



**VENTURA COUNTY TRANSPORTATION COMMISSION  
LOCAL TRANSPORTATION AUTHORITY  
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 7, 2017  
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 3, 2017 VCTC MEETING – PG.7**

***Recommended Action:***

*Receive and File*

**Responsible Staff: Donna Cole**

**8B. MONTHLY BUDGET REPORT – PG. 13**

***Recommended Action:***

*Receive and File*

**Responsible Staff: Sally DeGeorge**

**8C. PASSENGER RAIL UPDATE – PG. 21**

***Recommended Action:***

*Receive and File*

**Responsible Staff: Ellen Talbo**

**8D. AGREEMENT WITH THE STATE OF CALIFORNIA HIGHWAY PATROL FOR SERVICES RELATED TO VENTURA COUNTY MOTORIST AID CALL BOX PROGRAM - PG.25**

***Recommended Action:***

- *Approve the agreement between the State of California, Department of California Highway Patrol and the Ventura County Service Authority for Freeway Emergencies (SAFE).*
- *Adopt Resolution 2017-03 in support of the agreement between the State of California Department of California highway Patrol and Ventura County Service Authority for Freeway Emergencies.*

**Responsible Staff: Steve DeGeorge**

**8E. ADOPTION OF DISADVANTAGED BUSINESS ENTERPRISE GOAL- PG.35**

**Recommended Action:**

*Adopt a revised Disadvantaged Business Enterprise (DBE) annual goal of 11.7% for VCTC contracts funded by the Federal Transit Administration for Federal Fiscal Years (FY) 2015/16 through 2017/18.*

**Responsible Staff: Peter De Haan**

**8F. SECTION 5310 FUNDED VAN PURCHASE FOR HELP OF OJAI - PG.37**

**Recommended Action:**

- *Authorize the Chair to execute the attached agreement with HELP of Ojai to provide a paratransit van using \$48,000 of Federal Transit Administration (FTA) Section 5310 funds with match provided by HELP of Ojai.*
- *Authorize Executive Director to place order with A-Z Bus Sales to purchase on behalf of HELP of Ojai a Ford Class B T-350 lift-equipped paratransit vehicle through the California Association for Commuter Transportation (CalACT) purchasing schedule, at a total cost of \$62,399.84, contingent upon receipt of the assignment letter from CalACT and the receipt of \$14,399.84 in match from HELP of Ojai.*
- *Amend Transit Grant Administration Budget to add \$14,400 in Private Revenues; to reduce Pass Through Expenditures by \$48,000; and to add Equipment Expenditures of \$62,400.*

**Responsible Staff: Peter De Haan**

**8G. TRANSPORTATION DEVELOPMENT ACT (TDA) AUDITS FOR FISCAL YEAR 2015/2016  
- PG.49**

**Recommended Action:**

*Receive and file the Transportation Development Act (TDA) Audits for Fiscal Year 2015/2016.*

**Responsible Staff: Sally DeGeorge**

**8H. REVISION TO PROPOSITION 1B TRANSIT SECURITY CAPITAL PROGRAM - PG.51**

**Recommended Action:**

*Approve reallocating \$154,844 plus accrued interest from the Heritage Valley Security Camera County-wide Digital Communications Network project to provide Metrolink safety and security improvements to help address the locations identified for possible slow orders.*

**Responsible Staff: Judith Johnduff**

**8I. ROTCRAFT SUPPORT INC. HELISTOP- PG.53**

**Recommended Action:**

*The Airport Land Use Commission (ALUC) advises the California Department of Transportation, Division of Aeronautics that the ALUC has reviewed the plans for Rotorcraft Support Inc. Helistop in Fillmore and makes no recommendation or assessment of the proposed plans.*

**Responsible Staff: Steve DeGeorge**

**8J. PERSONAL INJURY CLAIM FOR DAMAGES- PG.55**

**Recommended Action:**

*It is recommended that the Ventura County Transportation Commission ("VCTC") reject a claim for damages submitted on behalf of a rider on an Intercity bus ("Claimant").*

**Responsible Staff: Steve Mattas**

**8K. ROADRUNNER MANAGEMENT SERVICES CLAIM - PG.59**

**Recommended Action:**

*It is recommended that the Ventura County Transportation Commission ("VCTC") reject a claim for damages submitted on behalf of Roadrunner Management Services, Inc. ("Roadrunner*

**Responsible Staff: Steve Mattas**

VCTC  
April 7, 2017  
Page Four

**9. LEGISLATIVE UPDATE & POSITIONS ON BILLS - PG. 61**

***Recommended Action:***

- Adopt "Support" position on HR 100, to increase the regional suballocation of federal apportionments.
- Adopt "Work With Author" position on AB 467 (Mullin), to allow publication of transportation expenditure plans online rather than in the ballot pamphlet.
- Adopt "Support" position on SCA 2 (Newman), to place before the voters a measure to prohibit the borrowing of taxes and fees imposed on vehicles.
- Adopt "Support" position on SCA 6 (Wiener), to place before the voters a measure to lower the transportation measure supermajority requirement to 55%.

**Responsible Staff: Peter De Haan**

**10. FISCAL YEAR 2017/2018 DRAFT BUDGET – PUBLIC HEARING - PG. 91**

***Recommended Action:***

- Receive the Fiscal Year 2017/2018 Draft Budget.
- Conduct Public Hearing to receive testimony on the Draft Fiscal Year 2017/2018 Budget.

**Responsible Staff: Sally DeGeorge**

**11. VCTC INTERCITY MAY 22, 2017 SCHEDULE CHANGE- PG.95**

***Recommended Action:***

- Receive and file presentation.
- Approve proposed schedule changes.

**Responsible Staff: Aaron Bonfilio/Martin Erickson**

**12. BICYCLE WAYFINDING PLAN - PG. 99**

***Recommended Action:***

*Approve the Bicycle Wayfinding Plan.*

**Responsible Staff: Steve DeGeorge**

**13. APPROVAL OF FINAL COORDINATED HUMAN SERVICES TRANSPORTATION PLAN - PG. 101**

***Recommended Action:***

*Approve Final Coordinated Human Services Transportation Plan*

**Responsible Staff: Martin Erickson/Ellen Talbo**

**14. PRESENTATION BY JENNIFER BERGENER RE: LOSSAN SERVICE UPDATE - PG. 103**

***Recommended Action:***

*Receive and file.*

**Responsible Staff: Ellen Talbo**

**15. CONSIDERATION OF AND ACTION ON AGREEMENT WITH ROADRUNNER MANAGEMENT SERVICES AND RELATED BUDGET AMENDMENT –**

***(Staff report will be distributed prior to action on this matter)***

## 16. VCTC GENERAL COUNSEL'S REPORT

VCTC  
April 7, 2017  
Page Five

## 17. AGENCY REPORTS

## 18. CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation  
(Pursuant to Government Code Section 54956.9(d)(1))  
*Fillmore & Western v. VCTC*, Case No. 56-2016-00482491  
*VCTC v. Fillmore & Western*, Case No. 56-2014-00449769
3. Closed Session: Conference with Legal Counsel – Anticipated Litigation  
(Pursuant to Government Code Section 54956.9(d)(2))  
Significant Exposure to Litigation: One Case

## 19. ADJOURN to 9:00 a.m. Friday, May 12, 2017

**\*\*\* Note Due to the SCAG General Assembly this Meeting is Scheduled a Week Later Than Normal**

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Item #8A

# Meeting Summary

**VENTURA COUNTY TRANSPORTATION COMMISSION  
LOCAL TRANSPORTATION AUTHORITY  
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 3, 2017  
9:00 AM**

**MEMBERS PRESENT:** Bryan MacDonald, City of Oxnard, Chair  
Linda Parks, County of Ventura, Vice Chair  
Jan McDonald, City of Camarillo  
Manuel Minjares, City of Fillmore  
Ken Simons, City of Moorpark  
Randy Haney, City of Ojai  
Will Berg, City of Port Hueneme  
Neal Andrews, City of San Buenaventura  
Ginger Gherardi, City of Santa Paula  
Steve Bennett, County of Ventura  
Peter Foy, County of Ventura  
Kelly Long, County of Ventura  
John Zaragoza, County of Ventura  
Brian Humphrey, Citizen Rep., Cities  
Jim White, Citizen Rep., County  
Carrie Bowen, Caltrans District 7

**ABSENT:** Mike Judge, City of Simi Valley  
Claudia Bill-de la Peña, City of Thousand Oaks

**CALL TO ORDER**

**PLEDGE OF ALLGIANCE**

**ROLL CALL**

**PUBLIC COMMENTS FOR THOSE ITEMS NOT LISTED ON THIS AGENDA**

**Sue Sandlin, President of Roadrunner Shuttle.** Roadrunner signed an agreement in Nov 2014 with VCTC to operate intercity bus service, a service they are very proud of. They are proud of how they serve the most vulnerable populations, seniors, ADA, and the homeless. They transport community professionals and also eco conscious cyclists to LA and Santa Barbara. A majority of their drivers have been with Roadrunner over 10 years and have a good safety record and customer service. Roadrunner is operating under a contract that is out of scope and has been negotiating with VCTC and providing data to staff from day one, which has yet to be acknowledged. She respectfully requested that VCTC repay these associated costs to Roadrunner as soon as possible.

**Randy Wheeler, CFO for Roadrunner,** has been involved in contract management for more than 25 years. To his knowledge Roadrunner has been providing outstanding transportation services to VCTC since they stepped in at the request of VCTC in 2012 to prevent a prolonged stoppage of service when the previous contractor went out of business. Roadrunner responded to an RFP for 66,500 service hours per year. From the beginning of the contract the actual service hours requested by VCTC has exceeded 125% of those hours. Additionally new laws for sick pay and minimum wage have been enacted that have further increased operating costs. As with most complex contract issues and disputes, both sides share responsibility for where we are today, but one thing is certain, Roadrunner has, to date, borne the primary burden of the impact of all of the service cost increases without any relief from VCTC. Roadrunner has been requesting an adjustment from VCTC, as required by the contract, for a year, yet they have received no adjustment to the contract pricing, even though the contract clauses that call for an adjustment have been triggered. They were told the contract clauses would not be triggered because the hours would be reduced, then the hours were increased. Then they were told that an audit was needed. After a four month delay for an audit the findings were disregarded. They were then told to submit amendments with the contractual basis for claiming the adjustments. They did and were then told that none of their claims, for the most part, were valid at this time, contrary to previous discussions. As of today Roadrunner believes it is owed more than \$1.5 million. All of the profits of their other contracts, as well as the personal resources of the owners of Roadrunner, have been depleted to subsidize the VCTC contract. Roadrunner is a well-known family company in this area. They were there for VCTC when they needed them and now they need VCTC. He requested that the commission resolve this issue.

**Valerie White, Roadrunner Management Team,** Roadrunner is honored to be part of this vital link that is improving the quality of life through all Ventura Cities and connecting it to Santa Barbara and LA Counties. Like the many other contracts in Ventura County they hold, they have been good partners and have delivered on their promises for safe and reliable service. The contract with VCTC has exceeded the hours that the agreement was based on. For every hour and every mile on the road there is a significant cost increase. From liability insurance to driver wages, these costs have been subsidized by Roadrunner. The contract specifically stipulates for VCTC to negotiate with Roadrunner when the actual work exceeds the scope of work. Roadrunner is here today to humbly and respectfully request that this commission take notice and place their contract amendment request on the agenda or allow Executive Director Darren Kettle to renegotiate the agreement with Roadrunner to achieve what we all want - a financially sustainable service.

**Charles Sandlin - COO of Roadrunner.** Roadrunner developed a great business over the past 26 years by putting service above self. Every day they serve our community to provide a higher quality of life for our passengers, taking them to work, school, airports and other destinations. When Roadrunner got the call from VCTC 5 years ago to help save this county bus system just for eleven months they stepped up to the challenge in good faith to serve our community. They invested millions of dollars to stabilize the system and provide great service to this community. Despite their efforts to continue the service they were forced to take a loss during the first two years because the miles they were given were wrong. The third year was finally profitable and then, as they transitioned to the new contract they bid on 66,500



hours. Then VCTC changed the way the service was billed or paid for. It was changed from the start of the service to the end of the service to from the start of the gate to the end of the gate. Not knowing what those hours would be, bidders were asked to submit bids. From day one they have been operating outside of their contract scope, which calls for renegotiation. Every hour outside of 66,500 they pay more than they are being compensated for, and there is no profit above 66,500 hours. These costs are draining for the company. By the time the new contract began, instead of service reductions the amount of hours added immediately exceeded the scope of work. This condition was specifically recognized prior to the contract in March of 2015 and they are still waiting for a fair and equitable adjustment as the contract directs. The other issue is there have been many anticipated law changes over the last couple years, including the minimum wage and sick pay. All these require adjustments for their operators who cannot operate for minimum wage. They have special licenses and they carry 60 lives of Ventura County in their buses. To ask them to work for minimum wage is unacceptable. Through moral, legal and ethical lenses as commissioners of VCTC he humbly and respectfully requested the commission repay Roadrunner as requested in their multiple proposals.

**Desmond Sandlin, Owner of Roadrunner Shuttle.** Roadrunner is here to safely service the same people that the elected officials of VCTC represent. Many of their VCTC customers are senior citizens, which makes it so important to get this right. For 22 months Roadrunner has been negotiating this issue and subsidizing the project the entire time. Please do the right thing and make a motion to repay VCTC's debt to Roadrunner immediately.

#### **CALTRANS REPORT**

- Storm damage in six locations in Ventura County totaled \$1.8 million. All roads where damage occurred are currently open. Statewide, the storm damage total was \$400 million.
- Ventura County Projects in Design currently total \$330 million and Projects In Construction total \$200 million.
- Director Bowen shared requested information regarding the use of a "Flying Wedge", a way to alert cyclists to upcoming obstructions they may face. It is an angled street marking that warns of potential obstructions for cyclists, indicating there are rumble strips, culverts, drains, sunken utility covers and other roadway hazards ahead. Caltrans is willing to work with Ventura County to identify appropriate locations to use the flying wedge.

#### **COMMISSIONERS REPORTS**

Commissioner Long has been in Sacramento and Washington DC several times over the past 9 weeks meeting with Legislative groups to discuss transportation, funding and infrastructure as part of the County's platform.

#### **EXECUTIVE DIRECTOR REPORT -**

Darren Kettle commended Caltrans for their work to get the 101 reopened after the slide and to open other areas in Ventura County that suffered damage from the recent storms. The crews really stepped up and deserve our heartfelt thanks for their work because it did allow Ventura County to keep moving.

#### **ADDITIONS/REVISIONS – None**

#### **CONSENT CALENDAR -**

***Commissioner Gherardi made a motion to approve all items as recommended on the Consent Calendar. The motion was seconded by Commissioner Minjares and passed unanimously.***

#### **8A. APPROVE SUMMARY FROM FEBRUARY 3, 2017 VCTC MEETING – Receive and File**

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

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

**8D AUTOMATIC VEHICLE LOCATOR - PASSENGER INFORMATION SYSTEMS** - Approve the release of a Request for Proposals (RFP) for Automatic Vehicle Locator (AVL) and Passenger Information System.

**8E. VENTURA TRANSIT CENTER IMPROVEMENTS GRANTS -**

- Reprogram \$331,580 in Congestion Mitigation and Air Quality (CMAQ) funds from the Ventura Transit Center Improvement Project, with \$179,000 to go to Countywide Transit Marketing and \$152,580 to go to Bus Ticket Vending Machines.
- Amend Fiscal Year 2016/17 Transit Marketing Consultant budget to replace \$23,191 of CMAQ funds with \$23,191 of Local Transportation Funds (LTF) to come from the LTF fund balance within the General Fund.

**8F. SECTION 13(c) LABOR AGREEMENT** - Approve the agreement with the Service Employees International Union (SEIU), Local 721, as required for VCTC's Fiscal Year 2016/17 federal transit grant applications with the Federal Transit Administration.

**8G. DANIEL CARTER APPLICATION FOR LEAVE TO PRESENT LATE CLAIM-**

- Grant an application for leave to present a late claim submitted on behalf of Daniel Benjamin Carter
- Deny the underlying claim.

**8H. REGIONAL GOVERNMENT SERVICES AUTHORITY BUDGET AMENDMENT-**

Amend the VCTC Fiscal Year 2016/2017 budget by increasing the Professional and Human Resources task by \$15,000 from the General Fund LTF fund balance.

**9. FY 2016/17 LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) ALLOCATION-**

**Commissioner Zaragoza made a motion to:**

Adopt Resolution 2017-02 in Attachment A to:

1. Program Ventura County Transportation Commission's (VCTC) FY 2016/17 Low Carbon Transit Operations Program (LCTOP) apportionment as follows:
  - o \$52,303 for the East/West County Connector Bus Service Project,
  - o \$325,442 for the Oxnard/Camarillo Employment Connector Service Project and
  - o \$28,828 for the Southern California Regional Rail Authority (SCRRA) Metrolink new ricket vending machine, and
2. Authorize the Executive Director to execute all required documents to receive VCTC's FY 2016/17 Low Carbon Transit Operations Program funds.

**The motion was seconded by Commissioner Gherardi and passed unanimously.**

**10. LEGISLATIVE UPDATE AND POSITIONS ON BILLS-**

**Commissioner Zaragoza made a motion to Adopt "Support" position on AB 278 (Steinorth). The motion was seconded by Commissioner White and passed, with Commissioner Foy voting in opposition.**

**11. CAPITAL PROJECTS MANAGEMENT -**

**Commissioner Zaragoza made a motion to Approve Cooperative Agreement with County of Ventura Public Works Agency Transportation Department to provide Project Management professional services to serve as VCTC Project Manager/representative for the United States Highway 101 and State Route 118 project development phases (preliminary engineering and environmental document development). *The motion was seconded by Commissioner Gherardi and passed unanimously.***

**12. REVIEW DRAFT FINAL COORDINATED HUMAN SERVICES TRANSPORTATION PLAN-**

*The presentation was received and filed.*

**Commissioner Gherardi requested this item be brought back to the March CTAC/SSTAC meeting.**

**13. BICYCLE WAY FIDING PLAN-**

*The presentation was received and filed.*

**14. VCTC GENERAL COUNSEL'S REPORT - None**

**15. AGENCY REPORTS - None**

**16. CLOSED SESSION - No Reportable Action**

2. Public Employee Performance Evaluation  
(Pursuant to Government Code Section 54957)  
Title: Executive Director and General Counsel
3. Conference with Labor Negotiator  
(Pursuant to Government Code Section 54759.6)  
Agency Designated Representative: Darren Kettle  
Unrepresented Employees: All positions other than Executive Director
4. Conference with Legal Counsel – Existing Litigation  
(Pursuant to Government Code Section 54956.9(d)(1))  
*Fillmore & Western v. VCTC, Case No. 56-2016-00482491*  
*VCTC v. Fillmore & Western, Case No. 56-2014-00449769*
4. Closed Session: Conference with Legal Counsel – Anticipated Litigation  
(Pursuant to Government Code Section 54956.9(d)(2))  
Significant Exposure to Litigation: One Case

**17. ADJOURN to 9:00 a.m. Friday, April 7, 2017**

**The meeting was adjourned in memory of Don Irwin Choate, husband of Caltrans District 7 Chief Deputy Director Shirley Choate**

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Item # 8B

April 7, 2017

**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 2017

**DISCUSSION:**

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, 2017 budget reports indicate that revenues were approximately 50.54% of the adopted budget while expenditures were approximately 47.46% 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. Furthermore, revenues are often billed and reimbursed in arrears.

Some revenues are received at the beginning of the year while other revenues are received after grants are approved. In many instances, the Ventura County Transportation Commission (VCTC) incurs expenses and then submits for reimbursement from federal, state and local agencies which may also cause a slight lag in reporting revenues. 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.

**April 7, 2017**  
**Item #8B**  
**Page #2**

The Valley Express invoices and revenue information for the month of February were not available and are not reflected within the Heritage Valley Budget line item. This information will be provided with the March budget report brought to the Commission in May.

VCTC funds a large portion of its transit activities with Federal Transit Administration (FTA) funds. The grant approval process is long; therefore, VCTC requests (or preprograms) the FTA funds a year before expected use, so that funds will be available when expenditures are made. The grants intended to fund this fiscal year's activities have been delayed due to a number of issues. Due to these unexpected grant delays, the Commission approved a temporary cash-flow loan from the State Transit Assistance (STA) fund to the General Fund, VCTC Intercity Service fund and the Valley Express fund not to exceed \$4,391,000. Through February 2017, the cash-flow STA loan totals \$3,254,434. This amount is reflected as a reserved fund balance on the balance sheet

**STA cash-flow loan repayment** - In March, one of the three pending FTA grants was approved. The revenues attributed to this grant in the amount of \$1,316,028 were drawn down from FTA and the STA fund was repaid. There are two outstanding FTA grants totaling \$3,582,750 which VCTC staff continues to emphasize to FTA the need for expedited processing.

The Commission's capital assets are 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. Capital assets and depreciation are booked annually at year-end.

