



VENTURA COUNTY TRANSPORTATION COMMISSION

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

www.goventura.org

AGENDA*

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

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, February 1, 2013
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 VENTURA COUNTY TRANSPORTATION COMMISSION
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ELECT 2013 VICE CHAIR
5. **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.

6. [APPROVE SUMMARY FROM JANUARY 11, 2013 VCTC MEETING – PG. 5](#)

7. **CALTRANS REPORT**

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

8. **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.

9. **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.*

10. **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.

[10A. MONTHLY BUDGET REPORT – PG.11](#)

Recommended Action:

Receive and File

Responsible Staff: Sally DeGeorge

[10B. PASSENGER RAIL UPDATE – PG.17](#)

Recommended Action:

Receive and File

Responsible Staff: James Hinkamp

[10C. EXTENSION OF TRANSIT PLANNING INTERN POSITION – PG.25](#)

Recommended Action:

Amend the 2012/2013 VISTA fixed route Transit budget, increasing revenues and expenditures of \$10,800 for the Transit Planning Student Internship position through the end of F Year 2012/13.

The recommended source of the funds is the Local Transportation Funds (LTF) reserve.

Responsible Staff: Vic Kamhi

11. [TRANSPORTATION DEVELOPMENT ACT, LOCAL TRANSPORTATION FUND, DRAFT APPORTIONMENT FOR FISCAL YEAR 2013/2014 – PG.27](#)

Recommended Action:

Adopt the Local Transportation Fund Draft Apportionment for Fiscal Year 2013/2014 apportioning \$33.6 million as shown in Attachment 1.

Responsible Staff: Sally DeGeorge

12. [DRAFT COMPREHENSIVE TRANSPORTATION PLAN RELEASE FOR COMMENT – PG.33](#)

Recommended Action:

Approve releasing the Draft Comprehensive Transportation Plan for public comment.

Responsible Staff: Steve DeGeorge

**13. [SCA 4 \(LIU\) LOCAL TRANSPORTATION MEASURE VOTER APPROVAL THRESHOLD-
PG.35](#)**

Recommended Action:

Support SCA 4 (Liu) regarding the local transportation measure voter approval threshold.

Responsible Staff: Peter De Haan

14. VCTC GENERAL COUNSEL'S REPORT

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

15. AGENCY REPORTS

16. VCTC CLOSED SESSION

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

17. ADJOURN

The next VCTC Commission meeting is scheduled to be held at 9:00 a.m. Friday, **March 1, 2013**, Camarillo City Hall, City Council Chambers, 601 Carmen Drive, Camarillo.

THIS PAGE INTENTIONALLY LEFT BLANK



Item #6

Meeting Summary

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

**CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, JANUARY 11, 2013
9:00 AM**

Members Present: John Zaragoza, Chair, County of Ventura
Steve Sojka, Vice Chair, City of Simi Valley
Claudia Bill-de la Pena, City of Thousand Oaks
Ralph Fernandez, City of Santa Paula
Peter Foy, County of Ventura
Kathy Long, County of Ventura
Bryan MacDonald, City of Oxnard
Jan McDonald, City of Camarillo
Keith Millhouse, City of Moorpark
Carl Morehouse, City of San Buenaventura
Linda Parks, County of Ventura
Jon Sharkey, City of Port Hueneme
Jim White, Citizen Rep., County
Steve Novotny, Caltrans
Brian Humphrey was representing VCTC at the SCRRRA Board Meeting

Call To Order

Pledge of Allegiance

Roll Call

Public Comments for those items not listed in this agenda

Scott Spaulding, SBCAG

SBCAG's Traffic Solutions offers rideshare programs. He passed out a copy of their publication Commuter Tribune.

APPROVE SUMMARY FROM DECEMBER 7, 2012 VCTC MEETING

Commissioner Sojka made a motion to approve the summary, seconded by Commissioner Sharkey, and passed unanimously.

CALTRANS REPORT

Steve Novotny reported that the Governor has released the proposed budget. The budget contains \$12.8 billion for transportation, a reduction of \$456 million in capital outlay and an increase in \$572 million in local assistance. The July reorganization removes Caltrans from Business Transportation and Housing and creates a new transportation agency which will include Caltrans, California Transportation Commission, High Speed Rail Authority, Department of Motor Vehicles, California Highway Patrol, and Office of Transportation Safety.

EXECUTIVE DIRECTOR REPORT

Unmet Needs Hearings - Last month, the Commission approved the schedule for the FY 13/14 unmet transit needs public hearing process. The hearing will be Monday, February 4th, 1:30 – 3:30 PM here at the Camarillo City Council Chambers. There will also be a follow-up meeting on April 22nd to consider the draft findings. It would be appropriate today for the Chair to appoint at least three (or more) Commissioners to sit as this year's Hearing Board.

Commissioners Sharkey, Long, Fernandez and White will serve on the Hearing Board

Joint Land Use Study - Staff has begun forming the Policy and Technical oversight committees for Naval Base Ventura County Joint Land Use Study and has extended invitations to participate to the jurisdictions neighboring the naval facilities and other interested parties. Staff would like to extend an invitation to interested Board members to participate on the Policy committee or make recommendations for participation for either of the committees. The project kick-off meeting is anticipated in mid-February. If you are interested in participating or would like to recommend a member to either committee please contact Steve DeGeorge of our staff.

VCTC Chair and Vice Chair – As a reminder, the February Commission meeting is when the current sitting Vice-Chair becomes Chair of the Commission and the Commission, by a majority vote of the full Commission, selects a new Vice-Chair. Based on the Commission bylaws that set the rotation of a city member, city member, county member, the new Vice Chair shall be a city member.

Route 101/23 Project - The California Transportation Commission met this past Tuesday, and received as information the VCTC's requests to allow Thousand Oaks to front the State Transportation Improvement Program (STIP) funds for the Route 101/23 project, and to remove the STIP funds for Metrolink Capital Rehabilitation as described in Item #12 of your agenda. It was agreed that both items would be placed on the Consent Calendar for the next CTC meeting, scheduled for March 5th.

ADDITIONS/REVISIONS

The meeting will adjourn to Closed Session after Item #10.

CONSENT CALENDAR

Commissioner Sharkey made a motion to approve all items as presented. The motion was seconded by Commissioner Sojka and passed unanimously.

9A. MONTHLY BUDGET REPORT – Receive and File

9B. RAIL OPERATIONS UPDATE – Receive and File

9C. REVISED ROUTE 101/23 IMPROVEMENT PROJECT FUNDING PLAN

Approve revised attached funding plan, to increase the Proposition 1B Trade Corridor Infrastructure Fund (TCIF) contribution using \$1,202,000 in other-county cost savings, from \$11,916,000 to \$13,118,000; to increase the Surface Transportation Program (STP) funding by \$702,000, from \$11,916,000 to \$12,618,000; and to reduce the City contribution by an offsetting amount.

