apply to PTMISEA grants, and must take all necessary action to ensure its compliance as though it was the grantee directly.

1. **Reports:** Semi-annual performance reports must be prepared and submitted to VCTC no later than January 31st and July 31st, for the duration of the project performance period, or until all activities are completed and the Projects are formally closed. VCTC will then forward the reports to Caltrans in time for the Caltrans deadline. The semi-annual reporting cycle will start with the June 30 reporting cycle, and must be submitted on or before July 31, 2014. Failure to submit performance reports could result in the reduction of Project funds, termination, or suspension.
- Within five (5) months of the Project becoming operable, Gold Coast shall provide to VCTC a Final Project Report and a Final Project Itemized Expenditure Table. Gold Coast must also provide evidence of project completion in the form of photographs of the completed project or a copy of final invoicing.
- Within (11) months of the Project becoming operable, Gold Coast shall provide to VCTC a report regarding the long-term benefits of the Projects.
2. **Other Provisions:** Gold Coast is subject to all policies and provisions as set forth by Caltrans with regard to the PTMISEA and all applicable laws regarding public works projects, including but not limited to, contract bid procedures and the payment of prevailing wages. Some or all of these regulations may be available from Caltrans at http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/Prop%201B/PTMISEA-Guidelines_2013.pdf
3. **Grant Performance Period:** Funds allocated under this grant shall be expended by June 30, 2018. Funds remaining unexpended thereafter shall revert to Caltrans.

III. OTHER PROVISIONS

1. Indemnification: Gold Coast shall , defend, indemnify, and hold harmless VCTC, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of Gold Coast or its officers, agents, or servants as a result of any act or omission by Gold Coast in its performance pursuant to this Agreement.

VCTC shall , defend, indemnify, and hold harmless Gold Coast, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of VCTC or its officers, agents, or servants as a result of any act or omission by VCTC in its performance pursuant to this Agreement.

The obligations of Gold Coast and VCTC in these indemnity provisions survive the expiration or earlier termination of this agreement
2. Gold Coast may assign any and all rights, title, obligations and liabilities to Gold Coast Transit District on or after July 1, 2014 without obtaining further oral or written approval from VCTC.
3. Force Majeure: Either party shall be excused from performing its obligations under this Agreement during the time and to the extent that it is prevented from performing by a cause beyond its control including, but not limited to: any incidence of fire, flood; acts of God; commandeering of material, products, plants or facilities by the Federal, state or local government; national fuel shortage; or a material act of omission by the other party; when satisfactory evidence of such cause is presented to the other party, and provided further that such nonperformance is unforeseeable, beyond the control and is not due to the fault or negligence of the party not performing.
4. Merger Clause: This Agreement along with the following documents, which are incorporated into this Agreement by reference, hereto constitute the final expression of the agreement of the parties and supersedes any and all other Agreements, either oral or written, between Consultant and the GCT, with respect to the subject of this Agreement. This Agreement contains all of the covenants, terms, provisions and Agreements between the parties with respect to the services required hereunder. Consultant acknowledges that no representations, inducements, promises or Agreements have been made by or on behalf of GCT except those covenants, terms, provisions and Agreements embodied in this Agreement. No Agreement, statement, or promise not contained in this Agreement will be valid or binding. The Parties acknowledge and represent that this Agreement is the product of mutual negotiation, and if any ambiguities should arise in the interpretation of this Agreement, both parties shall be deemed authors of this Agreement.
5. Governing Law: The validity of this Agreement and any of its terms or provisions, as well as the rights and duties of the parties under this Agreement, will be construed pursuant to and in accordance with the laws of the the United States and State of California all actions mediation, arbitration and legal proceedings arising in connection with this Agreement shall be conducted tried and litigated exclusively in the state courts located in the County of Ventura, State of California.
6. Compliance with Laws: Each party to this Agreement will comply with all applicable laws.
7. Each Party represents and warrants that all necessary action has been taken by the limited liability company, including any due adoption of a resolution or other required action sufficient to enable the public entity to enter into this Agreement, to be bound thereby and to perform fully as required hereunder. Each person executing this Agreement on behalf of the public entity represents and warrants that he/she has been duly authorized to enter into this Agreement on behalf of the public entity.

8. Severability: In the event that any one or more of the provisions contained in this Agreement shall for any reason be held to be unenforceable in any respect by a court of competent jurisdiction, such holding shall not affect any other provisions of this Agreement, and the Agreement shall then be construed as if such unenforceable provisions are not a part hereof.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first stated above.

GOLD COAST TRANSIT

**VENTURA COUNTY TRANSPORTATION
COMMISSION**

Carl Morehouse
Chair

Ralph Fernandez
Chair

Approved as to Form

Approved as to Form

Steven Brown
General Manager

Darren M. Kettle
Executive Director

City Attorney

Steven T. Mattas
General Counsel

**Public Transportation Modernization, Improvement and
Service Enhancement Program (PTMISEA)
PROJECT DESCRIPTION AND ALLOCATION REQUEST**

	Regional Entity: VCTC
Project Lead*: Ventura County Transportation Commis	County: Ventura
Project Title: GCT Replacement Buses	

I certify the scope, cost, schedule, and benefits as identified in the attached Project Description and Allocation Request (Request) and attachments are true and accurate and demonstrate a fully funded operable project. I understand the Request is subject to any additional restrictions, limitations or conditions that may be enacted by the State Legislature, including the State's budgetary process, which may effect the amount of bond proceeds received by the project sponsor now and in the future. Project sponsors may need to consider alternative funding sources if bond proceeds are not available. In the event the project cannot be completed as originally scoped, scheduled and estimated, or the project is terminated prior to completion, project sponsor shall, at its own expense, ensure that the project is in a safe and operable condition for the public. I understand this project will be monitored by the California Department of Transportation -- Division of Mass Transportation.

Name: Darren M. Kettle

Signature: [see signed cover letter]

Title: Executive Director

Agency: Ventura County Transportation Commission

Date:

*If this project includes funding from more than one project sponsor, the project sponsor above becomes the "recipient agency" and the additional contributing project sponsor(s) must also sign and state the amount and type of PTMISEA funds (GC Section 8879.55(a)(2) and/or Section 8879.55(a)(3)) contribution. Sign below or **attach a separate officially signed letter providing that information.**

Name:

Signature:

Title:

Agency:

Date: **Amount:**

**PTMISEA PROJECT DESCRIPTION
AND ALLOCATION REQUEST**

	7/8	8/9	9/10	10/11
Request Amount per GC 8879.55(a)(2)/PUC 99313:	\$0	\$0	\$0	\$3,560,000
Request Amount per GC 8879.55(a)(3)/PUC 99314:	\$0	\$0	\$0	\$0
Total Project Allocation Request:	\$0	\$0	\$0	\$3,560,000
Project Title:	GCT Replacement Buses			
Project Location/Address:	301 E. 3rd St., Oxnard, CA			

Table 1: Project Lead/Recipient Agency Information

Project Lead/	Legislative District Numbers		
Recipient Agency: <u>Ventura County Transportation Commi</u>	Assembly: <u>37, 44</u>		
Contact: <u>Stephanie Young</u>	Senate: <u>19</u>		
Contact Phone #: <u>(805) 642-1591, x 108</u>	Congressional: <u>24, 26</u>		
Email Address: <u>syoung@coventura.org</u>	Amount:	Fund Type:	
Address: <u>950 County Square Drive, Ste 207</u>	\$ _____	3560000	99313
<u>Ventura, CA 93003</u>	\$ _____	_____	

Table 2: Contributing PTMISEA-Eligible Project Sponsor Information

PTMISEA Contributors:	Amount :	Fund Type:
Contact: _____	\$ _____	_____
Contact Phone #: _____	\$ _____	_____
Email Address: _____		
Address: _____		
Other PTMISEA Contributors (Attach sheet with contact info)	Amount:	Fund Type:
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
TOTAL	\$3,560,000	99313

(*Contributing project sponsors attach signed letters of verification as to amount and eligibility or sign cover page)

Table 3: Project Category

Check **only 1** box that best fits the description of the project being funded.

- | | |
|--|--|
| ☐ Rehabilitation, Safety or Modernization Improvement | ☐ Bus Rapid Transit |
| ☐ Capital Service Enhancement or Expansion | ☒ Rolling Stock Procurement: |
| ☐ New Capital Project | ☐ Expansion |
| | ☐ Rehabilitation |
| | ☒ Replacement |

Table 4: Project Summary									
a) Describe the project (or minimum operable segment) for which you are applying for funds. Attach additional sheets if necessary. If the application is for the purchase of vehicles or rolling stock, please include information on number of vehicles, size, passenger count, accessibility, and fuel type: GCT intends to purchase 11 new CNG fueled 40-foot buses that have capacity for 79 passengers. They will all be low floor, ADA accessible buses. The current CNG fueled NABI buses are nearing the end of their useful life, as six of them are 12 years old and five of them are 9-10 years old. Because the order and delivery process is approximately 18 months, the 9-10 year old buses will be at the end of their useful life by delivery time. The vehicle and VIN numbers are as follows: 4008 - 1N90401991A140545, 4009 - 1N90401901A140546, 4010 - 1N90401921A140547, 4011 - 1N90401941A140548, 4012 - 1N90401961A140549, 4013 - 1N90401921A140550, 4014 - 1N90401932A140560, 4015 - 1N90401952A140561, 4016 - 1N90401974A140029, 4017 - 1N90401934A140030, 4018 - 1N90401954A140031									
b) Useful Life of the Project: 12 years									
Table 5: Description of Major Benefits/Outcomes									
a) Please check appropriate Benefit/Outcome: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">☒ Increase Ridership</td> <td style="width: 50%; text-align: right;">by 10 %</td> </tr> <tr> <td>☒ Reduce Operating/Maintenance Cost</td> <td style="text-align: right;">by 25 %</td> </tr> <tr> <td>☒ Reduce Emissions</td> <td style="text-align: right;">by 5 %</td> </tr> <tr> <td>☒ Increase System Reliability</td> <td style="text-align: right;">by 25 %</td> </tr> </table>		☒ Increase Ridership	by 10 %	☒ Reduce Operating/Maintenance Cost	by 25 %	☒ Reduce Emissions	by 5 %	☒ Increase System Reliability	by 25 %
☒ Increase Ridership	by 10 %								
☒ Reduce Operating/Maintenance Cost	by 25 %								
☒ Reduce Emissions	by 5 %								
☒ Increase System Reliability	by 25 %								
b) Please summarize and describe any other benefits: Replacing the buses will also reduce liability.									
Table 6: Project Schedule									
	Date								
Begin Project Approval & Environmental Document Phase									
CEQA/ Environmental Compliance									
End Project Approval & Environmental Document Phase									
Begin Plans, Specifications & Estimates Phase									
End Plans, Specifications & Estimates Phase									
Begin Right of Way Phase									
End Right of Way Phase									
Begin Construction Phase (Contract Award)									
End Construction Phase (Contract Acceptance)									
Begin Vehicle/Equipment Order (Contract Award)	5/1/2014								
End Vehicle/Equipment Order (Contract Acceptance)	5/1/2015								
Begin Closeout Phase	6/1/2015								
End Closeout Phase	10/1/2015								
Table 7: Tax Compliance Information									
<table style="width: 100%; border: none;"> <tr> <td style="width: 55%;">Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State?</td> <td style="width: 10%; text-align: center;"> ☐ ☒ </td> <td style="width: 35%;"> YES NO </td> </tr> <tr> <td>If yes, please describe the source of the money and provide an estimate of the amount:</td> <td colspan="2"> Estimate: \$ _____ </td> </tr> </table>		Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State?	☐ ☒	YES NO	If yes, please describe the source of the money and provide an estimate of the amount:	Estimate: \$ _____			
Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State?	☐ ☒	YES NO							
If yes, please describe the source of the money and provide an estimate of the amount:	Estimate: \$ _____								

COOPERATIVE AGREEMENT
BETWEEN
VENTURA COUNTY TRANSPORTATION COMMISSION
AND
SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

THIS AGREEMENT is entered into this 7th day of March 2014, between Ventura County Transportation Commission (VCTC) and the Southern California Regional Rail Authority (SCRRA) regarding the administration of funds from the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA).

WHEREAS, California voters in November, 2006, approved the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B), which authorizes state general obligation bonds for transportation infrastructure, including grants for transit system safety, security, and disaster response projects; and,

WHEREAS Senate Bill 88 of the 2007 Statutes appropriates funds from Proposition 1B to the PTMISEA program, administered by the Department of Transportation (Caltrans); and,

WHEREAS, at its July 12, 2013, meeting the VCTC programmed \$150,000 to the SCRRA Sealed Corridor Project (Project) which Project is as fully described in the PTMISEA grant submittals dated July 29, 2013, and which are attached as Exhibit A to this Cooperative Agreement; and,

WHEREAS, it is the intention of VCTC to enter into this Cooperative Agreement with the SCRRA regarding the administration of PTMISEA funds prior to the disbursement of funds to SCRRA.

NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:

I. FUNDING/PROGRAM MANAGEMENT

1. Assignments of Participants: VCTC hereby agrees to engage SCRRA and SCRRA hereby agrees to carry out the work hereinafter described in connection with the administration of PTMISEA funds. SCRRA will be responsible for assuring that SCRRA meets all grant requirements placed on PTMISEA fund recipients.
2. Scope of Services:
 - a. Grant Administration: VCTC shall be responsible to reserve, apply for and receive PTMISEA funds and to be responsible for assuring that VCTC and SCRRA meet all requirements placed on PTMISEA fund recipients.
 - b. Project Implementation: SCRRA shall implement the Project, as described in the attached grant submittals (Exhibit A) to the extent that grant funds from VCTC are available pursuant to this Agreement.

3. Duration of Agreement and Authorization to Proceed: The term of this Agreement shall commence when VCTC notifies SCRRA that it has received the PTMISEA funds from the State Controller, and continue until the earlier of the following events: (1) all work on the Project is completed and accepted, all contracts to construct the Project are closed, and VCTC has approved and paid the final invoice, or (2) the Agreement is terminated by either party after thirty (30) days written notice.
4. Amendments to the Agreement: The provisions of this Agreement may be amended upon written acceptance and ratification of any such amendment by both VCTC and SCRRA.
5. Method of Payment: VCTC, as the grant applicant, upon receipt of the \$150,000 of PTMISEA funds approved by Caltrans for the Project, shall transfer the funds and any interest that has accrued to SCRRA. SCRRA must keep the unexpended funds in a separate interest-bearing account. Any interest that is accrued must be accounted for and used for the Project. Any Project funds received in excess of the final Project cost, or those found to be owed back to VCTC as a result of a final review or audit, must be refunded to VCTC within twenty (20) days of VCTC invoicing SCRRA.
6. Costs: Under no circumstances will VCTC be responsible for funding the Project in excess of the grant funds and the interest earned thereon.

II. CALTRANS REQUIREMENTS

The City shall note the following provisions apply to PTMISEA grants, and must take all necessary action to ensure its compliance as though it was the grantee directly.

1. Reports: Semi-annual performance reports must be prepared and submitted to VCTC no later than January 31st and July 31st, for the duration of the project performance period, or until all activities are completed and the Projects are formally closed. VCTC will then forward the reports to Caltrans in time for the Caltrans deadline. The semi-annual reporting cycle will start with the June 30 reporting cycle, and must be submitted on or before July 31, 2014. Failure to submit performance reports could result in the reduction of Project funds, termination, or suspension.

Within five (5) months of the Project becoming operable, SCRRA shall provide to VCTC a Final Project Report and a Final Project Itemized Expenditure Table. SCRRA must also provide evidence of project completion in the form of photographs of the completed project or a copy of final invoicing.

Within (11) months of the Project becoming operable, SCRRA shall provide to VCTC a report regarding the long-term benefits of the Projects.

2. Department of Industrial Relations (DIR) Monitoring: Per Assembly Bill 436 (Chapter 378, Statutes 2011), the Project is subject to monitoring and enforcement by the DIR. Monitoring activities are eligible PTMISEA expenses. SCRRA is required to:
 - a. Include language in the bid invitation and public works contract that the project is subject to monitoring and enforcement by DIR, including the obligation to submit certified payroll records directly to the Compliance Monitoring Unit (CMU) through the CMU's online eCPR system at least monthly;
 - b. Notify both the Division of Apprenticeship Standards and the Division of Labor Standards Enforcement (DLSE) of the Project award per the online PWC 100 form available on the CMU website;
 - c. Post, at each job site, the notice required by 8 Cal. Code Reg. section 16451(d);

- d. Cooperate with the CMU and the DLSE in any investigation of suspected violations, which may include random onsite inspections and contractor and worker interviews; and,
 - e. Comply with any notice requiring contract payments to be withheld due to contractor's failure to submit proper certified payroll reports or in accordance with any lawful order by DLSE.
3. Other Provisions: SCRRA is subject to all policies and provisions as set forth by Caltrans with regard to the PTMISEA and all applicable laws regarding public works projects, including but not limited to, contract bid procedures and the payment of prevailing wages. Some or all of these regulations may be available from CalTrans at http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/Prop%201B/PTMISEA-Guidelines_2013.pdf
4. Grant Performance Period: Funds allocated under this grant shall be expended by June 30, 2018. Funds remaining unexpended thereafter shall revert to Caltrans.