**VENTURA COUNTY TRANSPORTATION COMMISSION  
BALANCE SHEET  
AS OF FEBRUARY 28, 2017**

**ASSETS**

<b>Assets:</b>	
Cash and Investments - Wells Fargo Bank	\$ 7,184,015
Cash and Investments - County Treasury	16,555,267
Petty Cash	130
Receivables/Due from other funds	7,532,239
Prepaid Expenditures	150,037
Deposits	15,836
Capital Assets, undepreciated	26,153,437
Capital Assets, depreciated, net	<u>32,991,740</u>
<b>Total Assets:</b>	<b><u>\$90,582,701</u></b>

**LIABILITIES AND FUND BALANCE**

<b>Liabilities:</b>	
Accrued Expenses/Due to other funds	\$ 4,371,931
Deferred Revenue	2,273,527
Deposits	<u>400</u>
<b>Total Liabilities:</b>	<b><u>\$ 6,645,858</u></b>
<b>Net Position:</b>	
Invested in Capital Assets	\$59,145,177
Fund Balance Reserved for STA/FTA Loan	3,254,434
Fund Balance	<u>21,537,232</u>
<b>Total Net Position</b>	<b><u>\$83,936,843</u></b>
<b>Total Liabilities and Fund Balance:</b>	<b><u>\$90,582,701</u></b>

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, 2017**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Annual to Date	Variance Actual	% Year Actual
<b>Revenues</b>										
Federal Revenues	\$ 3,142,888	\$ 0	\$ 0	\$ 0	\$ 3,751,452	\$ 360,870	\$ 7,255,210	\$14,922,448	(7,667,238)	48.62
State Revenues	257,358	17,554,100	1,478,352	389,016	381,292	0	20,060,118	41,205,958	(21,145,840)	48.68
Local Revenues	363,811	0	0	627	1,713,828	1,141,357	3,219,623	4,311,459	(1,091,836)	74.68
Other Revenues	235	0	0	0	0	0	235	0	235	0.00
Interest	223	13,963	32,195	13,999	191	30	60,601	95,000	(34,399)	63.79
<b>Total Revenues</b>	<b>3,764,515</b>	<b>17,568,063</b>	<b>1,510,547</b>	<b>403,642</b>	<b>5,846,763</b>	<b>1,502,257</b>	<b>30,595,787</b>	<b>60,534,865</b>	<b>(29,939,078)</b>	<b>50.54</b>
<b>Expenditures</b>										
<b>Administration</b>										
Personnel Expenditures	1,539,190	0	0	0	108,060	35,691	1,682,941	2,966,900	(1,283,959)	56.72
Legal Services	8,781	0	0	0	0	0	8,781	24,000	(15,219)	36.59
Professional Services	66,750	0	0	0	0	0	66,750	106,500	(39,750)	62.68
Office Leases	101,936	0	0	0	0	0	101,936	155,300	(53,364)	65.64
Office Expenditures	200,246	0	0	0	59,185	19,548	278,979	432,300	(153,321)	64.53
<b>Total Administration</b>	<b>1,916,903</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>167,245</b>	<b>55,239</b>	<b>2,139,387</b>	<b>3,685,000</b>	<b>(1,545,613)</b>	<b>58.06</b>
<b>Programs and Projects</b>										
<b>Transit &amp; Transportation Program</b>										
Senior-Disabled Transportation	123,284	0	0	0	0	0	123,284	257,600	(134,316)	47.86
Fare Collection APC Systems	17,569	0	0	0	0	0	17,569	348,800	(331,231)	5.04
VCTC Intercity Bus Services	0	0	0	0	6,510,613	0	6,510,613	9,870,442	(3,359,829)	65.96
Valley Express Bus Services	0	0	0	0	0	854,862	854,862	1,969,700	(1,114,838)	43.40
Nextbus	133	0	0	0	0	0	133	266,675	(266,542)	0.05
Transit Grant Administration	1,876,313	0	0	0	0	0	1,876,313	6,499,300	(4,622,987)	28.87
<b>Total Transit &amp; Transportation</b>	<b>2,017,299</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6,510,613</b>	<b>854,862</b>	<b>9,382,774</b>	<b>19,212,517</b>	<b>(9,829,743)</b>	<b>48.84</b>
<b>Highway Program</b>										
Motorist Aid Call Box System	0	0	0	180,525	0	0	180,525	724,000	(543,475)	24.93
Highway Project Management	480	0	0	0	0	0	480	502,500	(502,020)	0.10
SpeedInfo Highway Speed Sensor	0	0	0	40,800	0	0	40,800	144,000	(103,200)	28.33
<b>Total Highway</b>	<b>480</b>	<b>0</b>	<b>0</b>	<b>221,325</b>	<b>0</b>	<b>0</b>	<b>221,805</b>	<b>1,370,500</b>	<b>(1,148,695)</b>	<b>16.18</b>



	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Annual to Date	Variance Actual	% Year Actual
<b>Rail Program</b>										
Metrolink & Commuter Rail	2,254,262	0	0	0	0	0	2,254,262	4,582,170	(2,327,908)	49.20
LOSSAN & Coastal Rail	1,601	0	0	0	0	0	1,601	6,100	(4,499)	26.25
Santa Paula Branch Line	190,903	0	0	0	0	0	190,903	700,500	(509,597)	27.25
<b>Total Rail</b>	<b>2,446,766</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,446,766</b>	<b>5,288,770</b>	<b>(2,842,004)</b>	<b>46.26</b>
<b>Commuter Assistance Program</b>										
Transit Information Center	18,370	0	0	0	0	0	18,370	44,000	(25,630)	41.75
Rideshare Programs	25,122	0	0	0	0	0	25,122	67,600	(42,478)	37.16
<b>Total Commuter Assistance</b>	<b>43,492</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>43,492</b>	<b>111,600</b>	<b>(68,108)</b>	<b>38.97</b>
<b>Planning &amp; Programming</b>										
Transportation Development Act	115,760	16,022,878	0	0	0	0	16,138,638	30,453,618	(14,314,980)	52.99
Transportation Improvement Program	6,754	0	0	0	0	0	6,754	47,300	(40,546)	14.28
Regional Transportation Planning	136,414	0	0	0	0	0	136,414	684,300	(547,886)	19.93
Airport Land Use Commission	50	0	0	0	0	0	50	9,000	(8,950)	0.56
Regional Transit Planning	104,876	0	0	0	0	0	104,876	609,100	(504,224)	17.22
Freight Movement	49	0	0	0	0	0	49	11,800	(11,751)	0.42
<b>Total Planning &amp; Programming</b>	<b>363,903</b>	<b>16,022,878</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>16,386,781</b>	<b>31,815,118</b>	<b>(15,428,337)</b>	<b>51.51</b>
<b>General Government</b>										
Community Outreach & Marketing	368,819	0	0	0	0	0	368,819	536,900	(168,081)	68.69
State & Federal Relations	57,097	0	0	0	0	0	57,097	106,900	(49,803)	53.41
Management & Administration	19,565	0	0	0	0	0	19,565	81,000	(61,435)	24.15
Office Building Purchase	29,429	0	0	0	0	0	29,429	3,317,001	(3,287,572)	0.89
<b>Total General Government</b>	<b>474,910</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>474,910</b>	<b>4,041,801</b>	<b>(3,566,891)</b>	<b>11.75</b>
<b>Total Expenditures</b>	<b>7,263,753</b>	<b>16,022,878</b>	<b>0</b>	<b>221,325</b>	<b>6,677,858</b>	<b>910,101</b>	<b>31,095,915</b>	<b>65,525,306</b>	<b>(34,429,391)</b>	<b>47.46</b>

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Annual to Date	Variance Actual
<b>Revenues over (under) expenditures</b>	<b>(3,499,238)</b>	<b>1,545,185</b>	<b>1,510,547</b>	<b>182,317</b>	<b>(831,095)</b>	<b>592,156</b>	<b>(500,128)</b>	<b>(4,990,441)</b>	<b>4,490,313</b>
<b>Other Financing Sources</b>									
Transfers Into GF from LTF	4,307,713	0	0	0	0	0	4,307,713	4,307,713	0
Transfers Into GF from STA	122,838	0	0	0	1,500,000	0	1,622,838	6,918,230	(5,295,392)
Transfers Into GF from SAFE	13,155	0	0	0	0	0	13,155	15,000	(1,845)
Transfers Out LTF into GF	0	(4,307,713)	0	0	0	0	(4,307,713)	(4,307,713)	0
Transfers Out of STA into GF	0	0	(1,622,838)	0	0	0	(1,622,838)	(6,918,230)	5,295,392
Transfers Out of SAFE into GF	0	0	0	(13,155)	0	0	(13,155)	(15,000)	1,845
<b>Total Other Financing Sources</b>	<b>4,443,706</b>	<b>(4,307,713)</b>	<b>(1,622,838)</b>	<b>(13,155)</b>	<b>1,500,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Change in Fund Balances</b>	<b>944,468</b>	<b>(2,762,528)</b>	<b>(112,291)</b>	<b>169,162</b>	<b>668,905</b>	<b>592,156</b>	<b>(500,128)</b>	<b>(4,990,441)</b>	<b>4,490,313</b>
<b>Beginning Fund Balance</b>	<b>2,469,487</b>	<b>8,108,784</b>	<b>10,656,447</b>	<b>4,048,076</b>	<b>0</b>	<b>9,000</b>	<b>25,291,794</b>	<b>17,224,142</b>	<b>8,067,652</b>
<b>Ending Fund Balance</b>	<b><u>\$3,413,955</u></b>	<b><u>\$5,346,256</u></b>	<b><u>\$10,544,156</u></b>	<b><u>\$4,217,238</u></b>	<b><u>\$668,905</u></b>	<b><u>\$601,156</u></b>	<b><u>\$24,791,666</u></b>	<b><u>\$12,233,701</u></b>	<b><u>\$12,557,965</u></b>

Note: The STA ending fund balance of \$10,544,156 includes \$3,254,434 loaned to other funds until grant funding is received. The STA fund balance available for expenditures is \$7,289,722.

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION  
INVESTMENT REPORT  
AS OF FEBRUARY 28, 2017**

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.

<b>Institution</b>	<b>Investment Type</b>	<b>Maturity Date</b>	<b>Interest to Date</b>	<b>Rate</b>	<b>Balance</b>
Wells Fargo – Checking	Government Checking	N/A	\$ 468.74	0.01%	\$ 7,184,014.97
County of Ventura	Treasury Pool	N/A	60,132.42	0.78%	16,531,166.59
<b>Total</b>			<b>\$60,601.16</b>		<b>\$23,715,181.56</b>

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. A small portion of interest earned in the Wells Fargo accounts is for unearned revenues and the interest is not recognized until the revenues are recognized.

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 portion of interest earned in the General Fund is for Proposition 1B funds and is reclassified and is not shown as General Fund interest in the Statement of Revenues, Expenditures and Changes in Fund Balance.

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 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: ELLEN TALBO, TRANSIT PLANNING MANAGER**

**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**

During the month of February, ridership on the Ventura County portion of the VC Line averaged 1,725 total boardings per weekday (inbound and outbound) resulting in a month over month increase of 4.8% on the line. The methodology to arrive at this figure may involve some LA County stations and staff is developing a different methodology to provide a more accurate report for next month's passenger rail report. Systemwide ridership experienced a year over year increase of 2.7%. Ridership by Train and Boardings by Station for the month of February are provided in Attachment A.

In general, declining ridership on the VC Line and throughout the Metrolink system is concurrent with regional and nationwide trends. Since mid-2015, a number of events may have impacted commute trends between Ventura and downtown Los Angeles:

- There has been an uptick in statewide vehicle miles traveled, potentially indicating a shift from transit to driving
- Freeway improvement projects at the US 101/State Route 23, I-5/State Route 118, and US 101/I-405 interchanges have improved traffic flow for Ventura/San Fernando Valley commuters wishing to drive over taking transit

- Gas prices in the Ventura county region have decreased by an average of \$0.32/gallon over a 15 month period
- Uber and Lyft have reported increases in app downloads, driver-sign ups, and ridership over the past year, however as of January 2017 they have not made their proprietary data publically available yet.

These events may have contributed to the declining ridership trends that the Metrolink system has experienced over the past year and a half.

Metrolink on-time performance, which denotes trains arriving within five minutes of scheduled time, for the month of February was 96.5% reflecting a 3% increase from the previous monthly average. On-time performance on the VC Line continues to perform above the systemwide average.

In late February, the Metrolink Board discussed the preliminary draft of the fiscal year (FY) 17-18 budget. The draft budget contemplates a series of nine new initiatives to improve service and ridership. A Board workshop is scheduled in late April to further discuss and refine budget priorities.

### **LOSSAN**

Throughout February and March LOSSAN staff has been working to update its annual Business Plan. Under the interagency transfer agreement between LOSSAN and Caltrans, the agency is required to submit an annual business plan to the California State Transportation Agency by April 1 of each year that provides the basis for its annual budget request, outlines operations and service goals, and discusses any proposed changes to the Pacific Surfliner service. The business plan for FY 2017-18 and FY 2018-19 will largely focus on charting the LOSSAN Agency's progress toward meeting the goals and objectives set forth in the first two business plans. The FY 17-18 Business Plan doesn't assume any major service changes, however it proposes fare restructuring policy designed to optimize ridership, revenue and farebox recover. The Business Plan also outlines proposed changes to operational strategies, equipment maintenance, and marketing programs, and discusses upcoming planning studies.

## February 2017 Metrolink Ridership

### AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)

February 2017 vs. February 2016 (YEAR OVER YEAR)

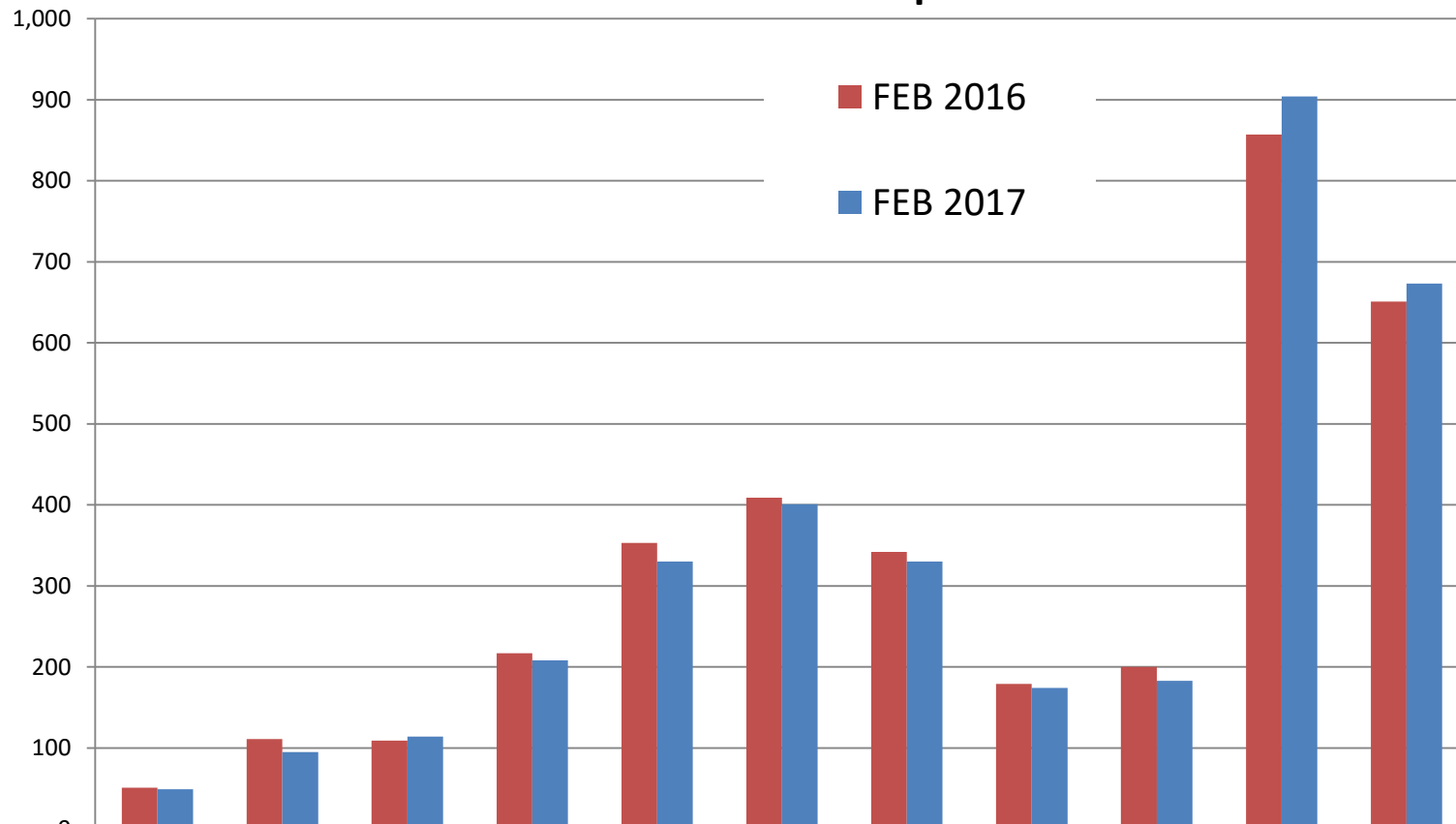
MO/YR	Ventura County Portion*	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA (weekday)
Feb-17	1,725	3,513	39,123	170
Feb-16	1,682	3,439	40,848	182
Change	2.56%	2.15%	-4.22%	-6.59%

\*Ventura County Portion ridership may include LA County stations

### 10 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 (weekday)
Feb-17	3,513	1,725	39,123	170
Feb-16	3,439	1,682	39,810	182
Feb-15	3,647	1,884	41,248	187
Feb-14	3,677	1,652	41,564	158
Feb-13	3,816	1,938	42,842	226
Feb-12	4,165	1,951	43,198	209
Feb-11	3,712	2,142	40,127	264
Feb-10	3,757	2,105	40,596	376
Feb-09	4,299	2,241	43,313	255
Feb-08	4,218	2,181	43,358	258

## Ventura County Line Average Daily Station Boardings Year over Year Comparison



	EAST VENTURA	OXNARD	CAMARILLO	MOORPARK	SIMI VALLEY	NORTHRIDGE	CHATSWORTH	VAN NUYS	BURBANK AIRPORT	BURBANK	GLENDALE
FEB 2016	51	111	109	217	353	409	342	179	200	857	651
FEB 2017	49	95	114	208	330	401	330	174	183	904	673





Item #8D

April 7, 2017

**MEMO TO: SERVICE AUTHORITY FOR FREEWAY EMERGENCIES (SAFE)**  
**FROM: STEVE DEGEORGE, PLANNING AND TECHNOLOGY DIRECTOR**  
**SUBJECT: AGREEMENT WITH THE STATE OF CALIFORNIA HIGHWAY PATROL FOR SERVICES RELATED TO VENTURA COUNTY MOTORIST AID CALL BOX PROGRAM**

**RECOMMENDATION:**

- Approve the agreement between the State of California, Department of California Highway Patrol and the Ventura County Service Authority for Freeway Emergencies (SAFE).
- Adopt Resolution 2017-03 in support of the agreement between the State of California Department of California highway Patrol and Ventura County Service Authority for Freeway Emergencies.

**Discussion:**

This is a renewal of an existing agreement between the California highway Patrol (CHP) and the Ventura County Service Authority for Freeway Emergencies (SAFE) extending CHP services from July 1, 2017 through June 30, 2020. The California Highway Patrol provides personnel to answer and direct calls from Ventura County's Motorist Aid Call Box Program in accordance with CHP/Caltrans Call Box and Motorist Aid Guidelines.

The agreement in Attachment A is identical in substantive content to the existing agreement with the exception of costs. Due to the declining use of the call box system, the cost has been reduced from a maximum of \$60,000 to \$28,800. Funding for this agreement and the SAFE program come from a one dollar (\$1.00) fee per vehicle registered in Ventura County and is included in the Fiscal Year 2016/2017 Budget.

Staff is recommending the Commission approve the agreement between the State of California, department of California Highway Patrol and the Ventura County Service Authority for Freeway Emergencies and Resolution 2017-03, found in Attachment B, in support of the Agreement.

## ATTACHMENT A

STATE OF CALIFORNIA  
**STANDARD AGREEMENT**  
 STD 213 (Rev 06/03)

AGREEMENT NUMBER 17R048002
REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:
 

<small>STATE AGENCY'S NAME</small>	Department of California Highway Patrol (CHP)
<small>CONTRACTOR'S NAME</small>	County of Ventura Service Authority for Freeway Emergencies (SAFE)
2. The term of this Agreement is: 7/01/2017 through 06/30/2020
3. The maximum amount of this Agreement is: \$28,800.00  
(Twenty-eight Thousand Eight Hundred Dollars and Zero Cents)
4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.
 

Exhibit A – Scope of Work (Agreement between Department of California Highway Patrol and County of Ventura Service Authority for Freeway Emergencies (SAFE))	6 pages
Exhibit B – CHP/Caltrans Call Box and Motorist Aid Guidelines, incorporated by reference, Referred to as "GUIDELINES" and provided by the California Department of Transportation to all SAFE participants	111 page(s)
Exhibit C* – General Terms and Conditions (with exception to items #4 "Audit" and #5, "Indemnification")	<u>GTC 610 (6/09/2010)</u>

*Items shown with an Asterisk (\*), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at <http://www.dqs.ca.gov/ols/Resources/StandardContractLanguage.aspx>*

**IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.**

<b>CONTRACTOR</b>	<i>California Department of General Services Use Only</i>
<small>CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.)</small> County of Ventura Service Authority for Freeway Emergencies (SAFE)	
<small>BY (Authorized Signature)</small> Refer to page 6 for signatures	
<small>DATE SIGNED(Do not type)</small>	
<small>PRINTED NAME AND TITLE OF PERSON SIGNING</small>	
<small>ADDRESS</small> 950 County Square Drive #207 Ventura CA, 93003	
<b>STATE OF CALIFORNIA</b>	
<small>AGENCY NAME</small> Department of California Highway Patrol	
<small>BY (Authorized Signature)</small> Refer to page 6 for signatures	
<small>DATE SIGNED(Do not type)</small>	
<small>PRINTED NAME AND TITLE OF PERSON SIGNING</small> Patricia Gamoning, Procurement Manager, Business Services Section	
<small>ADDRESS</small> P.O. Box 942898, Sacramento, CA 94298-0001	

AGREEMENT BETWEEN  
THE STATE OF CALIFORNIA  
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL  
AND  
COUNTY OF VENTURA SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

THIS AGREEMENT is made and entered into by and between the State of California acting by and through Department of California Highway Patrol, hereinafter called CHP, and County of Ventura Service Authority for Freeway Emergencies, hereinafter called County of Ventura SAFE, under provisions of California Vehicle Code Sections 2421.5 and 9250.10, and the Streets and Highway Code Section 131.1 and Chapter 14 (commencing with Section 2550) to Division 3.

TERMS AND CONDITIONS:

By and in consideration of the covenants and conditions herein contained, CHP and County of Ventura SAFE do hereby agree as follows:

1. The term of this agreement is July 1, 2017, through June 30, 2020.
2. The Agreement is for services and assistance provided by CHP in accordance with the "CHP/Caltrans Call Box and Motorist Aid Guidelines," which is hereby incorporated by reference hereinafter called "GUIDELINES." As these GUIDELINES may be revised from time to time, it is understood that County of Ventura SAFE shall have a current copy on file for the duration of this Agreement.
3. The Agreement shall remain in force subject to the following:
  - A. That it shall not become effective until (1) County of Ventura SAFE has submitted to CHP a copy of the minutes, order, motion, resolution, or ordinance from County of Ventura SAFE approving execution of this Agreement and providing the authorization to sign on behalf of County of Ventura SAFE, and (2) that this Agreement is duly signed by both parties.
  - B. That it may be modified in writing and signed by both parties, and shall be modified through amendment by the parties to conform to any future changes to federal or state law that affects the terms of this Agreement.
  - C. Because of the time and expense early termination would entail to both parties, either party may terminate this agreement before the expiration of its term, or any extension, upon six (6) months prior written notice to the other party.
  - D. Notwithstanding subparagraph 3 C. above, CHP may terminate this Agreement upon thirty (30) days' advance written notice to County of Ventura SAFE should County of Ventura SAFE be financially unable to reimburse CHP for services rendered under this Agreement.
4. For services and assistance herein, County of Ventura SAFE agrees to reimburse CHP quarterly, in arrears and upon receipt of an itemized invoice, for charges identified in Sections 10 and 12. Upon receipt, payment shall be made to CHP as invoiced within sixty (60) days. If payment is not submitted because of a dispute, County of Ventura SAFE agrees to submit the reasons for the dispute to CHP within sixty (60) days of receiving the invoice charges.