9D. FINANCIAL AUDITOR CONTRACT EXTENSION

Authorize the Executive Director to extend the contract options with Vavrinke, Trine, Day & Co., LLP for professional financial auditing services with a cost of \$44,749 for Fiscal Year 2012/2013 and \$46,091 for Fiscal Year 2013/2014 and an additional \$2,500 per year if a second single audit is required.

9E. ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM APPLICATION FOR ROUTE 101 AT SANTA CLARA RIVER BRIDGE WIDENING ENVIRONMENTAL MITIGATION

Approve resolution authorizing application for \$350,000 in Environmental Enhancement and Mitigation Program (EEMP) funds for off-site mitigation of the Route 101 at Santa Clara River Bridge project.

10. 2013 LEGISLATIVE PROGRAM

VCTC's new lobbyist, Dalaney Hunter, of Gonzalez, Quintana & Hunter introduced herself to the board.

Public Comment

Bruce Bell, Moorpark

Doesn't believe the voter threshold item should be determined by this board. VCTC should remain neutral. He also believes Bus and Rail should be minimally subsidized.

Carla Castilla, District Director for Senator Hannah-Beth Jackson

Senator Jackson looks forward to working toward resolution that works for all stakeholders regarding the voter threshold amendment and AB 716.

Commissioner Millhouse made a motion to adopt the 2013 Legislative Program with additional language to support treating Ventura County in an equitable manner similar to all counties with respect to cities under 100,000. Commissioner McDonald seconded the motion.

Commissioner Sojka requested an amendment to the motion to also bring back the 55% voter threshold amendment for full discussion. Commissioner Bill-de la Peña seconded the requested amendment to the motion.

Darren Kettle commented that SCA 4 specifically addresses this issue so possibly the motion should be to bring SCA 4 to the February Meeting for full discussion.

Commissioner Millhouse requested Commissioner Sojka to modify the amendment to have a discussion of SCA 4 at the February meeting. Commissioner Sojka agreed to the modified amendment.

The motion passed by the following unanimous vote:

Yes: Commissioner McDonald, Millhouse, MacDonald, Sojka, Fernandez, Long, Morehouse, Foy, White, Bill-de la Peña, Parks, Sharkey, Zaragoza
No: None
Abstain: None
Absent: Commissioners Bennett, Minjares, Clapp, Humphrey

The amended motion passed by the following unanimous vote:

Yes: Commissioner McDonald, Millhouse, MacDonald, Sojka, Fernandez, Long, Morehouse, Foy, White, Bill-de la Peña, Parks, Sharkey, Zaragoza
No: None
Abstain: None
Absent: Commissioners Bennett, Minjares, Clapp, Humphrey

**VCTC CLOSED SESSION – There was no report from Closed Session
CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**

(Subdivision (a) of Section 54956.9)

Beserra, et al. v Griffin Industries Inc., et al. Ventura Superior Court Case No. 56-2010-00373718-CU-OE-VTA

11. PROGRAM OF PROJECTS FOR FTA SECTION 5307 (JOBS ACCESS AND REVERSE COMMUTE), SECTION 5310, AND SECTIONS 5316 AND 5317 CARRYOVER FUNDS – PUBLIC HEARING

Commissioner Sojka made a motion to:

- Adopt the attached list of FY 2012/13 project scores and funding plan;
- Approve FY 2013 Program of Projects for FTA Section 5316 and Section 5317 FY Carryover Funds;
- Authorize the Executive Director to certify the application to Caltrans for \$266,000 in statewide Section 5310 funds for vehicle purchases for the Arc of Ventura County, Moorpark Dial-A-Ride, and HELP of Ojai and for \$98,213 in statewide Small Urban Section 5316 funds for the Simi Valley Transit Route C project.

The motion was seconded by Commissioner Morehouse and passed unanimously. Commissioner White recused himself.

12. REVISION TO METROLINK FUNDS / REVISED SECTION 5337 PROGRAM OF PROJECTS – PUBLIC HEARING

Commissioner Fernandez made a motion to:

- Approve changing the fund source for \$7.5 million for Metrolink rehabilitation over the next five years from State Transportation Improvement Program (STIP) to Federal Transit Administration Section 5337.
- Approve revised Fiscal Year (FY) 2012/13 Program of Projects (POP) for Section 5337 funds.

The motion was seconded by Commissioner Long, and passed unanimously.

13. AUTHORIZATION TO NEGOTIATE A ONE YEAR EXTENSION OF ROADRUNNER CONTRACT FOR VISTA INTERCITY SERVICES

Commissioner Sojka made a motion to authorize staff to negotiate a one year extension of the VISTA Intercity services and capital Contracts with Roadrunner Management Services through June 30, 2014. The motion was seconded by Commissioner Fernandez, and passed unanimously.

14. LOSSAN AMENDED JOINT POWERS AUTHORITY AGREEMENT

Commissioner Sojka made a motion to approve an amendment to the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Joint Powers Authority (JPA) agreement to transfer State operation of the Pacific Surfliner intercity train operations to LOSSAN. The motion was seconded by Commissioner Fernandez, and passed unanimously.

15. SANTA PAULA BRANCH LINE BRIDGE REPAIR UPDATE REPORT

This item will be brought back to the March VCTC meeting for full discussion.

16. VCTC GENERAL COUNSEL'S REPORT

There was no additional report from General Counsel

17. AGENCY REPORTS

There were no reports from Agencies

18. ADJOURN TO FEBRUARY 1, 2013

THIS PAGE INTENTIONALLY LEFT BLANK



Item # 10A

February 1, 2013

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for December 2012

BACKGROUND:

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

The December 31, 2012 budget reports indicate that revenues were approximately 44.14% of the adopted budget while expenditures were approximately 35.18% 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. For instance, some revenues are received at the beginning of the year while other revenues are received after grants are approved by federal agencies. In many instances, VCTC incurs expenses in advance of the revenues.

**VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF DECEMBER 31, 2012**

ASSETS

Assets:

Cash and Investments - Wells Fargo Bank	\$ 4,201,866
Cash and Investments - County Treasury	22,201,775
Petty Cash	50
Receivables/Due from other funds	1,616,802
Prepaid Expenditures	803,237
Deposits	12,754

Total Assets: \$28,836,484

LIABILITIES AND FUND BALANCE

Liabilities:

Accrued Expenses/Due to other funds	\$ 1,561,504
Deferred Revenue	1,147,388
Deposits	400

Total Liabilities: \$ 2,709,292

Net Assets:

Fund Balance	<u><u>\$26,127,192</u></u>
--------------	----------------------------

Total Liabilities and Fund Balance: \$28,836,484

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE SIX MONTHS ENDING DECEMBER 31, 2012**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Revenues								
Federal Revenues	\$ 3,099,238	\$ 0	\$ 0	\$ 0	\$ 3,099,238	\$ 14,756,644	(11,657,406)	21.00
State Revenues	121,986	15,091,598	1,152,219	249,758	16,615,561	34,196,169	(17,580,608)	48.59
Local Revenues	3,971,867	0	0	11,765	3,983,632	4,653,002	(669,370)	85.61
Other Revenues	14	0	0	0	14	1,600	(1,586)	0.88
Interest	291	8,799	14,776	4,016	27,882	140,000	(112,118)	19.92
Total Revenues	7,193,396	15,100,397	1,166,995	265,539	23,726,327	53,747,415	(30,021,088)	44.14
Expenditures								
Administration								
Personnel Expenditures	1,110,613	0	0	0	1,110,613	2,456,119	(1,345,506)	45.22
Legal Services	5,350	0	0	0	5,350	35,000	(29,650)	15.29
Professional Services	47,799	0	0	0	47,799	98,200	(50,401)	48.68
Office Leases	60,570	0	0	0	60,570	137,865	(77,295)	43.93
Office Expenditures	221,805	0	0	0	221,805	185,235	36,570	119.74
Total Administration	1,446,137	0	0	0	1,446,137	2,912,419	(1,466,282)	49.65
Programs and Projects								
Transit & Transportation Program								
Senior-Disabled Transportation	42,863	0	0	0	42,863	260,855	(217,992)	16.43
Go Ventura Smartcard	111,709	0	0	0	111,709	265,700	(153,991)	42.04
VISTA Fixed Route Bus Service	3,028,601	0	0	0	3,028,601	5,737,930	(2,709,329)	52.78
VISTA DAR Bus Services	1,271,789	0	0	0	1,271,789	2,507,300	(1,235,511)	50.72
Nextbus	34,060	0	0	0	34,060	172,400	(138,340)	19.76
Trapeze	9,476	0	0	0	9,476	30,900	(21,424)	30.67
Transit Grant Administration	292,531	0	0	0	292,531	7,112,255	(6,819,724)	4.11
Total Transit & Transportation	4,791,029	0	0	0	4,791,029	16,087,340	(11,296,311)	29.78

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Highway Program								
Congestion Management Program	0	0	0	0	0	30,000	(30,000)	0.00
Motorist Aid Call Box System	0	0	0	141,459	141,459	434,000	(292,541)	32.59
SpeedInfo Highway Speed Sensor	0	0	0	58,900	58,900	144,000	(85,100)	40.90
Total Highway	0	0	0	200,359	200,359	608,000	(407,641)	32.95
Rail Program								
Metrolink & Commuter Rail	1,321,234	0	0	0	1,321,234	2,776,372	(1,455,138)	47.59
LOSSAN & Coastal Rail	595	0	0	0	595	16,500	(15,905)	3.61
Santa Paula Branch Line	332,246	0	0	0	332,246	581,900	(249,654)	57.10
Total Rail	1,654,075	0	0	0	1,654,075	3,374,772	(1,720,697)	49.01
Commuter Assistance Program								
Transit Information Center	12,181	0	0	0	12,181	38,600	(26,419)	31.56
Rideshare Programs	5,194	0	0	0	5,194	53,500	(48,306)	9.71
Total Commuter Assistance	17,375	0	0	0	17,375	92,100	(74,725)	18.87
Planning & Programming								
Transportation Development Act	69,856	10,604,820	0	0	10,674,676	27,822,897	(17,148,221)	38.37
Transportation Improvement Program	5,563	0	0	0	5,563	1,323,975	(1,318,412)	0.42
Regional Transportation Planning	10,540	0	0	0	10,540	320,000	(309,460)	3.29
Airport Land Use Commission	719	0	0	0	719	228,600	(227,881)	0.31
Regional Transit Planning	12,087	0	0	0	12,087	119,150	(107,063)	10.14
Freight Movement	0	0	0	0	0	12,500	(12,500)	0.00
Total Planning & Programming	98,765	10,604,820	0	0	10,703,585	29,827,122	(19,123,537)	35.89
General Government								
Community Outreach & Marketing	131,413	0	0	0	131,413	554,500	(423,087)	23.70
State & Federal Relations	36,415	0	0	0	36,415	71,770	(35,355)	50.74
Management & Administration	15,597	0	0	0	15,597	470,117	(454,520)	3.32
Total General Government	183,425	0	0	0	183,425	1,096,387	(912,962)	16.73
Total Expenditures	8,190,806	10,604,820	0	200,359	18,995,985	53,998,140	(35,002,155)	35.18

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)
Revenues over (under) expenditures	(997,410)	4,495,577	1,166,995	65,180	4,730,342	(250,725)	4,981,067
Other Financing Sources							
Transfers Into GF from LTF	1,651,132	0	0	0	1,651,132	1,657,631	(6,499)
Transfers Into GF from STA	1,246,418	0	0	0	1,246,418	3,031,566	(1,785,148)
Transfers Into GF from SAFE	8,259	0	0	0	8,259	61,800	(53,541)
Transfers Out of LTF into GF	0	(1,651,132)	0	0	(1,651,132)	(1,651,131)	(1)
Transfers Out of STA into GF	0	0	(1,246,418)	0	(1,246,418)	(3,037,791)	1,791,373
Transfers Out of SAFE into GF	0	0	0	(8,259)	(8,259)	(62,075)	53,816
Total Other Financing Sources	2,905,809	(1,651,132)	(1,246,418)	(8,259)	0	0	0
Net Change in Fund Balances	1,908,399	2,844,445	(79,423)	56,921	4,730,342	(250,725)	4,981,067
Beginning Fund Balance	1,587,577	5,442,517	11,137,704	3,229,052	21,396,850	14,617,258	6,779,592
Ending Fund Balance	\$3,495,976	\$8,286,962	\$11,058,281	\$3,285,973	\$26,127,192	\$14,366,533	\$11,760,659

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF DECEMBER 31, 2012**

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

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo – Checking	Government Checking	N/A	\$324.97	0.02%	\$4,201,866.26
County of Ventura	Treasury Pool	N/A	\$27,546.83	0.55%	\$22,172,070.39
Total			\$27,871.80		\$26,373,936.65

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

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

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



Item #10B

February 1, 2013

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: JAMES HINKAMP, PROGRAM ANALYST

SUBJECT: PASSENGER RAIL OPERATIONS UPDATE

RECOMMENDATION:

- Receive and file.

BACKGROUND:

Metrolink is a regional commuter rail service owned by the Southern California Regional Rail Authority (SCRRA) and operated by Amtrak. Five Southern California county transportation commissions are member agencies of the SCRRA: Los Angeles County Metropolitan Transportation Authority (LA Metro), Orange County Transportation Authority (OCTA), Riverside County Transportation Commission (RCTC), San Bernardino Associated Governments (SANBAG), and Ventura County Transportation Commission (VCTC). Metrolink operates in all five counties governed by the member agencies.