III. OTHER PROVISIONS

1. Indemnification: SCRRA shall protect, defend, indemnify, and hold harmless VCTC, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of SCRRA or its officers, agents, or employees as a result of any act or omission by SCRRA in its performance pursuant to this Agreement.

VCTC shall protect, defend, indemnify, and hold harmless SCRRA, its officers, agents, and employees, from any and all liability arising out of, or caused by, any act or omission of VCTC or its officers, agents, or servants as a result of any act or omission by VCTC in its performance pursuant to this Agreement.

The obligations of SCRRA and VCTC in these indemnity provisions survive the expiration or earlier termination of this agreement.

2. Insurance: With respect to performance of work under this Cooperative Agreement and any Project Agreement entered into by the SCRRA as an element of Project Implementation, SCRRA shall maintain and shall ensure that its contractors maintain insurance as described below:

Workers Compensation Insurance – SCRRA's contractors shall maintain, during the life of the Projects, Workers' Compensation Insurance for any contractor or subcontractor employees employed at the sites of projects. In case any class of employees engaged in work under this Agreement at the site of the Project is not protected under any Workers' Compensation law, SCRRA shall provide or shall cause each contractor and subcontractor to provide, adequate insurance for the protection of employees not otherwise protected. SCRRA hereby agrees to indemnify VCTC for any damage resulting to it from failure of any City contractor or subcontractor to take out or maintain such insurance.

Public Liability and Property Damage Insurance – SCRRA is self-insured and/or has excess insurance as allowed by law at least up to the limits provided herein. SCRRA and any SCRRA contractor contracting with SCRRA as an element of Project Implementation, if any, shall take out and maintain during the life of this Agreement such public liability and property damage insurance as shall insure and name as an additional insured VCTC, its elective and appointive boards, commissions, officers, agents, and employees, and any VCTC contractor or subcontractor performing work covered by this Agreement from claims for damages for personal injury, including death, as well as from claims for property damage which may arise from the SCRRA's or any contractors or subcontractors operations hereunder, or by anyone directly or indirectly employed by any contractor or subcontractor, and the amounts of such insurance shall be as follows:

(1) Public Liability Insurance. In an amount not less than \$2,000,000 for injuries, including, but not limited to death, to any one person and, subject to the same limit for each person, in an amount not less than \$4,000,000 on account of any one occurrence:

(2) Property Damage Insurance. In an amount of not less than \$1,000,000 for damage to the property of each person on account of any one occurrence.

Deductibles and Self-Insured Retentions – SCRRRA shall disclose to and obtain the approval of VCTC for any self-insured retention and/or deductible of all insurance policies required by this Agreement before beginning any of the services or work called for by any term of this Agreement. Further, if any insurance policy required by this Agreement includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability. Additionally, the certificates of insurance must note whether the policy does or does not include any self-insured retention and also must disclose the deductible.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date stated above.

**SOUTHERN CALIFORNIA
REGIONAL RAIL AUTHORITY**

**VENTURA COUNTY TRANSPORTATION
COMMISSION**

Michael P. DePallo
Chief Executive Officer

Darren M. Kettle
Executive Director

Approved as to Form

Approved as to Form

General Counsel

Steven T. Mattas
General Counsel

**Public Transportation Modernization, Improvement and
Service Enhancement Program (PTMISEA)
PROJECT DESCRIPTION AND ALLOCATION REQUEST**

	Regional Entity: VCTC
Project Lead*: Ventura County Transportation Commis	County: Ventura
Sealed Corridor in Ventura County	

I certify the scope, cost, schedule, and benefits as identified in the attached Project Description and Allocation Request (Request) and attachments are true and accurate and demonstrate a fully funded operable project. I understand the Request is subject to any additional restrictions, limitations or conditions that may be enacted by the State Legislature, including the State's budgetary process, which may effect the amount of bond proceeds received by the project sponsor now and in the future. Project sponsors may need to consider alternative funding sources if bond proceeds are not available. In the event the project cannot be completed as originally scoped, scheduled and estimated, or the project is terminated prior to completion, project sponsor shall, at its own expense, ensure that the project is in a safe and operable condition for the public. I understand this project will be monitored by the California Department of Transportation -- Division of Mass Transportation.

Name: Darren M. Kettle

Signature: [see signed cover letter]

Title: Executive Director

Agency: Ventura County Transportation Commission

Date:

*If this project includes funding from more than one project sponsor, the project sponsor above becomes the "recipient agency" and the additional contributing project sponsor(s) must also sign and state the amount and type of PTMISEA funds (GC Section 8879.55(a)(2) and/or Section 8879.55(a)(3)) contribution. Sign below or **attach a separate officially signed letter providing that information.**

Name:

Signature:

Title:

Agency:

Date:

Amount: _____

**PTMISEA PROJECT DESCRIPTION
AND ALLOCATION REQUEST**

	7/8	8/9	9/10	10/11
Request Amount per GC 8879.55(a)(2)/PUC 99313:	\$0	\$0		\$150,000
Request Amount per GC 8879.55(a)(3)/PUC 99314:	\$0	\$0	\$0	\$0
Total Project Allocation Request:	\$0	\$0	\$0	\$150,000
Project Title:	Sealed Corridor In Ventura County			
Project Location/Address:				

Table 1: Project Lead/Recipient Agency Information

Project Lead/	Legislative District Numbers		
Recipient Agency: <u>Ventura County Transportation Commi</u>	Assembly:		38
Contact: <u>Stephanie Young</u>	Senate:		27
Contact Phone #: <u>805-642-1591 x108</u>	Congressional:		23
Email Address: <u>syounq@qventura.org</u>	Amount:		Fund Type:
Address: <u>950 County Square Dr, Ste 207</u>	\$	150000	99313
<u>Ventura, CA 93003</u>	\$		

Table 2: Contributing PTMISEA-Eligible Project Sponsor Information

PTMISEA Contributors:	Amount :	Fund Type:
Contact:		
Contact Phone #:	\$	
Email Address:		
Address:		
Other PTMISEA Contributors (Attach sheet with contact info)	Amount:	Fund Type:
	\$	
	\$	
	\$	
TOTAL	\$150,000	99313

(*Contributing project sponsors attach signed letters of verification as to amount and eligibility or sign cover page)

Table 3: Project Category

Check **only 1** box that best fits the description of the project being funded.

- | | |
|--|---|
| ☐ Rehabilitation, Safety or Modernization Improvement | ☐ Bus Rapid Transit |
| ☐ Capital Service Enhancement or Expansion | ☐ Rolling Stock Procurement: |
| ☒ New Capital Project | Expansion |
| | Rehabilitation |
| | Replacement |

Table 4: Project Summary													
a) Describe the project (or minimum operable segment) for which you are applying for funds. Attach additional sheets if necessary. If the application is for the purchase of vehicles or rolling stock, please include information on number of vehicles, size, passenger count, accessibility, and fuel type: These funds will be use to construct grade crossing improvements in Ventura County, specifically for three crossings in Simi Valley: Erringer, First and Sycamore. These improvements will meet the Southern California Regional Rail Authority's (SCRRA) engineering standards for a sealed corridor. Treatments may include four-quad gates, median barriers and signal light preemption. The specific treatments are customized to each specific crossing.													
b) Useful Life of the Project: __15__ years													
Table 5: Description of Major Benefits/Outcomes													
a) Please check appropriate Benefit/Outcome: <table style="width: 100%; border: none;"> <tr> <td style="width: 40%;">_____ Increase Ridership</td> <td style="width: 20%;">by _____ %</td> <td style="width: 40%;"></td> </tr> <tr> <td>X Reduce Operating/Maintenance Cost</td> <td>by __10__ %</td> <td></td> </tr> <tr> <td>_____ Reduce Emissions</td> <td>by _____ %</td> <td></td> </tr> <tr> <td>X Increase System Reliability</td> <td>by __5__ %</td> <td></td> </tr> </table>		_____ Increase Ridership	by _____ %		X Reduce Operating/Maintenance Cost	by __10__ %		_____ Reduce Emissions	by _____ %		X Increase System Reliability	by __5__ %	
_____ Increase Ridership	by _____ %												
X Reduce Operating/Maintenance Cost	by __10__ %												
_____ Reduce Emissions	by _____ %												
X Increase System Reliability	by __5__ %												
b) Please summarize and describe any other benefits: Increase safety at crossings by preventing access to the crossing when a train is passing through it.													
Table 6: Project Schedule													
	Date												
Begin Project Approval & Environmental Document Phase													
CEQA/ Environmental Compliance	1/1/2013												
End Project Approval & Environmental Document Phase													
Begin Plans, Specifications & Estimates Phase	10/1/2012												
End Plans, Specifications & Estimates Phase	6/1/2013												
Begin Right of Way Phase													
End Right of Way Phase													
Begin Construction Phase (Contract Award)	12/31/2013												
End Construction Phase (Contract Acceptance)	12/31/2014												
Begin Vehicle/Equipment Order (Contract Award)													
End Vehicle/Equipment Order (Contract Acceptance)													
Begin Closeout Phase	1/1/2015												
End Closeout Phase	3/31/2015												
Table 7: Tax Compliance Information													
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State? </td> <td style="width: 10%; text-align: center; vertical-align: middle;"> x </td> <td style="width: 40%; vertical-align: middle;"> YES NO </td> </tr> <tr> <td style="vertical-align: top;"> If yes, please describe the source of the money and provide an estimate of the amount: </td> <td style="vertical-align: top;"> Estimate: \$ _____ </td> </tr> </table>		Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State?	x	YES NO	If yes, please describe the source of the money and provide an estimate of the amount:	Estimate: \$ _____							
Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State?	x	YES NO											
If yes, please describe the source of the money and provide an estimate of the amount:	Estimate: \$ _____												



Item # 8F

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: MARY TRAVIS, ANALYST II

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

RECOMMENDATION:

- Release a Request for Proposals (RFP) for professional services for completion of State required Transportation Development Act (TDA) annual fiscal and compliance audits of TDA claimants.

DISCUSSION:

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

In June, 2011 Bazilio, Cobb & Associates was awarded a contract for completion of the required audits for a three-year period (Fiscal Year 2010/2011, 2011/2012 and 2012/2013). The reports were completed and submitted to local agencies and the State Controller's Office.

Attached is a Request for Proposals (Attachment # 1) to circulate to auditing consultant firms to complete the next three years of the required work or TDA audits for FY 2013/2014; 2014/2015; and, 2015/2016. The RFP also includes two, one-year optional extensions to complete the audits for FY 2016/2017 and FY 2017/2018. The annual audits must be completed and submitted to the State Controller no later than December 30 each year. It is estimated the FY 2013/2014 audits will cost about \$55,000 with possible adjustments in the cost made in subsequent years due to the legislative changes described below.

As of July 1, 2014 several legislative changes will take place impacting the TDA program in Ventura County: SB 716 which mandates all TDA funds generated in Ventura County be spent on transit projects; SB 644 which creates the Gold Coast Transit (GCT) District consisting of the County of Ventura and the cities of Ojai, Oxnard, Port Hueneme and San Buenaventura; and, SB 203 that amended SB 716 to allow cities under 100,000 population and not a part of the Gold Coast Transit District (i.e. Camarillo, Fillmore, Moorpark and Santa Paula) to continue to claim TDA funds for local streets as long as the entity's reasonable transit needs are met. As a result of these legislative actions, extra auditing work will likely be needed and the cost of the annual audit will increase.

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April 4, 2014

**SUBJECT: REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES TO
COMPLETE 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 professional services to complete the State-required audits on the accounts and records of Ventura County claimants of Transportation Development Act (TDA) funds for Fiscal Year 2013/2014 (see Attachment # 1) and also the audits for Fiscal Years 2014/2015 and 2015/2016 (Attachment # 2). These audits will include a financial and a compliance examination.

These audits are to be performed in accordance with auditing standards generally accepted in the United States of America, the standards set forth for financial audits contained in *Government Auditing Standards* and the U.S. Office of Management and Budget (OMB) Circular A-133 *Audits of State and Local Governments and Non-Profit Organizations*.

Firms interested in performing this work should send their proposal **NO LATER THAN 4 P.M. FRIDAY MAY 9, 2014** to:

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

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

There is no expressed or implied obligation for the VCTC to reimburse responding firms for any expenses incurred in the preparation or delivery of proposals in response to this request. The VCTC reserves the right to retain all proposals submitted and use any idea in a proposal regardless of whether that proposal is selected. All submissions are considered a matter of public record. All proposals must include the items listed in the RFP. Any proposal that does not include all requested items shall be deemed non-responsive and rejected.

During the evaluation process, VCTC reserves the right, where it may serve the agency's best interest, to request additional information or clarification from proposers, or to allow corrections of errors and/or omissions. At the discretion of the VCTC, firms submitting proposals may be requested to make oral presentations as part of the evaluation process.

Questions regarding the scope of work or any administrative questions should be addressed to Mary Travis at email: mtravis@goventura.org, no later than April 25, 2014. All questions will be responded to in writing on VCTC's website: goventura.org.

**REQUEST FOR PROPOSAL
FOR PROFESSIONAL SERVICES TO COMPLETE TRANSPORTATION DEVELOPMENT
ACT (TDA) ANNUAL FINANCIAL AND COMPLIANCE AUDITS**

SCOPE OF WORK

The project involves the completion of financial and compliance audits of State TDA and Prop 1B claimants and funds for Fiscal Years 2013/2014, 2014/2015 and 2015/2016. Please see Attachment # 1 for the audits to be completed in FY 2013/2014 and Attachment # 2 for the estimated audits to be completed in FY 2014/2015 and FY 2015/2016. There will also be two, one-year contract extension options to complete the audits for FY 2016/2017 and FY 2017/2018. The intent of these audits is to certify compliance with the appropriate TDA regulations and requirements, and State Prop 1B requirements, and 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 2013/2014 and will be adjusted as needed for FY 2014/2015 and 2015/2016 but will follow the same basic schedule to ensure completion of the audits by the State-required date of December 30 each year. Also, after FY 2013/2014, the number and type of audits may vary as the County agencies implement the new legislation noted below, however, we have attached VCTC's estimated audits to be completed in those fiscal years.

The new legislation just mentioned is effective July 1, 2014 and has significant changes to the TDA laws and regulations. The legislation will go into effect per: Senate Bill (SB) 716 (see Attachment # 3; which mandates all TDA funds generated in Ventura County be spent on transit projects; SB 203 (see Attachment # 4) that amended SB 716 to allow cities under 100,000 population and not a part of the Gold Coast Transit District (i.e. Camarillo, Fillmore, Moorpark and Santa Paula) to continue to claim TDA funds for local streets as long as the entity's reasonable transit needs are met; and, SB 644 (see Attachment # 5) which creates the Gold Coast Transit (GCT) District consisting of the County of Ventura and the cities of Ojai, Oxnard, Port Hueneme and San Buenaventura.

It is the intent of VCTC to contract for the services presented herein for a term of three (3) years. VCTC reserves the right to extend the term of this contract for two (2) additional one-year terms subject to the satisfactory negotiation of terms, including a price acceptable to both the agency and the selected firm and concurrence of the VCTC's Board. The proposal package shall present all inclusive audit fees for each year of the contract term.

Fees shall include costs for each year of the three fiscal years. An itemized cost break down shall be submitted for the Principal and any additional staff. VCTC requires the total costs be stated as a "not to exceed" basis. The "not to exceed" fee shall be inclusive of labor, travel, report preparation, printing, and all other expenses incurred by the auditor.

Fees shall be billed monthly based on work completed. Payments will be made within 30 days of approved invoice.

REQUIRED AUDIT ELEMENTS

The intent of these audits and reports is to certify compliance with appropriate TDA (LTF and STA) and Prop1B 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:

- Examine the financial activities of claimants and funds, including internal controls. 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 prior fiscal year including any carryover funds.