A. Payment shall be made to:

Department of California Highway Patrol  
Fiscal Management Section  
P.O. Box 942900  
Sacramento, CA 94298-2900

B. Invoices shall be sent to:

County of Ventura SAFE  
Attn: SAFE Program Manager  
950 County Square Drive, Suite 207  
Ventura, CA 93003

Attn: Steve DeGeorge  
Telephone: (805) 642-1591 x103  
Email: sdegeorge@goventura.org

Each quarterly invoice shall include a thorough explanation and justification for any additional charges or changes of the amounts of past charges.

5. The maintenance of the call box system (outside of CHP communications center), including telephone service and line costs, shall be the sole responsibility of County of Ventura SAFE. Upgrades or modifications to County of Ventura SAFE's system shall be in accordance with the GUIDELINES. This notification shall be made to CHP at least thirty (30) days prior to the annual staffing analysis.
6. The County of Ventura SAFE shall reimburse CHP for all personnel costs associated with the number of Public Safety Dispatcher (PSD) positions that CHP and County of Ventura SAFE agree are required to handle call box call traffic. The CHP will only increase or decrease the number of PSDs after receiving a written request/commitment from County of Ventura SAFE stating that County of Ventura SAFE will assume all personnel costs for the additional positions.
7. Six (6) months prior to the beginning of each subsequent fiscal year, if the need arises, CHP will re-evaluate communications center call box PSD staffing requirements. The most recent twelve (12) months (annual average) of call box call activity (when available) will be used with the CHP Reimbursable Position Formula (defined in the GUIDELINES) to determine the current required staffing level. The CHP will submit to County of Ventura SAFE a letter, with applicable substantiating data, indicating any necessary changes in staffing. The County of Ventura SAFE will then respond to CHP within thirty (30) days, in writing, indicating concurrence or disagreement with the recommendation.
8. The County of Ventura SAFE shall advise CHP of any anticipated significant new installations that should be considered into the annual staffing analysis. This notification should be made to CHP at least thirty (30) days prior to the annual staffing analysis.
9. The County of Ventura SAFE may request or CHP may perform, if the need arises, a staffing analysis at any time during the year. If a change in staffing is required due to a non-predicted need, CHP and/or County of Ventura SAFE may request, in writing, such a change. Staffing changes may be necessary for, but need not be limited to, the following: increases/decreases in the number of call boxes, or significant increases/decreases in the number of call box calls.

10. The County of Ventura SAFE shall pay for its proportional share of the actual wage rate for one half (1/2) of a single CHP SAFE Coordinator position. The SAFE coordinator position will be used for SAFE-related business.

Each SAFE's proportional share billing "factor" will be determined at the beginning of each fiscal year by comparing the number of motor vehicles registered within each SAFE's boundaries to the total number of motor vehicles registered in all counties which have entered into SAFE agreements with CHP. This proportional share will be billed over four (4) fiscal quarters.

11. Call box calls will be handled by CHP communications centers as third level priority – after 9-1-1 (first priority) and allied agency (second priority) calls. The CHP statewide standard level of service for the handling of call box calls is as follows:

- A. Call box calls shall be handled as rapidly as possible; however, they should be handled ideally no longer than 60 seconds after the first ring at the communications center. Experience has shown that when emergency communications traffic becomes unusually heavy, call box traffic also increases. At these times, motorists may be required to wait extended lengths of time for service.

- B. Call box calls should be handled ideally within 3.5 minutes' (210 seconds) total call handling time. It is understood that the use of such services as the translation service contractor will increase total call handling time to levels above this standard.

12. The CHP agrees to submit an itemized invoice quarterly to County of Ventura SAFE which may include and shall not exceed the following charges:

- A. Personnel costs (salary and benefits) determined under the terms of this Agreement. PSD personnel costs will be based on the third step of the wage scale for PSDs in effect at the time of invoicing. The SAFE Coordinator personnel costs will be based on the actual step of the wage scale for SAFE Coordinator position at the time of invoicing. These costs are subject to change according to increases and/or decreases in State of California salary and benefit rates, which are beyond CHP control. Billing will be calculated based upon the average Personnel Year (PY) for the quarter.

- B. Indirect costs will be applied to the monthly personnel costs in accordance with California State Administrative Manual Section 8752 and 8752.1. The indirect cost rate is determined by CHP and approved by the California Department of Finance (DOF) and is subject to change each state fiscal year.

- C. Translation service charges directly attributable to call box calls and billed to CHP by the translation service contractor will be reimbursed by SAFE. The CHP will maintain a contract with a translation service to provide necessary interpretation/translation services for call box-related calls. The CHP will bill SAFE, in arrears, quarterly for charges billed by the translation service contractor. All SAFE invoices will be accompanied by copies of billings from the translation services contractor.

- D. Telephone system costs (if applicable). The state shall provide a standard communication center telephone system, which shall also be used to handle incoming call box calls. Any agreed upon changes above and beyond the standard phone system design specifically requested by County of Ventura SAFE Program shall be funded by County of Ventura SAFE.

13. Call box/motorist aid system enhancements due to changing technology may require changes and/or upgrades to CHP communication center equipment. In such cases, County of Ventura SAFE shall be responsible for the procurement, installation, and maintenance of communication center equipment, unless otherwise agreed to. All equipment procured for CHP dispatch operation shall be designed jointly by CHP and County of Ventura SAFE. No equipment shall be installed in a CHP facility, which does not meet all CHP operational and technical specifications.

Communication center equipment purchased by County of Ventura SAFE and designated as CHP's property will be maintained by CHP. Otherwise County of Ventura SAFE accepts responsibility.

14. The CHP shall limit its review to County of Ventura SAFE's specifications for upgrading or modifying County of Ventura SAFE's call box system which include any potential operational affect to CHP communications centers, in accordance with the GUIDELINES. County of Ventura SAFE shall maintain and comply with its obligation to provide teletypewriter/telecommunication devices for the deaf, as specified in the GUIDELINES.
15. The total amount of this Agreement shall not exceed the Agreement's maximum of Twenty-eight Thousand Eight Hundred Dollars and Zero Cents (\$28,800.00). Estimated FY amounts shown below are as follows:

FY 17/18 (7/01/2017 through 6/30/2018) -	\$9,600.00
FY 18/19 (7/01/2018 through 6/30/2019) -	\$9,600.00
FY 19/20 (7/01/2019 through 6/30/2020) -	<u>\$9,600.00</u>
TOTAL	\$28,800.00

Each quarterly invoice shall include a thorough explanation and justification for any new additional charges or changes to the amounts of past charges.

16. Pursuant to Government Code Section 895.4, County of Ventura SAFE shall defend, indemnify, and hold harmless the CHP, as well as the CHP's appointees, officers, and employees from and all claims, actions, losses, liability and expense (including reasonable attorney's fees) arising from any injury (as defined in Government Code Section 810.8), but only in proportion to and to the extent that such claim, action, loss, liability and expense are caused by or result from the negligent or intentional acts or omissions of the injury County of Ventura SAFE, or by its appointees, officers, or employees, during the performance of this Agreement.

Pursuant to Government Code (GC) Section 895.4, CHP shall fully defend, indemnify, and hold harmless County of Ventura SAFE, as well as the County of Ventura SAFE's appointees, officers, and employees from and against all claims, actions, losses, liability, and expense (including reasonable attorney's fees) arising from any injury (as defined in Government Code Section 810.8), but only in proportion to and to the extent that such claim, action, loss, liability, and expense are caused by or result from the negligent or intentional acts or omissions of CHP, or CHP's appointees, officers, or employees during the performance of this Agreement.

Neither termination nor completion of this Agreement shall release either CHP or County of Ventura SAFE from the obligations of this paragraph, so long as the claim, action, loss, expense, or liability is predicated upon an event that occurred subsequent to the effective date of this Agreement and prior to the effective date of termination or completion of this Agreement.



17. All services under this Agreement shall be coordinated by

Department of the California Highway Patrol  
Communications Centers Support Section  
601 North 7<sup>th</sup> Street, Building C  
Sacramento, CA 95811  
(916) 843-4280

The contact person shall be CHP SAFE Coordinator.

18. This Agreement, and any attachments or documents incorporated herein by inclusion or reference, constitutes the complete and entire Agreement between CHP and SAFE and supersedes any prior representations, understandings, communications, commitments, Agreements or proposals, oral or written.
19. Under no circumstances shall SAFE or its subcontractor(s) use the name Department of California Highway Patrol or CHP to promote a product which is part of the call box system without the written consent of CHP.
20. Audits. The auditing parties hereto shall be subject to the examination and audit of the State for a period of three (3) years after final payment under the contract. In addition, SAFE and CHP may be subject to the examination and audit by representatives of either party. The examination and audit shall be confined to those matters connected with the performance of the contract including, but not limited to the costs of administering the contract. The SAFE and CHP agree to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records (Government Code Section 8546.7, Public Contract Code Section (PCC) 10115 et seq., California Code of Regulations (CCR) Title 2, Section 1896). SAFE agrees to maintain such records for possible audit for a minimum of three (3) years after final payment.
21. Disputes. Except as otherwise provided in this Agreement, any dispute concerning a question of fact arising under this Agreement which is not disposed of by mutual Agreement of the parties may be submitted to an independent arbitrator mutually agreed upon by the CHP and San Luis Obispo SAFE. The arbitrator's decisions shall be non-binding and advisory only, and nothing herein shall preclude either party, at any time, from pursuing any other legally available course of action, including the filing of a law suit. Pending a final decision of a dispute hereunder, both parties shall proceed diligently with the performance of their duties under this Agreement, and such continued performance of their duties under this Agreement shall not constitute a waiver of any rights, legal or equitable, of either party relating to the dispute.

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22. This Agreement is entered into by the parties listed below and shall be effective upon approval by the Department of General Services Office of Legal Services, if applicable. By executing this Agreement, the representatives of CHP and County of Ventura SAFE warrant that they have viewed and fully understand all provisions of this Agreement, and are authorized to bind their respective agencies to all terms of the Agreement's provisions.

STATE OF CALIFORNIA  
Department of California Highway Patrol

COUNTY OF VENTURA  
Service Authority for Freeway Emergencies

\_\_\_\_\_  
Patricia Gamoning, Procurement Manager  
Business Services Section

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
Bryan MacDonald, Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Authority: Board Resolution



**ATTACHMENT B**

**RESOLUTION NUMBER 2017-03  
A RESOLUTION OF THE VENTURA COUNTY SERVICE AUTHORITY FOR FREEWAY  
EMERGENCIES APPROVING THE AGREEMENT WITH THE STATE CALIFORNIA DEPARTMENT OF  
CALIFORNIA HIGHWAY PATROL**

**WHEREAS**, the Ventura County transportation Commission (VCTC) was created pursuant to Public Utilities Code 130000, et seq. and serves as the Service Authority for Freeway Emergencies operating the call box program; and

**WHEREAS**, the State of California, Department of California Highway Patrol requires a written agreement with any county participating in a call box program under the authority of section 2500 of the California Streets and Highways Code sections 2421.5 and 9250.10 of the California vehicle code; and

**WHEREAS**, the State of California, Department of California Highway Patrol requires a written notification of approval of such agreements and amendments to that agreement;

**NOW THEREFORE**, the Ventura County Service Authority for Freeway Emergencies does hereby authorize to execute agreement number 15R048005 with the State of California, Department of California Highway Patrol

**PASSED AND ADOPTED** by the Ventura County Service Authority for Freeway Emergencies at its regular meeting this 7th day of April 2017.

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**Bryan MacDonald, Chair**

**APPROVED AS TO FORM:**

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**Steven T. Mattas, General Counsel**

**ATTEST:**

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**Donna Cole, Clerk**

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Item #8E

April 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR**  
**SUBJECT: ADOPTION OF DISADVANTAGED BUSINESS ENTERPRISE GOAL**

**RECOMMENDATION:**

- Adopt a revised Disadvantaged Business Enterprise (DBE) annual goal of 11.7% for VCTC contracts funded by the Federal Transit Administration for Federal Fiscal Years (FY) 2015/16 through 2017/18.

**BACKGROUND:**

The Ventura County Transportation Commission (VCTC) is required by the Federal Transit Administration (FTA) to have a DBE program in place for all federally-funded contracts, and to adopt a new goal every three years. In June, 2015, the Commission approved a goal of 12.5% that went into effect October 1, 2015. Staff then submitted the goal to FTA for review and approval, but at that time FTA did not take any action to approve or disapprove the goal.

As was reported to the Commission in January, 2017, as part of the 2016 Triennial Review FTA reviewed VCTC's process for setting its current DBE goal, and directed staff to undertake a consultation process. Staff completed the required consultation and received no feedback indicating that the adopted DBE goal should change, so staff reported to FTA that the existing goal was unchanged, and FTA accepted that response in closing the Triennial Review on December 12, 2016.

On January 5, 2017, one day prior to the January Commission meeting when the Triennial Review closeout was reported, staff received a letter from FTA indicating that it had performed its official review of the VCTC's DBE goal submittal from 2015, and that a revised goal calculation report, incorporating extensive additional analysis and documentation, was required.

**ANALYSIS:**

The attachment provides the expanded goal calculation report that has been prepared and submitted to FTA as directed. The revised method required by FTA has resulted in the DBE goal calculating to a slightly lower percentage, 11.7%. On March 1<sup>st</sup> FTA issued a written concurrence with this goal.

The annual goal can vary from one three-year period to the next based on the type of contracts and the availability of DBE firms to perform the work. Specifically, the DBE goal is established as follows: (1) Determine the amount of federal funds anticipated to be received for each anticipated upcoming contract

**April 7, 2017**  
**Item #8E**  
**Page #2**

for VCTC and its subrecipients; (2) Establish the base figure of DBEs as a percentage of all contractors, subcontractors, manufacturers and suppliers in relevant market areas; and (3) Adjust the base figure based on the availability of DBEs. To the maximum extent feasible, VCTC must make every effort to meet its goal through race-neutral measures. Only in those instances where race neutral measures are inadequate to meet the agency's goal may the agency establish specific contract goals.

A substantive change which FTA required to VCTC's process was the use of a three-year, rather than one-year, planning horizon to forecast future contracts and the potential for subcontracting. The result was a change in the data used to develop the goal, leading to a change in the goal itself. Therefore, the Commission must take action regarding the recommendation to lower the goal from 12.5% to 11.7%. As with the previously-adopted goal, it is recommended that the entire 11.7% goal be achieved through race neutral measures. (During FY 2015/16, when VCTC operated under the 12.5% goal, that goal was met entirely through race-neutral measures.)

Per VCTC's adopted DBE program staff will publish the goal in the Ventura County Star and Vida Newspaper after VCTC adoption to provide for a 45-day period for receipt of comments.



Item #8F

April 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR**  
**SUBJECT: SECTION 5310 FUNDED VAN PURCHASE FOR HELP OF OJAI**

**RECOMMENDATION:**

- Authorize the Chair to execute the attached agreement with HELP of Ojai to provide a paratransit van using \$48,000 of Federal Transit Administration (FTA) Section 5310 funds with match provided by HELP of Ojai.
- Authorize Executive Director to place order with A-Z Bus Sales to purchase on behalf of HELP of Ojai a Ford Class B T-350 lift-equipped paratransit vehicle through the California Association for Commuter Transportation (CalACT) purchasing schedule, at a total cost of \$62,399.84, contingent upon receipt of the assignment letter from CalACT and the receipt of \$14,399.84 in match from HELP of Ojai.

**BACKGROUND:**

The FTA Section 5310 program funds eligible projects that provide transportation targeted to serve seniors and persons with disabilities. The Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) Act revised this program to provide for direct apportionments to large urbanized areas. In 2013, in its first action to select Section 5310 projects to fund from the newly-constituted Oxnard/Ventura and Thousand Oaks/Moorpark urbanized areas apportionments, VCTC approved a list of projects including \$48,000 for a replacement van for HELP of Ojai, a non-profit organization which provides rides to the senior and disabled population in the Ojai Valley. Since VCTC is now the Designated Recipient for the Section 5310 apportionments, it has the option of administering the vehicle purchase on behalf of the applicant, through the bid schedule managed by the California Association for Commuter Transportation (CalACT), of which VCTC is a dues-paying member.

**DISCUSSION:**

HELP of Ojai has obtained quotes from A-Z Bus Sales and Creative Bus Sales, both for vehicles on the CalACT procurement schedule. Based on this information provided in the quotes, HELP selected A-Z Bus Sales on the grounds that it had the lowest price for the features HELP required. Under the terms of the agreement with VCTC, HELP will pay VCTC the local match share and VCTC will then order the vehicle on HELP's behalf, obtaining reimbursement of the federal share from FTA under through VCTC's Grant Administration Pass Through budget. HELP will be the registered owner of the vehicle and VCTC will be the lienholder until the vehicle reaches the end of its useful life as defined by FTA.

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## COOPERATIVE AGREEMENT

## BETWEEN

## VENTURA COUNTY TRANSPORTATION COMMISSION

## AND

## HELP OF OJAI

**THIS AGREEMENT** is entered into on this 7<sup>th</sup> day of April 2017 (“Effective Date”) between Ventura County Transportation Commission (hereinafter referred to as VCTC) and HELP of Ojai (hereinafter referred to as RECIPIENT) regarding the provision of a vehicle funded in part by the Federal Transit Administration (FTA) for transportation service of the RECIPIENT.

**WHEREAS** Chapter 53 of Title 49, United States Code, as amended, authorizes the Secretary of Transportation to apportion funds for public transportation projects for planning, capital, and operating assistance purposes; and,

**WHEREAS**, VCTC serves as the administrator of federal funds apportioned by FTA to Ventura County; and,

**WHEREAS**, VCTC authorized VCTC staff to apply for FTA funds on behalf of transportation providers including RECIPIENT, with the provision that the local match funds be provided by RECIPIENT; and

**WHEREAS**, it is the intention of VCTC to enter into this Cooperative Agreement with the RECIPIENT for the purchase of a vehicle as described in the attached Scope of Work (VEHICLE).

**NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:**I. FUNDING/PROGRAM MANAGEMENT

1. Assignments of Participants: VCTC hereby agrees to purchase the VEHICLE on behalf of RECIPIENT, and provide \$48,000 in FTA Section 5310 funds towards its cost. Prior to VCTC placing the order for the VEHICLE, RECIPIENT will pay VCTC \$14,399.84, towards the purchase price, for a total cost of \$62,399.84.
2. Scope of Services:
  - a. Grant Administration: VCTC agrees to carry out the administrative requirements necessary to reserve, apply for and receive FTA funds.
  - b. Use of VEHICLE: RECIPIENT shall operate the VEHICLE in its transportation service targeted towards persons with disabilities. Should the vehicle be removed from service, RECIPIENT shall return the VEHICLE to VCTC or another agency that VCTC shall designate, or shall reimburse VCTC for federal share of the depreciated value of the VEHICLE based on a straight-line depreciation from \$48,000 of the useful life defined as 5 years in service or 150,000 miles whichever occurs first (hereinafter “useful life of the VEHICLE”).
3. Duration of Agreement: The term of this Agreement shall commence upon the Effective Date, and shall continue until the VEHICLE purchased with the funds has reached the end of the useful life of the VEHICLE, except the language in Section III-1 regarding disposal of the VEHICLE with proceeds of over \$5,000 shall remain in effect until the VEHICLE is sold.

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 RECIPIENT.
5. Method of Payment: Subsequent to the Effective Date, RECIPIENT shall pay VCTC \$14,399.84. Upon receipt of these funds, VCTC shall purchase the VEHICLE on behalf of RECIPIENT through the California Association for Commuter Transportation purchasing program, and shall arrange for the delivery of the VEHICLE to the RECIPIENT. VCTC shall receive the FTA funds directly from FTA and apply those funds to the cost of the VEHICLE.

## II. FEDERAL REQUIREMENTS

RECIPIENT shall note that the following provisions apply to grants-in-aid from the United States Department of Transportation (US DOT), and RECIPIENT must take all necessary action to ensure their compliance as though they were the grantee directly.

1. Equal Employment Opportunity: During the performance of this Agreement the RECIPIENT agrees as follows: RECIPIENT shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, political belief, marital status, age, national origin, sex, or handicap. RECIPIENT shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, marital status, religion, political belief, age, national origin, sex, or any handicap not limiting the ability of the person to perform the job contemplated. Such action shall include but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment, or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection of training, including apprenticeship. Such shall be in compliance with Executive Order 11246 amended by Executive Order 11375 and as supplemented in United States Department of Labor regulations (41 CFR, Part 60). RECIPIENT agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of the Equal Opportunity Clause.
2. Audit and Inspection: RECIPIENT shall permit, and shall require that its contractors permit, the authorized representatives of VCTC, the US DOT and the Controller General of the United States to inspect and audit all data and records of RECIPIENT relating to its performance under this Agreement, as required in FTA Circular 9030.1C, Chapter VI, Application Instruction, Section 9(d), Oversight.

RECIPIENT also agrees, and shall require that its contractor(s) agree, to maintain all required records relating to this project for at least three (3) years after the VEHICLE purchased under this agreement has reached the end of the useful life of the VEHICLE.

### 3. Title VI of the Civil Rights Act of 1964

During the performance of this Agreement, RECIPIENT, for itself its assignees and successors in interest agrees as follows:

- a. Compliance with Regulations: RECIPIENT shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the US DOT Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
- b. Nondiscrimination: RECIPIENT with regard to the use of the VEHICLE, shall not discriminate on the grounds of race, color or national origin in the selection and retention of contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited



by Section 21.56 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulation.

- c. Solicitation for Subcontractors, Including Procurement of Materials and Equipment: In all solicitations related to the use of the VEHICLE either by competitive bidding or negotiation made by RECIPIENT for work to be performed under a contract, including procurement of materials or leases of equipment, each potential contractor or supplier shall be notified by RECIPIENT of the contractor's obligations under this contract and regulations relative to non-discrimination on the grounds of race, color or national origin.
  - d. Information and Reports: RECIPIENT shall require that subcontractor provide all information and reports required by the Regulations or directives issued pursuant thereto, and permit access to its books, record, accounts, other sources of information, and its facilities as may be determined by FTA to be pertinent to ascertain compliance with such regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to VCTC or FTA as appropriate, and shall set forth what efforts it has made to obtain the information.
  - e. Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, VCTC shall impose contract sanctions as it or the FTA may determine to be appropriate, including, but not limited to cancellation, termination, or suspension of the contract, in whole or in part.
  - f. Incorporation of Provisions: RECIPIENT shall include the provisions of paragraphs "a" through "e" of this section 3 of Part II in every contract funded through this Agreement, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. RECIPIENT shall take such reasonable action with respect to any contract or procurement as VCTC or FTA may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, RECIPIENT may request VCTC, and in addition, RECIPIENT may request the United States to enter into such litigation to protect the interest of the United States.
4. Rolling Stock Requirements: RECIPIENT shall maintain VEHICLE purchased with FTA funds in conformance with FTA rolling stock guidelines outlined in FTA Circular 9030 and further detailed in FTA Circular 5010, as incorporated herein by this reference, including the development and utilization of a vehicle maintenance plan, minimum insurance requirements, maintaining a written log of all maintenance work, as well as additional requirements. VCTC and FTA shall have the right to conduct periodic inspections for the purpose of confirming proper maintenance.
5. Quarterly Reporting: RECIPIENT shall submit a quarterly report of its use of the VEHICLE within thirty (30) calendar days after the close of each quarter. The report shall contain information requested by VCTC to indicate the extent to which RECIPIENT is utilizing the VEHICLE for service targeted to persons with disabilities.