The Los Angeles-San Diego-San Luis Obispo Joint Powers Authority (LOSSAN JPA) is a nine-member agency, including six counties, that provides input to Caltrans and Amtrak for the Pacific Surfliner intercity rail service from San Luis Obispo to San Diego, along the Central and Southern California coasts. In addition to VCTC, member agencies include: California Department of Transportation (Caltrans), Los Angeles County Metropolitan Transportation Authority (LA Metro), North San Diego County Transit District (NCTD), Orange County Transportation Authority (OCTA), San Diego Association of Governments (SANDAG), San Diego Metropolitan Transit System (MTS), San Luis Obispo Council of Governments (SLOCOG), and Santa Barbara Association of Governments (SBCAG).

DISCUSSION:

Metrolink

Ridership & On-Time Performance

During the Second Quarter of this fiscal year (October-December 2012), ridership on the Ventura County Line averaged 3,839 total boardings per weekday. This is a 1% increase over the course of the same quarter of the previous year. There was also an average of 2,021 cumulative boardings per weekday at Ventura County stations during the Second Quarter. Ventura County station boardings represented approximately 53% of all boardings along the Ventura County Line during the quarter. Average monthly boardings at Ventura County stations have increased 7% over the same quarter of the previous year. An average of 3,533 weekday boardings occurred during the month of December 2012. This represented an

February 1, 2013
Item #10B
Page #2

approximate 10% decrease from the previous month of November; a similar dip in ridership was exhibited over the same months in 2011. Detailed statistics from 10-year ridership data are attached, for reference.

On-time performance (which denotes trains arriving within five minutes of scheduled time) for the Ventura County Line was 97% for inbound trips and 94% for outbound trips during the month of December 2012.

Marketing

In October 2012, Metrolink initiated a three-month pilot direct-mail campaign intended to promote ridership on the Ventura County Line. A packet of coupons and offers, including free trial ride tickets, were mailed as "Valpaks", and were slated to be distributed to approximately 120,000 County residents during the months of October, November, and January. December mailings were precluded by expected holiday mail volume. Valpaks contained one free trial ride per household. The campaign concluded last month.

The Valpak campaign entailed bilingual Valpaks, for both English and Spanish speaking residents. Participating County residents were allowed to redeem their free Metrolink trial ride tickets by either contacting the Metrolink Call Center or by logging onto a Metrolink webpage unique to this campaign and entering a code received in the Valpak. Depending on the code entered the web page was presented in either English or Spanish. The Call Center or web page then asked for basic contact information, so that Metrolink could establish a relationship with prospective riders participating in the Valpak campaign and deliver future Metrolink offers and news, if interest was indicated.

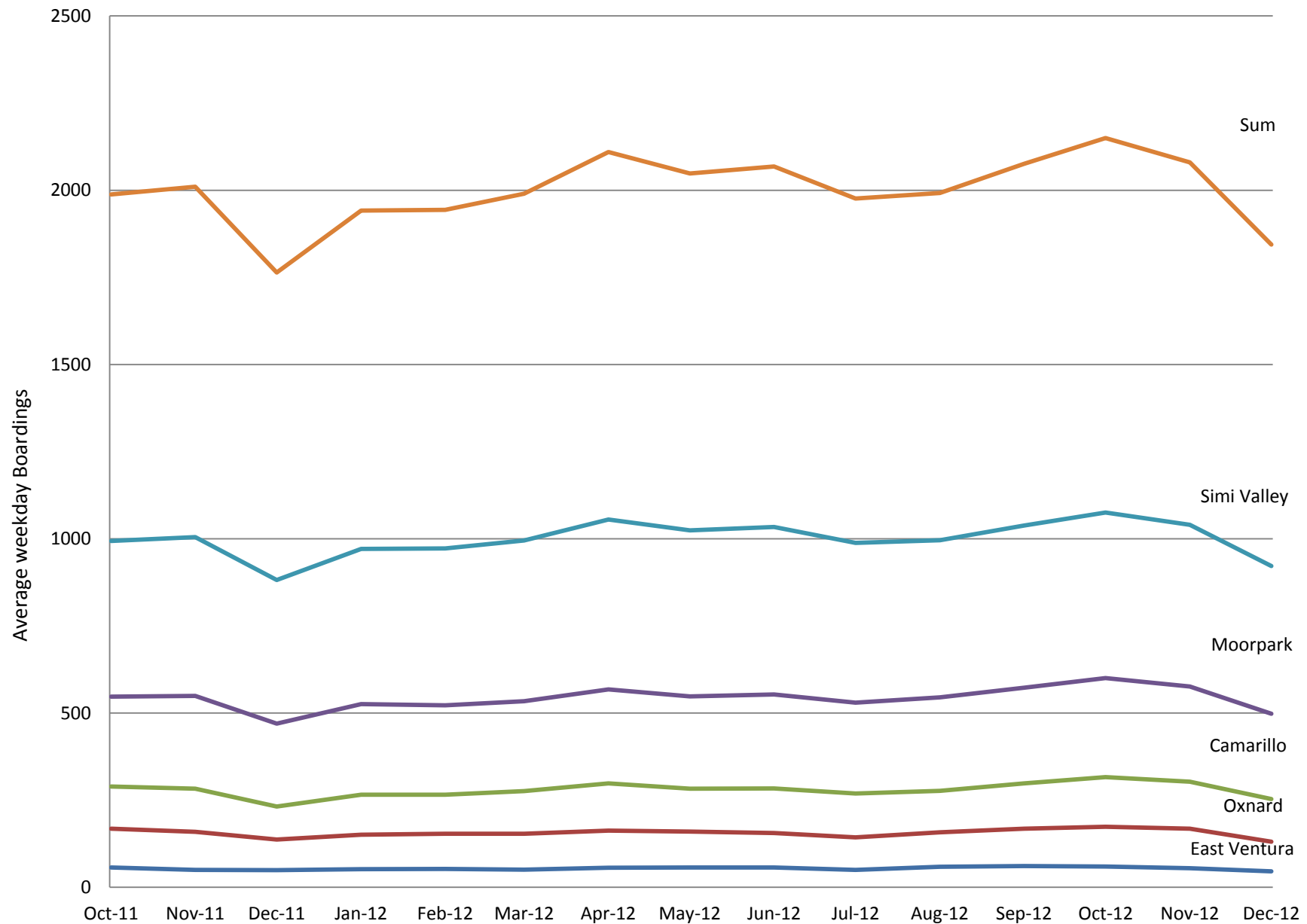
The free trial ride tickets have been redeemable within 60 days of receipt by riders. A timetable and How-to-Ride Guide have also exchanged for redeemed tickets, in order to familiarize participating riders with the system. A subsequent, electronic survey, to collect feedback on respective Metrolink experiences, has also been disbursed 60 days after trial tickets were mailed to riders. VCTC marketing consultants, Moore and Associates, collaborated with Metrolink on this campaign and will assess the results and effectiveness in the near future.