- The audits will be conducted in accordance with the requirements of each funding source. Audits of expenditures of Transportation Development Act (TDA) funds claimed by cities, the County, and VCTC will be reviewed in accordance with the requirements of the TDA and by following the TDA conformance auditing guide. The format and accompanying notes should follow the auditing guide summary, and should allow for verification of required revenue ratios. Audit work will conform to the GAAP, GAAS, GAGAS and GASB accounting standards, and the State TDA Code of Regulations.
- 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 but not be limited to the following:

1. Examine financial activities, including internal controls.
2. Prepare financial statements including balance sheet, statement of cash receipts, and disbursements, and statement of changes in the fund balance.
3. Identify net amounts allocated and disbursed for specific purposes.
4. Identify interest or other income earned by investment of funds.
5. Examine projects for which funds were allocated but not expended.
6. Identify/list all major projects, comparing actual revenues/expenditures with budgeted revenues and expenditures, including audited amounts for the prior fiscal year.
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.
8. Conformance and compliance audit of claimants' transportation activities under State Transportation Development Act (TDA).
9. 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. The consultant should 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. Also, 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. Draft Audit Report:

Deliver one copy electronically of the Draft Audit Report for each claimant by November 15, 2014:

Claimant
Ventura County Transportation Commission

2. Final Audit Report:

Deliver one copy electronically and in hard copy of the Final Audit Report for each claimant by December 15, 2014 to the following agencies:

Claimant
Ventura County Transportation Commission
The State Controller's Office

RFP SCHEDULE:

April 25, 2014

Last date for RFP questions and clarifications (Note: all inquiries will be responded to in writing on VCTC's Website).

May 9, 2014

Submit proposal to VCTC no later than 4 PM

Week of May 19, 2014

Interview of Consultants

June 6, 2014

Contract approved by VCTC

June 9, 2014

Notice to Proceed issued

PROJECT SCHEDULE (EACH FISCAL YEAR):

June 30

Work begins

November 15

Draft audits completed, submitted to local agencies/VCTC

December 15

Final audits completed submitted to State Controller, local agencies and VCTC

I. SELECTION PROCESS

Five (5) hard copies and one electronic copy of the proposal shall be submitted **FRIDAY MAY 9, 2014 NO LATER THAN 4 PM** to:

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

ATTENTION: MARY TRAVIS, ANALYST II

Any questions or clarifications to the RFP should be submitted in writing before April 25, 2014 to: mtravis@goventura.org. All queries will be responded to in writing on VCTC's website: goventura.org.

The Proposals will then be reviewed and interviews scheduled with selected respondents the week of May 19, 2014.

- The proposals will be ranked in accordance with the criteria described in Part III.
- Applicants will be notified of the selection by June 9, 2014.

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.

Copies of certificates

- Copies of insurance certificates per Appendix D.

Detailed work plan

- Provide a detailed work plan and schedule for completion of audits with hours assigned for staff.

Fee Structure

- Include fee structure and hours of work per position for Attachment # 1 list of claimants and funds. Submit one, not-to-exceed fee estimate for the attached list of FY 2013/2014 claimants, agencies, and funds.
- Include fee structure and hours of work per position for Attachment # 2 estimated list of claimants and funds. Submit one, not-to-exceed fee estimate for estimated FY 2014/2015 and one, not-to-exceed fee estimate for FY 2015/2016.
- Include fee structure and hours of work per position for two, one-year option extensions for FY 2016/2017 and FY 2017/2018.

III. EVALUATION OF PROPOSALS

Proposals will be evaluated according to the following criteria with 100 points possible:

- | | |
|--|-----------|
| - Technical experience with similar projects | 20 points |
| - Demonstrated competence to perform, including the ability to meet the schedule | 15 points |
| - Assigned personnel qualifications and availability | 20 points |
| - Cost of work | 15 points |
| - Evidence of full understanding of the work to be performed | 10 points |
| - Work Plan | 20 points |

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

STATE AND VCTC REQUIREMENTS AND CERTIFICATIONS

This project is funded with State Transportation Development Act (TDA) Article 3 Local Transportation Funds (LTF). The following requirements and certifications found in the Appendices are considered a part of this RFQ. The insurance certifications must be signed and included in the consultant's submittal for the proposal to be considered responsive.

APPENDICES: VCTC REQUIREMENTS APPLICABLE TO ALL CONTRACTORS

- A. Proposal Submittal Form
- B. Proposer's Reference Form
- C. Proposal Guidelines
- D. Professional Service Insurance Certification
- E. Cost Proposal Form

APPENDIX A PROPOSAL SUBMITTAL FORM

TO: VENTURA COUNTY TRANSPORTATION COMMISSION

DATE:

In response to the Request for Professional Services Proposal for Transportation Development Act (TDA) annual financial and conformance audits.

PROPOSER: _____

CONTACT: _____

TITLE: _____

ADDRESS: _____

TELEPHONE: _____ FAX: _____

E-MAIL: _____@_____

SIGNATURE: _____

TITLE: _____

APPENDIX B PROPOSER REFERENCE FORM

Client List for Similar Projects Currently and/or Previously Provided:

1. Client Name: _____

Client Address: _____

Contact Person: _____

Telephone Number: _____

Period of Service: _____

2. Client Name: _____

Client Address: _____

Contact Person: _____

Telephone Number: _____

Period of Service: _____

3. Client Name: _____

Client Address: _____

Contact Person: _____

Telephone Number: _____

Period of Service: _____

APPENDIX C: PROPOSAL GUIDELINES

AUDITING STANDARDS - To meet the requirements of this request for proposals, the audits shall be performed using the most current version of each of the following:

1. Generally accepted auditing standards as set forth by the American Institute of Certified Public Accounts;
2. The standards applicable to financial audits contained in the Government Auditing Standards issued by the Comptroller General of the United States;
3. The provisions of the Single Audit Act as amended;
4. The provisions of U. S. Office of Management and Budget (OMB) Circular A-133, Audits of State and Local Governments and Non-Profit Organizations;
5. State of California Transportation Development Act (TDA) including the requirements of the Southern California Association of Governments' Transportation Development Act Conformance Auditing Guide;
6. National Transit Database Reporting (formerly Section 15),
7. Special District and Transit District Reporting Requirements, as specified by the California State Controller.

WORKING PAPER RETENTION

All working papers and reports must be retained, at the auditor's expense, for a minimum of seven (7) years after the last year of the contract, unless the auditor is notified in writing by the VCTC of the need to extend the retention period. The auditor will be required to make working papers available, upon request, including, but not limited to the following parties or their designees:

- The Ventura County Transportation Commission
- California State Controller's Office
- California Department of Transportation
- Ventura County and cities

In addition, the auditor shall respond to the reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to matters of continuing accounting significance.

IRREGULARITIES AND ILLEGAL ACTS

Auditors shall be required to make an immediate, written report of all irregularities and illegal acts or indications of illegal acts of which they become aware to the following parties: Executive Director; Agency Attorney and the Chief Financial Officer.

APPENDIX D: PROFESSIONAL SERVICES INSURANCE REQUIREMENTS

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis for bodily injury and property damage, including products-completed operations, personal injury and advertising injury, with limits no less than **\$1,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. **Automobile Liability:** Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if Consultant has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than **\$1,000,000** per accident for bodily injury and property damage.
3. **Workers' Compensation** insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than **\$1,000,000** per accident for bodily injury or disease.
(Not required if consultant provides written verification it has no employees)
4. **Professional Liability** (Errors and Omissions) Insurance appropriate to the Consultant's profession, with limit no less than **\$1,000,000** per occurrence or claim, \$2,000,000 aggregate.

If the Consultant maintains higher limits than the minimums shown above, the Entity requires and shall be entitled to coverage for the higher limits maintained by the contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the Entity.

Other Insurance Provisions:

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status

The Entity, its officers, officials, employees, and volunteers are to be covered as additional insureds on the auto policy with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Consultant; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Consultant including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Consultant's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 20 37 forms if later revisions used).

Primary Coverage

For any claims related to this contract, the **Consultant's insurance coverage shall be primary** insurance as respects the Entity, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the Entity, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

Notice of Cancellation

Each insurance policy required above shall state that **coverage shall not be canceled, except with notice to the Entity.**

Waiver of Subrogation

Consultant hereby grants to Entity a waiver of any right to subrogation which any insurer of said Consultant may acquire against the Entity by virtue of the payment of any loss under such insurance. Consultant agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the Entity has received a waiver of subrogation endorsement from the insurer.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the Entity. The Entity may require the Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the Entity.

Claims Made Policies

If any of the required policies provide coverage on a claims-made basis:

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided **for at least five (5) years after completion of the contract of work.**
3. If coverage is canceled or non-renewed, and not **replaced with another claims-made policy form with a Retroactive Date** prior to the contract effective date, the Consultant must purchase "extended reporting" coverage for a minimum of **five (5) years** after completion of contract work.

Verification of Coverage

Consultant shall furnish the Entity with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the Entity before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Consultant's obligation to provide them. The Entity reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Subcontractors

Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that Entity is an additional insured on insurance required from subcontractors.

Special Risks or Circumstances

Entity reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

APPENDIX E – COST PROPOSAL FORM

Service	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018
TDA LTF and STA Audits and Related Reports	\$	\$	\$	\$	\$
Total for Fiscal Year (not-to-exceed)	\$	\$	\$	\$	\$

ATTACHMENT # 1

FISCAL YEAR 2013/2014 AGENCIES AND NEW/CARRYOVER FUNDS TO BE AUDITED

<u>AGENCIES</u>	<u>TDA ARTICLE NUMBER</u>				<u>STATE BOND</u>		
	<u>3</u>	<u>4</u>	<u>8a</u>	<u>8c</u>	<u>STA 6.5*</u>	<u>4.5</u>	<u>PROP. 1B</u>
City of Camarillo	X		X	X			X
City of Fillmore	X		X	X			
City of Moorpark	X		X	X			X
City of Ojai	X		X	X			X
City of Oxnard	X	X	X			X	
City of Port Hueneme	X	X					
City of San Buenaventura	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
Gold Coast Transit (GCT)**	X			X		X	
VCTC***	X			X	X		X
Southern California Regional Rail Authority (SCRRA)****	X				X		X
County Auditor*****					X		

* VCTC is currently the only claimant for STA population (Section 99313) funds.

** Gold Coast Transit (GCT) received TDA funds from its member agencies (County of Ventura and cities of Ojai, Oxnard, Port Hueneme and San Buenaventura). This allocation need to be audited and appropriate reports prepared.

*** VCTC claims: Article 3 Administrative and Planning Funds as well as Article 3 and 6.5 funds for transit and rail services. VCTC also received Article 8c funds for VISTA Heritage Valley Dial-A-Ride service from the cities and County in FY 2013/2014.

**** The SCRRA contracts for its own independent audit. Your responsibility is to secure a copy of this audit report for VCTC's records. VCTC pays for its share of SCRRA commuter rail operating costs with LTF Article 3 and STA Article 6.5 money.

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

ATTACHMENT # 2

ESTIMATED FISCAL YEAR 2014/2015 AND FISCAL YEAR 2015/2016
AGENCIES AND NEW/CARRYOVER FUNDS TO BE AUDITED

<u>AGENCIES</u>	<u>TDA ARTICLE NUMBER</u>				<u>STA</u>	<u>4.5</u>	<u>STATE BOND</u>
	<u>3</u>	<u>4</u>	<u>8a</u>	<u>8c</u>	<u>6.5*</u>		<u>PROP. 1B</u>
City of Camarillo	X		X	X			X
City of Fillmore	X		X	X			X
City of Moorpark	X		X	X			X
City of Ojai	X	X	X	X			X
City of Oxnard	X	X	X			X	
City of Port Hueneme	X	X				X	
City of San Buenaventura	X	X	X				X
City of Santa Paula	X		X	X			X
City of Simi Valley	X	X	X				X
City of Thousand Oaks	X	X	X	X			X
County of Ventura	X	X	X	X			X
Gold Coast Transit (GCT)**	X			X		X	
VCTC***	X	X		X	X		X
Southern California Regional Rail Authority (SCRRA)****	X				X		X
County Auditor*****					X		

* VCTC is currently the only claimant for STA population (Section 99313) funds.

** Gold Coast Transit (GCT) will directly receive all the TDA funds available from its member agency apportionments (County of Ventura and cities of Ojai, Oxnard, Port Hueneme and San Buenaventura) as of July 1, 2014. This allocation needs to be audited and appropriate reports prepared.

*** VCTC claims Article 3 Administrative and Planning Funds as well as Article 3 and 6.5 funds for transit and rail services. VCTC is also expected to receive Article 8(c) for the Heritage Valley Transit operation.

**** The SCRRA contracts for its own independent audit. Your responsibility is to secure a copy of this audit report for VCTC's records. VCTC pays for SCRRA commuter rail operation costs with LTF Article 3 and STA Article 6.5 funds.

***** A separate audit needs to be done at the County Auditor Office for the Countywide STA fund.

(Note: in these fiscal years, the number and type of audits will vary as the local agencies implement the new TDA legislation previously mentioned. VCTC staff has also estimated there will be carryover funds for several agencies as allowed by TDA regulations that will need to be audited although new claims will not be filed i.e. for local street Article 8(a) funds.)

Attachment # 3

BILL NUMBER: SB 716
CHAPTERED BILL TEXT

CHAPTER 609
FILED WITH SECRETARY OF STATE OCTOBER 11, 2009
APPROVED BY GOVERNOR OCTOBER 11, 2009
PASSED THE SENATE SEPTEMBER 10, 2009
PASSED THE ASSEMBLY SEPTEMBER 8, 2009
AMENDED IN ASSEMBLY SEPTEMBER 3, 2009
AMENDED IN ASSEMBLY AUGUST 31, 2009
AMENDED IN ASSEMBLY JULY 14, 2009
AMENDED IN SENATE MAY 19, 2009
AMENDED IN SENATE APRIL 30, 2009

INTRODUCED BY Senator Wolk

FEBRUARY 27, 2009

An act to amend Sections 99400 and 99401.5 of, and to add Sections 99232.1, 99232.2, and 99232.3 to, the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 716, Wolk. Local transportation funds.

Existing law requires that 1/4% of the local sales and use tax be transferred to the local transportation fund of the county for allocation, as directed by the transportation planning agency, to various transportation purposes. Existing law specifies the allowable uses for local transportation funds, and generally requires these funds to be used for transit purposes in urban counties, while in counties with a population under 500,000 as of the 1970 census and certain other counties, these funds may also be used for local streets and roads, if the transportation planning agency finds that there are no unmet transit needs or no unmet transit needs that are reasonable to meet, and for other specified purposes.

This bill, for counties that had a population of less than 500,000 as of the 1970 decennial census, but that have a population of 500,000 or more as of the 2000 decennial census or at a subsequent census, would require the local transportation funds apportioned to the urbanized areas of those counties to generally be allocated for public transit purposes and not for street and road purposes, except that cities in those counties with a population of 100,000 or fewer would be exempt from this requirement. Local transportation funds apportioned to the nonurbanized areas in those counties would remain available for allocation to street and road purposes and for other specified purposes. The bill would delay, until July 1, 2014, the application of these new provisions in counties where they apply. The bill would exempt Ventura County from these provisions and instead authorize the Ventura County Transportation Commission to submit, by December 31, 2011, a report to the Legislature analyzing options for organizing public mass transportation services in the county and for expenditure of revenues in the local transportation fund, along with a recommended legislative proposal. If a legislative proposal is not enacted by the end of the 2011-12 Regular Session of the Legislature, local transportation funds in Ventura County would be available solely for transit purposes beginning July 1, 2014. The bill, in counties and areas of counties where local transportation funds may be allocated to local streets and roads, would also authorize allocation of those funds for specified farmworker vanpool purposes upon a finding by the transportation planning agency that there are no unmet transit needs or no unmet transit needs that are reasonable to

meet and after all of the capital and operating funds necessary to meet unmet transit needs that are reasonable to meet are allocated.

The bill would make other related changes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 99232.1 is added to the Public Utilities Code, to read:

99232.1. (a) Notwithstanding Section 99232, for each county with a population of less than 500,000 as of the 1970 federal decennial census, but with a population of 500,000 or more as of the 2000 federal decennial census, or a county whose population is 500,000 or more at a subsequent decennial census, the apportionment to the areas within the urbanized areas of the county, as defined for purposes of the 2000 federal decennial census and each census hereafter, shall be available solely for claims for Article 4 (commencing with Section 99260) and Article 4.5 (commencing with Section 99275) purposes. In a county subject to this section, the apportionment for areas outside of the urbanized area of the county may be used for claims for Article 4 (commencing with Section 99260), Article 4.5 (commencing with Section 99275), and Article 8 (commencing with Section 99400) purposes, providing that allocations under Article 8 (commencing with Section 99400) shall be subject to the unmet needs process as prescribed by Section 99401.5.