### III. MISCELLANEOUS PROVISIONS

#### 1. Legal Title to VEHICLE, Inventory and Disposition

RECIPIENT shall become and remain the registered, legal owner of VEHICLE purchased with FTA funds. VCTC shall hold the title to the VEHICLE as the lienholder, and shall transfer title to RECIPIENT upon the VEHICLE reaching the end of the useful life of the VEHICLE. VCTC will have no liability or responsibility for the VEHICLE either for its use,

operation or maintenance. RECIPIENT shall participate in VCTC's biennial inventory of equipment as required by FTA. Should a VEHICLE be lost or damaged by fire, casualty, or natural disaster, the fair market value shall be calculated based on the condition of the VEHICLE immediately before the fire, casualty, or natural disaster, irrespective of the extent of insurance coverage, and the amount resulting from the calculation shall be provided by HELP to offset the cost of replacing the lost or damaged VEHICLE. If a VEHICLE is sold for more than \$5,000 subsequent to reaching end of the useful life of the VEHICLE, RECIPIENT shall remit to VCTC a proportional share of the VEHICLE's sale price based on the original FTA share of the VEHICLE's purchase price.

2. Insurance

**A. LIABILITY INSURANCE**

Before beginning any operation of the VEHICLE purchased pursuant to this Agreement, RECIPIENT, at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the operation of the VEHICLE provided hereunder by the RECIPIENT and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, RECIPIENT shall provide proof satisfactory to VCTC of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects, and that such insurance is in effect prior to taking delivery of the VEHICLE. RECIPIENT shall maintain the insurance policies required by this section throughout the term of this Agreement. RECIPIENT shall not allow any subcontractor to commence work on any subcontract funded through this agreement until RECIPIENT has obtained all insurance required herein for the subcontractor(s). RECIPIENT shall maintain all required insurance listed herein for the duration of this Agreement.

**B. COMMERCIAL GENERAL AND AUTOMOBILE LIABILITY INSURANCE**

**General requirements.** RECIPIENT, at its own cost and expense, shall maintain commercial general and automobile liability insurance for the term of this Agreement in an amount not less than two million dollars (\$2,000,000) per occurrence, combined single limit coverage for risks associated with the activities contemplated by this Agreement. If a Commercial General Liability (CGL) Insurance or an Automobile Liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the activities contemplated under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

**Minimum scope of coverage.** Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 or GL 0002 (most recent editions) covering comprehensive General Liability Insurance and Services Office form number GL 0404 covering Broad Form Comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition). No endorsement shall be attached limiting the coverage.

**Additional requirements.** Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:

- a. The Insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.
- b. Any failure of RECIPIENT to comply with reporting provisions of the policy shall not affect coverage provided to VCTC and its officers, employees, agents, and volunteers.

**Additional Insured Status** VCTC, its officers, officials, employees, and volunteers are to be covered as additional insureds on the auto policy with respect to liability arising out of VEHICLE purchased under this agreement; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of RECIPIENT 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 RECIPIENT's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 23 37 forms if later revisions used).

**C. AUTOMOBILE COLLISION INSURANCE**

RECIPIENT will provide collision coverage for partial and total repair/replacement for the VEHICLE, as per FTA requirements set forth in FTA Circular 5010. This shall be noted by the equipment inventory/management certification which must be filed with VCTC at least once every two years.

**D. ALL POLICIES REQUIREMENTS**

**Acceptability of insurers.** All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

**Verification of coverage.** Prior to beginning operations of the VEHICLE purchased under this Agreement, RECIPIENT shall furnish VCTC with complete copies of all policies delivered to RECIPIENT by the insurer, including complete copies of all endorsements attached to those policies. All copies of policies and certified endorsements shall show the signature of a person authorized by that insurer to bind coverage on its behalf. If VCTC does not receive the required insurance documents prior to RECIPIENT beginning VEHICLE operation, this shall not waive RECIPIENT's obligation to provide them. VCTC reserves the right to require complete copies of all required insurance policies at any time.

**Notice of Reduction in or Cancellation of Coverage.** A certified endorsement shall be attached to all insurance obtained pursuant to this Agreement stating that coverage shall not be suspended, voided, canceled by either party, or reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to VCTC. In the event that any coverage required by this section is reduced, limited, cancelled, or materially affected in any other manner, RECIPIENT shall provide written notice to VCTC at RECIPIENT's earliest possible opportunity and in no case later than ten (10) working days after RECIPIENT is notified of the change in coverage.

**Additional insured; primary insurance.** VCTC and its officers, employees, agents, and volunteers shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of RECIPIENT, including VCTC's general supervision of RECIPIENT; products and completed operations of RECIPIENT, as applicable; premises owned, occupied, or used by RECIPIENT; and automobiles owned, leased, or used by the RECIPIENT in the course of providing services pursuant to this Agreement. The coverage shall contain no special limitations on the scope of protection afforded to VCTC or its officers, employees, agents, or volunteers.

A certified endorsement must be attached to all policies stating that coverage is primary insurance with respect to VCTC and its officers, officials, employees and volunteers, and that no insurance or self-insurance maintained by VCTC shall be called upon to contribute to a loss under the coverage.

**Deductibles and Self-Insured Retentions.** RECIPIENT shall disclose to and obtain the approval of VCTC for the self-insured retentions and deductibles before beginning any of the activities contemplated by any term of this Agreement. Further, if RECIPIENT's insurance policy 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.

During the period covered by this Agreement, only upon the prior express written authorization of Agreement Administrator, RECIPIENT may increase such deductibles or self-insured retentions with respect to VCTC, its officers, employees, agents, and volunteers. The Agreement Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that RECIPIENT procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.

**Subcontractors.** RECIPIENT shall include all subcontractors as insureds under its policies or shall furnish separate certificates and certified endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

**Wasting Policy.** No insurance policy required by Section 4 shall include a "wasting" policy limit.

**Variation.** VCTC may approve a variation in the foregoing insurance requirements, upon a determination that the coverage, scope, limits, and forms of such insurance are either not commercially available, or that VCTC's interests are otherwise fully protected.

**Remedies.** In addition to any other remedies VCTC may have if RECIPIENT fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, VCTC may, at its sole option exercise any of the following remedies, which are alternatives to other remedies VCTC may have and are not the exclusive remedy for RECIPIENT's breach:

Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;

Order RECIPIENT to stop work under this Agreement or withhold any payment that becomes due to RECIPIENT hereunder, or both stop work and withhold any payment, until RECIPIENT demonstrates compliance with the requirements hereof; and/or terminate this Agreement.

### 3. Indemnification

To the fullest extent permitted by law, RECIPIENT shall defend, indemnify and hold harmless the Ventura County Transportation Commission, from all liability costs, damages, or expenses, including attorneys' fees arising out of or incurred in connection with the RECIPIENT and its employees'/agents' and subcontractors' acts or omissions arising out of the acquisition and operation of the VEHICLE and/or the performance of the activities contemplated pursuant to this Agreement, and agrees at its own cost, expense and risk to defend any and all resulting actions, suits, or other legal proceedings brought or instituted against VCTC arising out of the RECIPIENT's acquisition and operation of the VEHICLE and/or performance of any of the activities contemplated under this Agreement, and to pay and satisfy any resulting judgments, claims, damages and costs.

HELP OF OJAI

VENTURA COUNTY TRANSPORTATION  
COMMISSION

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Teresa Wolfe  
Executive Director

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Bryan MacDonald  
Chair

Approved as to Content:

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Darren M. Kettle  
Executive Director

APPROVED AS TO FORM:

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Steven T. Mattas  
General Counsel

# A2Z BUS SALES

## MBTA CalACT Cooperative RFP 15-03

Customer:	<b>Help of Ojai '17</b>		Quote Date	2/3/2017	
Address:	111 Santa Ana Street	County:	Ventura	Expires	3/23/2018
City:	Ojai	Zip Code:	93024		
Contact:	Glenda King	Office Phone:	805-646-7787	DSI Account:	
Email Address:	glendak@helpofojai.org	Cell Phone:		Fax Number	
Sales Representative	Kelly Mills	Type	B - T350		

**QTY Option Description Contract Price**

**SUMMARY FEATURES & EQUIPMENT**

Galvanized Steel Cage Construction	Fully Insulated Body Assembly Process
Galvanized Exterior Skins - Vacuum Laminated Body Construction	ALL LED Exterior Lighting
One Piece Roof Assembly	Intermotive Flex Tech Electrical System
36" Electric Entry Door	Number, function, and color coded wiring
Ergonomic Driver Control Panel	Ricon K2010, Klearvue, Rear WC Lift
Driver Side Running Board	Dual OEM batteries
Velvac Remote control & heated Exterior Mirrors	195/75R16 Tires, Duals on rear Axle, Spare tire shipped loose
Standard 2-Step Entry with 12" First Step Height	80" Interior Body Width
Dual Entry Grab Rails	Seating: Level 4 upholstery, Grab Handles, USB's, <b>Blue</b>
5/8" Marine Plywood Subfloor, with Galvanized Steel Sub-structure	ISO 9001:2008 Quality Manufacturing Process
Integrated Track Seating System	Ford QVM Certified Manufacturer
Altro Flooring, Storm Gray in color	Back Up Alarm, Anti-ride Rear Bumper
Daytime Running Lights	Front Mud Flaps
OEM Ford Drivers Seat	<b>Altoona Tested (Pending)</b>
Freedman Passenger seating, 2 x 1 rows	Stanchion and Modesty Panel Behind Driver, with Plexiglass
5 YEAR / 100,000 Mile Limited Body Warranty	Meets All Applicable FMVSS Requirements in Effect at time of Manufacture

**CONTRACT PRICING SUMMARY**

Base Unit as Specified	55,513.00	
Published Options	822.25	
Non-Published Options	1,575.00	6.97
<b>Sub-total per Unit</b>	<b>57,910.25</b>	
ADA Portion that is non taxable	7,966.25	
Taxable Amount (subtotal less non taxable)	49,944.00	
<b>Sales Tax</b>	<b>3,620.94</b>	<b>7.250% Ojai</b>
CalACT MBTA fee of 1.5% of subtotal	868.65	
<b>Grand Total, Each</b>	<b>62,399.84</b>	
Qty	1	
<b>Grand Total \$</b>	<b>62,399.84</b>	

Signature _____	Signature _____	Date _____
Print Name _____	Print Name _____	
COMPANY/AGENCY _____		



# A2Z BUS SALES

## MBTA CalACT Cooperative RFP 15-03

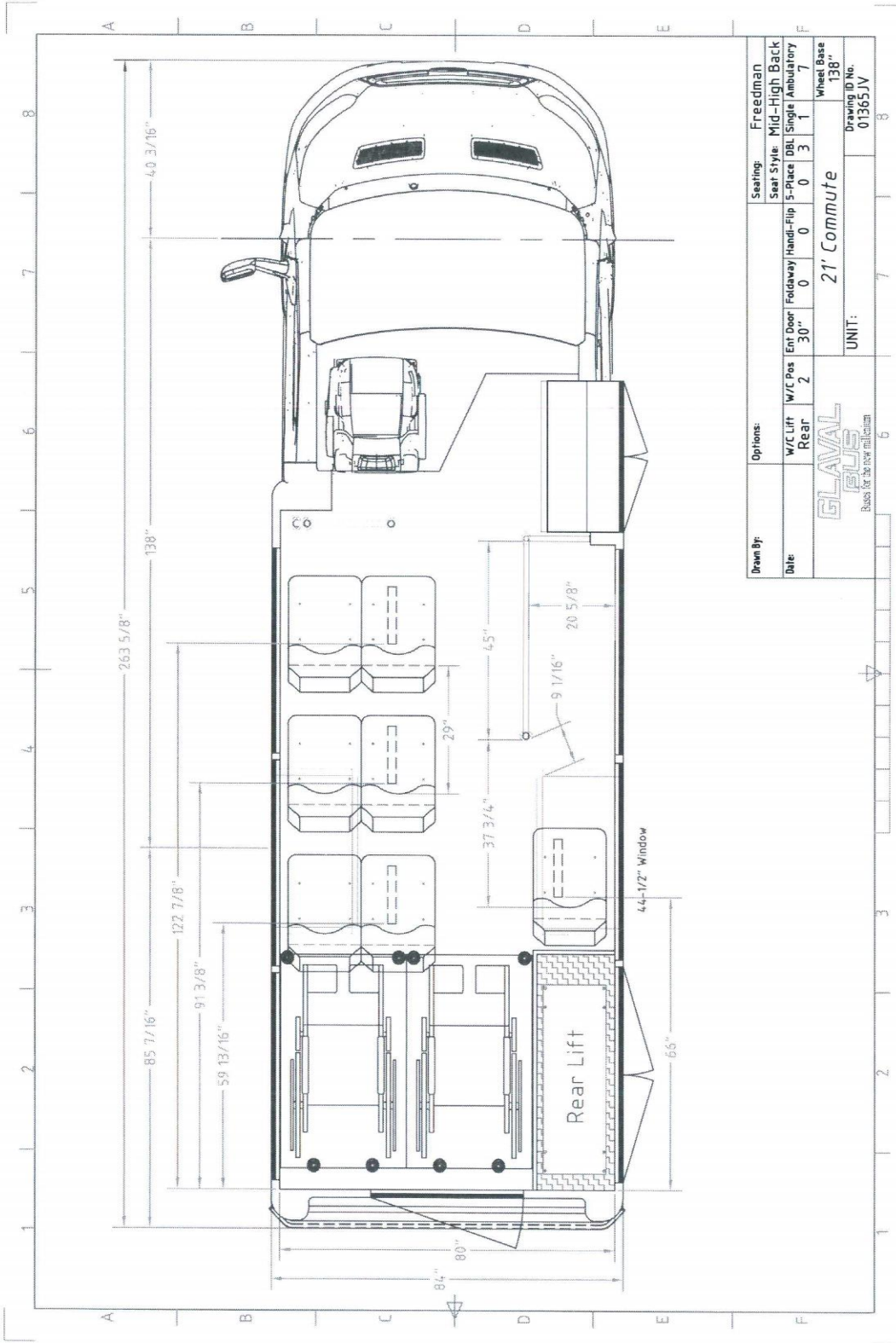
Customer:	<b>Help of Ojai '17</b>		Quote Date	2/3/2017	
Address:	111 Santa Ana Street	County:	Ventura	Expires	3/23/2018
	City: Ojai	Zip Code:	93024		
Contact:	Glenda King	Office Phone:	805-646-7787	DSI Account:	
Email Address:	<a href="mailto:glendak@helpofojai.org">glendak@helpofojai.org</a>	Cell Phone:		Fax Number:	
Sales Representative:	Kelly Mills	Type:	B-T350		

QTY	Option Description	Contract Price
<b>GLAVAL BUS, TYPE B-T350, FORD TRANSIT GASOLINE</b>		
1	Gas - Cut-Away Chassis Glaval Chassis, Ford Transit 350 , 138", 3.7L V-6	
<b>Sub-Total Base Unit</b>		<b>55,513.00</b>

<b>PUBLISHED OPTIONS</b>		
2	Credit for seat delete	(110.00) (220.00)
1	USSC G2 E Drivers Seat (If not standard) (Standard)	STD
1	Mor-RYD Suspension	825.00 825.00
1	Cruise Control (Included)	INC
1	Spare tire (loose, full size, identical to supplied tires) (Standard)	STD
1	Velvac Power Mirror (Standard)	STD
1	2 Way radio prep	125.00 125.00
1	Q Strant QRT 360(WC 18) (in Lieu of Shurlock) (Included)	Inc
1	AM/FM CD Per spec (Standard)	OEM Radio Std
1	Documentation Charges	80.00 80.00
1	DMV/State Fees	12.25 12.25
<b>Sub-Total Published Options</b>		<b>822.25</b>

<b>NON PUBLISHED OPTIONS</b>		
1	Ricon K2010, Klearview 800# w/c Lift, Rear	1,200.00 1,200.00
1	25" x 45" Walker Storage Area, Stainless Steel Rails	375.00 375.00
<b>Sub-Total Non-Published Options</b>		<b>1,575.00</b>

<b>SUMMARY</b>		
<b>SPECIFICATION SUMMARY</b>		
Model Year	2017	Make: Ford
Type	B-T350	Chassis: Ford Transit 350 HD
Passenger Capacity	8 + 2	Wheelbase: 138"
Seat Fabric	Level 4 - Docket 90 Vinyl	Engine: 3.7L V-6
Air Conditioning System	AC40HD EZ4 Evap, CS2 Skirt	GVWR: 10,360
Exterior Color/Graphics	White only, no graphics	Body Length: 21'
		Wheelchair Lift Model: Ricon K2010
		Wheelchair Lift Location: Rear
		Number of Tie Downs: 2
		Alternator: 250 amp
		Tie Down Type: QRT360
		Estimated Delivery: 150 Days ARO



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Item #8G

April 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: SALLY DEGEORGE, FINANCE DIRECTOR**  
**SUBJECT: TRANSPORTATION DEVELOPMENT ACT (TDA) AUDITS FOR FISCAL YEAR 2015/2016**

**RECOMMENDATION:**

- Receive and file the Transportation Development Act (TDA) Audits for Fiscal Year 2015/2016.

**BACKGROUND:**

The Ventura County Transportation Commission (VCTC) is the Regional Transportation Planning Agency (RTPA) for Ventura County. As the RTPA, the Commission is responsible for authorizing Transportation Development Act (TDA) funding to local agencies. The Commission is also responsible for ensuring that an annual fiscal audit is conducted for all TDA claimants and Proposition 1B Public Transportation, Modernization, Improvement, and Service Enhancement Account (PTMISEA) and Low Carbon Transit Operation Program (LCTOP) recipients to ensure program compliance. State law requires that the TDA and Proposition 1B PTMISEA and LCTOP fiscal audits be submitted to the State Controller's Office and the Regional Transportation Planning Agency within six months of the close of each fiscal year (unless an extension is granted not to exceed 90-days).

**DISCUSSION:**

In July 2014, the Commission contracted with Conrad, LLP to perform the TDA, Proposition 1B and LCTOP audits for all TDA claimants except the Gold Coast Transit District (GCTD) who has its TDA audit performed in conjunction with its CAFR by the Pun Group. All audits received an audit opinion that "the financial statements were presented fairly in all material respects." The audits were completed and filed on-time with the State Controller's Office with the exception of the City of Simi Valley (All), City of Ojai (Articles 3 and 8c), and City of Thousand Oaks (Articles 4 and ECTA) who were granted extensions. These remaining audits were filed within the granted extension. The Gold Coast Transit District (GCTD) audits were also filed by GCTD in a timely manner.

**April 7, 2017**  
**Item #**  
**Page #**

The following TDA and Proposition 1B audits are separate attachments to the agenda:

City of Camarillo – Article 3 and Article 8a  
City of Fillmore - Article 3, Article 8a and Article 8c  
City of Moorpark - Article 3, Article 8a, Article 8c, and Proposition 1B  
City of Ojai - Article 3, Article 8a, Article 8c, and Proposition 1B  
City of Oxnard - Article 3, Article 8a and Article 8c  
City of Port Hueneme - Article 3 and Article 8a  
City of San Buenaventura - Article 3 and Article 8c  
City of Santa Paula - Article 3, Article 8a and Article 8c  
City of Simi Valley - Article 3, Article 4 and Proposition 1B  
City of Thousand Oaks - Article 3, Article 4, Article 8a, ECTA, and Proposition 1B  
County of Ventura – Article 3 and Article 8a  
VCTC - Article 3, Article 6.5, Proposition 1B, LCTOP, Valley Express, VCTC Intercity and  
VCTC STA Transfer  
Gold Coast Transit District – Article 4, Proposition 1B and five member agency audits

These reports are available upon request or can be found on the Commission's website at [www.goventura.org](http://www.goventura.org) as agenda attachments.



Item # 8H

April 4, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: JUDITH JOHNDUFF, PROGRAM ANALYST**  
**SUBJECT: REVISION TO PROPOSITION 1B TRANSIT SECURITY CAPITAL PROGRAM**

**RECOMMENDATION:**

- Approve reallocating \$154,844 plus accrued interest from the Heritage Valley Security Camera /County-wide Digital Communications Network project to provide Metrolink safety and security improvements to help address the locations identified for possible slow orders.

**BACKGROUND:**

In 2016, the County-wide Digital Communications Network Project (\$150,000) and the Heritage Valley On-board Security Camera Project (\$185,000) were combined into one project to be administered by the Ventura County Transportation Commission (VCTC). The Heritage Valley On-board Security Camera portion of the project has been completed with an unused balance of approximately \$ 4,844 plus accrued interest. The County-wide Digital Communications Network portion of the project was intended to install a compatible radio system for Transit Agencies within the County. Staff has been coordinating with transit agencies to determine the best system for installation; however it has been determined that the cost to implement a compatible system would be prohibitive at this time.

**DISCUSSION:**

In late September, VCTC staff was informed by the Southern California Regional Rail Authority (SCRRA) of an urgent need for system-wide track and bridge rehabilitation work, which if not repaired in the next 18 – 36 months, could result in safety risks necessitating “slow orders” on the system. The anticipated cost of this work is \$5,424,483. At its December meeting the Commission approved \$1,412,791 in Proposition 1B Security funds for improvements to bridges and culverts that would help address the slow order issue.

Staff is working with SCRRA to identify unused carryover funds as well as FY 17/18 budget funding for the required work to avoid slow orders. Due to the countywide benefit of these proposed improvements staff recommends that they be given priority for unused Proposition 1B Transit Security funds.

Therefore, staff recommends revising the scope of work of the Heritage Valley Security Camera /County-wide Digital Communications Network project to reallocate the \$150,000 from the County-wide Digital Communications Network project along with the unused balance from the Heritage Valley On-board Security Cameras (approximately \$4,844 plus accrued interest) for Metrolink safety and security improvements. These improvements will address the slow order issue and ensure that the rail line is more impervious to damage.

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Item #81

April 7, 2017

**MEMO TO: VENTURA COUNTY AIRPORT LAND USE COMMISSION**  
**FROM: STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR**  
**SUBJECT: ROTOCRAFT SUPPORT INC. HELISTOP**

**RECOMMENDATION:**

- The Airport Land Use Commission (ALUC) advises the California Department of Transportation, Division of Aeronautics that the ALUC has reviewed the plans for Rotorcraft Support Inc. Helistop in Fillmore and makes no recommendation or assessment of the proposed plans.