LOSSAN JPA

Governance

Last month, the VCTC Board approved an amendment to the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Joint Powers Authority (JPA) agreement to transfer State operation of the Pacific Surfliner intercity train to LOSSAN. Item #14 of the January VCTC Agenda described the details of the LOSSAN JPA amendment, also known as an Interagency Transfer Agreement (ITA) based on SB 1225. In late December and early January, LOSSAN received multiple letters of concern from North San Diego County Transit District (NCTD), regarding local agency costs and risks associated with absorbing the current State rail operation, in addition to potential loss of funding to local bus and rail services. The NCTD remains opposed to the amended JPA agreement, but is also amenable to reconsideration in the future, pending further analysis. The LOSSAN Board has expressed a desire to pursue further discussion and analysis regarding NCTD's concerns.

VC Line Station's - Inbound Average Weekday Boarding's (FY13Q2)



**TOTAL WEEKDAY BOARDINGS
(INBOUND and OUTBOUND)**

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA
Oct-12	4,041	2,115	44,269	212
Oct-11	4,035	1,972	42,379	292
Oct-10	3,605	1,995	39,605	304
Oct-09	3,762	2,027	41,776	340
Oct-08	4,275	2,393	46,655	319
Oct-07	4,078	2,205	42,787	272
Oct-06	4,070	2,027	42,530	253
Oct-05	4,071	2,026	41,177	253
Oct-04	4,143	2,157	38,636	137
Oct-03	4,295	1,527	35,803	111
Oct-02	3,770	1,710	34,912	64

**TOTAL WEEKDAY BOARDINGS
(INBOUND and OUTBOUND)**

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA
Nov-12	3,943	2,109	43,418	204
Nov-11	3,774	1,957	40,848	261
Nov-10	3,589	2,194	39,739	311
Nov-09	3,559	2,181	40,813	325
Nov-08	4,452	2,430	46,434	229
Nov-07	4,149	2,243	43,658	299
Nov-06	3,935	2,082	42,185	218
Nov-05	4,099	1,917	41,513	229
Nov-04	4,099	2,038	38,849	152
Nov-03	4,568	1,832	36,223	130
Nov-02	3,759	1,841	35,170	81

TOTAL WEEKDAY BOARDINGS
(INBOUND and OUTBOUND)

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA
Dec-12	3,533	1,838	39,109	192
Dec-11	3,580	1,741	39,035	254
Dec-10	3,215	1,967	35,669	255
Dec-09	3,297	1,842	37,532	303
Dec-08	4,226	2,303	42,764	208
Dec-07	3,940	2,130	40,630	284
Dec-06	3,522	1,855	37,842	244
Dec-05	3,248	1,543	36,957	236
Dec-04	3,465	1,509	34,745	212
Dec-03	3,516	1,570	33,727	104
Dec-02	3,402	1,657	32,032	73

INBOUND BOARDINGS*

MO/YR	East Ventura	Oxnard	Camarillo	Moorpark	Simi Valley	VTA Cnty Total	Total Line
Oct-12	60	114	142	284	475	1,075	2,054
Oct-11	57	111	121	258	447	994	2,034
Oct-10	45	89	97	200	336	767	1,386
Oct-09	46	79	96	229	329	779	1,446
Oct-08	62	114	129	242	410	957	1,710
Oct-07	42	80	108	182	378	790	1,461
Oct-06	40	74	85	183	384	766	1,538
Oct-05	50	88	112	189	300	739	1,485
Oct-04	50	96	93	182	333	754	1,448
Oct-03	17	63	47	146	296	569	1,600
Oct-02	0	94	71	140	238	543	1,197

* on Metrolink
trains

**INBOUND
BOARDINGS***

MO/YR	East Ventura	Oxnard	Camarillo	Moorpark	Simi Valley	VTA Cnty Total	Total Line
Nov-12	55	113	135	273	464	1,040	1,944
Nov-11	50	109	124	266	456	1,005	1,938
Nov-10	47	98	99	200	336	780	1,276
Nov-09	39	79	100	186	310	714	1,165
Nov-08	64	72	89	242	379	846	1,550
Nov-07	42	80	108	182	378	790	1,461
Nov-06	39	91	95	186	395	806	1,523
Nov-05	45	73	85	158	313	674	1,441
Nov-04	32	110	60	206	333	741	1,490
Nov-03	17	63	47	172	284	583	1,454
Nov-02	9	94	71	193	231	598	1,222

* on Metrolink trains

**INBOUND
BOARDINGS***

MO/YR	East Ventura	Oxnard	Camarillo	Moorpark	Simi Valley	VTA Cnty Total	Total Line
Dec-12	46	85	122	245	424	922	1,772
Dec-11	49	88	95	238	412	882	1,814
Dec-10	47	98	99	200	336	780	1,275
Dec-09	38	73	98	174	342	725	1,298
Dec-08	49	98	112	257	328	844	1,549
Dec-07	42	80	108	182	378	790	1,461
Dec-06	21	91	95	186	346	739	1,403
Dec-05	20	73	86	137	310	626	1,318
Dec-04	30	96	83	137	215	561	1,288
Dec-03	18	58	44	188	260	568	1,272
Dec-02	9	94	71	193	231	598	1,228

* on Metrolink trains

**TOTAL BOARDINGS (INBOUND and OUTBOUND):
YEAR OVER YEAR AVERAGE**

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA
11-Oct	4,035	1,972	42,379	292
11-Nov	3,774	1,957	40,848	261
11-Dec	3,580	1,741	39,035	254
<i>Avg.</i>	<i>3,796</i>	<i>1,890</i>	<i>40,754</i>	<i>269</i>
12-Oct	4,041	2,115	44,269	212
12-Nov	3,943	2,109	43,418	204
12-Dec	3,533	1,838	39,109	192
<i>Avg.</i>	<i>3,839</i>	<i>2,021</i>	<i>42,265</i>	<i>203</i>
<i>Variance</i>	<i>1%</i>	<i>7%</i>	<i>4%</i>	<i>-25%</i>

**TOTAL BOARDINGS @ VC STATIONS AS PERCENTAGE OF VC LINE TOTAL (INBOUND and
OUTBOUND): YEAR OVER YEAR AVERAGE**

MO/YR	Ventura County Line	VC County Portion	VC Station Share
11-Oct	4,035	1,972	49%
11-Nov	3,774	1,957	52%
11-Dec	3,580	1,741	49%
<i>Avg.</i>			<i>50%</i>
12-Oct	4,041	2,115	52%
12-Nov	3,943	2,109	53%
12-Dec	3,533	1,838	52%
<i>Avg.</i>			<i>53%</i>
<i>Variance</i>			<i>3%</i>