(b) The apportionment attributable to the unincorporated area within an urbanized area shall be determined by the proportion that the urbanized area's unincorporated area population bears to the total unincorporated population times the total apportionment attributable to the unincorporated area.

(c) For a county that is subject to this section, this section shall not apply to that county until July 1, 2014.

SEC. 2. Section 99232.2 is added to the Public Utilities Code, to read:

99232.2. (a) Notwithstanding Section 99232.1, a city with a population of 100,000 or fewer within an urbanized area in a county subject to Section 99232.1 is not required to expend all of its apportionment for Article 4 (commencing with Section 99260) and Article 4.5 (commencing with Section 99275) purposes.

(b) The population of cities within an urbanized area shall be based on the city and county population estimates published annually by the Department of Finance.

(c) Nothing in this section shall preclude a city with a population of 100,000 or fewer within an urbanized area in a county subject to Section 99232.1 from expending all of its apportionment for Article 4 (commencing with Section 99260) and Article 4.5 (commencing with Section 99275) purposes.

(d) This section shall become operative on July 1, 2014.

SEC. 3. Section 99232.3 is added to the Public Utilities Code, to read:

99232.3. Sections 99232.1 and 99232.2 shall not apply to Ventura County. The Ventura County Transportation Commission may submit to the Senate Committee on Transportation and Housing and the Assembly Committee on Transportation a report analyzing options for organizing public mass transportation services in the county, for the expenditure of revenues deposited in the local transportation fund, and a recommended legislative proposal for implementing the plan by December 31, 2011. If the legislative proposal is not enacted by the end of the 2011-12 Regular Session of the Legislature, revenues deposited in the local transportation fund in that county shall be available for the fiscal year beginning on July 1, 2014, and each fiscal year thereafter, solely for claims for Article 4 (commencing with Section 99260) and Article 4.5 (commencing with Section 99275) purposes.

SEC. 4. Section 99400 of the Public Utilities Code is amended to read:

99400. Claims may be filed under this article with the transportation planning agency by counties and cities for the following purposes and by transit districts for the purposes specified in subdivisions (c) to (f), inclusive:

(a) Local streets and roads, and projects which are provided for use by pedestrians and bicycles.

(b) Passenger rail service operations and capital improvements.

(c) Payment to any entity which is under contract with a county, city, or transit district for public transportation or for transportation services for any group, as determined by the transportation planning agency, requiring special transportation assistance.

If the county, city, or transit district is being served by an operator, the contract entered into by the county, city, or transit district shall specify the level of service to be provided, the operating plan to implement that service, and how that service is to be coordinated with the public transportation service provided by the operator. Prior to approving any claim filed under this section, the transportation planning agency, or the county transportation commission in a county with such a commission, shall make a finding that the transportation services contracted for under subdivision (c) are responding to a transportation need not otherwise being met within the community or jurisdiction of the claimant and that, where appropriate, the services are coordinated with the existing transportation service.

(d) Payments to counties, cities, and transit districts for their administrative and planning cost with respect to transportation services under subdivision (c). (e) Notwithstanding any other provision of this chapter, a claimant for funds pursuant to subdivision (c) may also receive payments for capital expenditures to acquire vehicles and related equipment, bus shelters, bus benches, and communication equipment for the transportation services.

(f) Acquisition or lease of vans and related equipment for a farmworker vanpool program for purposes of farmworker transportation to and from work, provided the farmworker vanpool program shall use vans or related equipment for a commuter vanpool as defined by Section 37.3 of Title 49 of the Code of Federal Regulations and the regional transportation planning agency conforms with the planning requirements of Section 5306 of Title 49 of the United States Code and Part 613 (commencing with Section 613.100) of Chapter VI of Title 49 of the Code of Federal Regulations.

SEC. 5. Section 99401.5 of the Public Utilities Code is amended to read:

99401.5. Prior to making any allocation not directly related to public transportation services, specialized transportation services, or facilities provided for the exclusive use of pedestrians and bicycles, or any allocation for purposes of subdivision (f) of Section 99400, the transportation planning agency shall annually do all of the following:

(a) Consult with the social services transportation advisory council established pursuant to Section 99238.

(b) Identify the transit needs of the jurisdiction which have been considered as part of the transportation planning process, including the following:

(1) An annual assessment of the size and location of identifiable groups likely to be transit dependent or transit disadvantaged, including, but not limited to, the elderly, the handicapped, including individuals eligible for paratransit and other special transportation services pursuant to Section 12143 of Title 42 of the United States Code (the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101, et seq.)), and persons of limited means, including, but not limited to, recipients under the CalWORKs program.

(2) An analysis of the adequacy of existing public transportation services and specialized transportation services, including privately and publicly provided services necessary to implement the plan prepared pursuant to Section 12143(c)(7) of Title 42 of the United States Code, in meeting the transit demand identified pursuant to paragraph (1).

(3) An analysis of the potential alternative public transportation and specialized transportation services and service improvements that would meet all or part of the transit demand.

(4) An analysis of the need to acquire or lease vans and related equipment for a farmworker vanpool program pursuant to subdivision (f) of Section 99400. This analysis is only required, however, upon receipt by the transportation planning agency of a request of an interested party identifying a potential need.

(c) Identify the unmet transit needs of the jurisdiction and those needs that are reasonable to meet. The transportation planning agency shall hold at least one public hearing pursuant to Section 99238.5 for the

purpose of soliciting comments on the unmet transit needs that may exist within the jurisdiction and that might be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services. The definition adopted by the transportation planning agency for the terms "unmet transit needs" and "reasonable to meet" shall be documented by resolution or in the minutes of the agency. The fact that an identified transit need cannot be fully met based on available resources shall not be the sole reason for finding that a transit need is not reasonable to meet. An agency's determination of needs that are reasonable to meet shall not be made by comparing unmet transit needs with the need for streets and roads.

(d) Adopt by resolution a finding for the jurisdiction, after consideration of all available information compiled pursuant to subdivisions (a), (b), and (c). The finding shall be that (1) there are no unmet transit needs, (2) there are no unmet transit needs that are reasonable to meet, or (3) there are unmet transit needs, including needs that are reasonable to meet. The resolution shall include information developed pursuant to subdivisions (a), (b), and (c) which provides the basis for the finding.

(e) If the transportation planning agency adopts a finding that there are unmet transit needs, including needs that are reasonable to meet, then the unmet transit needs shall be funded before any allocation is made for streets and roads within the jurisdiction.

(f) The transportation planning agency shall not allocate funds for purposes of subdivision (f) of Section 99400 until all of the capital and operating funds necessary to meet unmet transit needs that are reasonable to meet are allocated. The transportation planning agency shall not reduce funding to existing public transportation services, specialized transportation services, or facilities for the exclusive use of pedestrians and bicycles in order to allocate funds for purposes of subdivision (f) of Section 99400. The transportation planning agency shall not allocate funds under subdivision (f) of Section 99400 if the allocation replaces other federal, state, or local funds used to fund commuter vanpools by a county, city, transportation planning agency, or transit district.

Attachment # 4

Senate Bill No. 203

CHAPTER 464

An act to repeal, add, and repeal Section 99232.3 of the Public Utilities Code, relating to transportation.

[Approved by Governor October 1, 2013. Filed with Secretary of State October 1, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

SB 203, Pavley. Local transportation funds: Ventura County.

Existing law requires that 1/4% of the local sales and use tax be transferred to the local transportation fund of each county for allocation, as directed by the transportation planning agency, for various transportation purposes. Existing law specifies the allowable uses for local transportation funds, and generally requires these funds to be used for transit purposes in urban counties, while in counties with a population under 500,000 as of the 1970 census and certain other counties, these funds may also be used for local streets and roads, if the transportation planning agency finds that there are no unmet transit needs or no unmet transit needs that are reasonable to meet, and for other specified purposes.

Existing law, beginning July 1, 2014, for counties with a population of less than 500,000 as of the 1970 decennial census, but that have a population of 500,000 or more as of the 2000 decennial census or at a subsequent census, requires the local transportation funds apportioned to the urbanized areas of those counties to generally be allocated for public transit purposes and not for street and road purposes, except that cities in those counties with a population of 100,000 or fewer are exempt from this requirement. Under existing law, local transportation funds apportioned to the nonurbanized areas in those counties remain available for allocation to street and road purposes and for other specified purposes. Existing law exempts Ventura County from these provisions and instead authorized the Ventura County Transportation Commission to submit, by December 31, 2011, a report to the Legislature analyzing options for organizing public mass transportation services in the county and for expenditure of revenues in the local transportation fund, along with a recommended legislative proposal. Under existing law, if a legislative proposal was not enacted by the end of the 2011-12 Regular Session of the Legislature, local transportation funds in Ventura County would be required to be available solely for transit purposes beginning July 1, 2014.

This bill would repeal the provisions specifically relating to Ventura County and the expenditure of local transportation funds there. This bill would also require the Ventura County Transportation Commission to post on its Internet Web site an annual report for 5 years, beginning September 1, 2014, on transit service within the county, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1.

Section 99232.3 of the *Public Utilities Code* is repealed.

SEC. 2.

Section 99232.3 is added to the *Public Utilities Code*, to read:
99232.3.

(a) On or before September 1, 2014, and for four years annually thereafter, the Ventura County Transportation Commission shall post on its Internet Web site a report on transit service within the County of Ventura. The report shall include, but not be limited to, a description of transit route changes, changes to service levels on transit routes, and ridership numbers for all transit routes operating within the county. The report shall include annual budget numbers for transit services provided by the commission, Gold Coast Transit, other multiagency operators, and individual municipal operators.

(b) This section shall remain in effect only until January 1, 2019, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2019, deletes or extends that date.

SEC. 3.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.

Attachment # 5
Assembly Bill No. 664

CHAPTER 503

An act to add Part 18 (commencing with Section 107000) to Division 10 of the Public Utilities Code, relating to transportation.

[Approved by Governor October 3, 2013. Filed with Secretary of State October 3, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 664, Williams. Gold Coast Transit District.

Existing law creates various transit districts throughout the state, with specified powers and duties relative to providing public transit services.

This bill would create the Gold Coast Transit District in the County of Ventura. The bill would provide that the jurisdiction of the district would initially include the Cities of Oxnard, Ventura, Port Hueneme, and Ojai and the unincorporated areas of the County of Ventura. The bill would authorize other cities in the County of Ventura to subsequently join the district. The bill would dissolve the existing joint powers agency known as Gold Coast Transit, and would create the district, on July 1, 2014. The bill would provide for the transfer of assets from Gold Coast Transit to the district, and would provide for the member agencies of the district to claim a portion of transit funds apportioned to the district under the Transportation Development Act for transit services, including those operated directly by the member agency. The bill would provide for a governing board and would specify voting procedures for the taking of certain actions by the board. The bill would specify the powers and duties of the district to operate transit services, and would authorize the district to seek voter approval of tax measures and to issue revenue bonds. The bill would enact other related provisions. By imposing requirements on the district and affected local agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1.

Part 18 (commencing with Section 107000) is added to Division 10 of the *Public Utilities Code*, to read:

PART 18. GOLD COAST TRANSIT DISTRICT

CHAPTER 1. GENERAL PROVISIONS

107000.

This part shall be known and may be cited as the Gold Coast Transit District Act.

107001.

The purpose of the transit district is to develop, provide, operate, and administer public transportation and to protect the public interest, health, and welfare.

107002.

As used in this part, the following terms have the following meanings:

(a) "Agency" means Gold Coast Transit, a joint powers agency created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code.

(b) "Board of directors" or "board" means the board of directors of the district.

(c) "Board of Supervisors" means the Ventura County Board of Supervisors.

(d) "County" means the County of Ventura.

(e) "Director" means a voting member of the board of directors.

(f) "District" means the Gold Coast Transit District created by this part.

- (g) "General manager" means the person defined in subdivision (d) of Section 107020.
- (h) "Member" means the County of Ventura, the Cities of Oxnard, San Buenaventura (Ventura), Port Hueneme, and Ojai, and any other city within the County of Ventura that joins as a member of the district as set forth in this part. No person or entity of any kind that is not the county or a city in the county may be a member.
- (i) "Transit" means the transportation of passengers and their incidental baggage.
- (j) "Transit facilities" means any and all real and personal property, easements, licenses, equipment, facilities, rights, title, or interests owned or acquired by the district for transit services and the operation thereof.
- (k) "Voter" means any elector who is registered under the Elections Code.

CHAPTER 2. FORMATION OF DISTRICT

107003.

There is hereby created the Gold Coast Transit District. The jurisdiction of the district includes the Cities of Oxnard, San Buenaventura (Ventura), Port Hueneme, and Ojai and the unincorporated areas of the County of Ventura, and other cities that subsequently qualify as members pursuant to the requirements set forth in Section 107006.

107004.

On and after July 1, 2014, the agency is dissolved and the district succeeds to, and is vested with, all of the rights, powers, duties, and obligations of the agency. The district is the successor to the agency's assets, interests in any property, its rights and obligations under any contract, any outstanding indebtedness of the agency, and its rights under any grants, without the necessity of any further action.

107005.

The district shall assume the duties of public transit provider performed by the agency. On and after July 1, 2014, the Cities of Oxnard, San Buenaventura (Ventura), Port Hueneme, Ojai, the County of Ventura, and other jurisdictions that subsequently qualify as members pursuant to the requirements set forth in Section 107006 are included within the district.

107006.

Any city within the County of Ventura, other than a city specifically listed in Section 107003 that is already included in the district at its formation, may join as a member of the district upon approval by its city council of a resolution approving the city's joining as a member and a resolution of the district's board approving the joining of the new member.

107007.

If any portion of the unincorporated area of the county is annexed to a member city, that city shall assume the service obligation of the county for that area. If any portion of the unincorporated area of the county becomes incorporated, the incorporating city shall assume the service obligations of the county for that area.

107008.

Upon dissolution of the agency, employees of the agency shall be deemed to be employees of the district without any break in service or any loss or reduction of compensation or benefits, except as may be imposed by express action of the board.

107009.

(a) Notwithstanding subdivisions (a) and (c) of Section 99231 of the Public Utilities Code, the apportionment area for the County of Ventura includes the unincorporated area of the county, regardless of whether that area is also within the boundaries of the district.

(b) Notwithstanding Section 99209 of the Public Utilities Code, the County of Ventura, including any nonprofit corporation or other legal entity wholly owned or controlled by the County of Ventura, is a municipal operator if it operates a public transportation system regardless of whether the County of Ventura is included, in whole or in part, within the district. All members of the district may claim from the district a portion of the funds made available from the local transportation fund apportioned by the Ventura County Transportation Commission to the district for transit services, including the operation of locally supported transit service and maintenance of the transit facilities not provided by the district that the member funds or operates.

CHAPTER 3. GOVERNMENT OF THE DISTRICT

107010.

(a) The district shall be governed by a board composed of a minimum of five directors, which may be expanded with the addition of new member cities but shall not exceed 11 directors. One director shall be appointed by the governing body of each member. Each director shall serve at the pleasure of the director's appointing authority. Directors appointed pursuant to the joint powers agreement, which is superseded by formation of the district, shall continue to serve at the pleasure of the director's appointing authority. Each director shall at all times during the director's term be a member of the governing body of the member that appointed the director.

(b) The governing body of each member shall also appoint an alternate director, who shall serve on the board during the absence or disability of the member's regular director. The alternate director shall meet the same qualifications and shall serve upon the same conditions and for the same term as the regular director. Whenever the alternate director serves on the board, the alternate director shall have all the powers of a regular director.

(c) The board may designate one or more ex officio members based on district adopted procedures. The duties and responsibilities of such nonvoting ex officio members shall be set forth in the adopted bylaws.

(d) All actions of the board shall be by majority vote on a one director, one vote formula with the exception of votes on the annual budget, midyear budget changes and amendments, and capital expenditures of five million dollars (\$5,000,000) or more. The vote for these specific issues shall be weighted, as set forth in subdivision (e).

(e) Where this subdivision is applicable, a director appointed by a member whose population is under 100,000 shall have a vote whose value and effect is equal to 1.0 vote and a director appointed by a member whose population is 100,000 or more shall have a vote whose value and effect is equal to 2.0 votes. The annual population estimates of the Department of Finance shall be used with an updated formula presented to the board annually at the first board meeting after release of the estimates. The weighted vote of any single director shall not, of itself, be given the value or effect of a majority vote. A weighted vote may not be split by any director.