**BACKGROUND:**

The Ventura County Transportation Commission (VCTC) serves as Airport Land Use Commission (ALUC) and is responsible for the preparation and monitoring of an Airport Comprehensive Land Use Plan (ACLUP) which identifies appropriate land uses around airports. Guidance for the policies contained in the ACLUP and consistency reviews is derived from the State of California, Department of Transportation Division of Aeronautics.

The Division of Aeronautics requires that all heliports be reviewed by local ALUC's but provides no criteria for the evaluation of them. In 1990, the Ventura County ALUC, on the recommendation of legal counsel, established a policy for review of heliports which has been applied to all heliport reviews since that time. Legal counsel found that the ALUC is required to review all applications for heliport permits in Ventura County, whether or not they fall within the planning boundaries established in the ACLUP but the ALUC is not required to approve or deny them. Given that there are no criteria for review of private heliports, the ALUC established a policy of placing heliport permit applications on the consent agenda for review by the ALUC with no formal action taken other than to inform the State Division of Aeronautics that the proposal has been reviewed.

**DISCUSSION**

Rotocraft Support Inc. has proposed to build a private heliport facility for the maintenance and repair of helicopters and the operation of a helicopter fire suppression company located on ten acres within the Fillmore Business Park located on the southwest corner of River Street and D Street, see Figure 1, location map below. The facility is proposed to be open from 7 AM to 7 Pm Monday through Saturday, operations would be permitted on Sunday for government agencies in the event of an emergency.

The arriving and departing flight path is to the south over the Santa Clara River, see Figure 2, Flight Path below. The sound study conducted by Meridian Consultants assumed the worst case scenario of constant use of the heaviest aircraft allowed and the results of the noise study concluded that there would be no significant impact on the surrounding community. Rotocraft Support Inc. has sought and received approval from the Federal Aviation Administration (FAA) and the City of Fillmore in September of 2016.

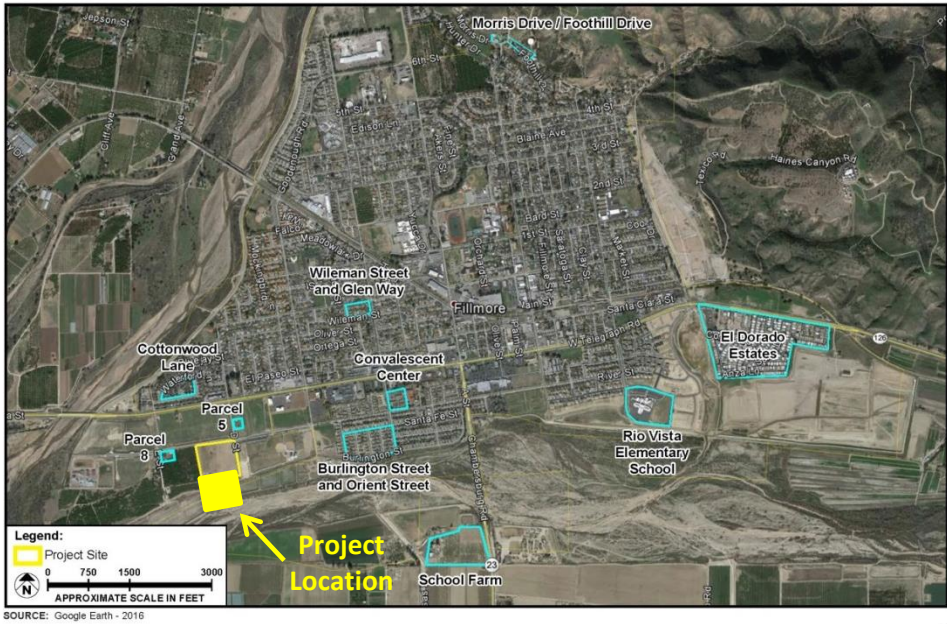
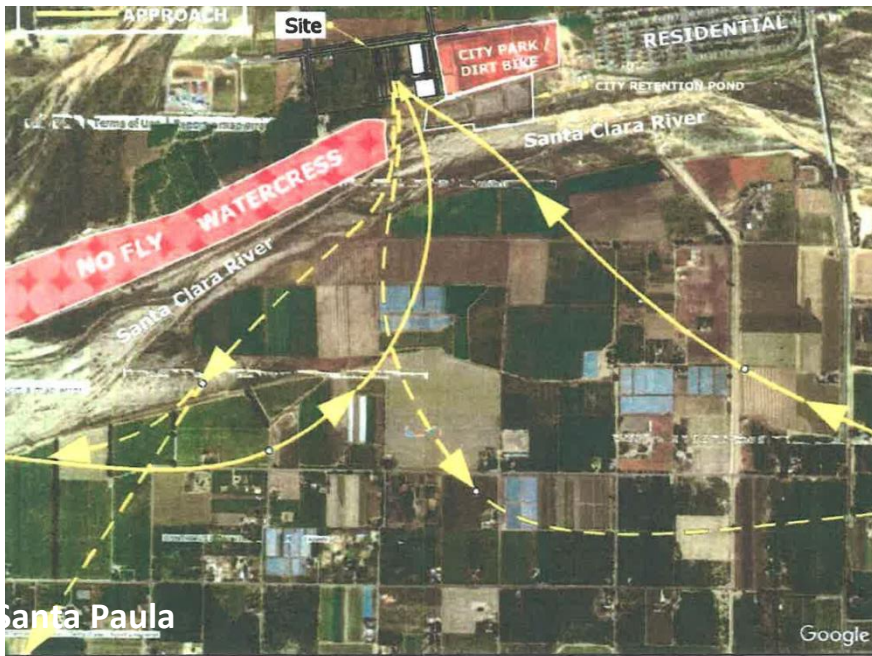


Figure 1, Location Map



\* Fillmore Planning Commission Approved Flight Path to Avoid Watercress Property 8/13/16 Helipx

Figure 2, Flight Path

Staff recommends that the ALUC advise the Division of Aeronautics that the ALUC has reviewed the plans for Rotocraft Support Inc. Helistop in Fillmore and makes no recommendation or assessment of the proposed plans.



Item #8J

April 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: STEVE MATTAS, GENERAL COUNSEL**

**SUBJECT: PERSONAL INJURY CLAIM FOR DAMAGES**

**RECOMMENDATION:**

- It is recommended that the Ventura County Transportation Commission (“VCTC”) reject a claim for damages submitted on behalf of a rider on an Intercity bus (“Claimant”).

**BACKGROUND:**

On March 13, 2017, VCTC received a claim for damages from the Claimant for personal injuries stemming from an alleged incident involving a passenger on an Intercity bus on October 12, 2016. As the alleged victim in this incident, Claimant’s name shall be kept confidential.

Pursuant to Section 23 of the Intercity Transit Services Agreement between VCTC and Roadrunner Management Services, Inc. (“Roadrunner”), Roadrunner is obligated to defend, indemnify, and hold harmless VCTC from all liability arising out of the provision of transportation services, including liability arising from the actions or omissions of Roadrunner’s employees, agents, or subcontractors. In recognition of this provision, VCTC has submitted a tender letter in connection with this claim to Roadrunner. Therefore, it is recommended that VCTC reject the claim.

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CLAIM AGAINST THE VENTURA COUNTY  
TRANSPORTATION COMMISSION

Date Received:

March 13

\*\*\*\* PLEASE READ INSTRUCTIONS ON OTHER SIDE FIRST \*\*\*\*

Name of Claimant \_\_\_\_\_  
(First Name) (Middle Name) (Last Name)  
Home Address \_\_\_\_\_  
(Street Address) Santa Paula, CA 93060 (City) (State) (Zip Code)  
Phone Number 805 901 9460 Peter Lemmon, her attorney.  
(Daytime) (Evening)  
Date of Birth \_\_\_\_\_

RECEIVED  
MAR 13 2017

Type of Loss:  Personal Injury  Property Damage  Other \_\_\_\_\_  
 Indemnity - Date complaint served  Police Report # To be provided

When did injury or damage occur? 10/12/2016 and ongoing \_\_\_\_\_ A.M./P.M.  
(Month/Day/Year) (Day of Week) (Time)

Where did injury or damage occur? (Street address, intersecting streets, or other location) On your bus. See attached Report

How did injury or damage occur? (Describe accident or occurrence) See attached and incorporated Police Report to be provided

Name(s) of any Witnesses \_\_\_\_\_  
(Name) (Address) (Phone Number)  
\_\_\_\_\_  
(Name) (Address) (Phone Number)

Name of Commission employee(s)/department(s) involved? Bus Driver

Total Amount Claimed For: Personal Injury \$ TBD Property Damage \$ \_\_\_\_\_

Total Amount Claimed (Less than \$10,000): \$ \_\_\_\_\_  \$10,000 to \$25,000  Over \$25,000

NOTE: Please attach copies of supporting documentation for the amounts claimed. (Treatment ongoing—records will be made available.)

If claim relates to an Automobile Accident, please answer the following and ATTACH PROOF OF INSURANCE:  
Please check here if there was no insurance coverage in effect at the time of incident   
Insurance policy # \_\_\_\_\_ Insurance Company \_\_\_\_\_  
Insurance Broker/Agent \_\_\_\_\_  
Address \_\_\_\_\_ Phone ( ) \_\_\_\_\_

ALL NOTICES AND/OR COMMUNICATIONS SHOULD BE SENT TO:  
Name (Mr./Mrs./Ms.) Peter Lemmon Daytime Phone ( 805 ) 901-9460  
Address (Street, City, State, Zip) 210 Magnolia Ave., Ste. 2, Auburn, CA 95603

WARNING: California State Law generally requires that most claims against a public entity, such as the Ventura County Transportation Commission, be presented within SIX (6) MONTHS from the date of the action or incident giving rise to the claim. Certain other claims must be filed within ONE (1) YEAR from the action or incident. You should check the California Government Code to determine what presentation period applies in your case.

John D. Lemmon  
Signature

Attorney  
Relationship (attorney, guardian, etc.)

3-12-17  
Date



Item #8K

April 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: STEVE MATTAS, GENERAL COUNSEL**

**SUBJECT: ROADRUNNER MANAGEMENT SERVICES CLAIM**

**RECOMMENDATION:**

- It is recommended that the Ventura County Transportation Commission ("VCTC") reject a claim for damages submitted on behalf of Roadrunner Management Services, Inc. ("Roadrunner").

**BACKGROUND:**

On February 23, 2017, VCTC received a claim from Roadrunner for breach of contract, breach of an implied warranty, and damages. Upon review of the claim, it is recommended that VCTC reject the claim.

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Item #9

April 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR**  
**SUBJECT: LEGISLATIVE UPDATE & POSITIONS ON BILLS**

**RECOMMENDATION:**

- Adopt "Support" position on HR 100, to increase the regional suballocation of federal apportionments.
- Adopt "Work With Author" position on AB 467 (Mullin), to allow publication of transportation expenditure plans online rather than in the ballot pamphlet.
- Adopt "Support" position on SCA 2 (Newman), to place before the voters a measure to prohibit the borrowing of taxes and fees imposed on vehicles.
- Adopt "Support" position on SCA 6 (Wiener), to place before the voters a measure to lower the transportation measure supermajority requirement to 55%.

**DISCUSSION**

**Federal Issues**

Representative Julia Brownley (D-Ventura County) has introduced HR 100, a bill which would increase the regional suballocation of federal transportation funds. The Fixing America's Surface Transportation (FAST) Act changed the name of the Surface Transportation Program (STP) to the Surface Transportation Block Grant (STBG) and increased the amount suballocated to regions by 1% per year from the previous 50% to reach 55% in 2020. HR 100 provides that in FY 2018 the suballocation will be set to 60% and will then increase to 65% by 2020.

In California, the STBG apportionment is divided between Caltrans which uses the funds primarily for highway rehabilitation (the State Highway Operations and Protection Program, or SHOPP) and regional agencies such as VCTC. VCTC's policy is to use its apportionment share of STBG funds, referred to as Regional Surface Transportation Program or STP funds, for freeway improvements, specifically on the 101 and 118 freeways. VCTC also reserves its share of State Transportation Improvement Program (STIP) funds for this same purpose but given the drop in fuel tax revenues supporting the STIP, the STP apportionment has become VCTC's most significant source of funds for state highway improvements. HR 100 would help to increase the amount of funds flowing into STP and help offset the reduction in STIP. Staff recommends the Commission support HR 100.

The proposed Fiscal Year 2017/18 budget released by the administration proposed significant cuts to the transportation programs but did not provide many of the details, which are scheduled to be released in May. The budget did not specify whether there would be reductions to the funding apportionments which are the primary type of federal transportation funds available in Ventura County. The Administration has

**April 7, 2017**  
**Item #9**  
**Page #2**

specifically proposed to eliminate the Transportation Investment Generating Economic Recovery (TIGER) program which was established during the Obama Administration as a significant source of federal discretionary funding. Also proposed for elimination are transit "New Starts" funds which are used for large-scale capital investments such as new rail lines. The budget would also drop funding for Amtrak's fifteen long-distance train routes including the Coast Starlight that serves Ventura County. Congress must now develop the FY 2017/18 budget for approval, in addition to adopting a FY 2016/17 budget, since the government is currently operating on a Continuing Resolution which expires at the end of April.

### **State Issues**

Attachment A provides the monthly report of Delaney Hunter, the Commission's state lobbyist. This report includes the status of discussions regarding the proposed state transportation finance package and also regarding the future of the cap-and-trade program. Subsequent to the writing of her report, the Governor and Legislative leaders announced on March 29<sup>th</sup> an agreement for a transportation finance package of \$5.2 billion annual package. Attachment B provides the Governor's Press Release announcing this deal. The contents of this transportation package will be amended into SB 1 (Beall). Further analysis will be provided as details become available.

Attachment C is an analysis of AB 467 (Kevin Mullin, D-South San Francisco), a bill sponsored by the California State Association of Counties which would allow counties to no longer print the the Exenditure Plan for a proposed transportation measure in the Voter Pamphlet, but to instead provide a web address for the Expenditure Plan along with a phone number to receive a copy in the mail. Staff is recommending a "Work with Author" position due to concerns that not printing an Expenditure Plan in the Voter Pamphlet will result in most voters being less informed regarding a proposed Expenditure Plan, and make it less clear to the voters that the Expenditure Plan is in fact being submitted for their approval. A potential amendment would be for the cost of an unsuccessful measure to be divided between the sales tax agency, the cities, and the county.

SCA 2 (John Newman, D – San Dimas) is analyzed in Attachment D. Staff recommends support for this proposed Constitutional Amendment to protect transportation revenues including vehicle weight fees, much of which are currently used to pay debt service for transportation-related General Obligation Bonds including Proposition 1B, creating a shortfall in state highway maintenance funding which is then made whole by backfilling funds from the State Transportation Improvement Program (STIP) and from local gas tax subventions.

Regarding SCA 6 (analyzed in Attachment E), as the Commission is aware the lowering of the voter approval supermajority threshold to from two-thirds to 55% for transportation tax measures such as Measure AA would significantly increase the likelihood of such a measure passing in Ventura County, with Measure AA having passed with 57.91% of the vote. VCTC's Comprehensive Transportation Plan has identified the need for significantly increased investment in transportation and the Commission is aware of the issues currently faced in Ventura County including dwindling or stagnant state and federal support and difficulty in competing for grants without a local source of funds. Staff therefore recommends the Commission support SCA 6, which would provide the voters an opportunity to lower the supermajority requirement to 55%.

The California Transportation Commission is currently developing guidelines for prioritizing funds from the new formula goods movement program authorized by the Fixing America's Surface Transportation (FAST) Act. The Southern California transportation agencies have favored using the same process as under the Proposition 1B Trade Corridor Infrastruce Fund whereby a Consensus Group representing the Southern California goods movement corridor developed recommendations that were then considered by CTC. However, Proposition 1B included language calling for a 50/50 match, and VCTC and other agencies have been advocating for more flexibility regarding the match requirement. Attachment F is a

**April 7, 2017**  
**Item #9**  
**Page #2**

joint letter submitted by the Southern California agencies, and Attachment G is a separate comment letter from VCTC. In response to the comments, CTC staff at the March 15<sup>th</sup> meeting recommended that only 30% be required for match. CTC is scheduled to adopt the guidelines in May. VCTC has been looking to this program as a possible fund source for the Rice Bridge project in Oxnard however even a 30% match requirement will be difficult to achieve.

Attachment G provides the status of bills being tracked by VCTC.

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**VENTURA COUNTY TRANSPORTATION COMMISSION  
MONTHLY STATE ADVOCACY REPORT  
MARCH 2017**

### **Legislative Update**

The bill introduction deadline was at the end of February and nearly 2,000 bills were ultimately introduced for the new legislative session. As a result, most of March consisted of analyzing and ciphering through all of the new bills. Many of the initial measures that were put forward last month were in spot bill form, which means that they are placeholders that do not contain substantive language. Throughout this month, most of these bills were amended to then include more substance and content that will require the bill to be referred to the appropriate committees. Although a few hearings were held in March, the majority of legislation will be heard in policy committees in April. Furthermore, all of the bills will need to be out of their respective policy committees by April 28, where they will then move to the Appropriations Committee in their house of origin. In addition to the upcoming policy hearings, there have been a number of relevant informational hearings this month - including a High Speed Rail oversight hearing and a discussion about the role and responsibilities of the Department of Transportation. GQHC will continue to update VCTC on new amendments to bills, newly introduced legislation, and the outcome of these upcoming policy committee hearings.

### **Transportation Funding**

Since no action was taken last year to address the growing transportation funding backlog, Assembly Member Frazier and Senator Beall have reintroduced transportation funding bills in the new legislative session (AB 1 and SB 1). These new bills would generate almost \$6 billion a year and include several revenue raising mechanisms – a gas tax increase, restoring gas excise tax rates, increasing the diesel excise tax, increasing the vehicle registration fee, implementing a fee on zero-emission vehicles, among others changes. Additionally, Governor Brown has proposed a smaller, \$4.3 billion package, that parallels his proposal from last year that the Legislature ended up removing from his proposed budget.

SB 1 by Senator Beall has been moving the quickest this year. The bill was first heard in the Senate Transportation & Housing Committee, where Senator Beall is the Chair, and it passed on an 8 to 3, party line vote. He argued that SB 1 provides necessary funding, restores weight fees, and brings forward multiple reforms. The California Transit Association, Transportation California, the State Council of Laborers, the League of Cities, CSAC, and multiple other transportation agencies and local governments testified in support, while WSPA, the Bicycle Coalition, Howard Jarvis, and a few other groups registered in opposition. After moving through the first policy committee, SB 1 was heard in the Senate Environmental Quality Committee, where it also passed on a 4 to 2 vote. The usual groups registered in support (Laborers, CSAC, transportation agencies, local governments). Howard Jarvis again testified in opposition, along with the American Lung Association, Sierra Club, and other environmental groups. These organizations argued that we need meaningful reforms and need to reconsider raising the gas tax, and they also advocated for increased funding for public transit. Senator Beall talked about the research

and development component of the bill and how there are many aspects that need to be studied on how to do things more effectively and efficiently. After advancing out of Senate Environmental Quality, the bill made its last policy committee stop while still in the Senate. It was recently heard in the Senate Governance and Finance Committee, and SB 1 passed on a 5 to 1 vote. The bill will now head to the Senate Appropriations Committee for a hearing on the fiscal aspects of the measure, and it will then move to the Senate Floor for a full vote.

On another note, AB 1 has still not been set for a policy committee hearing yet, and it also remains to be seen whether the Legislature will vote to keep the Governor's funding proposal in their version of the budget. Furthermore, the Assembly Republican Caucus released a version of their proposed transportation funding plan – AB 496 by Assembly Member Fong. Their legislation is a \$5.6 billion package, but it contains no new tax proposals. This bill has not been set for a hearing date yet, but it was referred to the Assembly Transportation Committee, of which Assemblyman Fong is the Vice Chair. GQHC will remain engaged on the transportation funding issue and, as always, we will continue to keep VCTC updated if action is taken on any of these various funding proposals.

### **Transportation Related Hearings**

There were also a number of transportation related informational hearings in the Legislature last month. Specifically, a hearing was held on March 15 in the Assembly Budget Subcommittee on Resources and Transportation. In this hearing, the Members discussed the California Air Resources Board and some of the LAO recommendations. Some of these suggestions included: The extension of the program towards a market-based mechanism; legislative flexibility for the use of GGRF funds; the use of these funds to incentivize households that will pay higher costs as a result of this action. The session was then followed by a Q&A session prior to the meetings' adjournment. Additionally, a Senate information hearing on Transportation and Housing was held on March 14. This hearing focused on the High-Speed Rail Authority, the funding for the project, and its effects on the supporting communities. After the hearing, the Senate Transportation Committee took up SCA 2 by Senator Newman. This bill would amend the constitution to prohibit the Legislature from borrowing revenues from fees and taxes imposed on vehicles or their use or operation, and from using those revenues other than as specifically permitted in the Constitution. The measure ultimately passed with nine votes in favor and one against, and it will now move to the Senate Elections Committee for a vote.

The Assembly Budget Subcommittee on Resources and Transportation also held a hearing on cap and trade. Upon conclusion of the hearing, it is clear that there is wide consensus that the market-based solution needs to be extended. A subset of groups would prefer a carbon tax to a market approach but this is not likely to win the day. Of note was CARB's position that the \$2.2 billion dollars of GGRF funding should not be appropriated until after the program is extended. This is in contrast to other interested party's positions that funds should not only be appropriated but that they should be used to continue existing programs with a focus on environmental justice issues such as reducing criteria pollutants and focusing projects in disadvantaged communities. GQHC will continue to keep VCTC apprised of the cap and trade related legislation and trailer bill language as it moves through the legislative process.

### **Upcoming Bill Deadlines and Newly Introduced Legislation**

**Apr. 6** Spring Recess begins upon adjournment

**Apr. 17** Legislature reconvenes from Spring Recess

**Apr. 28** Last day for policy committees to hear and report fiscal bills for referral to fiscal committees

**May 12** Last day for policy committees to hear and report to the floor nonfiscal bills

#### **AB 1 (Frazier D) Transportation funding.**

**Introduced:** 12/5/2016

**Status:** 1/19/2017-Referred to Coms. on TRANS. and NAT. RES.

**Summary:** Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the

California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund.

**AB 17 (Holden D) Transit Pass Program: free or reduced-fare transit passes.**

**Introduced:** 12/5/2016

**Status:** 1/19/2017-Referred to Com. on TRANS.

**Summary:** Would create the Transit Pass Program to be administered by the Department of Transportation. The bill would require the Controller of the State of California to allocate moneys made available for the program, upon appropriation by the Legislature, to support transit pass programs that provide free or reduced-fare transit passes to specified pupils and students.