**INBOUND BOARDINGS*:
YEAR OVER YEAR AVERAGE**

MO/YR	East Ventura	Oxnard	Camarillo	Moorpark	Simi Valley	VTA Cnty Total	Total Line
11-Oct	57	111	121	258	447	994	2,034
11-Nov	50	109	124	266	456	1,005	1,938
11-Dec	49	88	95	238	412	882	1,814
<i>Avg.</i>	<i>52</i>	<i>103</i>	<i>113</i>	<i>254</i>	<i>438</i>	<i>960</i>	<i>1929</i>
12-Oct	60	114	142	284	475	1,075	2,054
12-Nov	55	113	135	273	464	1,040	1,944
12-Dec	46	85	122	245	424	922	1,772
<i>Avg.</i>	<i>54</i>	<i>104</i>	<i>133</i>	<i>267</i>	<i>454</i>	<i>1012</i>	<i>1923</i>
<i>Variance</i>	<i>3%</i>	<i>1%</i>	<i>17%</i>	<i>5%</i>	<i>4%</i>	<i>5%</i>	<i>0%</i>

* on Metrolink trains



Item #10C

February 1, 2013

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: VICTOR KAMHI, BUS SERVICES DIRECTOR
SUBJECT: EXTENSION OF TRANSIT PLANNING INTERN POSITION

RECOMMENDATION:

- Amend the 2012/2013 VISTA fixed route Transit budget, increasing revenues and expenditures of \$10,800 for the Transit Planning Student Internship position through the end of Fiscal Year 2012-13. The recommended source of the funds is the Local Transportation Funds (LTF) reserve.

BACKGROUND:

Two years ago, the Commission authorized VCTC to apply for a Federal Grant, administered by SCAG, to create an intern position to assist with bus planning activities. VCTC was awarded the grant, and last year, we filled the position. The grant funding will be exhausted on February 1, 2013. Staff is recommending that the intern position be extended using \$10,800 in VCTC Local Transportation Funds (LTF).

The current intern has been very helpful in the analysis of data for the current transit planning activities, including VISTA related work. Having the intern has allowed VCTC to maintain its current bus transit related objectives and produce information which is assisting in the planning activities. Typical of the activities completed by the intern is the VISTA onboard survey which was presented to the Commission at the December 2012 meeting. Since the interim VISTA buses do not have automatic passenger counters, VCTC has had to do significantly more staff analysis to obtain and analyze passenger boarding and alighting data, which could not be done without the intern or other staff resources.

Given the challenges VCTC is addressing with the changes to VISTA and the overall bus planning activities, the staff recommends VCTC continue to fund the position at least through the end of the Fiscal Year, both to provide for ongoing analysis and additional depth of knowledge within the transit operating staff.

THIS PAGE INTENTIONALLY LEFT BLANK



Item #11

February 1, 2013

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: SALLY DEGEORGE, FINANCE DIRECTOR
**SUBJECT: TRANSPORTATION DEVELOPMENT ACT,
LOCAL TRANSPORTATION FUND,
DRAFT APPORTIONMENT FOR FISCAL YEAR 2013/2014**

RECOMMENDATION:

- Adopt the Local Transportation Fund Draft Apportionment for Fiscal Year 2013/2014 apportioning \$33.6 million as shown in Attachment 1.

BACKGROUND:

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

The Ventura County Auditor-Controller is projecting that Fiscal Year 2013/2014 Local Transportation Fund sales tax receipts will be \$30.2 million (see Attachment 2). Additionally, the Auditor-Controller's office is increasing their estimate for Fiscal Year 2012/2013 by \$3.1 million bringing the total for Fiscal Year 2012/2013 from \$27.1 million to \$30.2 million.

February 1, 2013
Item #11
Page #2

In recognition of the volatility of sales tax revenue, the Commission at its March 2011 meeting adopted a new policy to maintain a reserve of roughly 10% of funds to be apportioned for Articles 4 (public transportation) and 8 (other allocations, currently transit and local streets and roads). Should LTF revenues received be lower than estimated, VCTC would be able to draw from the reserves to keep local jurisdictions whole for the fiscal year thereby smoothing out sales tax fluctuations. The reserve for Fiscal Year 2012/2013 was \$2.7 million.

The reserve from Fiscal Year 2012/2013, plus the estimated \$3.1 million increase from Fiscal Year 2012/2013 receipts along with the \$0.6 million increase in receipts from Fiscal Year 2011/2012 leave the Local Transportation Fund an estimated beginning balance of approximately \$6.4 million. After accounting for this year's contingency reserve, there is an additional \$3.4 million in LTF funds to be apportioned this fiscal year for a total apportionment of \$33.6 million. It is important to remember that because of the Auditor-Controller's mid-year revised estimate for Fiscal Year 2012/2013 LTF receipts, the apportionment includes a larger than normal beginning fund balance that provides a one-time spike in funds to be apportioned.

Since 1996 the Commission has allocated \$400,000 in Article 3 Commuter Rail funds for Metrolink commuter rail services. For seventeen years the Commission hasn't increased the commuter rail apportionment despite LTF receipts increasing \$13.6 million. During this same period the Metrolink budget has grown \$6.7 million as costs have increased and service has expanded. To pay for these increased Metrolink costs, VCTC with the assistance of SCRRA and LA Metro has traded some of its federal capital money for LA Metro's local funds to cover some of VCTC's operating costs for Metrolink. SCRRA and LA Metro have notified VCTC that it is becoming increasingly difficult to trade VCTC's federal funds and they may no longer be able to assist VCTC in this manner.

Given this information and the large carry-over balance and growth in LTF receipts, staff feels it is prudent to utilize this opportunity of the increased receipts to begin funding a larger portion of passenger rail service with LTF revenues. Staff is recommending using 1/3 of the \$3.1 million growth or \$1,032,300 and added this increase to the \$400,000 for a total Article 3 commuter rail apportionment of \$1,432,300. The 1/3 rail and 2/3 transit split is in keeping with the split developed with the Proposition 1B public transit capital funds.

Per the TDA, the Commission apportions the article 4 and 8 funds based on the California Department of Finance population estimates. The Department of Finance issues the updated population estimates for the cities and counties in May of each year. The Fiscal Year 2013/2014 draft apportionment is based on the January 1, 2012 population estimate of 832,970 which incorporated adjustments for the 2010 census counts. The final LTF apportionment will be adjusted for the new population estimate published in May 2013.

After reserving \$3 million, the Fiscal Year 2013/2014 apportionment includes the following allocations:

- \$3,104,300 Article 3 funds for Commission activities:
 - \$1,432,300 for Metrolink passenger rail purposes.
 - \$672,000 for planning activities which include Regional Transportation Planning, Regional Transit Planning, Transportation Improvement Program and Monitoring,
 - \$1,000,000 placeholder for administration of Commission activities including ADA and Senior projects, Go Ventura Smartcard, Nextbus, Grant Administration, Transit Information Center, TDA Administration, Transportation Improvement Program and Monitoring as well as supporting the Commission's office administration and management.