(f) The board shall adopt bylaws for its proceedings consistent with the laws of the state.

(g) The board shall do all of the following:

- (1) Adopt an annual budget.
- (2) Adopt an administrative code, by ordinance, which prescribes the powers and duties of the district officers, the method of appointment of the district employees, and the methods, procedures, and systems of operation and management of the district.
- (3) Make determination of policy for the district.
- (4) Adopt a conflict-of-interest code.
- (5) Cause a postaudit of the financial transactions and records of the district to be made at least annually by a certified public accountant.
- (6) Create and administer funds of the district.
- (7) Adopt priorities reflecting the district's goals.
- (8) Do any and all things necessary to carry out the purposes of this part.

CHAPTER 4. MEETINGS

107011.

The board, at its first meeting, and thereafter annually at the meeting designated by the board, shall elect a chair, who shall preside at all meetings, and a vice chair, who shall preside in the absence of the chair. In the event of the chair's or vice chair's absence or inability to act, the directors present, provided a quorum exists, by an order entered into the minutes, shall select one director to act as chair pro tempore, who, while so acting, shall have all the authority of the chair.

107012.

All meetings of the board and any standing committees shall be conducted in a manner prescribed by the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

107013.

A majority of the board or of a standing committee entitled to vote constitutes a quorum for the transaction of business. All official acts of the board or a standing subcommittee of the board require the affirmative vote of a majority of the board or committee members present.

107014.

The acts of the board shall be expressed by motion, resolution, or ordinance.

CHAPTER 5. POWERS OF THE DISTRICT

107015.

The district shall have the power to own, operate, manage, and maintain a public transit system and associated facilities, and, in the exercise of the power under this part, the district is authorized in its own name to do all of the following:

- (a) Adopt a seal and alter it at its pleasure.
- (b) Enact ordinances, resolutions, policies, and guidelines.
- (c) Employ agents and employees and contract for professional services.
- (d) Make and enter into contracts and enter into stipulations of any nature whatsoever and do all acts necessary and convenient for the full exercise of the powers granted in this part for the operation of the district and transit services and facilities.
- (e) Acquire, convey, construct, manage, maintain, and operate buildings and improvements, equipment, and assets of the district.
- (f) Acquire, convey, and dispose of real and personal property, easements, and licenses.
- (g) Adopt a conflict-of-interest code.
- (h) Lease and sublease real and personal property, equipment, and facilities.
- (i) Create and administer funds and the distribution of those funds.
- (j) Create and enact taxes, fees, fares, and penalties, as permitted by law.
- (k) Advocate on behalf of the district.
- (l) Develop and pursue ballot measures.
- (m) Enforce criminally or civilly, as applicable, any and all ordinances, resolutions, and policies as permitted by law.
- (n) Create standing and ad hoc committees, as deemed necessary.
- (o) Incur and encumber debts, obligations, and liabilities, including, but not limited to, bonds, notes, warrants, and other forms of indebtedness. However, the debts, obligations, and liabilities incurred by the district shall not be, nor shall they be deemed to be, debts, encumbrances, obligations, or liabilities of any member.
- (p) Invest money in the district treasury that is not needed for immediate necessities, as the board determines advisable, in the same manner and upon the same conditions as other local entities in accordance with Section 53601 of the Government Code.
- (q) Pursue collection of obligations owed to the district.
- (r) Sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.
- (s) Exercise the right and power of eminent domain to take any property necessary or convenient to the exercise of the powers granted in this part.
- (t) Subject to applicable law, provide transportation services or facilities outside the district's jurisdictional boundaries provided a finding is made by the board that those services or facilities benefit the citizens or users of the transportation service or facilities.
- (u) Do and undertake any and all other acts reasonable and necessary to carry out the purposes of this part.

107016.

(a) The district shall provide, operate, manage, and maintain a public transportation service serving and connecting the territories of the members. Within the district's capabilities, as determined by the board, service may also be provided to points outside the territories of the members, with the prior approval of the nonmember city having jurisdiction of the territory to be served. Within the district's capabilities, expanded transportation services, routes, and facilities may also be provided. If the district proposes to provide expanded services that would serve the area of interest surrounding a nonmember city, as defined by the Ventura County Local Agency Formation Commission, the district shall provide at least 90 days' prior written notice to that city of the proposed service and thereafter shall make a

reasonable effort to meet and confer with officials from that city regarding the proposed service before commencement of the service.

(b) (1) The district shall provide a standardized system of fares and a uniform system of transfers. Except as otherwise provided in paragraph (2), changes in fares and changes in routes shall be made only following a public hearing on the proposed change, with detailed notice made to the governing bodies of the members and the public at least 30 days prior to the proposed public hearing.

(2) Implementation of minor changes in routes and times may be made without notice and hearing by the board. Those minor changes may be implemented by the general manager without notice and hearing under guidelines established by the board, if the district has the equipment to make the minor changes without reduction of its existing services elsewhere and the changes do not result in additional costs to the district or the members. The term "minor change" means less than 20 percent of the miles or hours of a route.

(c) In the performance of its operations, the district shall seek out and make maximum use of all available programs of assistance, may apply for and receive public and private grants that promote the operation of the district, and shall establish and maintain close liaison with federal, state, and regional agencies.

(d) The district may either operate the transit system itself or a part thereof or it may contract with any other public or private agency or corporation to operate all or part of the transit system for the district or it may contract with any public or private agency or corporation for the improvement in transit services, facilities, equipment, or operations being operated and conducted by that agency or corporation in, or out of, the district, as permitted by law.

107017.

(a) In the performance of its operations, the district shall do all of the following:

(1) Keep and maintain records and books of accounts in accordance with the uniform system of accounts and records adopted by the Controller pursuant to Section 99243 of the Public Utilities Code.

(2) Provide for and submit to an annual independent audit of its total operations. A copy of each audit report shall be filed with the finance officer of each of the member agencies not later than 120 days following the close of each fiscal year.

(3) Consider and, following a public hearing, adopt an annual operating and capital expenditure budget and a five-year capital expenditure program, in compliance with the requirements of local, state, and federal laws.

(4) Provide for insurance coverage of liability, operations, and assets.

(5) Provide for district employee retirement benefits under the program administered by the California Public Employees' Retirement System or other system permitted by law.

(b) The district fiscal year shall be July 1 through June 30.

(c) Notice of the time and place of a public hearing on the adoption of the annual budget shall be published pursuant to Section 6061 of the Government Code not less than 15 days prior to the day of the hearing. The proposed annual budget shall be available for public inspection at least 15 days prior to the hearing. Copies of the proposed annual budget and the capital expenditure program shall be submitted to the governing bodies of the member agencies for review and comment at least 30 days prior to the date scheduled for public hearing and final adoption.

107018.

(a) The district may, with the concurrence of a majority of the board, cause to be submitted to voters of the district a ballot measure for the imposition of taxes.

(b) If approved as required by law, the district may impose and administer fees and other funding sources secured for transportation system operation, maintenance, and improvement.

(c) The board may set fares for public transit service by resolution.

(d) As an alternative procedure for the raising of funds, the district may issue bonds, payable from revenues of any facility or enterprise to be acquired or constructed by the district, in the manner provided by the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code), all of the provisions of which are applicable to the district.

(e) The district is a local agency within the meaning of the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code). The term "enterprise" as used in the Revenue Bond Law of 1941 shall, for all purposes of this part, include transit facilities and any and all parts thereof and all additions, extensions, and improvements thereto and all other facilities authorized acquired, constructed, or completed by the district. The district may issue

revenue bonds under the Revenue Bond Law of 1941, for any one or more facilities or enterprises authorized to be acquired, constructed, or completed by the district, or, in the alternative, may issue revenue bonds under the Revenue Bond Law of 1941, for the acquisition, construction, and completion of any one of those facilities. Nothing in this part shall prevent the district from availing itself of, or making use of, any procedure provided in this part for the issuance of bonds of any type or character for any of the facilities or works authorized under this part, and all proceedings may be carried out simultaneously or, in the alternative, as the directors may determine.

(f) The district may advocate on and act on behalf of all members with their concurrence to further the district's transit interests, funding, projects, and priorities.

(g) The district may promulgate a plan for funding transit projects or operations within its jurisdiction or as permitted in subdivision (t) of Section 107015.

107019.

In the performance of its operations, the district shall comply with Title VI of the Civil Rights Act of 1964 (Public Law 88-352) and all requirements imposed by the Federal Transit Administration. The district's operations shall be performed in accordance with Title VI of that act to the end that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under the district's operations.

107020.

(a) The district may hire an independent staff of its own or contract with any department or agency of the United States or with any public or private entity to implement this part.

(b) The district may contract with public or private entities in conformance with applicable procurement procedures for the procurement of engineering, project management, and contract management services.

(c) The board shall fix the compensation of the district's officers and employees.

(d) The district may employ employees and agents as the board may deem necessary to carry out its powers and duties, including, but not limited to, a general manager and legal counsel. The general manager and legal counsel shall be selected by, and shall serve at the pleasure of, and upon the terms prescribed by, the board.

107021.

The general manager, and every officer or person under the direction of the general manager who handles, has access to, or has charge of any property of the district, shall provide and file with the general manager an official fidelity bond or insurance policy assuring to the district that person's performance. The board shall determine and establish the penal sum of each official bond. Premiums charged for each bond required shall be paid by the district.

107022.

The members, whether individually or collectively, shall not be liable for any act or omission of the district, including, but not limited to, any of the following:

(a) Performing any and all things necessary to carry out the purposes of this part.

(b) Any act of the district, or for any act of the district's agents or employees.

(c) The payment of wages, benefits, or other compensation to officers, agents, or employees of the district.

(d) The payment of workers' compensation or indemnity to agents or employees of the district for injury, illness, or death.

CHAPTER 6. CLAIMS

107023.

(a) All claims for money or damages against the district are governed by Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, except as provided therein or by other statutes or regulations expressly applicable thereto.

(b) No claim for money or damages shall be considered by the board unless the claim conforms to the provisions of Chapter 2 (commencing with Section 910) of Division 3.6 of Title 1 of the Government Code and unless the claim is filed with the clerk of the board not less than five days prior to the time of the meeting of the board at which it is to be considered.

(c) Pursuant to Section 935 of the Government Code, all claims against the district for money or damages that are excepted by Section 905 of the Government Code from the provisions of Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, and which are not governed by any

other statutes or regulations expressly relating thereto, shall be governed by the procedures prescribed in this section, as follows:

(1) A signed written claim shall be presented to the district by mailing or delivering it to the clerk of the board by the claimant or by a person acting on behalf of the claimant. The claim shall conform to the requirements of Section 910 of the Government Code or be on a form provided by the district.

(2) Unless otherwise provided in this section, the procedures of presentation, consideration, and action upon all claims filed pursuant to this section shall be the same as the procedures provided and required by Sections 910 to 915.2, inclusive, of the Government Code, and any amendment thereto as enacted, which provisions and sections are hereby adopted as the requirements of this section. The presentation and action on claims provided herein shall be a prerequisite to a suit thereon, and the suit shall be subject to the provisions of Sections 945.5 and 945.6 of the Government Code.

CHAPTER 7. DETACHMENTS

107024.

(a) Territory within the district may be detached from the district by a supermajority vote of the directors, which shall be at least 80 percent of the nonweighted vote of the existing board provided that all pending legal and financial obligations have been satisfied.

(b) The detachment of territory from the district shall become effective upon giving of the notice required in Section 57204 of the Government Code, provided that the detached territory shall not be relieved from liability for taxation for the payment of any bonded indebtedness existing at the time of detachment.

(c) Notice of the detachment of territory from the district shall be given to each assessor whose roll is used for a tax levy made pursuant to this part and with the State Board of Equalization pursuant to Chapter 8 (commencing with Section 54900) of Part 1 of Division 2 of Title 5 of the Government Code.

CHAPTER 8. DISSOLUTION

107025.

(a) The district may be dissolved upon a supermajority vote of the directors which shall be at least 80 percent of the nonweighted vote of the board. However, the winding up of the district shall be conducted by the board and the general manager. The district shall not be fully dissolved and terminated until all debts, financial obligations, and liabilities are paid in full and any and all remaining assets after payment of all debts, financial obligations, and liabilities are distributed to the members.

(b) (1) If the directors cannot agree as to the valuation of the property or to the manner of asset distribution, the question shall be submitted to arbitration, as set forth below, and the directors shall make the distribution or valuation as directed by arbitrators.

(2) Three arbitrators shall be appointed. One arbitrator shall be selected by the governing bodies of the Cities of Oxnard and San Buenaventura, one arbitrator shall be selected by the governing bodies of the County of Ventura, the City of Port Hueneme, and the City of Ojai, and one arbitrator shall be selected by the governing bodies of the other members. If no other members exist, the third arbitrator shall be selected by the Presiding Judge of the Ventura County Superior Court.

(3) The arbitration shall be binding and shall be conducted pursuant to Title 9 (commencing with Section 1280) of the Code of Civil Procedure. Any hearings shall be held within the county. All notices, including notices under Section 1290.4 of the Code of Civil Procedure shall be given to the governing body of each member.

SEC. 2.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.



Item #8G

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: ROUTE 101 IMPROVEMENTS PROJECT STUDY REPORT

RECOMMENDATION:

- Receive and file.

BACKGROUND:

At the January meeting the Commission requested that the Transportation Technical Advisory Committee (TTAC) analyze and evaluate the recently-completed Route 101 Project Study Report (Project Study Report) that studied the scope of potential Route 101 improvements with a focus on High-Occupancy Vehicle Lanes. The commission also requested that a report on the possible alternatives for Ventura County based on technical and fiscal realities within each alternative, including a recommendation of the best way to move the project forward. TTAC has been discussing the matter and had a thorough discussion with Caltrans at its March 20th meeting. Based on this discussion, staff is preparing a report for review by TTAC at its April meeting, for presentation at the May Commission meeting. This report is to include a summary of the project development process to help clarify the role that the PSR plays as a preliminary step in project development.

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Item # 8H

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: STEPHANIE YOUNG, PROGRAM ANALYST
SUBJECT: ACTIVE TRANSPORTATION PROGRAM REGIONAL GUIDELINES

RECOMMENDATION:

- Approve scoring methodology for the Ventura County share of Active Transportation Program funds.

BACKGROUND:

The Active Transportation Program (ATP) was created by Senate Bill 99 (Chapter 359, Statutes of 2013) and by Assembly Bill 101 (Chapter 354, Statutes of 2013) to fund projects that meet one of the following goals:

- Increases the proportion of trips accomplished by biking and walking
- Increases the safety and mobility of non-motorized users
- Advances the active transportation efforts of regional agencies to achieve greenhouse gas reduction goals as established pursuant to SB 375 and SB 391
- Enhances public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding
- Ensures that disadvantaged communities fully share in the benefits of the program
- Provides a broad spectrum of projects to benefit many types of active transportation users

The ATP is funded from various federal and state funds including the federal Transportation Alternatives Program, the Highway Safety Improvement Program, State Highway Account, and Safe Routes to Schools. The initial call for projects includes three years of apportionment, Fiscal Year (FY) 2012/13 through FY 15/16, to be allocated over two years, FY 14/15 and 15/16. Agencies must apply for funding by May 21, 2014.

Per the guidelines issued by the California Transportation Commission (CTC), the program is divided into state and regional shares. Project applications that are not selected for funding from the state's share of the funds will be passed on to the other Metropolitan Planning Organizations (MPOs) for consideration for regional share funding.

SCAG REGIONAL PROGRAM PROJECT SELECTION

The Southern California Association of Governments (SCAG), in consultation with VCTC and the county transportation commissions in the SCAG region, must ensure that the SCAG MPO funds apportioned to the region are distributed in a geographically equitable manner and that they are consistent with adopted local and regional plans. SCAG must also ensure that 25% of the total funds in the region benefit disadvantaged communities. In order to meet these standards, SCAG has proposed regional guidelines which will allow each of the transportation commissions to score projects in their respective regions for consistency with adopted plans.