**AB 28(Frazier D) Department of Transportation: environmental review process: federal pilot program.**

**Introduced:** 12/5/2016

**Status:** 3/16/2017-Read third time. Urgency clause adopted. Passed. Ordered to the Assembly. In Assembly. Concurrence in Senate amendments pending. May be considered on or after March 18 pursuant to Assembly Rule 77.

**Summary:** Current federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, under which the participating states assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Current law, until January 1, 2017, provided that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the pilot program. This bill would reinstate the operation of the latter provision. The bill would repeal that provision on January 1, 2020.

**AB 65(Patterson R) Transportation bond debt service.**

**Introduced:** 12/13/2016

**Status:** 1/19/2017-Referred to Com. on TRANS.

**Summary:** Current law provides for transfer of certain vehicle weight fee revenues to the Transportation Debt Service Fund to reimburse the General Fund for payment of current year debt service on general obligation bonds issued for transportation purposes, including bonds issued for high-speed rail and associated purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Proposition 1A of 2008). This bill would specifically exclude from payment under these provisions the debt service for Proposition 1A bonds.

**AB 66(Patterson R) High-Speed Rail Authority: reports.**

**Introduced:** 12/13/2016

**Status:** 3/13/2017-Coauthors revised.

**Summary:** Would require the business plan of the High-Speed Rail Authority to identify projected financing costs for each segment or combination of segments of the high-speed rail system, if financing is proposed by the authority. The bill would require the authority to identify in the business plan and in another report any significant changes in scope for segments of the high-speed rail system identified in the previous version of each report and to provide an explanation of adjustments in cost and schedule attributable to the changes.

**AB 91(Cervantes D) High-occupancy vehicle lanes.**

**Introduced:** 1/9/2017

**Status:** 1/19/2017-Referred to Com. on TRANS.

**Summary:** Would prohibit, commencing July 1, 2018, a high-occupancy vehicle lane from being established in the County of Riverside, unless that lane is established as a high-occupancy vehicle lane only during the hours of heavy commuter traffic, as determined by the Department of Transportation. The bill would require any existing high-occupancy vehicle lane in the County of Riverside that is not a toll lane to be modified to operate as a high-occupancy lane under those same conditions.

**AB 151(Burke D) California Global Warming Solutions Act of 2006: market-based compliance mechanisms: scoping plan: report.**

**Introduced:** 1/11/2017

**Status:** 3/6/2017-Re-referred to Com. on NAT. RES.

**Summary:** Would require the State Air Resources Board to report to the appropriate policy and fiscal committees of the Legislature to receive input, guidance, and assistance before adopting guidelines and regulations implementing the scoping plan and a regulation ensuring statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. This bill contains other related provisions and other existing laws.

**AB 174(Bigelow R) California Transportation Commission: membership.**

**Introduced:** 1/17/2017

**Status:** 1/30/2017-Referred to Com. on TRANS.

**Summary:** Current law provides that the California Transportation Commission consists of 13 members, 11 voting members, of which 9 are appointed by the Governor subject to Senate confirmation, 1 is appointed by the Senate Committee on Rules, and 1 is appointed by the Speaker of the Assembly, and 2 Members of the Legislature who are appointed as nonvoting ex officio members. This bill would require that at least one voting member reside in a rural county with a population of less than 100,000 individuals.

**AB 179(Cervantes D) California Transportation Commission.**

**Introduced:** 1/18/2017

**Status:** 2/15/2017-Re-referred to Com. on TRANS.

**Summary:** Current law creates the California Transportation Commission Current law provides that the commission consists of 13 members: 11 voting members, of which 9 are appointed by the Governor subject to Senate confirmation, one is appointed by the Senate Committee on Rules, and one is appointed by the Speaker of the Assembly, and 2 Members of the Legislature who are appointed as nonvoting ex officio members. This bill would require that 7 of those voting members have specified qualifications

**AB 278(Steinorth R) California Environmental Quality Act: exemption: existing transportation infrastructure.**

**Introduced:** 2/2/2017

**Status:** 3/15/2017-Coauthors revised.

**Summary:** Would exempt from the provisions of CEQA a project, or the issuance of a permit for a project, that consists of the inspection, maintenance, repair, rehabilitation, replacement, or removal of, or the addition of an auxiliary lane or bikeway to, existing transportation infrastructure and that meets certain requirements. The bill would require the public agency carrying out the project to take certain actions.

**AB 330(Cooley D) Highway safety.**

**Introduced:** 2/7/2017

**Status:** 3/14/2017-In committee: Hearing postponed by committee.

**Summary:** Current law requires the Department of Transportation to submit to the California Transportation Commission an estimate of state and federal funds reasonably expected to be available for future programming over the 5-year period in each state transportation improvement program, and requires the California Transportation Commission to adopt a fund estimate in that regard. This bill would require the fund estimates prepared by the department and the commission to identify and include federal funds derived from apportionments made to the state under the Fixing America's Surface Transportation (FAST) Act of 2015.

**AB 344(Melendez R) Toll evasion violations.**

**Introduced:** 2/7/2017

**Status:** 2/21/2017-Referred to Com. on TRANS.

**Summary:** Would not require a person contesting a notice of toll evasion violation or notice of delinquent toll evasion from being required to pay the toll evasion penalty until after the processing agency or issuing agency finds as a result of an investigation, or the processing agency finds as a result of an

administrative review, or a court finds as a result of a hearing, that the contestant did commit a toll evasion violation, whichever occurs later. This bill contains other existing laws.

**AB 351(Melendez R) Transportation funding.**

**Introduced:** 2/8/2017

**Status:** 2/21/2017-Referred to Com. on TRANS.

**Summary:** Current law provides for loans of revenues from various transportation funds and accounts to the General Fund, with various repayment dates specified. This bill, with respect to any loans made to the General Fund from specified transportation funds and accounts with a repayment date of January 1, 2019, or later, would require the loans to be repaid by December 31, 2018.

**AB 378(Garcia, Cristina D) California Global Warming Solutions Act of 2006: regulations.**

**Introduced:** 2/9/2017

**Status:** 2/21/2017-Referred to Com. on NAT. RES.

**Summary:** Would require the State Air Resources Board to consider and account for the social costs of the emissions and greenhouse gases when adopting those rules and regulations. The bill would authorize the state board to adopt or subsequently revise new regulations that establish a market-based compliance mechanism, applicable from January 1, 2021, to December 31, 2030, to complement direct emissions reduction measures in ensuring that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030.

**AB 398(Garcia, Eduardo D) Greenhouse Gas Reduction Fund: report.**

**Introduced:** 2/9/2017

**Status:** 3/13/2017-Coauthors revised.

**Summary:** Current law requires the Department of Finance to annually submit a report to the appropriate committees of the Legislature on the status of the projects funded with moneys from the Greenhouse Gas Reduction Fund. This bill would require the department to include additional information in its annual report to the Legislature, including, among other things, the greenhouse gas emissions reductions attributable to each project and the geographic location, industry sector, and number of employees of the business entities, as defined, receiving moneys from the fund.

**AB 467(Mullin D) Local transportation authorities: transactions and use taxes.**

**Introduced:** 2/13/2017

**Status:** 2/27/2017-Referred to Coms. on L. GOV. and E. & R.

**Summary:** Current law provides for the Local Transportation Authority to adopt a transportation expenditure plan for the proceeds of the retail transactions and use tax, and requires the entire adopted transportation expenditure plan to be included in the voter information handbook sent to voters. This bill would exempt an authority from including the entire adopted transportation expenditure plan in the voter information handbook if the authority posts the plan on its Internet Web site, and the sample ballot and the voter information handbook sent to voters include information on viewing an electronic version of the plan on the Internet Web site and for obtaining a printed copy of the plan by calling the county election office.

**AB 468(Santiago D) Assault: transit operator: transit vehicle in motion.**

**Introduced:** 2/13/2017

**Status:** 2/14/2017-From printer. May be heard in committee March 16.

**Summary:** Current law establishes the crime of assault committed against any person on the property of, or on a motor vehicle of, a public transportation provider, as defined. This bill would express the intent of the Legislature to enact legislation establishing the crime of assault against a transit operator while a transit vehicle is in motion.

**AB 496(Fong R) Transportation funding.**

**Introduced:** 2/13/2017

**Status:** 3/1/2017-Re-referred to Com. on TRANS.

**Summary:** Would create the Traffic Relief and Road Improvement Program to address traffic congestion and deferred maintenance on the state highway system and the local street and road system. The bill

would provide for the deposit of various existing sources of revenue in the Traffic Relief and Road Improvement Account, which the bill would create in the State Transportation Fund, including revenues attributable to the sales and use tax on motor vehicles, revenues attributable to automobile and motor vehicle insurance policies from the insurer gross premiums tax, revenues from certain diesel fuel sales and use taxes, revenues from certain vehicle registration fees, and certain miscellaneous State Highway Account revenues.

**AB 515(Frazier D) State Highway System Management Plan.**

**Introduced:** 2/13/2017

**Status:** 2/27/2017-Referred to Com. on TRANS.

**Summary:** Would require the Department of Transportation to prepare a State Highway System Management Plan, which would consist both of the 10-year state highway rehabilitation plan and the 5-year maintenance plan. The bill would require the department to make a draft of its proposed State Highway System Management Plan available to regional transportation agencies for review and comment, and would require the department to include and address any comments in its submittal of the plan to the commission by January 15 of each odd-numbered year.

**AB 636(Irwin D) Local streets and roads: expenditure reports.**

**Introduced:** 2/14/2017

**Status:** 3/2/2017-Referred to Com. on TRANS.

**Summary:** Current law, with limited exceptions, requires each city and county to submit to the Controller a complete report of expenditures for street and road purposes by October 1 of each year relative to the preceding fiscal year ending on June 30. This bill would instead require the report to be submitted to the Controller within 7 months after the close of the fiscal year adopted by a city or county. The bill would make other conforming changes.

**AB 673(Chu D) Public transit operators: vehicle safety requirements.**

**Introduced:** 2/15/2017

**Status:** 3/2/2017-Referred to Com. on TRANS.

**Summary:** Would require a public transit operator, before placing a new bus into revenue operations, to take into consideration recommendations of, and best practices standards developed by, the exclusive representative of the recognized organization representing bus operators of the transit operator for the purpose of protecting bus operators from the risk of assault from persons and by removing blind spots. By creating new duties for public transit operators, this bill would impose a state-mandated local program.

**AB 1113(Bloom D) State Transit Assistance program.**

**Introduced:** 2/17/2017

**Status:** 3/9/2017-Referred to Com. on TRANS.

**Summary:** Would revise and recast the provisions governing the State Transit Assistance program. The bill would provide that only STA-eligible operators, as defined, are eligible to receive an allocation from the portion of program funds based on transit operator revenues. The bill would provide for each STA-eligible operator within the jurisdiction of the allocating local transportation agency to receive a proportional share of the revenue-based program funds based on the qualifying revenues of that operator, as defined.

**AB 1233(Cunningham R) Transportation Inspector General.**

**Introduced:** 2/17/2017

**Status:** 3/9/2017-Referred to Coms. on TRANS. and A. & A.R.

**Summary:** Current law creates various state agencies, including the Department of Transportation and the High-Speed Rail Authority, with specified powers and duties. Existing law provides for the allocation of state transportation funds to various transportation purposes. This bill would create the Office of the Transportation Inspector General in state government, as an independent office that would not be a subdivision of any other government entity, to ensure that the above-referenced state agencies and all other state agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws.

**AB 1324(Gloria D) Metropolitan planning organizations: transactions and use taxes.**

**Introduced:** 2/17/2017

**Status:** 3/13/2017-Referred to Com. on L. GOV.

**Summary:** Would authorize a metropolitan planning organization authorized by law to levy, expand, increase, or extend a transactions and use tax to levy, expand, increase, or extend that tax in only a portion of the jurisdiction, as an alternative to the entire jurisdiction, in which the organization is authorized to levy, expand, increase, or extend the tax, if approved by the required percentage of the voters in that portion of the jurisdiction. The bill would require the revenues derived from the levy, expansion, increase, or extension to be used only within the area for which the levy, expansion, increase, or extension was approved by the voters.

**AB 1363(Baker R) Transportation revenues.**

**Introduced:** 2/17/2017

**Status:** 3/13/2017-Referred to Com. on TRANS.

**Summary:** Current law requires certain miscellaneous revenues deposited in the State Highway Account that are not restricted as to expenditure by Article XIX of the California Constitution to be transferred to the Transportation Debt Service Fund in the State Transportation Fund, as specified, and requires the Controller to transfer from the fund to the General Fund an amount of those revenues necessary to offset the current year debt service made from the General Fund on general obligation transportation bonds issued pursuant to Proposition 116 of 1990. This bill would, on July 1, 2018, delete the transfer of these miscellaneous revenues to the Transportation Debt Service Fund, thereby eliminating the offsetting transfer to the General Fund for debt service on general obligation transportation bonds issued pursuant to Proposition 116 of 1990.

**AB 1395(Chu D) State highways: blight.**

**Introduced:** 2/17/2017

**Status:** 2/19/2017-From printer. May be heard in committee March 21.

**Summary:** Current law provides that the Department of Transportation has full possession and control of all state highways and associated property, and sets forth the powers and duties of the department with respect to the operation, maintenance, and improvement of state highways. This bill would state the intent of the Legislature to enact legislation to create a pilot project that consists of the Division of Maintenance of the Department of Transportation working with a local jurisdiction to effectively address blight on state highway property.

**ACA 4(Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.**

**Introduced:** 2/17/2017

**Status:** 2/19/2017-From printer. May be heard in committee March 21.

**Summary:** Local government financing: affordable housing and public infrastructure: voter approval.

**SB 1(Beall D) Transportation funding.**

**Introduced:** 12/5/2016

**Status:** 3/8/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (March 8).  
Re-referred to  
Com. on APPR.

**Summary:** Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. This bill contains other related provisions and other existing laws.

**SB 4(Mendoza D) Goods Movement: allocation of federal funds: Goods Movement and Clean Trucks Bond Act.**

**Introduced:** 12/5/2016

**Status:** 3/9/2017-Set for hearing March 29.

**Summary:** Would, subject to voter approval at the June 5, 2018, statewide primary election, enact the Goods Movement and Clean Trucks Bond Act to authorize \$600,000,000 of state general obligation bonds as follows: \$200,000,000 to the California Transportation Commission for projects and programs eligible for funding from the Trade Corridors Improvement Fund; \$200,000,000 to the State Air Resources Board for projects and programs consistent with the Goods Movement Emission Reduction Program; and \$200,000,000 to the State Air Resources Board for projects and programs to expand the use of zero- and near-zero emission trucks in areas of the state that are designated as severe or extreme nonattainment areas for ozone and particulate matter.

**SB 150(Allen D) Regional transportation plans.**

**Introduced:** 1/18/2017

**Status:** 3/16/2017-Re-referred to Coms. on EQ. and T. & H.

**Summary:** Current law requires metropolitan planning organizations to adopt a sustainable communities strategy or alternative planning strategy, subject to specified requirements, as part of a regional transportation plan, which is to be designed to achieve certain targets for 2020 and 2035 established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. This bill would require the state board to update the greenhouse gas emission reduction targets, as specified.

**SB 185(Hertzberg D) Vehicles: violations.**

**Introduced:** 1/25/2017

**Status:** 3/14/2017-Set for hearing April 4.

**Summary:** Would require the court, in any case involving an infraction under the Vehicle Code, to determine whether the defendant is indigent for purposes of determining what portion of the statutory amount of any associated fine, fee, assessment, or other financial penalties the person can afford to pay. The bill would provide that the defendant can demonstrate that he or she is indigent by providing specified information, including attesting to his or her indigent status under penalty of perjury. Because a violation thereof would be a crime, the bill would impose a state-mandated local program.

**SB 264(Nguyen R) High-occupancy toll lanes.**

**Introduced:** 2/8/2017

**Status:** 2/16/2017-Referred to Com. on RLS.

**Summary:** Existing law authorizes a regional transportation agency or the Department of Transportation to apply to the California Transportation Commission to develop and operate high-occupancy toll (HOT) lanes or other toll facilities. Current law defines "regional transportation agency" for these purposes to include, among other agencies, a county transportation commission established under the County Transportation Commissions Act. This bill would instead refer to a county transportation commission or authority established under that act.

**SB 285(Atkins D) Public employers: union organizing.**

**Introduced:** 2/9/2017

**Status:** 3/14/2017-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

**Summary:** Would prohibit a public employer from deterring or discouraging public employees from becoming or remaining members of an employee organization. The bill would define a public employer for this purpose to include counties, cities, districts, the state, schools, transit districts, the University of California, and the California State University, among others. The bill would grant the Public Employment Relations Board jurisdiction over violations of its provisions.

**SB 414(Vidak R) Transportation bonds: highway, street, and road projects.**

**Introduced:** 2/15/2017

**Status:** 2/23/2017-Referred to Coms. on T. & H. and GOV. & F.

**Summary:** Would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase 1 blended system. The bill, subject to the above exception, would require



redirection of the unspent proceeds from outstanding bonds issued and sold for other high-speed rail purposes prior to the effective date of these provisions, upon appropriation, for use in retiring the debt incurred from the issuance and sale of those outstanding bonds.

**SB 545(Beall D) Vehicles: size, weight, and load.**

**Introduced:** 2/16/2017

**Status:** 3/2/2017- Referred to Com. on RLS.

**Summary:** Current law generally regulates the size and weight of, and loads upon, vehicles when operated upon the highways. Current law exempts authorized emergency vehicles owned or operated by a governmental agency when used under specified circumstances from those size, weight, and load limitations. This bill would express the intent of the Legislature to enact legislation relating to regulating the weight of vehicles.

**SB 614(Hertzberg D) Public transportation agencies: administrative penalties.**

**Introduced:** 2/17/2017

**Status:** 3/2/2017- Referred to Com. on T. & H.

**Summary:** Current law authorizes a public transportation agency to adopt and enforce an ordinance to impose and enforce civil administrative penalties for certain passenger misconduct on or in a transit facility or vehicle. Current law requires these penalties to be deposited in the general fund of the county in which the citation is administered. This bill would instead require the penalties to be deposited with the public transportation agency that issued the citation.

**SB 732(Stern D) Transportation funding.**

**Introduced:** 2/17/2017

**Status:** 3/9/2017- Referred to Com. on T. & H.

**Summary:** Would require the Department of Finance, on or before March 1, 2018, to compute the amount of outstanding loans made from specified transportation funds. The bill would require the Department of Finance to prepare a loan repayment schedule and would require the outstanding loans to be repaid pursuant to that schedule, as prescribed. The bill would appropriate funds for that purpose from the Budget Stabilization Account. The bill would require the repaid funds to be transferred, pursuant to a specified formula, to cities and counties and to the Department of Transportation for maintenance of the state highway system and for purposes of the state highway operation and protection program.

**SB 760(Wiener D) Transportation funding: active transportation: complete streets.**

**Introduced:** 2/17/2017

**Status:** 3/9/2017- Referred to Com. on T. & H.

**Summary:** Would establish a Division of Active Transportation within the Department of Transportation and require that an undersecretary of the Transportation Agency be assigned to give attention to active transportation program matters to guide progress toward meeting the department's active transportation program goals and objectives. The bill would require the California Transportation Commission to give high priority to increasing safety for pedestrians and bicyclists and to the implementation of bicycle and pedestrian facilities.

**SB 768(Allen D) Transportation funds.**

**Introduced:** 2/17/2017

**Status:** 3/9/2017- Referred to Com. on RLS.

**Summary:** Current law requires the Department of Transportation and the California Transportation Commission to develop estimates of available state and federal funds and provides that, after deducting expenditures for administration, operation, maintenance, local assistance, safety, rehabilitation, and certain environmental enhancement and mitigation expenditures, the remaining funds are to be available for capital improvement projects to be programmed in the State Transportation Improvement Program. This bill would make nonsubstantive changes to these provisions.

**SCA 2(Newman D) Motor vehicle fees and taxes: restriction on expenditures.**

**Introduced:** 1/18/2017

**Status:** 3/16/2017- Set for hearing March 21.

**Summary:** Would prohibit the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. The measure would prohibit those vehicle revenues and fuel tax revenues from being pledged or used for the payment of principal and interest on general obligation bonds issued by the state, except that vehicle weight fee revenues would be authorized to be pledged or used for the payment of principal and interest on general obligation transportation bonds approved prior to January 1, 2017. This bill contains other related provisions and other existing laws.

**SCA 6 (Wiener D) Local transportation measures: special taxes: voter approval.**

**Introduced:** 2/13/2017

**Status:** 3/8/2017-Set for hearing April 5.

**Summary:** Would require that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation purposes, as specified, be submitted to the electorate and approved by 55% of the voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes.



Office of Governor  
**Edmund G. Brown Jr.**



FOR IMMEDIATE RELEASE:

Wednesday, March 29, 2017

Contact: Governor's Press Office

(916) 445-4571

**Governor Brown, Senate President pro Tempore and Assembly Speaker Announce Landmark Road Repair and Transportation Investment Package**

SACRAMENTO – Governor Edmund G. Brown Jr., Senate President pro Tempore Kevin de León and Assembly Speaker Anthony Rendon today joined labor, business and local leaders to announce a landmark transportation investment to fix our roads, freeways and bridges in communities across California and put more dollars toward transit and safety. The \$5 billion-a-year program will cost most drivers less than \$10 a month and comes with strict new accountability provisions to ensure funds can only be spent on transportation.

“California has a massive backlog of broken infrastructure that has been neglected far too long,” said Governor Brown. “Fixing the roads will not get cheaper by waiting – or ignoring the problem. This is a smart plan that will improve the quality of life in California.”

“We can’t afford to keep kicking the can down the road. Californians are tired of the constant traffic jams and crumbling roads, and they expect us to find solutions,” said Senate President pro Tempore de León. “These critical investments will keep our state moving and economy growing. I look forward to getting this deal through the Legislature and onto the Governor’s desk next week.”

“We have a solution before us and we have a choice before us,” said Assembly Speaker Rendon. “We can choose to do nothing, and see more deterioration, more time lost in traffic, and more damage to cars, or we can choose to advance this compromise solution that fixes California’s broken transportation system in a way where drivers will actually end up paying less for a better quality of life.”

California has not increased the gas tax in 23 years. Since then, California’s population has grown by eight million, with millions more cars and trucks on our roads. Californians also drive more than 350 billion miles a year– more than any other state – yet road and transit investments have not kept pace with this growth.

Each California driver spends approximately \$700 per year in [extra vehicle repairs](#) caused by rough roads. If California does not make investments to fix the roads now, it will cost eight times more to replace later.