February 1, 2013
Item #11
Page #3

- \$14,000 Article 3 funds for the County Auditor-Controller's administrative costs.
- \$638,280 Article 3 funds for Bicycle and Pedestrian projects.
- \$29,843,420 (an increase of \$2,868,228 from Fiscal Year 2012/2013) for apportionment to Articles 4 and 8 for Transit and Street and Road projects.

THIS PAGE INTENTIONALLY LEFT BLANK

ATTACHMENT 1
VENTURA COUNTY TRANSPORTATION COMMISSION
TDA LOCAL TRANSPORTATION FUND DRAFT APPORTIONMENT FOR FISCAL YEAR 2013/2014

			DRAFT	FINAL	Change vs.	FINAL	FINAL
			FY 2013/2014	FY 2012/2013	FY 2012/2013	FY 2011/2012	FY 2010/2011
Estimated Unapportioned Fund Balance			6,400,000	4,800,000	1,600,000	5,300,000	600,000
Contingency Reserve			-3,000,000	-2,700,000	-300,000	-2,590,000	-600,000
Estimated Annual LTF Receipts			30,200,000	27,100,000	3,100,000	25,600,000	22,900,000
Total Funds Available			33,600,000	29,200,000	4,400,000	28,310,000	22,900,000
Auditor's Administrative Costs			14,000	15,000	1,000	15,000	14,700
VCTC Administrative Costs			1,000,000	667,131	-332,869	862,082	708,277
VCTC Planning Costs			672,000	584,000	-88,000	566,200	458,000
Subtotal			31,914,000	27,933,869	3,980,131	26,866,718	21,719,023
Article 3 Bikeway/Pedestrian Fund			638,280	558,677	-79,603	537,334	434,380
Subtotal			31,275,720	27,375,192	3,900,528	26,329,384	21,284,643
Article 3 Commuter Rail			1,432,300	400,000	-1,032,300	400,000	400,000
Total to be Apportioned			29,843,420	26,975,192	2,868,228	25,929,384	20,884,643
Article 4 and Article 8 by Agency	Population	Pop %	DRAFT	FINAL	Change vs.	FINAL	FINAL
			FY 2013/2014	FY 2012/2013	FY 2012/2013	FY 2011/2012	FY 2010/2011
Camarillo	66,407	7.97%	2,379,212	2,150,547	228,665	2,060,558	1,648,840
Fillmore	15,145	1.82%	542,611	490,461	52,150	473,274	390,317
Moorpark	34,826	4.18%	1,247,736	1,127,817	119,919	1,086,465	929,027
Ojai	7,535	0.90%	269,962	244,016	25,946	235,103	203,380
Oxnard	200,390	24.06%	7,179,518	6,489,500	690,018	6,251,539	4,944,889
Port Hueneme	21,682	2.60%	776,817	702,157	74,659	672,256	541,133
San Buenaventura	107,166	12.87%	3,839,514	3,470,501	369,013	3,353,110	2,718,300
Santa Paula	29,882	3.59%	1,070,604	967,709	102,895	924,356	742,905
Simi Valley	125,317	15.04%	4,489,823	4,058,310	431,513	3,913,464	3,137,519
Thousand Oaks	128,031	15.37%	4,587,059	4,146,202	440,858	3,992,688	3,219,280
Ventura County - Unincorporated	96,589	11.60%	3,460,564	3,127,972	332,592	2,966,571	2,409,053
Total	832,970	100.00%	29,843,420	26,975,192	2,868,228	25,929,384	20,884,643

ATTACHMENT 2

**CHRISTINE L. COHEN
AUDITOR-CONTROLLER**

COUNTY OF VENTURA
800 SOUTH VICTORIA AVE.
VENTURA, CA 93009-1540



**ASSISTANT
AUDITOR-CONTROLLER**
JEFFERY S. BURGH

CHIEF DEPUTIES
SANDRA BICKFORD
BARBARA BEATTY
JOANNE McDONALD
VALERIE BARRAZA

January 10, 2013

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

SUBJECT: LOCAL TRANSPORTATION FUND FY 2013-14 ESTIMATES

Dear Mr. Kettle:

The Auditor-Controller's conservative estimate of the Local Transportation Fund (LTF) revenues for fiscal year 2013-14 is \$30.2 million. Based on current year projected growth of 8 percent, the estimate could be up to \$32.6 million. As you are aware, projections are very uncertain given the current economic climate and state budget shortfalls. It may be prudent to budget a contingency account to be allocated midyear if projections remain strong.

For FY 2012-13 we had projected \$27.1 million. This estimate is currently revised to \$30.2 million. In addition, based on the allocation schedule provided by your office, we estimate that approximately \$39,769 in interest will be earned by the fund during fiscal year 2012-13 and be available for allocation in the subsequent fiscal year.

Based on revised revenue estimates of \$30.2 million, budgeted allocations of \$29.2 million and interest of \$39,769 we project a LTF fund balance at June 30, 2013, of approximately \$6,482,000. (see Attachment I).

The Auditor-Controller's estimated LTF administrative costs for fiscal year 2013-14 are \$14,000.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Christine L. Cohen".

CHRISTINE L. COHEN
Auditor-Controller

Enclosure



Item # 12

February 1, 2013

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR
SUBJECT: DRAFT COMPREHENSIVE TRANSPORTATION PLAN RELEASE FOR COMMENT

RECOMMENDATION:

- Approve releasing the Draft Comprehensive Transportation Plan for public comment.

DISCUSSION:

A little over two years ago the Commission began a long range planning effort funded by the Southern California Association of Governments to understand and document what Ventura County's residents envisioned for the future of their transportation system. The Comprehensive Transportation Plan (CTP) included extensive public outreach, research by California Lutheran University's Center for Economic Research and Forecasting and public polling on a wide variety of issues. With the consultant assistance of Moore, Iacofano, Goltsman Inc. (MIG) and Mayerson Marketing and Public Relations, the Commission participated in over thirty public outreach sessions, the creation of eight geographically based Local Advisory Groups and a Regional Advisory Group made up of a diverse group of community leaders.

The CTP effort gained consensus on a countywide transportation vision, then overlaid that vision with the realities of current day transportation funding and tested the viability of alternate funding scenarios. From that work, recommendations for future actions were drafted and compiled into the Draft Comprehensive Transportation Plan provided under separate cover.

In December, the Commission's ad hoc subcommittee overseeing the development of the CTP reviewed the Draft Plan and approved releasing it for comment. Executive Director, Darren Kettle and the CTP consultant team will present highlights of the Draft CTP at the Commission's February meeting. Staff is requesting that the Commission approve releasing the Draft CTP for public review and comment and will bring the CTP back to the Commission later this spring in its final form for adoption.