The process for project selection will be as follows:

- Projects selected for the regional program must be submitted as part of the statewide Call for Projects conducted by Caltrans between March 21 and May 21.
- Projects not selected for the statewide program will be considered for funding in the SCAG program.
- Each county will have the ability to modify preliminary scores by adding up to 10 points to projects that are consistent with local and regional plans within each county, as adopted by the respective county transportation commission.
- There will be two funding categories for the projects in the SCAG regional program: 1.) Planning, which includes the development of active transportation plans in disadvantaged communities and non-infrastructure projects, and 2.) Implementation, which may include the planning, design, and construction of facilities and/or non-infrastructure projects.
- No less than 95% of the total SCAG funds will be awarded to Implementation Projects. If the total request in the Planning Category is less than 5% of the total regional funds, or if applications in this category fail to meet minimum requirements, then the remaining funds will be allocated to implementation projects. Geographic equity will be considered in this category as well but will not follow a strict dollar per capita formula.
- VCTC will receive SCAG funds in the amount proportionate to the population within Ventura County, which is equal to approximately \$1,983,000 total for this round of funding.
- SCAG will retain the authority to modify the preliminary recommended project list in order to ensure 25% of the total regional program is dedicated to projects benefitting disadvantaged communities. The final recommended project list will be reviewed by the CEOs, Caltrans and CTC staff to make any final adjustments and achieve consensus prior to submitting the Regional Program of Projects to SCAG's Regional Council as well as each respective County's Board for approval prior to submission to the CTC.

VCTC SCORING FOR PLAN CONSISTENCY

VCTC is responsible for scoring the projects from within Ventura County for their consistency with plans adopted by local and regional governments within the county. In this first round of funding, there is an emphasis on projects that are ready to go, so staff proposes the following methodology for assigning points:

- 10 points for projects that have been approved by the VCTC in a prior Call for Projects and do not currently have funding programmed, and,
- 0 points for projects that have not been approved by the VCTC in a prior Call for Projects or have been approved in a prior VCTC Call for Projects but have funds already programmed.

This would give an advantage projects that were previously approved for Transportation Enhancement (TE) funds, to be funded, since there is no longer a TE program due to the passage of MAP-21. These scoring criteria would only apply for this first round of funding. Whereas this year's ATP program focuses on projects that are ready to go, the 2015 ATP, which will be adopted next year, will cover four years of programming (FY 15/16, 16/17, 17/18, and 18/19) instead of two.

This recommendation was approved by TTAC at the March 20, 2014 meeting.

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Item # 8I

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: STEPHANIE YOUNG, PROGRAM ANALYST

SUBJECT: REVISION TO CAMARILLO SURFACE TRANSPORTATION PROGRAM FUNDS

RECOMMENDATION:

- Approve shifting \$500,000 in Surface Transportation Program (STP) from the Camarillo Adolfo Road Repaving project to the Santa Rosa Road Widening.

BACKGROUND:

The Adolfo Road Repaving project in the City of Camarillo was awarded \$500,000 in STP funds in the 2012 Call for Projects. The City of Camarillo received \$1,870,277 in STP funds from the SAFETEA-LU Call for Projects for the Santa Rosa Road Widening. Due to cost increases in construction of the project, the city would like to shift the \$500,000 STP from the Adolfo Road Repaving project to the Santa Rosa Road Widening. Adolfo Road would be funded with local funds instead.

This recommendation was approved by TTAC at the March 20, 2014 meeting.

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Item #8J

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: APPROVAL OF SEALED CORRIDOR CROSSING EASEMENTS

RECOMMENDATION:

- Authorize the Executive Director to sign crossing easement agreements for widened crossings at First Street, Erringer Road, and Sycamore Drive in Simi Valley and at Moorpark Avenue in Moorpark, in conjunction with the Sealed Corridor improvements.

BACKGROUND:

The Southern California Regional Rail Authority (SCRRA), is nearly ready to begin construction of grade crossing safety improvements at four locations in Simi Valley and Moorpark, as part of the Sealed Corridor project to better isolate the rail right-of-way from trespassing hazards. The crossings, when completed, will feature wider street crossings as part of the enhanced safety measures. The VCTC and the Union Pacific Railroad, which each own a portion of the land within the right-of-way, must approve revised grade crossing easements to accommodate the wider crossings. Three of the agreements provide expanded crossing easements for the City of Simi Valley at First Street, Erringer Road, and Sycamore Drive. The other agreement provides a wider easement to Caltrans for the Moorpark Avenue (State Route 23) crossing in Moorpark. Staff recommends the Commission authorize the Executive Director to sign the revised crossing easements at these four locations. As with the other public crossings these expanded easements will be provided at no cost to the jurisdiction.

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Item #8K

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: BUDGET AMENDMENT TO CARRYOVER EAST COUNTY INTERCITY AMERICANS WITH DISABILITIES ACT FUNDS

RECOMMENDATION:

- Amend Fiscal Year 2013/2014 budget to increase Americans with Disabilities Act (ADA) East County Intercity Service by \$140,000, consisting of \$100,000 in prior-year carryover and \$40,000 in additional Federal Transit Administration (FTA) funds approved in the Program of Projects.

BACKGROUND:

The final Fiscal Year 2013/2014 budget approved by the Commission in June 2013 included \$150,000 in FTA funds for the East County ADA Service, whereby VCTC provides funds to several east county transit operators to help defray the cost of providing service between local transit service areas for persons eligible for complementary paratransit service under the ADA. In September, 2013, this budget was increased by \$50,000 due to the anticipated carryover of a portion of the prior-year funds. However, due to late submittal of invoices, the entire \$150,000 of prior-year funds could not be reimbursed in Fiscal Year 2012/2013, and therefore had to be reimbursed during the current Fiscal Year.

Another change to the East County Intercity ADA budget is required because the 2013/2014 Program of Projects (POP), which was adopted subsequent to the budget, increased the 2013/2014 FTA funding by \$40,000, to \$190,000. The additional \$40,000 came from Camarillo's share of FTA funds, and was provided in POP, with the approval TRANSCOM and the Commission, to help cover the cost of the City taking over from the Camarillo Health Care District a portion of the Intercity ADA Service. Therefore, the recommended budget amendment includes the \$40,000 increase approved in the POP, in addition to the \$100,000 added carryover, for a total increase of \$140,000.

As a result of this amendment, the total in the 2013/2014 budget for ADA East County Intercity Service will be \$340,000, consisting of the \$150,000 originally-approved in the budget for the 2013/2014 program, the \$50,000 carryover budget amendment approved in September, and the \$140,000 (\$100,000 additional carryover and \$40,000 added current-year costs for Camarillo) recommended in this item.

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Item #9

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN KETTLE, EXECUTIVE DIRECTOR

SUBJECT: RANGE ADJUSTMENT FOR DIRECTOR CLASSIFICATION; RANGE ESTABLISHMENT FOR ACCOUNTING TECHNICIAN AND CUSTOMER SERVICE REPRESENTATIVE CLASSIFICATIONS; SALARY SCHEDULE REVISIONS; COST OF LIVING ADJUSTMENTS & EMPLOYEE PERS CONTRIBUTIONS

RECOMMENDATION:

- Adjust Director salary range to bring the classification closer to market standards, effective July 1, 2014. (See Attachment 1)
- Establish a salary range for the Accounting Technician and Customer Service Representative, effective July 1, 2014. (See Attachment 1)
- Update the salary schedule's classification titles effective July 1, 2014. (See Attachment 1)
- Approve a 3% Cost of Living Adjustment (COLA) to VCTC's maximum salary ranges effective July 1, 2014.

BACKGROUND:

In response to the Commission's request in 2013 for compensation data from VCTC's survey market, VCTC's human resources consultant surveyed 23 local cities, counties and transportation agencies for information on wages and benefits. As background, VCTC employees are not unionized and as such VCTC does not have employee negotiations or multi-year contracts. Any adjustments to salary ranges or benefits are brought to the full Commission by the Executive Director. The following considerations are based on the 2013 survey results and are in line with our comparable agencies in the region.

Market data was collected for seven benchmark classifications at VCTC in order to analyze current salary ranges, establish buffers between the classifications that would be consistent with industry norms; as well as collecting data to examine our competitors' current benefit levels provided to employees.

VCTC's current salary ranges are, on average, competitive with our survey agencies with the exception of two classifications: Director and Accounting Technician. The Director salary range is 30% behind market when analyzing just base salary. When benefits are included to compare total compensation, VCTC's Director compensation is still 15% behind market. The market norm for a compensation buffer between a Director and their superior, e.g., Executive Director, City Manager, is 30%. VCTC's buffer is 60% with the Executive Director compensation being at market. The market norm for a buffer between a Director and a subordinate Manager is 40%. VCTC's buffer between a Director and a Manager is currently 15%, which is a compaction issue given the responsibility differences in the classifications.

The Administrative Committee met on January 24, 2014 and voted 3-0 to support the Executive Director's recommendation to increase the salary range for the Director classification in two steps. The first step of 7.14% would be effective July 1, 2014 as indicated in Attachment 1. This increase still leaves the Director salary range below VCTC's survey market but begins to address the internal salary range compaction issue and the external market inequities. The second step's implementation date has not been established at this time.

The salary schedule adjustment is not an automatic increase for the incumbents; rather it provides the Executive Director with the ability to approve merit increases in the future based on performance. The range adjustment will establish the Director salary range at 54% behind the Executive Director range and 28.5% above the Manager range, bringing VCTC's salary plan more in line with industry standards. At the range maximum this increase could cost \$945 (this is w/ benefits) (\$700 base) per month per incumbent (4 positions currently) or about \$11,340 per year (x 4 incumbents) for a maximum annual total of \$45,360. However, as this is a recommended range adjustment, this is not an automatic increase to compensation; the costs are expected to be far less and at the control of the Executive Director. For comparison purposes see Attachment 1, the proposed Salary Schedule and Attachment 2, VCTC's current Salary Schedule.

The classification of Accounting Technician has not previously had a salary range established by the Commission. Based on our market survey, the Accounting Technician pay rate is significantly behind our survey agencies (50% off market). It is recommended to allocate the Accounting Technician classification to the Staff Support II level and the position be compensated at the same range as the Administrative Assistant, effective July 1, 2014. The expected cost for this change in FY 14/15 is \$7,400 annually.

The classification of Customer Service Representative has not previously had a salary range established by the Commission. Based on our market survey it is recommended to establish the hourly range for the position at \$12.00 - \$17.83, effective July 1, 2014.

VCTC's current salary schedule assigns all job classifications to one of nine levels within the organization's pay structure. Each level has a distinct salary range with a minimum and a maximum rate of pay. It is recommended to combine the ranges of the Manager I/II and the Planner/Analyst I/II levels in order to provide the Executive Director greater flexibility in determining staff assignments and commensurate compensation. This recommendation does not seek to increase position allocations nor compensation. The goal is to create a salary schedule format more in line with the small size of the agency and to better respond to work program and market demands when assigning staff members to projects. The Manager I and II classifications should be reflected as "Manager" with the salary range broadened to reflect the current minimum rate of \$33.72/hour up to the maximum rate of \$48.58/hour. The Transit Planner and Program Analyst classifications should be reflected as "Planner/Analyst" with the salary range broadened to reflect the current minimum rate of \$24.09/hour up to the maximum rate of \$39.18/hour.

Using the consumer price index (CPI) of all urban consumers not seasonally adjusted US city average of all items from March to March, the CPI has increased over 13% from 2008/09 – 2013/14; VCTC's last COLA adjustment of 2.5% was in 2008/09. No other increases have occurred since 2008. This year, given the continued revenue recovery and the extended period in which no adjustments have been made a 3% COLA applied to all of the salary ranges is recommended for consideration. The Director ranges would *not* receive the COLA if the Commission approves the recommendation to adjust the Director salary range (see item above). All regular employees would receive the proposed COLA effective July 1, 2014 with the estimated additional cost being \$50,000. The Administrative Committee met on January 24, 2014 and voted 2-1 to support the recommendation of the Executive Director.

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PEPRA

With the recent passage of the Public Employees' Pension Reform Act of 2013 (PEPRA), many public agencies have begun to have their employees contribute toward the funding of their retirement pensions. However, under Assembly Bill (AB) 1222 which was signed by Governor Brown on October 4, 2013, eligible transit agencies are exempt from all of the provisions of PEPRA until January 1, 2015 or until a court determines that the provisions of PEPRA do not violate specified federal transit labor laws, whichever is sooner. VCTC receives federal transit funding and is subject to Section 13 (c) of the Federal Transit Act; AB 1222 exempts from PEPRA those public employees whose interests are protected by Section 13 (c). Currently, VCTC employees have their portion of retirement (7% of wages) contributed in full by VCTC. Under PEPRA employees hired after 1/2013 who are new to the PERS retirement system have been paying their own PERS retirement contributions (6.25% of wages). A preliminary legal opinion from VCTC's General Counsel law firm, Meyers Nave, confirms that VCTC is subject to the exemption from PEPRA under AB 1222. In order to comply with AB 1222 VCTC will be working with CalPERS to formalize a PEPRA exemption and make the payroll correction entries for the impacted employees.

Ventura County Transportation Commission
Proposed Salary Schedule with 3% COLA Adjustment
Fiscal Year 2014-15

Level	Count	Title	Annual Range Bottom	Annual Range Top	Hourly Range Bottom	Hourly Range Top	Total
Executive Director	1	Executive Director	0.00	205,871	0.00	98.98	\$205,871
Director	4	Director, Bus Transit	101,157	129,900	48.63	62.45	\$129,900
		Director, Finance					
		Director, Planning and Technology					
		Director, Programming					
Manager	6	Program Manager, GoVentura SmartCard	70,132	104,069	33.72	50.03	\$104,069
		Program Manager, Rail and TDA Programs					
		Program Manager, Transportation Demand					
		Program Manager, Contracts					
		Information Technology Systems Analyst					
		Clerk of the Board/Public Information Officer					
Planner/Analyst	3	Transit Planner/Program Analyst*	50,100	83,945	24.09	40.36	\$83,945
Support Staff II	5	Transit Specialist*	43,827	60,189	21.07	28.94	\$60,189
		Administrative Assistant*					
		Lead Customer Service Representative*					
		Receptionist/Secretary*					
		Accounting Technician*					
Support Staff I	1	Customer Service Representative*	24,960	38,201	12.00	18.37	\$38,201
		Intern*					
Executive Director compensation is set by the Commission. All other positions' placement on salary schedule are approved by the Executive Director. Compensation may be set at any place on the schedule between top and bottom range.							



Item #10

APRIL 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: DAREN KETTLE, EXECUTIVE DIRECTOR
SALLY DEGEORGE, FINANCE DIRECTOR**

SUBJECT: FISCAL YEAR 2014/2015 DRAFT BUDGET – PUBLIC HEARING

RECOMMENDATION:

- Receive the Fiscal Year 2014/2015 Draft Budget
- Conduct Public Hearing to receive testimony on the Draft Fiscal Year 2014/2015 Budget.

DISCUSSION

The Draft Fiscal Year 2014/2015 Final Budget is divided into two main sections: the Main Budget and the Program Task Budgets. The Main Budget contains the program overviews and projections and is intended to provide a general understanding of VCTC's budgeted activities and programs for the coming fiscal year. The Program Task Budgets contain task level detail of the projects including objectives and accomplishments. This task driven budget is designed to provide fiscal transparency and clarity of VCTC's programs and services to the region.

The Draft Budget is in many ways as a "continuation" budget for the majority of VCTC programs and projects with one major exception. As part of the VISTA Intercity Services restructuring, VCTC has the opportunity to make a substantial investment in VISTA Intercity Services by buying new over-the-road motor coaches. This investment of approximately \$9 million will reduce long-term program costs and provide stability to bus services for riders throughout the County.

At \$63,766,295, the Draft Fiscal Year 2014/2015 Budget is \$7,426,574 or -10.4% lower than Fiscal Year 2013/2014. This budget, while balanced, invests little in the future due to funding restrictions. The proposed budget contains six programs consisting of the Transit and Transportation program at \$27,615,381, the Highway program at \$622,400, the Rail program at \$3,714,341, the Commuter Assistance program at \$481,100, the Planning and Programming program at \$30,243,848 and the General Government program at \$1,089,225. The Fiscal Year 2014/2015 Draft budget is a balanced budget with an estimated ending fund balance of \$11,831,713.

Personnel costs for Fiscal Year 2014/2015 are budgeted at \$2,650,900 or 4% of the budget, which is a decrease of \$131,300 from the previous fiscal year. The decrease is largely due to the lower actual costs associated with the three new positions. The wage cost of \$1,846,300 includes a \$51,000 pool for merit increases for employees not at the top of their range and a 3% “cost of living adjustment” for all employees. Further information about personnel can be found within the Personnel Section of the budget.