The legislation, the Road Repair and Accountability Act of 2017, SB 1 (Beall), invests \$52.4 billion over the next decade – split equally between state and local investments:

**Fix Local Streets and Transportation Infrastructure (50 percent):**

- \$15 billion in “Fix-It-First” local road repairs, including fixing potholes
- \$7.5 billion to improve local public transportation
- \$2 billion to support local “self-help” communities that are making their own investments in transportation improvements
- \$1 billion to improve infrastructure that promotes walking and bicycling
- \$825 million for the State Transportation Improvement Program local contribution
- \$250 million in local transportation planning grants.

**Fix State Highways and Transportation Infrastructure (50 percent):**

- \$15 billion in “Fix-it-First” highway repairs, including smoother pavement
- \$4 billion in bridge and culvert repairs
- \$3 billion to improve trade corridors
- \$2.5 billion to reduce congestion on major commute corridors
- \$1.4 billion in other transportation investments, including \$275 million for highway and intercity-transit improvements.

**Ensure Taxpayer Dollars Are Spent Properly with Strong Accountability Measures:**

- Constitutional amendment to prohibit spending the funds on anything but transportation
- Inspector General to ensure Caltrans and any entities receiving state transportation funds spend taxpayer dollars efficiently, effectively and in compliance with state and federal requirements
- Provision that empowers the California Transportation Commission to hold state and local government accountable for making the transportation improvements they commit to delivering
- Authorization for the California Transportation Commission to review and allocate Caltrans funding and staffing for highway maintenance to ensure those levels are reasonable and responsible
- Authorization for Caltrans to complete earlier mitigation of environmental impacts from construction, a policy that will reduce costs and delays while protecting natural resources.

Guided by the principles set forth by [President Ronald Reagan](#) when he increased the federal gas tax in 1982, this transportation investment package is funded by everyone who uses our roads and highways:

- \$7.3 billion by increasing diesel excise tax 20 cents
- \$3.5 billion by increasing diesel sales tax to 5.75 percent
- \$24.4 billion by increasing gasoline excise tax 12 cents
- \$16.3 billion from an annual transportation improvement fee based on a vehicle’s value
- \$200 million from an annual \$100 Zero Emission Vehicle fee commencing in 2020.
- \$706 million in General Fund loan repayments.

Leadership in both the Senate and the Assembly expect the measure to be voted on by Thursday, April 6, 2017.

###

**AB 467 (Mullin)****Summary:**

AB 467 by Assembly Member Mullin authorizes transportation authorities to post their transportation expenditure plans online, instead of printing them in a county voter information handbook. AB 467 requires that information regarding online access to these plans and details on how to obtain printed copies be included in the voter information guide and sample ballot.

**Purpose:**

Current law requires transportation authorities to provide specific information to voters when seeking to create or extend a transaction and use tax for transportation purposes. This includes the full language of the measure in the sample ballot and the full language of the adopted transportation tax expenditure plan proposal in the voter information handbook. This is the only local tax expenditure plan that is required to be printed in full in the voter information handbook.

Proponents of AB 467 have argued that printing the entire plan in the ballot can be significantly expensive for a county due to the length of the ballot and the printing of additional pages. The sponsors of the bill have cited the most recent November election as an example of the high costs due to long ballots. Specifically, twelve counties sought voter approval for a local transportation tax at the last election. For counties where voters approve the tax, the printing costs can be deducted from the new revenue collected, but for counties where voters do not pass the transportation tax, the cost is taken out of the county's general fund. By not listing the entirety of projects that would be sought through the new tax revenue, AB 467 supporters argue that the bill is needed to help counties save money on elections related materials.

**Author's Statement:**

Assembly Member Mullin states that AB 467 is a cost saving measure that allows transportation authorities to preserve resources that would have otherwise been spend on printing costs if they select to make expenditure plans available online. It makes more resources available for transportation programs when voters approve a local transportation tax, since they would not have to allocate funds from the tax for printing costs. The bill also prevents further losses to counties seeking transportation funding when their proposal is not approved by the voters, as they must absorb these printing costs.

**Recommended Position:** Work with Author/Support, if Amended

Staff recommends that the Commission adopt a Work with Author/Support, if Amended position and provides the following amendments for consideration:

**180203.**

(a) The county shall conduct the special election called by the board of supervisors pursuant to Section 180201. If the measure is approved, the authority shall reimburse the county for its cost in conducting the special election. *If the measure is not approved and the authority did not exercise the option afforded in paragraph (2) of subdivision (c), the authority, the county and the cities within the county shall equally split the cost of conducting the special election. The authority, in funding its share, shall use funds otherwise available to the authority and the cities share shall be based on population.*

AB 467 seeks to solve an identified problem. However, the solution posed could hamper efforts to ensure voters have easy and full access to information regarding transportation tax measures. Given the high threshold required for such taxes it is imperative to provide adequate information and tools to voters to make an informed decision. The inclusion of the full expenditure plan has been such a tool and has been the norm for all previous transportation tax measures throughout California. That being said counties should not have to bear the full cost of providing information to voters – rather such efforts should be shared.

In an effort to strike the right balance between informing voters and alleviating the cost burden on counties, these amendments would provide for a cost sharing arrangement – between the authority, the county and the cities within a county – for the costs of printing the entire expenditure plan within the ballot in the event that the measure in question is not adopted. This would allow an authority the continued option of including the full expenditure plan in the ballot but would ensure that if that option is exercised the costs of doing so are shared among all those that would have presumably benefitted from the passage of the measure.

**Existing Law:**

Under current law, when voters approve the proposed tax, the costs for printing are taken from the revenue collected by the tax. However, if the tax does not pass, the county pays the costs of printing from their general fund.

Public Utilities Code

**180201.** A retail transactions and use tax ordinance applicable in the incorporated and unincorporated territory of a county may be imposed by the authority in accordance with this chapter and Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, if the tax ordinance is adopted by a two-thirds vote of the authority and imposition of the tax is subsequently approved by a majority of the electors voting on the measure, or by any otherwise applicable voter approval requirement, at a special election called for that purpose by the board of supervisors, at the request of the authority, and a county transportation expenditure plan is adopted pursuant to Section 180206.

A retail transactions and use tax approved by the electors shall remain in effect for the period of time specified in the tax ordinance. The tax may be continued in effect, or reimposed, by a tax ordinance adopted by a two-thirds vote of the authority and the reimposition of the tax is approved by any applicable majority of the electors.

**180203.** (a) The county shall conduct the special election called by the board of supervisors pursuant to Section 180201. If the measure is approved, the authority shall reimburse the county for its cost in conducting the special election.

(b) The special election shall be called and conducted in the same manner as provided by law for the conduct of special elections by a county.

(c) The sample ballot to be mailed to the voters, pursuant to Section 13303 of the Elections Code, shall be the full proposition, as set forth in the ordinance calling the election, and the voter information handbook shall include the entire adopted county transportation expenditure plan.

**Related Legislation:**

None.

**Support/Opposition:**

*Support:* California State Association of Counties (CSAC)

*Opposition:* None received as of March 16, 2017.

**SCA 2 (Newman)****Summary:**

SCA 2 would place a measure on the ballot to allow voters to choose whether to prohibit the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles for their use or operation, and from using those revenues for any purpose other than as specifically permitted.

**Purpose:**

For years, California has short-changed our road system to pay for other non-transportation priorities. Maintenance and repair of the state's highway system is underfunded by \$5 billion a year, and local streets repair is underfunded by \$1.8 billion a year. The backlog continues to get worse and more expensive when not dealt with. Consequently, the result is now \$59 billion in deferred maintenance work on our road system. The State's current diversions total over \$5 billion since 2010. Annually, California diverts \$1 billion in truck weight fees from the State Highway Account to the General Fund to pay the debt service for General Obligation bonds. Additionally, since 2012, another \$100 million per year from gas tax revenue has been deposited into the General Fund rather than being used for intended transportation purposes.

SCA 2, if approved by the voters, would reinvest \$1 billion into transportation infrastructure without raising another cent in taxes, and would guarantee that all transportation taxes and fees are spent on transportation projects. There are additional, comprehensive transportation funding packages moving forward this legislative session, but SCA 2 serves as the companion measure to provide constitutional protections for the revenues generated under these proposals.

**Author Statement:**

SCA 2 would allow the voters to choose whether to ensure that any future revenues passed by the Legislature to pay for road and highway maintenance will be spent exclusively on vitally needed repairs and not on other legislative priorities. Not only does poor road quality affect individual users, it also impacts the efficient movement of goods throughout the state, which directly impacts job growth and the competitiveness of California's ports and goods movement industries. With freight movement predicted to increase significantly, Californians will see increased deterioration of their roads due to the heavier vehicle use. Because preventative maintenance costs 10 to 12 times less than pavement and road rehabilitation, California is at an opportune moment to make needed repairs and avoid facing even higher maintenance costs down the road.

In order to fund needed repairs to the states roads and highways, the Legislature is considering a number of options that would provide increased funding for transportation projects but provide no oversight or protection on how funds would be spent. Without the protections in SCA 2, revenues that are raised to pay for the repair and maintenance of the state's roads and highways could be used for non-transportation related purposes. Not only would this fail to fix our roads and highways, it would also defy the intent of the Legislature and violate the public trust of our constituents.

**Existing Law:**

Article XIX of the Constitution restricts the expenditure of fuel tax revenues to streets and highways and certain mass transit purposes. It also restricts the expenditure of revenues from fees and taxes on vehicles to state administration and enforcement of laws regulating the use, operation, or registration of vehicles, as well as to streets and highways and certain mass transit purposes.

This Article prohibits the Legislature from borrowing revenues from fuel taxes, and from using those revenues other than as specifically permitted by Article XIX. Article XIX provides that up to 25% of fuel tax revenues allocated to the state may be pledged or used for the payment of principal and interest on voter-approved transportation bonds issued for street and highway purposes on and after November 2, 2010, upon voter approval and appropriation by the Legislature. Article XIX provides that up to 25% of

fuel tax revenues allocated to cities and counties may be pledged or used for the payment of principal and interest on voter-approved transportation bonds issued for street and highway purposes. However, in counties where voters have approved the use of fuel tax revenues for certain mass transit purposes, Article XIX provides that the Legislature may authorize any fuel tax revenues allocated to mass transit purposes to be pledged or used for payment of principal and interest on voter-approved bonds issued for those mass transit purposes.

Most transportation revenues, including gasoline and diesel excise taxes and vehicle registration fees, are constitutionally protected from being borrowed or used for purposes other than transportation. This protection does not apply to vehicle license fees and fuel excise taxes for usage outside of public roads. While the Constitution is currently silent on the use of weight fees, there are different opinions on whether those are currently protected. However, since 2011, weight fees have been used to pay down transportation-related general obligation bonds without substantial challenges relative to the constitutionality of this practice.

**Related legislation:**

*SCA 7 (Huff) from 2016* mirrors *SCA 2* and would have immediately prohibited the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles for their use or operation, and from using those revenues for any purpose. The measure would also provide that none of those revenues may be pledged or used for the payment of principal and interest on bonds or other indebtedness. This bill was referred, but not heard, in the Senate Transportation and Housing Committee.

*SCAX1-1 (Huff) of 2015*, would have prohibited the Legislature from borrowing revenues from fees and taxes imposed on vehicles or their use or operation, and from using those revenues other than as specifically permitted in the Constitution. This measure would have further required that revenues derived from the portion of the vehicle license fee that exceeds the current rate of 0.65% be used solely for street and highway purposes. This bill died in the Senate Appropriations Committee.

*AB 4 (Linder)* stops the transfer of weight fee revenues to the General Fund to pay debt service on transportation bonds, until January 1, 2020.

*AB 2728 (Perea)* of 2014, would have prohibited the use of truck weight fee revenue to pay debt service on transportation-related general obligation bonds, until January 1, 2019. *AB 2728* was held in Assembly Appropriations Committee on the suspense file.

**Support/Opposition**

Support

None on file.

Opposition

None on file.



## SCA 6 (Wiener)

### Summary:

SCA 6 by Senator Wiener would allow the voters to choose whether to amend the State Constitution to allow cities, counties, and special districts to raise new revenue for transportation projects and programs with 55% voter approval – instead of the current 2/3 vote requirement.

### Purpose:

SCA 6 would place on the ballot a measure that gives voters the option of lowering the vote threshold for increasing transportation taxes from 2/3 to 55%. By doing so, it would align the general requirement with that of school bonds under Proposition 39. If approved, it would lower the burden on cities, counties, and special districts to increase revenue to fund needed local services for transportation. Cities, counties, and special districts would still be required to place proposals on the ballot, and locals would still have to vote to approve them. SCA 6 places a measure on the ballot that allows voters to decide whether they would like to lower the vote threshold. If the measure was approved by the voters, 55% of local voters can choose to increase revenue for transportation projects and programs for their city, county or special district.

California roads and bridges are underfunded by \$11 billion per year, and a 2015 Governor's report calculated \$59 billion in deferred transportation maintenance. Existing state revenue sources for transportation are either unreliable and highly volatile, like cap-and-trade dollars, or are restricted by Article XIX of the California Constitution. Since 1923, the state has relied heavily on gas taxes to support its local streets and roads and state highway system. However, the gas tax is no longer a viable, sustainable revenue source. Ultimately, we have insufficient funding for transportation, and the funding we do have is restricted to a narrow scope of transportation projects that do not adequately cover all of the state's transportation related needs.

With declining gas tax revenues, voters in twenty counties throughout California have turned to imposing special taxes for local transportation projects and programs in their county. Collectively, these counties generate between \$3 billion and \$4 billion annually, and that money that is used for transportation projects that are identified by the county and are then approved by the voters. These "self-help" counties have consistently provided reliable and stable funding for transportation-funding that far outstrips state and federal funding on an annual basis. Consequently, SCA 6 would help locals address their transportation funding needs. In addition, these counties have enacted accountability standards, and expenditure plans that explicitly detail how funds will be spent are required to be included. These standards ensure that voters are still able to make informed decisions about raising revenue for transportation purposes.

The California voters also approved Proposition 39 in 2000 – a constitutional amendment that similarly reduced the voter threshold for bonds authorized for school facilities to 55% from two thirds. Over the next decade, the success rate of these ballot questions increased from 60% likely to pass to 75% likely to pass. The increased success rate of school bond measures highlights the effectiveness of lowering the vote threshold to a 55% margin. However, voters have not had the opportunity to consider the vote threshold on other taxes since 1996. Consequently, SCA 6 would give voters the ability to decide on the lowering of the threshold, since it has been over a decade since a similar measure was placed on the ballot for consideration.

California's local and regional government have started to assume more responsibility for generating transportation revenue for our growing population and economy as state support has declined and infrastructure continues to be in a state of disrepair. In November 2016, fifteen local governments tried to raise their sales taxes to pay for transportation, while others authorized bonds and raised local property taxes in other areas. For example, Ventura County's sales tax measure was defeated with nearly 58% voter approval. Under SCA 6, the county measure would have succeeded, and the other packages would

likely have been more robust and ambitious given the increased chance of success. SCA 6 would give voters the opportunity to lower the vote threshold for cities, counties, and special districts to dedicate new revenue for the purpose of funding all transportation-related capital, operations, and programs, to 55% instead of two thirds of the voters.

**Existing Law:**

The California Constitution requires cities, counties, and school districts to obtain voter approval for changing taxes and authorizing bonds for dedicated revenue. The Constitution however, allows school districts, community college districts, and county offices of education to issue bonded indebtedness for school facilities with 55% voter approval.

California Constitution – Article XIII

**Section 4.** Cities, Counties and special districts, by a two-thirds vote of the qualified electors of such district, may impose special taxes on such district, except ad valorem taxes on real property or a transaction tax or sales tax on the sale of real property within such City, County or special district.

**Related Legislation:**

*SCA 3 (Dodd)* – SCA 3 is from the 2017 legislative session, and this bill lowers the vote threshold on bonds to 55% of the voters for public library facilities.

*ACA 4 (Aguiar-Curry)* – This measure would lower the necessary voter threshold to approve local general obligation bonds and special taxes from a two-thirds supermajority to 55% for affordable housing and public infrastructure projects. This has not yet been set for hearing.

*ACA 4 (Frazier)* – This constitutional amendment was introduced in 2016, and it mirrors the goal of SCA 6. ACA 4 reduces the voter threshold from two-thirds to 55% for passage of local sales taxes dedicated to transportation purposes. Although it passed out of the Transportation and Revenue & Taxation Committees, it was then held in the Assembly Appropriations Committee.

**Support/Opposition:**

*Support:* None

*Opposition:* None

March 13, 2017

Ms. Susan Bransen  
Executive Director  
California Transportation Commission  
1120 N St., Room 2221, MS-52  
Sacramento, CA 95814

RE: California Freight Investment Program Draft Guidelines

On behalf of the Southern California Consensus Group, thank you for the opportunity to comment on the draft California Freight Investment Program (CFIP) Guidelines, released on February 23, 2017. The Southern California Consensus Group region comprises five counties within the Southern California Association of Governments (SCAG) region, which is home to 19 million residents and nationally significant ports of entry and trade corridors, handling nearly half of all containerized freight entering and leaving the nation. It is imperative that our regional transportation system is improved to sustain and improve California's competitiveness in global and national markets and reduce the negative regional impacts of goods movement. CFIP funds are critical to ensuring the timely completion of near-term projects that will reduce emissions and improve the efficiency, safety and reliability of the Southern California goods movement system.

Our comments on the draft Guidelines are summarized below:

***Reconsider Regional Corridor Targets***

We recommend the adoption of regional corridor programming targets which are consistent with Trade Corridors Improvement Fund (TCIF) corridor shares, which in turn were largely commensurate with goods movement volumes by corridor and which have successfully guided project programming on a consensus basis for the past decade. As part of the TCIF program, these targets provided a valuable sense of equity among regional stakeholders to ensure freight funding was allocated commensurate to trade volumes and to projects nominated and completed by the California Department of Transportation (Caltrans), regional and local agencies and ports. The Los Angeles/Inland Empire corridor, for example, received between 56% and 60% of all TCIF funding. However, the draft CFIP Guidelines propose setting the target for our corridor between 49% and 57% of the \$334 million available for the regional corridors after taking off the top a 40% share for Caltrans priority projects. The draft regional corridor targets should be aligned with these historical targets, with the understanding that the California Transportation Commission (Commission) will establish and provide funding targets for a new Central Coast regional corridor.

***Revise the 40% Set-Aside for State Priorities***

The draft Guidelines currently propose a 40% share for the State. However, recent programs including the Proposition 1B TCIF program and the State Transportation Improvement Program (STIP), have a much lower set-aside for the State. Further, inter-regional truck trips constitute less than 10% of total regional truck trips in the SCAG region (much like other regions throughout the State) as the lion's share of truck trips are generated from intra-regional activities serving local industries, construction sites, domestic warehouses and truck terminals. As such, we recommend the Commission designate 75% of the CFIP funds to be allocated to the regional corridors, and 25% of the CFIP funds to be allocated to the State, a proportionally high share relative to inter-regional trips but consistent with the STIP.

Furthermore, we also recommend that the 25% of CFIP funds allocated to the State be programmed within each trade corridor region in proportion to regional corridor targets to allow for greater leveraging opportunities and facilitate closer alignment of state and regional priorities.

Should the State maintain its set-aside of CFIP funding without provisions to spend the funding within each regional corridor proportionate to each corridor's target (adjusted as proposed above), we recommend that the Commission be provided the authority to adjust regional corridor targets based on how the State allocates its share of funding to ensure equity among the regional corridors statewide.

***Clarify the Regional Role in the CFIP Nomination Process***

The draft Guidelines currently do not identify a role for regions and instead indicate that all eligible applicants can directly apply to the Commission. Under the TCIF program, projects were reviewed and submitted through the regional corridors, not directly to the Commission. Having the regional corridors review and nominate the projects ensures appropriate collaboration within the regional corridors. We recommend that the Commission include explicit language in the Guidelines to describe the regional process in screening applications and making initial recommendations to the Commission.

We also recommend that public construction authorities responsible for freight projects be included among the list of eligible applicants.

***Clarify Requirements Applied to the National Highway Freight Program (NHFP)***

The NHFP, which makes up the majority of CFIP funds, limits funding of intermodal or freight rail projects to 10% of the state apportionment. However, this requirement should not be applied to state funds or other future fund sources for trade corridors. Similarly, federal project eligibility provisions requiring projects to be located on the Primary Highway Freight System or a designated Critical Urban Freight Corridor or Critical Rural Freight Corridor should not restrict allocations of state funds.

***Allow Return of Potential Savings from Regional Shares Back to the Regions***

The current draft Guidelines state that savings would return to the State, even if they were derived from the regional corridor shares. Consistent with the TCIF process, we recommend that savings from the regional corridor shares be returned to the region where the cost savings was generated and as incentive to generate such savings.

***Reduce the Proposed 1-to-1 Match for Regionally Nominated Projects***

A 1-to-1 match requirement is challenging for many smaller agencies, particularly those counties lacking sales tax revenues. We recommend that regions be allowed to use any local funds, any state funds (including funds allocated by the Commission), and federal funds (including formula funds) as match. We further recommend that the Commission allow funds previously expended in prior project phases to count for match as well.

***Revise Construction Contract Award Deadline***

The draft Guidelines indicate a deadline of December 31, 2020 for construction contract award based on the five-year duration of the Fixing America's Surface Transportation Act. We recommend instead that the Commission implement a construction contract award deadline of December 31, 2023 to allow for more flexibility in identifying eligible projects for consideration for CFIP funding.

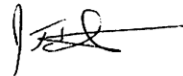
Further, for projects that have CFIP funds programmed in pre-construction phases only, we recommend consistency with the federal requirement that allows for moving forward with capital phases of work within ten years of the obligation of federal funds. This provides for flexibility and is aligned with our current practice of implementing federal projects.

Thank you for your consideration of our comments and we look forward to working with the Commission in addressing Southern California's freight transportation challenges.

Sincerely,



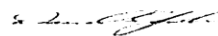
**Mark Christoffels**  
Chief Executive Officer  
Alameda Corridor-East  
Construction Authority



**John Doherty**  
Chief Executive Officer  
Alameda Corridor Transportation  
Authority



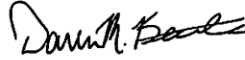
**Hasan Ikhrata**  
Executive Director  
Southern California Association  
of Governments



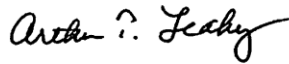
**Darrell Johnson**  
Chief Executive Officer  
Orange County Transportation  
Authority



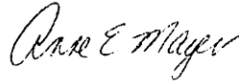
**Duane Kenagy**  
Interim Chief Executive  
Port of Long Beach



**Darren Kettle**  
Executive Director  
Ventura County Transportation  
Commission



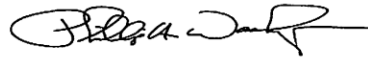
**Arthur T. Leahy**  
Chief Executive Officer  
Southern California Regional  
Railroad Authority



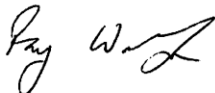
**Anne Mayer**  
Executive Director  
Riverside County Transportation  
Commission



**Gene Seroka**  
Executive Director  
Port of Los Angeles



**Phillip A. Washington**  
Chief Executive Officer  
Los Angeles County Metropolitan  
Transportation Authority



**Ray Wolfe**  
Executive Director  
San Bernardino County  
Transportation Authority

C: California Transportation Commission members and staff



## Ventura County Transportation Commission

March 13, 2017

Ms. Susan Bransen  
Executive Director  
California Transportation Commission  
1120 N St., Room 2221, MS-52  
Sacramento, CA 95814

RE: California Freight Investment Program (CFIP) Draft Guidelines

Dear Ms. Bransen:

I am writing in response to your draft California Freight Investment Program (CFIP) Guidelines, to respectfully request an exception to the one-to-one match requirement for goods movement projects where there is a significant safety issue. As acknowledged in the Southern California Consensus Group letter which I signed, the one-to-one match is a significant challenge to counties such as ours that have no local sales tax for transportation. However, there are some projects, such as the proposed Rice Avenue at Union Pacific Grade Separation in Oxnard, that have been identified as addressing significant safety issues, and such projects should not be precluded from funding due to lack of match.