Below are some of the major changes in the Draft Fiscal Year 2014/2015 budget as compared to last fiscal year. Additional details of these major changes, as well as smaller changes to all budgets, can be found within the individual budget tasks. The major changes that occurred from last fiscal year and/or the Draft Budget include:

- The Senior and Disabled Transportation Services budget decreased just under \$200,000, as the ADA pass-through funds are no longer distributed through this budget but now included as part of the regular pass-through in the Transit Grant Administration budget.
- The Go Ventura Smartcard budget decreased as the program is scheduled to be shut down mid fiscal year and replaced with the new Fare Collection and APC System budget. Both budgets include one-time costs associated with the shut down and start-up of the two projects.
- The VISTA Fixed Route Bus Services has been changed to VISTA Intercity Services and the budget increased approximately \$2.7 million for the purchase of new buses, increased contract services, security cameras and scheduling software.
- The VISTA DAR Services has been changed to Heritage Valley Transit since the service is now under the control of the Cities of Santa Paula and Fillmore and the County of Ventura. The costs have increased approximately \$900,000 for the purchase of new buses.
- The Trapeze budget was removed as the services have been transferred to the transit operators.
- The Transit Grant Administration task budget decreased approximately \$4.9 million for projects that were completed but is expected to increase with the final budget when new pass-through funds to local agencies is included.
- The Metrolink Commuter and Special Rail Projects task budget increased approximately \$500,000 as a 5% placeholder until Metrolink provides its’ proposed budget. Also of note is the removal of the Proposition 1B funded Tunnel 26 and the Sealed Corridor projects.
- Although the LOSSAN budget task did not change significantly in a financial sense, the structure has changed. As part of this change, the LOSSAN participating agencies are preparing to take over direct management of the AMTRAK Pacific Surfliner from Caltrans.
- The Santa Paula Branch Line budget decreased over \$260,000 due to the completion of the flood control improvements project, as well as implementing the initial steps to making this task self-supporting as directed by the Commission.
- The Transportation Development Act budget includes an estimated \$500,000 increase in tax receipts but actually decreased approximately \$6.1 million from last fiscal year because of the one-time payment received last fiscal year for the City of Fillmore/Owens Minor settlement.
- The Transportation Programming and Monitoring budget decreased approximately \$360,000 as the Lewis Road project and Phase I of the Hot Lane Study are expected to be completed.
- The Regional Transportation Planning budget increased approximately \$220,000 to accommodate the two proposed active transportation projects.
- The Airport Land Use Commission budget decreased approximately \$110,000 for the partial completion of the Joint Land Use Study.

The Draft Budget is a “work-in-progress” for VCTC as some tasks are fine tuned, the Commission provides input and new information becomes available for our transportation partners such as Metrolink and funding from State and Federal governments.

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As required by the VCTC Administrative Code, the proposed Draft Fiscal Year 2014/2015 budget was submitted to the Finance Committee for review with Chairman Fernandez and Vice-Chair Foy at the March 18th Finance Committee meeting (Past-Chair Sojka was unable to attend). The Finance Committee recommended forwarding the Draft Budget to the full Commission as presented for review and a public hearing.

As required by the Administrative Code, a public hearing will be held at the April meeting. The final budget is scheduled for adoption at the Commission's June 2014 meeting at which time a second public hearing will be held pursuant to the VCTC Administrative Code.

The Fiscal Year 2014/2015 proposed Draft Fiscal Year 2014/2015 Budget is a balanced budget and is a separate attachment to the agenda. A copy of the Draft Fiscal Year 2014/2015 budget is available on the VCTC website, www.goventura.org.

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Item #11

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: PETER DE HAAN, DIRECTOR OF PROGRAMING
ELLEN TALBO, PROGRAM ANALYST**

SUBJECT: LEGISLATIVE UPDATE & POSITIONS ON BILLS

RECOMMENDATION:

- Adopt OPPOSE position on SB 990 (Vidak) regarding required use of State Transportation Improvement Program funds in small low-income communities.
- Adopt WATCH position on SB 1298 (Hernandez) regarding high-occupancy toll lanes.

BACKGROUND:

Federal Issues

In March, the US Department of Transportation released a \$302 billion federal transportation reauthorization proposal that would cover Fiscal Years (FY) 2015 to 2020. The FY 2015 budget calls for \$91 billion which is \$18 billion more than current funding levels. The four year proposal would provide sufficient funds to replenish the Highway Trust Fund and Mass Transit Account during the reauthorization period, proposing to use corporate tax changes to cover the shortfall from fuel taxes.

Two new programs under FHWA are proposed including the:

- Critical Immediate Investments Program (CIIP) – This program focuses on reconstruction, restoration, rehabilitation, preservation or safety improvement of existing highway assets but with a specific focus on freight and goods movement. This component of the proposal is new and important because the program as proposed presents the opportunity for significant Federal recognition of Southern California's contributions and needs in the area of freight infrastructure, and for VCTC to compete for Federal freight funding.
- Fixing and Accelerating Surface Transportation Program (FAST) – A discretionary program jointly run by FHWA and FTA designed to create incentives for State and local partners to adopt critical reforms in a variety of areas, including safety and peak traffic demand management, implementing distracted driving (safety) requirements or modifying transportation plans to include mass transit, bike, and pedestrian options, and efforts to tie resources to goal-achievement.

Generally, funding levels would increase in all areas of federal transportation programs from FY 13 and FY 14 appropriations as shown in Table 1 below. Other new aspects of the proposed budget include:

- Creation of a stand-alone (not within DOT) National Infrastructure Bank for transportation, water, and energy infrastructure projects.
- Creation of America Fast Forward bonds, a package of bond-related proposals intended to attract new private capital into infrastructure investments, including school buildings.

Table 1 – Proposed 2015-2020 Federal Transportation Reauthorization Budget

	FY13 USDOT Appropriations (post sequestration)	FY14 USDOT Appropriations	President's FY15 Proposed Budget	Difference between FY14 Approps and President's FY15 budget proposal
Federal-Aid Highways	\$39.62B	\$40.26B	\$47.32B	+\$7.06B
Transit Formula Grants	\$8.46B	\$8.6B	\$13.914B	+\$5.314B
Transit 'New Starts'	\$1.86B	\$2.13B	\$2.5B	+\$370M
TIGER	\$475M	\$600M	\$1.25B	+\$650M
High Speed Rail/High Performance Passenger Rail	\$0	\$0	0*	-
Amtrak Capital	\$902M	\$1.05B	0*	-
Amtrak Operating	\$441M	\$340M	0*	-
Current Passenger Rail Service	-	-	\$2.45B	+\$1.06B**
Rail Service Improvement Program	-	-	\$2.325B	+\$2.325B
Freight Program	-	-	\$1.0B	+\$1.0B
Critical Immediate	-	-	\$4.85B	+\$4.85B

	FY13 USDOT Appropriations (post sequestration)	FY14 USDOT Appropriations	President's FY15 Proposed Budget	Difference between FY14 Approps and President's FY15 budget proposal
Investments <i>(New)</i>				
Fixing and Accelerating Surface Transportation (FAST) <i>(New)</i>	-	-	\$1.0B	+\$1.0B
Rapid Growth Area Transit Program	-	-	\$500M	+\$500M

**The FY15 Budget consolidates existing rail programs into 2 new programs.*

***Compared to FY14 Appropriations for Amtrak Capital and Operations*

State Issues

Attachment A is the monthly report from Delaney Hunter, the Commission's lobbyist. The report includes an analysis of proposed state bills. Attachment B is Ms. Hunter's analysis of SB 990, which would require each county transportation commission to program 5% of its share of State Transportation Improvement Program to projects in small low-income communities, as defined. Staff recommends the Commission oppose SB 990. Attachment C analyzes SB 1298, a bill sponsored by the Los Angeles County Metropolitan Transportation Authority to provide final approval to the Los Angeles County high-occupancy toll lanes, and to authorize the California Transportation Commission to approve an unlimited number of high-occupancy toll lane projects statewide. Staff recommends the Commission take a WATCH position on this bill.

Attachment D summarizes the status of bills being tracked by VCTC, including the two bills recommended for positions in this agenda item.



GONZALEZ, QUINTANA & HUNTER, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION MONTHLY STATE ADVOCACY REPORT MARCH 2014

Legislative Updates

AB 1536 (Olsen): Public transportation employees: strikes: prohibition

Would prohibit a state or local public transportation employee or public transportation employee organization from striking.

-Scheduled for Hearing on 4/2 in Assembly Public Employees, Retirement, and Social Security.

SB 990 (Vidak): Transportation Funds: Disadvantaged Small Communities

Ensures that small economically disadvantaged communities throughout the state are able to compete for transportation project funding.

-Currently in Senate Transportation & Housing

SB 1077 (DeSaulnier): Vehicles: Vehicle-Miles-Traveled Charges

Would require the Department of Motor Vehicles to develop and implement, by July 1, 2015, a pilot program designed to assess specified issues related to implementing a vehicle-miles-traveled fee in California. The bill would also require the department to prepare and submit a specified report of its findings to the policy and fiscal committees of the Legislature no later than June 30, 2016.

-Scheduled for Hearing on 4/22 in Senate Transportation & Housing.

SB 1122 (Pavley): Sustainable communities: Strategic Growth Council

Would authorize the Strategic Growth Council to develop and implement regional grant programs to support the implementation of sustainable communities' strategies, alternative transportation plans, or other regional greenhouse gas emission reduction plans within a developed area. The bill would require the council, in consultation with specified public agencies, to establish standards for integrated modeling systems and measurement methods, and standards for the use of funds.

-Scheduled for Hearing on 4/2 in Senate Environmental Quality.

SB 1156 (Steinberg): California Carbon Tax of 2014

SB 1156 would establish the Carbon Tax Law of 2014, which would exempt fossil fuels from the Cap & Trade regulations, and instead institute a slowly increasing tax to be applied at the pump. The proceeds from the tax would go towards transportation and to low income individuals as a federal tax credit.

-Scheduled for Hearing on 4/9 in Senate Governance & Finance.

SB 1298 (Hernandez): High-Occupancy Toll Lanes

Makes 10/110 Express Lanes Permanent and authorizes CTC to approve new Express Lanes so legislative authorization no longer required. Would remove the limitations on the number of HOT lanes that the CTC may approve and would delete the January 1, 2012, deadline for HOT lane applications and delete the requirement for public hearings on each application.

-Currently in Senate Transportation & Housing.

SB 1433 (Hill): Local Agency Public Construction Act: transit design-build contracts

Regarding “design-build,” the definition of “transit operator” would not include any other local or regional agency responsible for the construction of transit projects, thereby extending the design-build procurement authorization. The bill would also eliminate the requirement that the project cost exceed a specified amount. The bill would delete the repeal date, thus extending the operation of these provisions indefinitely.

-Currently in Senate Transportation & Housing.

Governor’s Budget

Cap & Trade Funding:

As previously reported, the Governor has proposed a new funding plan using proceeds from Cap & Trade auctions. A total of \$850 million will be spent in three distinct categories, with the transportation portion being the largest since the majority of GHG emissions come from transportation. \$200 million will be spent on Low Carbon Transportation to accelerate the transition to low carbon freight and passenger transportation. \$300 million is allocated to Rail Modernization; \$250 million is going to High Speed Rail to pay for the initial Central Valley segment, and \$50 million is being given to CALTRANS to fund a competitive grant program for existing operators to integrate systems and connect to High Speed Rail.

Budget Subcommittee action is currently underway and while issues have been discussed at length the items remain open and no decisions have been made to date. Action will likely be deferred until after the May Revise is released.

Select Committee on Passenger Rail

The Senate formed a Select Committee on Passenger Rail. The Select Committee was chaired by Senator Hannah-Beth Jackson and Senator Mark DeSaulnier will serve as Vice Chair. Other members include Senators Marty Block, Anthony Cannella, Galgiani, Hill, Liu and Padilla. The Select Committee held its first hearing on 3/19.

Here are notes from the Hearing:

Opening Comments – Mission of the Select Committee:

- Promote policies to ensure CA has a premier consumer-quality transportation system that is cost-effective, protects the environment, and advances our state’s economic growth and success.
- The Committee will entertain ways to strengthen infrastructure, increase investment in new passenger rail, and advocate for additional federal rail funds.

PANEL 1: General Overview on Status within DOT

Secretary Brian Kelly Update

- There are currently over 5 million riders on CA passenger rail per year. The system has grown dramatically with numerous bus-transfer systems throughout the state’s corridors.
 - Some of the most successful rail lines include those in Santa Barbara through LA, Capitol Corridor, and in the Central Valley.
- This year’s budget allocates \$109 million into the three Amtrak rail corridors. An additional \$42 million in state funds will also leverage federal funding for investment in new rail.
- Committed to advancing rail systems to create seamless transfers and service. Customer service is central to development of new systems.
- The Sac Bee today announced that the new trains will be constructed in-state, with some in Sacramento. This has added benefits to the state in the form of jobs, etc.

Cap & Trade

- This is the first year the state is putting dollars out for investments aimed at reducing GHG reduction.
- The transportation sector is now responsible for over 40 % of emissions, and the department is committed to reducing this through investment and streamlining commuter use.

- Rail modernization programming comes in two parts: (1) high speed rail project and (2) intercity/commuter rail systems to connect with high-speed rail in streamlined and easy to use project. High speed rail is expected to dramatically increase use of public transportation.

CalTrans Director Malcolm Dougherty with Bruce Roberts (Rail Division)

- 2013 Rail plan was developed with the economy turning around and vision of high-speed rail in sight. The plan is required under state and federal law to be eligible for investment.
 - Shift in travel from auto to rail and associated benefits to air quality and environment
 - Summarizes planned projects and new systems
 - Looks at shared freight and passenger concerns, and how to relieve these problems
 - Equipment acquisition efforts
- 2017 Rail Plan. Just released RFP for new plan. Will be reviewed by State Trans agency and FRA.
- Legislature should look out for opportunities to fund needs on the trans system.

QUESTIONS

Sen. Jackson: Issue of scale. The rail system is truly lacking. Many areas of the state rely upon federal companies (Union Pacific) that have no obligation to the people. It is difficult to take a passenger trip, and easier/more convenient to go by car. What kind of funding/program is needed to address the existing single-rail structure that is not sufficient?

- **Kelly:** This is a clear limitation of the track system now. The high-speed rail proposal is a huge opportunity to expand access in CA. Increasing coordination with the Union Pacific service could also benefit riders.
- Capitol Corridor is an example of a successful partnership. These agreements still need to be improved.
- Prop 1B Bond package has 3.6 million for trans projects.
- Prop 1A Bond bill included 950 million for rail connectivity projects.
- Trying to propose a two part systems of high speed rail joint with connectivity programs.
- **Dougherty:** Reliability is key to increasing ridership. This is a departmental focus.
- There are billions of dollars of needs to reach this level of modernization.

Sen. Jackson: What can we do to ensure that we get an equitable return on our investments?

- **Kelly:** Negotiation of capital improvements is done on a case by case basis. The high speed rail system will separate freight from passenger systems, increasing usability and function.
- Also note that moving forward Trying to put a model together with increased funding from cap & trade for transportation projects.

Sen. Hill: How has the Department looked at the best “bang” for the limited bucks? Trying to expand services with an existing ridership and linking hubs sounds

- **Kelly:** Enhanced strategic planning initiative looks at passenger rail services and where initiatives to increase access with have the greatest impact. This is the core of what the department is doing to justify the dollars spent.
- Example of Madrid to Seville: Expanding hubs and then connecting them. Ridership nearly tripled.

PANEL 2: Corridor Rail Systems

Gail Murray (Vice-Chair of Cap Corridor JPA) Overview

- CA has one of the most successful rail networks nationwide. There IS a “network” that needs to be strengthened and expanded. Each of the three inter-city rail systems are already successful with millions of passengers each.
- \$4 billion of statewide improvement programs will increase rideability. State has jumpstarted effort by ordering new cars by 2016.
- Issues (1) Funding. Mission is to protect and enhance existing investments. There needs to be a sustainable and recurring source of funds. Ask for increase in size of rail modernization account for the next and future fiscal years.
- Improving and maintaining connectivity between systems is needed.

Dave Patter (Monterey County Supervisor and Chair of their Transportation Council):

- Using the Monterey Valley to bridge the gap between the North and South parts of the State is going to be a big step.
- There will also be a Coachella Valley rail to help with the Inland Empire area.
- An increase in the Annual Operating Subsidy is very important.
- A constant annual appropriation of at least \$100 million/year is important to allow us to invest in critical infrastructure.

Fred Strong (LOSAN Rail):

- This line alone is the 2nd busiest in the nation.
- Note that there are many negotiations that occur with Union Pacific on a regular basis, and though each occurs individually, on this level they have seen success in partnering.
- UP Rail is very difficult to deal with, and they charge a lot of money, so it would be very good to get state funding to afford those costs.