The current Rice Avenue grade crossing has been the site of numerous accidents over the years, with the most recent one being on February 24, 2015, when a Metrolink train crashed into a truck, resulting in 32 injuries and 1 fatality. As a result this location has been identified by Caltrans as one of the top candidates in the state for a grade separation based on safety criteria.

VCTC has provided this project with \$1.76 million in Regional Surface Transportation Program funds which allowed the project's environmental phase to get underway, and in 2015 VCTC and Oxnard worked with Caltrans to obtain a STEP-Rail discretionary federal grant to fully fund the completion of design. Therefore, if construction funds are identified this project can break ground prior to December, 2020.

Thank you for your consideration of this comment. Should you have any questions please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren M. Kettle". The signature is fluid and cursive, written over a white background.

Darren M. Kettle  
Executive Director

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<b>VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY March 29, 2017</b>			
<b>BILL/AUTHOR</b>	<b>SUBJECT</b>	<b>POSITION</b>	<b>STATUS</b>
AB 1 Frazier	Increases fuel taxes and vehicle fees to raise \$6 billion annually for transportation.	Watch	In Assembly Transportation Committee.
AB 17 Holden	Provides funds to transit operators by formula in support of student bus pass programs.	Support	In Assembly Transportation Committee.
AB 28 Frazier	Original bill made permanent the legal provisions allowing delegation of NEPA authority to Caltrans. Amended to extend the provision for 3 years only.	Support	Passed Senate Transportation & Housing Committee 13-0. Passed Senate Appropriations Committee 7-0. Passed Senate 39-0. Assembly Concurrence 77-0. Signed by Governor.
AB 278 Steinorth	Provides for CEQA exemption category for bike paths and freeway auxiliary lanes if certain requirements are met.	Support	In Assembly Natural Resources Committee.
AB 467 Mullin	Allows transportation expenditure plans to be posted on line and available by mail, rather than printed in voter pamphlet.	<b>Work with Author</b>	In Assembly Local Government Committee.
SB 1 Beall	Increases fuel taxes and vehicle fees to raise \$6 billion annually for transportation. This bill will be amended to become the vehicle of the transportation finance package agreement.	Support	Passed Senate Transportation & Housing Committee 8-3. Passed Senate Environmental Quality Committee 4-2. Passed Senate Governance & Finance Committee 5-1. In Senate Appropriations Committee.
SCA 2 Newman	Places before the voters a measure to prohibit borrowing of taxes and fees imposed on vehicles.	<b>Support</b>	Passed Senate Transportation & Housing Committee 9-0. Passed Senate Elections,

**VENTURA COUNTY TRANSPORTATION COMMISSION  
STATE LEGISLATIVE MATRIX BILL SUMMARY  
March 29, 2017**

BILL/AUTHOR	SUBJECT	POSITION	STATUS
			Reapportionment, and Constitutional Amendments Committee 4-1. In Senate Appropriations Committee.
SCA 6 Wiener	Places before the voters a measure to lower to 55% the supermajority requirement for transportation tax measures.	<b>Support</b>	In Senate Governance & Finance Committee.

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



Item #10

APRIL 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

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

**SUBJECT: FISCAL YEAR 2017/2018 DRAFT BUDGET – PUBLIC HEARING**

**RECOMMENDATION:**

- Receive the Fiscal Year 2017/2018 Draft Budget.
- Conduct Public Hearing to receive testimony on the Draft Fiscal Year 2017/2018 Budget.

**DISCUSSION**

The Draft Fiscal Year 2017/2018 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 a "continuation" budget for the majority of VCTC programs and projects. At \$61,049,615, the Fiscal Year 2017/2018 Draft Budget is \$4,475,391 or -6.8% lower than Fiscal Year 2016/2017. 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 \$17,054,800, the Highway program at \$1,552,700, the Rail program at \$4,808,200, the Commuter Assistance program at \$680,400, the Planning and Programming program at \$31,965,014 and the General Government program at \$4,988,501. The Fiscal Year 2017/2018 Draft Budget is a balanced budget with an estimated ending fund balance of \$10,093,989.

Personnel costs for Fiscal Year 2017/2018 are budgeted at \$2,941,100 or 5% of the budget, which is a decrease of \$25,800 from the previous fiscal year. The decrease is largely due to the restructuring of the Highway capital manager position to a contract position with the County. This budget currently contains one vacant position that is fully burdened until the actual costs are known. The wage cost of \$1,981,500 includes approximately a \$31,300 pool for merit increases for employees not at the top of their range. A COLA is not included in the Draft Budget estimates but staff is proposing a three percent COLA to be included with the Final Budget. 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 2017/2018 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 include:

- The Fare Collection and APC Systems budget decreased by \$251,700 as most of the equipment needs were purchased in Fiscal Year 2016/2017 and lower professional services costs are anticipated.
- The Transit Grant Administration budget decreased by \$3,096,400 as pass-through projects were completed, but it is expected to increase with the final budget when new pass-through funds to local agencies are included.
- The Transit Stop Enhancement budget increased by \$1,523,625 due to costs associated with the procurement of a new system.
- The Valley Express budget decreased by \$159,500 due to the completion of the purchase of the on-board video and farebox equipment
- The VCTC Intercity Service budget decreased \$1,265,842 due to the completion of the purchase of the buses, on-board video equipment and fareboxes offset by the addition of the VCTC Intercity Marketing costs that was previously in the Community Outreach and Education budget.
- The Highway Project Management budget decreased by \$65,100 due to the Highway Capital Project Manager position being restructured to a contract position with the County of Ventura.
- The Metrolink Commuter Rail budget decreased by \$732,570 largely due to the completion of a one-time project in last year's budget offset by a placeholder of an eight percent increase to operational costs
- The Santa Paula Branch Line budget increased by \$33,000 largely due to increased staffing needs and associated costs.
- The Rideshare Program budget increased by \$137,800 due to the addition of the rideshare marketing costs that were previously included in the Community Outreach and Education budget.
- The Regional Transit Planning budget decreased by \$117,100 largely due to the completion of the Coordinated Human Services Transportation Plan and the TDA Triennial Performance Audit offset by the new Short Range Transit Plan update and the Transit Asset Management Plan continued from the previous fiscal year.
- The Regional Transportation Planning budget decreased by \$281,700 largely due to the completion of the Regional Bicycle Wayfinding project and the Traffic Modeling Study.
- The Transportation Development Act budget decreased \$621,904 due to reduced pass-through funds to local agencies.
- The Community Outreach and Marketing budget decreased by \$300,300 due to marketing cost associated with VCTC Intercity Services and Rideshare Programs being transferred to those budgets.
- The Management and Administration budget increased by \$39,500 largely due to increased staffing costs.
- The State and Federal Governmental Relations budget increased by \$19,800 largely due to increased staffing costs.
- The VCTC Office Building budget increased by \$645,000 for additional construction, moving and relocation expenses and furniture and fixture costs.

The Draft Budget is a "work-in-progress" for VCTC as tasks are fine-tuned. Staff will update the final budget with input received from the Commission and new information as it becomes available from local partners such as Metrolink and funding information from the State and Federal governments. As required by the VCTC Administrative Code, the proposed Draft Fiscal Year 2017/2018 budget was submitted to the Finance Committee for review. Chair MacDonald, Vice-Chair Parks and Past-Chair Foy discussed the details of the Draft Budget at the March 22<sup>nd</sup> Finance Committee meeting and

**April 7, 2017**  
**Item #10**  
**Page #3**

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 2017 meeting, at which time a second public hearing will be held pursuant to the VCTC Administrative Code.

The proposed Draft Fiscal Year 2017/2018 Budget is a balanced budget and is a separate attachment to the agenda. A copy of the Draft Fiscal Year 2017/2018 budget is available on the VCTC website at [www.goventura.org](http://www.goventura.org).

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Item #11

April 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: AARON BONFILIO, PROGRAM MANAGER**

**SUBJECT: VCTC INTERCITY MAY 22, 2017 SCHEDULE CHANGE**

**RECOMMENDATION:**

- Receive and file presentation.
- Approve proposed schedule changes.

**BACKGROUND:**

The VCTC Intercity is a regional commuter bus system that operates throughout Ventura county, and including into southern Santa Barbara county, and Woodland Hills in Los Angeles county. The Commission has operated the system since the mid-1990's. Over the years the system has grown from just a few lines to seven named routes or "lines", with each line operating different patterns or deviations based on demand. While VCTC recently launched a new grant-funded demonstration route—connecting South Oxnard and Camarillo—prior to that, the last major service change was Fall 2013. Since that time, ridership has fluctuated and routes have been modified slightly in response to demand.

Year-over-year, the last two fiscal years' system-wide passenger ridership was relatively flat, with a 0.6% increase. Most recently, for the six-month period ended December 31, 2016, passenger ridership has declined 7.1%, from 407,023 (FY151/6) to 378,210 (FY16/17). While many factors can impact transit demand, worsening congestion has impacted on-time performance and route travel times for many of our lines, which has a corresponding impact to the cost of the service. That is, system-wide buses are taking more time to operate the existing set of routes, and ridership is at the same time declining.

The following tables reflect the system-wide ridership for the two prior years, as well as the recent 6-month year-over-year period:

Fiscal Year	Ridership
2014 / 2015	782,381
2015 / 2016	786,761
Year-end Change + / (-)	0.6%

July 1 – Dec 31	Ridership
2015 / 2016	407,023
2016 / 2017	378,210
Year-end Change + / (-)	-7.1%

**DISCUSSION OF ROUTE MODIFICATIONS:**

In light of the factors mentioned earlier, and in advance of the coming fiscal year, a number of route modifications have been identified for the next schedule change. The modifications are primarily to the two routes funded by outside agencies, i.e. the Coastal Express and CSUCI. The proposed implementation is May 22, 2017, effective the first day of the CSUCI summer break.

Route Guarantee:

Annually, funding contributions are provided by the Santa Barbara County Associations of Government (SBCAG) for the Coastal Express line and, by Cal-State University Channel Islands (CSUCI) for the CSUCI lines. Called "Route Guarantees," the budgeted fiscal year 2016 / 2017 contributions are as follows:

- SBCAG: \$825,000
- CSUCI: \$492,000

In light of these significant contributions, and is generally the case with routes serving neighboring jurisdictions, service planning for each route is conducted through regular consultation with the affected agencies/funding partners.

Coastal Express:

The Coastal Express, jointly funded by SBCAG and VCTC, is co-managed by the Coastal Express Policy Advisory Committee (CEPAC); with three VCTC Commissioner and three SBCAG representatives. The CEPAC meets at least semi-annually to review service levels, budget and policy direction of the line. The Coastal Express reflects approximately 40% of all hours of service provided by VCTC Intercity, and its ridership accounts for approximately 36% of the total VCTC ridership.

At its last CEPAC meeting, the Committee directed staff to work together to develop schedule refinements that would reduce costs by eliminating underperforming trips, while maintaining a high-level of service during peak commute hours to/from Santa Barbara and Ventura counties. Specifically, CEPAC directed staff to refine schedule timing to address increased cost and the travel times along Highway 101, as well as, development adjustments to improve bus service to/from UCSB which has been particularly impacted by longer travel times to Goleta.

Using the ridership performance metrics in the Coastal Express 10-Year plan, staff anticipated that such reductions would account for a 15-25% decrease in route operations. Following the meeting, staff from both agencies along with input from the VCTC Intercity contractor identified several route modifications and refinements that account for approximately 17% reduction in passenger revenue hours, additionally staff identified elimination of some deadhead, which improves efficiency and further decreases cost.

In sum, the route modifications will: adjust schedules for realistic (expanding) travel times; reduce frequency of service during mid-day periods (10AM -2PM); improve directness and trip times to UCSB, Cottage Hospital-Goleta and the Santa Barbara County Complex; generally increase service to Carpinteria and East Beach, Santa Barbara; and, reduce weekend service, which has been particularly impacted by prolonged trip times due to freeway congestion.

CSUCI: Winter & Summer Break/Weekend Schedule (Off-peak)

As mentioned above, VCTC receives funding to operate a pair of routes from Cal-State University Channel Islands (CSUCI). While ridership is fairly high during the school year on weekdays, these routes



see markedly reduced ridership during the winter / summer break periods and on weekends (i.e. at “Off-peak” times). Currently, off-peak service operates at the same frequencies as during the school year, though hours are slightly reduced in the evenings.

Through a series of planning meetings with the University, staff identified modifications to the set of CSUCI routes that are based on ridership demand. Specifically, the modifications will reduce frequency of the CSUCI-Camarillo service during the Off-peak times, and eliminate the express service between Oxnard and Campus (CSUCI-Oxnard) during the summer and winter break as well as on weekends. During the school year on weekdays, however, CSUCI-Camarillo and CSUCI-Oxnard route operations will resume operations at, or close to, the pre-existing levels. During the summer and winter break period the Oxnard-Campus express connection will be served by two routes now interlined, i.e. the CSUCI-Camarillo and “Cap & Trade” funded Oxnard-Camarillo demonstration route.

In sum, the changes will: expand trip headways to Camarillo and extend trip times for patrons traveling to Oxnard. This change will lead to savings for CSUCI (which after Federal funding is applied, funds 100% of the remaining route expense). In turn, CSUCI plans to use the savings to increase services with the addition of Sunday service and extended evening hours.

#### Other VCTC Line Modifications

In addition to the partner-funded routes, staff identified a number of refinements and changes related to the other lines, including some of recommendations that were identified through the VCTC Short-range Transit Plan (SRTP), as well as, modifications to the recently deployed Cap & Trade funded South Oxnard-Camarillo route. Specifically this route, which has operated at two-hour headways will increase headways to one-hour and include all-day bi-directional service to and from Camarillo. This is doable in part to the above-mentioned modifications having to do with CSUCI’s routes. Other changes include, decreased wait times for transfers between buses at the Ventura Transit Center, and the Thousand Oaks Transportation Center.

The following attachment (*Attachment A: VCTC Intercity Route Changes Summary*) reflects a summary of the changes, as well as, the draft time-tables for all of the affected routes.

#### Outreach of Pending Schedule Changes

Beginning March 31, 2017, notices of the pending May 22, 2017 schedule change were provided through the following means:

- At major bus stops/transit terminals
- On-board the VCTC Intercity fleet
- On the VCTC Intercity schedule webpage
- At the VCTC ticket and sales outlets

Through the notice, riders were notified of: the effective date, any trip eliminations, the time of the replacement trip, summary of time modifications, information to obtain the draft schedules, and invitation for public comment, including at the April 7, 2017 Commission meeting. Following the Commission’s approval, additional outreach and promotional activities related to the approved changes, such as the production of schedules and other collateral will begin Monday following the April Commission meeting.

#### Schedule Design Updates

Lastly, to assist riders, VCTC will be implementing a “new look” to its schedule design, that will include a “route series” numbering convention tied to each of the current lines. The goal being that, unique

numbers will help identify specific route patterns. This process has been long in the making and was part of the set of recommendations in the SRTP. The convention is simple and does not conflict with our sister Ventura County transit operators or Santa Barbara MTD.

Increasingly, as service has grown, riders have struggled using just line names. Numbered routes can be used to clarify deviations to specific landmarks that are served by some, but not all trips along a line (such as to Camarillo Outlets, or St. Bonnies School, or UCSB, for example etc.).

The historic names of each of the lines will continue to be used alongside the route numbers. The proposed numbering convention is as follows:

<b>Line Name</b>	<b>Route Number Series<sup>1</sup></b>
Hwy101-Conejo Connection	50 series [#50-59]
Hwy 126	60 series [#60-69]
East County	70 series [#70-79]
Coastal Express	80 series [#80-89]
Oxnard-Camarillo-CSU	90 series [#90-99]

**RECOMMENDATION**

Historically, schedule changes and route modifications are conducted once or twice throughout the year and are relatively minor. However, pursuant to the adopted VCTC policy, that any changes of 20% or greater to a VCTC line shall be approved by the Commission, staff presents this item to the Commission.

The recommendation by staff is to approve the schedules changes which were developed in concert with our funding partners, CSUCI and SBCAG; and in the case of the Coastal Express, recommended by the jointly-managed Coastal Express Policy Advisory Committee. Additionally, staff recommends the approval of the proposed modifications related to the VCTC-funded set of routes.

The proposed changes would take effect May 22, 2017, with the next potential schedule change planned for August 2017 (when CSUCI and local schools generally go back in session). Prior to that time, staff plans to return to the Commission with proposed changes subject to the above policy, as we continue to look for ways to improve service delivery, optimize routing and scheduling, and address ridership demand.

*Attachment : VCTC Intercity Route Changes Summary*

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<sup>1</sup> While the full series of numbers will be available (e.g. East County = 70-79), not all lines have 10 route patterns. However, this convention allows for growth and/or modifications to route patterns.



Item #12

April 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: STEVE DEGEORGE, DIRECTOR OF PLANNING**  
**SUBJECT: BICYCLE WAYFINDING PLAN**

**RECOMMENDATION:**

- Approve the Bicycle Wayfinding Plan.

**DISCUSSION:**

At the March Commission meeting, staff along with the project consultant, Alta Planning + Design, provided an overview of the Bicycle Wayfinding Plan and received comments. The Plan has now been completed and will be provided under separate cover for the Commission's review and approval.

As a reminder, the Bicycle Wayfinding Plan was undertaken to identify, and prioritize intercounty and intercity bicycle routes as well as develop common signage.

The Wayfinding Plan is regional in nature and not designed to replace local bicycle plans, safe routes to school or other local efforts, rather it should be viewed as a layer on top of the local plans to provide needed connections. The plan is designed to inform jurisdictions and does not dictate what type of lane is most appropriate for any location or that a lane must be developed, local jurisdictions are best suited to make those decisions.

A subcommittee of the Transportation Technical Advisory Committee (TTAC) oversaw the project throughout its life and provided direction for the selection of the routes, ranking, sign design and sign placement, it is their expertise that is reflected in this plan and staff appreciates their effort in this work. On February 16, 2017 the Wayfinding Plan recommendation were presented to the full TTAC and received their endorsement.

Ms. Emily Duchon, the Project Manager from Alta Planning + Design and will be presenting some highlights from the comments received from the March meeting including signage for gradients. Staff is recommending that the Commission approve the completed Bicycle Wayfinding Plan.

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Item # 13

April 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR  
ELLEN TALBO, TRANSIT PLANNING MANAGER**

**SUBJECT: APPROVAL OF FINAL COORDINATED HUMAN SERVICES TRANSPORTATION PLAN**

**RECOMMENDATION:**

- Approve Final Coordinated Human Services Transportation Plan

**DISCUSSION:**

Federal legislation in 2005 first required the preparation of a locally developed plan that establishes a “unified comprehensive strategy for public transportation service delivery” through a coordinated planning process. This “Coordinated Plan” will address the unmet transportation needs and mobility gaps of:

- Persons with disabilities
- Older adults, and
- Individuals of low income

Populations also of interest to this process are veterans and persons with limited English proficiency.

At the March, 2017 VCTC meeting, the Draft Coordinated Human Services Transportation Plan was presented to the Commission for their review. Since the meeting, staff has taken the Coordinated Plan back to the Citizens Transportation Advisory Committee/Social Services Transportation Advisory Committee (CTAC/SSTAC) for additional review at their March 13<sup>th</sup>, 2017 meeting. The Final Coordinated Plan is presented today for the Commission’s consideration for adoption.

It is important to note that a key objective of the Coordinated Plan is to identify “gaps” in the transportation needs of seniors, persons with disabilities and persons of low income. Through the mobility goals, strategies and projects identified it provides direction to the numerous Ventura County stakeholders including the Commission, the county’s public transit providers, human services agencies, cities, and the County.

**April 7, 2017**  
**Item #13**  
**Page #2**

Since August 2016, VCTC staff has been leading the effort to update the Coordinated Human Services Transportation Plan (Coordinated Plan). This plan is prepared every five years in response to Federal statute in the Fixing America's Surface Transportation Act (FAST Act) with the last update in 2012. Coordinated Plans outline a set of regional goals and strategies to improve mobility for specialized transit user populations, and in turn the regional goals and strategies are designed to position projects for federal 5310 program funding.

In addition to the existing transit operators, there are non-profit organizations and social service entities that provide mobility services to senior, disabled, and low income population. In many cases it can be challenging for the user of these specialized populations to decipher the difference among service options because:

- 1) Eligibility requirements to ride vary amongst providers (e.g. age eligibility vs. patient/client eligibility)
- 2) There are multiple transit operators with specific service area geographies
- 3) Social service agencies that provide mobility services are typically limited to serve their patient/clientele only.

VCTC, public transit operators and social service entities recognize that coordinating the efforts to deliver and provide user-friendly mobility options between these providers is an issue for their rider that needs to be addressed. To address this, VCTC and its consultant hosted six public outreach activities to invite public feedback from Ventura County transit operators, social service entities, and the general public. The feedback was used to develop the update of the Coordinated Plan, and prioritized a group of strategies to address service gaps. The Draft Coordinated Plan was also discussed at the Transit Operators Advisory Committee (TRANSCOM) meeting of February 9, and the CTAC/SSTAC at the meeting of February 14. The Plan was also sent in advance to members of both committees for review.



**Item #14**

**April 7, 2017**

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: ELLEN TALBO, TRANSIT PLANNING MANAGER**

**SUBJECT: PRESENTATION BY JENNIFER BERGENER REGARDING LOSSAN SERVICE UPDATE**

**RECOMMENDATION:**

- Receive and file.

**BACKGROUND:**

The Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN) agency provides daily Amtrak Pacific Surfliner service through Ventura County. There has been a mutual interest among the Commission and the Santa Barbara County Association of Governments (SBCAG) to re-time a Pacific Surfliner train during the morning “commute-friendly” hours for northbound commuters. Jennifer Bergener, Chief Executive Officer at LOSSAN, will provide an update of the efforts to date.