PANEL 3: Rush Hour Commuting

Metrolink Representative:

- Metrolink is also run through a JPA, without ownership of any tracks or stations.
- Most of the infrastructure in terms of the stations/rail are owned by the local governments for UP Rail.
- There are approximately 44,000 daily weekday passengers.
- Metrolink leads the industry in safety practices and low rates of accidents. Partially due to limiting and eliminating cross-track crossings as much as possible.
- ASK: Cap & Trade dollars should be used to fund transportation expansion and modernization. Investments in passenger rail are beneficial to all Californians.

Stacy Mortenson (San Joaquin Corridor):

- CalTrain and ACE management.
- Constantly working together encourage JPA partners to advocate for and receive local funds to sustain programs.
- ASK: Committee members need to think about the people that use the rail, and how to focus allocations where needed most and where the greatest impact can be made.

Paul Dison (Rail Passengers Association):

- We need to increase rider capacity.
- We also need to make sure that the overall product we are offering is something attractive to riders.
- We should invest in a few select bottleneck saving projects to show how effective rail can be.
- As for funding, Cap and Trade is a good option, as well as taking some money from freeways.

Helene Schneider, Mayor of Santa Barbara:

- There are rail corridors throughout the state, and it is a great opportunity to look at the big picture of how the State, Union Pacific, and Locals can work together to figure out how to strengthen passenger rail throughout the state.

Senate Bill 990 (Vidak)

Summary: Ensures that small economically disadvantaged communities throughout the state are able to compete for transportation project funding. This is an urgency bill requiring 2/3 vote.

Purpose:

- Senate Bill 990 would require that local council of governments (COG's) reserve 5% of the state funding that they receive for transportation projects to benefit small economically disadvantaged communities.
- This bill would require 5% of the money remaining in the local transportation fund after making certain off-the-top allocations to be allocated by the transportation planning agency to disadvantaged small communities.
- Only communities with a population of 25,000 or less and a median household income of less than 80% of the statewide average would be eligible to compete for this funding.
- Prioritization of the funding would be provided to projects that can show that they will alleviate congestion and provide increased safety.

Existing Law:

Existing law generally provides for programming and allocation of funds for transportation capital improvement projects through the state transportation improvement program process administered by the California Transportation Commission. Existing law requires 25% of available funds to be programmed and expended on interregional improvement projects nominated by the Department of Transportation, and 75% of available funds to be programmed and expended on regional improvement projects nominated by regional transportation planning agencies or county transportation commissions, as applicable, through adoption of a regional transportation improvement program.

The Transportation Development Act, also known as the Mills-Alquist-Deddeh Act, provides for the allocation of local transportation funds in each county from 1/4 of 1% of the sales tax to various transportation purposes, including transportation planning, transit operations, and in some cases, local streets and roads. The act is administered by the transportation planning agency having jurisdiction and specifies the sequence of allocations to be made by the transportation planning agency to eligible claimants. Existing law requires certain allocations to be made off the top, including allocations for administration of the act, for transportation planning and programming, and for facilities for bicycles and pedestrians. After these allocations have been made, existing law provides for payments to be made to claimants for eligible purposes, with a claimant authorized to file a claim only for the money in the local transportation fund that represents the area of apportionment of the claimant, as defined.

Background Information:

Transportation projects provide congestion and traffic relief to small communities, as well as much needed jobs and economic development.

State and regional governments have a strong role in allocating and providing the funding for local transportation projects. Currently, much of the funding for local transportation projects is provided by the state to regional government entities, typically regional or county councils of government. The regional agency is then responsible for allocating the funding to various local transportation projects located within the region.

Many small communities struggle to obtain proper transportation funding for projects that are needed in their towns, which in turn stunts their ability to grow and expand. Additionally, because there may be more projects requested than funding available it can be years between when an application for funding is submitted and funding is awarded. This time lag hurts small communities that may have to wait years for a project that is desperately needed for congestion relief or traffic safety.

Support/Opposition:

Support:

Opposition:

NOTE: While the “official” support and opposition does NOT list transit representatives – most, if not all, transit operators are opposing this measure.

Statutory Citations:

Not applicable

Senate Bill 1298 (Hernandez)

Summary:

Establishes a CTC process for HOT Lanes that removes limitations and timelines, and establishes new provisions for LACMTA regarding Highway 10 and 110.

Purpose:

This bill would remove the limitations on the number of HOT lanes that the commission may approve and would delete the January 1, 2012, deadline for HOT lane applications. The bill would also delete the requirement for public hearings on each application.

For LACMTA specifically regarding Highway 10 and 110, this bill would enact new provisions and repeal the existing laws. The bill would specify additional requirements for agreements between LACMTA, CALTRANS, and the CHP that identify the respective obligations and liabilities of each party relating to the program. The bill would require LACMTA, with the assistance of the department, to establish appropriate traffic flow guidelines for the purpose of ensuring the optimal use of the HOT lanes by HOV's.

The bill would delete the requirement that LACMTA may not change the vehicle occupancy requirement for access to the HOV lanes in the identified corridors and would authorize LACMTA to define the hours of operation of the HOT lanes.

Existing Law:

Existing law authorizes a regional transportation agency, in cooperation with CALTRANS, to apply to the CTC to develop and operate HOT lanes, including administration and operation of a value-pricing program and exclusive or preferential lane facilities for public transit.

Existing law requires the commission to conduct at least one public hearing in northern California and one in southern California for each application and limits the number of approved facilities to not more than 4, 2 in northern California and 2 in southern California. Existing law provides that no applications may be approved on or after January 1, 2012.

Existing law, until January 15, 2015, specifically authorizes a value-pricing and transit development demonstration program involving HOT lanes to be conducted, administered, developed, and operated on Highway 10 and 110 in the County of Los Angeles by the LACMTA under certain conditions.

Background Information:

Existing law authorizes states, under the federal Moving Ahead for Progress in the 21st Century Act (MAP-21), until September 30, 2017, to allow single-occupant vehicles to pay a toll for use of an HOV facility. States that provide HOV access to single-occupant vehicles must do all the following:

- a) Monitor the HOV system and report on the impact single-occupant vehicles have on operation of the system; and,
- b) Limit or discontinue the use of the facility by single-occupant vehicles if the presence of the vehicles degrades the operation of the facility. The standard used for purposes of determining whether a facility is degraded is if vehicles operating on the facility are failing to maintain a minimum average operating speed (generally 45 miles per hour) 90% of the time over a consecutive 180 day period during morning or evening weekday peak hour periods.

The Streets and Highways Code contains several provisions that have allowed individual transportation agencies to implement the use of express or toll lanes. These are contained in SHC 149.1 through SHC 149.10.

Related legislation:

AB 1811 (Buchanan) revises current law as it relates to HOV access on HOT lanes operated by the Sunol Smart Carpool Lane Joint Powers Authority (which oversees the State Route 680 HOT lanes) and the future Alameda County Transportation Commission HOT lanes on State Route 580.

AB 2090 (Fong) revises current law as it relates to HOV access on HOT lanes operated by the Santa Clara Valley Transportation Authority (which oversees the State Route 237 HOT lanes) and the future HOT lanes on State Route 880 and US 101.

Support/Opposition:Support:

LACMTA (Sponsor)

Opposition:**Statutory Citations:**

Not applicable

VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY April 5, 2014			
BILL/AUTHOR	SUBJECT	POSITION	STATUS
SCA 4 Liu	Places before the voters a Constitutional Amendment to reduce to 55% the approval threshold for local transportation funding measures.	Support	In Senate Government and Finance Committee.
SB 990 Vidak	Requires each regional transportation improvement program to program 5% of funds available for regional improvement projects to disadvantaged small communities. Requires regional transportation agencies and county transportation commissions to prioritize funding congestion relief and safety needs in programming these moneys.	Oppose	In Senate Committee on Transportation & Housing.
SB 1298 Hernandez, E.	Would remove the limitations on the number of HOT lanes that the CTC may approve.	Watch	In Senate Committee on Transportation & Housing.

Staff-recommended Commission positions shown in **bold**.



Item # 12

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: VICTOR KAMHI, BUS SERVICES DIRECTOR
AARON BONFILIO, PROGRAM MANAGER**

**SUBJECT: STATUS OF REQUEST FOR PROPOSALS (RFP) FOR VISTA TRANSIT
OPERATIONS AND CAPITAL SUPPORT, AND, CONTRACT EXTENSION FOR
INTERCITY TRANSIT SERVICES**

RECOMMENDATION:

- Receive status report of Request for Proposals and Contract Extension for the VISTA Intercity Bus Service
- Reschedule the July VCTC Commission Meeting from July 11, 2014 to July 25, 2014

BACKGROUND:

In March the Commission authorized staff to cancel the Request for Proposals for VISTA Transit Operations and Capital Support (RFP No. 2013-VISTA-01), as well as negotiate a short-term extension with the existing VISTA intercity service provider. The extension will allow the Commission to reissue the request for proposals and select a long-term service provider.

Staff has cancelled the RFP and informed all of the bidders. Staff has also worked with the existing contractor, Roadrunner, to develop an agreement which both provides the Commission with the uninterrupted extension of intercity transit service while providing equitable compensation to the contractor. At this time, negotiations are still ongoing. Staff will present the final draft of the agreement to the Commission for its review and authorization at the May 2014.

In addition to working with the existing contractor to finalize a six month extension through December 31, 2014, staff is soliciting feedback and comments from past and potential proposers regarding the VCTC Intercity Service scope of work, as well as conducting independent cost analysis and consulting with sister agencies that also contract out for fixed route service. A survey for proposer feedback has been distributed to each of the firms that registered for information during the previous RFP. In addition, a teleconference is scheduled for March 28, 2014. Potential proposers are invited to participate in a group after action review to submit their feedback and comments. Survey responses and minutes of the after action review will be summarized and posted on the VCTC website immediately following the issuance of the RFP.

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Given the nature of the revisions to the RFP, staff will present the final draft of the RFP to the Commission for review and authorization to release at the May 2014 meeting. Following the receipt, review and scoring of the proposals received in response to the RFP, VCTC will bring the selection panel's recommendation to the Commission for authorization to award at the July meeting. Due to the limited amount of time between release of the RFP at the May meeting and the current date of the July meeting, staff has recommended that the July meeting date be moved from July 11, 2014 to July 25, 2014, as the Commission does not meet in August.



Item #13

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: VICTOR KAMHI, BUS SERVICES DIRECTOR
SUBJECT: AUTHORIZATION TO FINALIZE VISTA BUS ACQUISITION

RECOMMENDATION:

- Authorize the Executive Director to provide MCI with a notice to proceed and issue a purchase order for the acquisition of 10 MCI D4500 over the road coaches for VISTA Intercity Service to be delivered by November 2014
- Authorize the Executive Director to exercise the option for 4 additional MCI with a notice to proceed and issue a purchase order for the 10 MCI D4500 over the road coaches for VISTA Intercity Service to be delivered in early 2015.
- Direct staff to proceed with activities necessary to receive and put into service the new buses, including "E" plate licensing, vehicle inspection, and decaling beyond the basic levels provided through the MCI contract.

BACKGROUND:

In September of 2013, the Commission approved participation in a consortium of transit operators (Victor Valley Transit Authority, Antelope Valley Transit Authority, Santa Clarita Transit, and Monterey-Salinas Transit District) to develop a federally-compliant bus acquisition for over-the road coaches. The draft 2014-15 Budget includes \$9.01 million for VISTA bus acquisition. The "consortium" RFP process was fully compliant with the Federal Transit Administration (FTA) requirements and process, and resulted in the award of a contract with Motor Coach Industries (MCI) for over the road motor coaches. VCTC share of the contract includes 10 buses, with an option to acquire an additional 10 vehicles at the same price within the next five (5) years.

The base price for the MCI proposal which meets all FTA requirements (such as "Buy America") is \$559,708 per vehicle. In addition, the Commission has several options which may be added within the proposal. These options include the following options per vehicle:

Wi-Fi connectivity	\$ 500
110 volt outlets	\$ 8,490
Restroom	\$ 2,350
Bike racks	\$ 1,250
Bike racks in bus bay #1	\$ 5,600
Fare box pre-wire (other than GFI)	\$ 875
Wheel chair lift – Ricon (upgrade from Braun)	\$ 1,400
Power assist sliding door	\$ 1,710
Tire pressure monitor	\$ 1,500
Drivers seat (heated)	\$ 200
Drivers seat (fabric)	\$ 95
Drivers seat (silicone cushion)	\$ 400
Turn light in face of exterior mirrors	\$ 400
Seatbelts	\$11,000
Passenger seat amenities (per seat)	
Cup holder	\$ 18
Manual footrest	\$ 36
Automatic footrest	\$ 61

Additional costs which VCTC will need to include are the state sales tax, a negotiated price to paint and decal the buses, and the registration of the buses with the California Department of Motor Vehicles. Because VCTC will have title to the vehicles, we will be able to use the “E-plates” which will result in a savings; however the initial process is reported to be complicated, and we will start working on it before the buses are in our possession,

Staff is recommending that the Commission include the a bike rack in bus bay #1, Wi-Fi connectivity, wheel chair lift – Ricon (upgrade from Braun), tire pressure monitor, Drivers seat (fabric), and Drivers seat (silicone cushion), and the 7.5% sales tax, bringing the cost per bus to approximately \$611,900 per vehicle (not including license, and decals, and new Wi-Fi card). At this price, VCTC will be able to purchase 14 new buses within the budgeted funds leaving a capital contingency of approximately \$450,000.

The Commission has 30 new GFI Fareboxes purchased through Gold Coast Transit with Economic Recovery Funds, which will be installed in the new buses, and are identical to those being used by Gold Coast Transit, and on order by Simi Valley Transit and Thousand Oaks Transit. The GFI Fareboxes are also in use by the Santa Barbara Metropolitan Transit District.

MCI has informed the Commission that it is reserving a place in their construction line for our initial 10 buses in September, and we would be able to expect delivery between late September and early November. After a final inspection and acceptance by VCTC, the buses will be placed in service. The additional option buses will be place in the MCI ssembly line in early 2015.

The funds for this purchase were initally amended into the VCTC 2013-14 budget, however, the draft VCTC 2014-15 budget carries the funding into that fiscal year. Payment for the buses will occur in FY 2014-15 as work progresses and the buses are delivered and accepted by VCTC.



Item #14

April 4, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: VICTOR KAMHI, BUS SERVICES DIRECTOR
AMY AHDI, TRANSIT PLANNER

SUBJECT: HERITAGE VALLEY TRANSIT

RECOMMENDATION:

- Authorize staff to negotiate six month contract extension with the Fillmore Area Transit Company for VISTA Community/Dial-A-Ride contractor to allow for the finalization of implementation of the Heritage Valley Transit service.

BACKGROUND:

As part of the Countywide Transit Plan (2012), the Commission approved the creation of a separate entity to provide the community-level transit services in the Heritage Valley. The Commission, with concurrence from the local agencies, approved a delivery plan (Heritage Valley Transit Study) to maximize efficiency and sustainability of the local services, within the existing and likely future resources. The Commission also approved a request from the City of Santa Paula for the reservation of \$1.925 million in Proposition 1B transit capital funds to purchase vehicles for the new service.

In August of 2013, the local agencies requested that VCTC staff the new service. The Commission approved the modification, and in the fall of 2013 began working with the Cities of Santa Paula and Fillmore and the County to develop an institutional arrangement which would insure that the local agencies would retain responsibility and control over the service, while still providing the Commission a clearly defined role and authority.

The new entity was to begin operations on July 1, 2014; however, a cooperative agreement among the agencies has not yet been finalized. The elected officials from the local agencies are scheduled to meet on March 31st to discuss a draft agreement which has been substantially legally and technically reviewed. Once the agreement is finalized it will be presented to the Commission. Items to be discussed at that meeting include both the long term cooperative agreement and one to extend the funding for an extension of the FATCO service agreement through the end of the calendar year, as well as actions to proceed with the implementation of the long term service.

The current community transit service contract with FATCO ends on June 30, 2014. Staff is recommending that the Commission authorize staff to negotiate a six-month sole source contract extension with FATCO to allow the local agencies to finalize an agreement, and to allow the Commission to formalize its relationship to the local agencies.

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The tasks before the Commission and the Heritage Valley Transit Service local agencies include the justification for sole source findings, the finalization of the institutional agreements, the finalization of the service delivery plan, acquisition of vehicles, and award of a new service contract.

Assuming that the local agencies approve an agreement in April, the Commission approves the aforementioned agreement in May, and a service plan is approved in May as well, the Commission will be able to issue an RFP by June or July --- well before the January 1, 2015 start date. The Commission would also be able to acquire the necessary vehicles through the CALACT cooperative purchasing process (which VCTC is a member), in time for the start of the new service.