THIS PAGE INTENTIONALLY LEFT BLANK



Item #13

February 1, 2013

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: SCA 4 (LIU) – LOCAL TRANSPORTATION MEASURE VOTER APPROVAL THRESHOLD

RECOMMENDATION:

- Support SCA 4 (Liu) regarding the local transportation measure voter approval threshold.

BACKGROUND:

State Issues

Attached is an analysis prepared by Delaney Hunter, VCTC's Sacramento representative, of SCA 4. This bill, introduced by Senator Carol Liu (D-Pasadena), would place before the voters a Constitutional Amendment to lower from two-thirds to 55% the margin of approval required for local transportation funding measures. As the analysis states, there have been numerous bills introduced in the past regarding this topic, but there appears to be a greater chance for passage in this session. For this reason, staff is bringing the issue to the Commission for a position.

Staff recommends the Commission support SCA 4, as it would provide the state's voters with an opportunity to reconsider the current two-thirds approval requirement. The issue of the approval threshold for such measures has not been subject to a public vote since 1996.

THIS PAGE INTENTIONALLY LEFT BLANK

Senate Constitutional Amendment 4 (Liu)

Summary: SCA 4 would place before the voters at the next general election a constitutional amendment that provides that the imposition, extension, or increase of a special tax by a city, county or special district for the purpose of providing funding for local transportation projects requires the approval of 55% of its voters voting on the proposition. Further, such a special tax for the purpose providing funding for local transportation projects is not deemed to have been increased if it is imposed at a rate not higher than the maximum rate previously approved in the manner required by law. Lastly, SCA 4 states that the Legislature shall define local transportation projects for purposes of the bill's provisions.

Purpose: SCA 4 is the newest in a long line of efforts to modify the vote threshold for special taxes, including local transportation sales taxes. Introduction of SCA 4 appears driven by two factors. One, the Democratic super majorities in the Senate and Assembly provides a greater likelihood of passage through the legislative process. And second, several local transportation sales tax measures failed in November 2012 by the narrowest of margins. In Los Angeles County, a transportation sales tax measure garnered 64.72% approval, just shy of the 66.7% threshold needed to pass and in Alameda County, a measure to increase and make permanent a transportation sales tax failed by just 700 votes.

In addition to SCA 4, there are other legislative measures to modify the vote threshold for special taxes for libraries and there has been discussion about a wider potential fix that would increase the vote threshold for general taxes and lower the threshold for special taxes. It is thought by some that special taxes – that come with more stringent requirements for expenditure and are often accompanied by a detailed spending plan – provide for greater voter accountability and should enjoy a lower threshold while general taxes which feed into a localities general fund and are less likely to be specifically identified should be subject to a higher threshold.

Existing Law: Current law authorizes cities, counties, and special districts to impose a general tax for general governmental purposes with the approval of a majority of voters.

Cities, counties, and special districts are also authorized to impose a special tax for specified purposes with the approval of two-thirds of the voters.

School districts, community college districts, or county offices of education are authorized to incur school bonded indebtedness with the approval of 55% of the voters voting on the bond measure as long as the bond adheres to specific requirements relative to proceeds and the measure includes an audit to ensure that the funds have been expended only on the specific projects listed.

These provisions were established by measures passed by the voters, specifically:

- *Proposition 13 (1978)* required a two-thirds vote of each house of the Legislature for state tax increases, and a two-thirds vote of local voters for local special taxes.
- *Proposition 62 (1986)* prohibited local agencies from imposing general taxes without a majority approval of local voters and a two-thirds vote for special taxes.
- *Proposition 218 (1996)* extended those vote thresholds to charter cities, and limited local agencies' powers to levy new assessments, fees, and taxes.

Previous Legislation: Lowering the vote threshold for special taxes and bonded indebtedness has been tried several times in the last decade. Previous legislation includes:

SCA 11 (Alarcon) [2003] – would have lowered the threshold for bonded indebtedness and special taxes from two-thirds to majority for specified infrastructure projects.

SCA 2 (Torlakson) [2003] – would have lowered the threshold for special taxes from two-thirds to majority for transportation projects and smart growth planning.

ACA 15 (Wiggins) [2003] – would have lowered the threshold for special taxes from two-thirds to majority to fund local public safety departments.

ACA 14 (Steinberg) [2003] – would have lowered the threshold for special taxes from two-thirds to 55% for specified infrastructure projects.

ACA 9 (Levine) [2003] – would have lowered the threshold for bonded indebtedness and special taxes from two-thirds to majority for specified capital infrastructure projects.

ACA 7 (Dutra) [2003] – would have lowered the threshold for special taxes from two-thirds to 55% for transportation projects.

ACA 7 (Nation) [2005-06] – would have lowered the threshold for special taxes from two-thirds to 55%

ACA 16 (Gordon) [2006] – would have lowered the threshold for special taxes from two-thirds to 55% to fund sheriff, police, and fire protection services.

ACA 10 (Feuer) [2008] – would have created an additional exception to the 1% ad valorem property tax, approved with 55% of the voter approval for transportation projects.

ACA 10 (Torlakson) [2009-10] – would have lowered the threshold for approval of a special tax to be levied by an education finance district from two-thirds to a majority of the district voters

ACA 15 (Arambula) [2009-10] – would have lowered the threshold for a special tax specifically for providing funding for local transportation projects from two-thirds to 55%

SCA 12 (Kehoe) [2009-10] – would have lowered the threshold for special taxes from two-thirds to 55% to fund sheriff, police, and fire protection services.

ACA 23 (Perea) [2012] – would have lowered the threshold from two-thirds to 55% for a local transportation sales tax.

Support/Opposition (as of 1/18/2013):

Support:

California Transportation Commission, Santa Clara Valley Transportation Authority, Silicon Valley Leadership Group, California Transit Association

Oppose:

None reported to author

Statutory Citations:

ARTICLE XIII A, 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.

(Sec. 4 added June 6, 1978, by Prop. 13. Initiative measure.)

ARTICLE XIII C, Section 2

Local Government Tax Limitation. Notwithstanding any other provision of this Constitution:

(a) All taxes imposed by any local government shall be deemed to be either general taxes or special taxes. Special purpose districts or agencies, including school districts, shall have no power to levy general taxes.

(b) No local government may impose, extend, or increase any general tax unless and until that tax is submitted to the electorate and approved by a majority vote. A general tax shall not be deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved. The election required by this subdivision shall be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body.

(c) Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).

(d) No local government may impose, extend, or increase any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote. A special tax shall not be deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved.

(Sec. 2 added Nov. 5, 1996, by Prop. 218. Initiative measure.)

SCA 4: Transportation Sales Taxes

Senator Carol Liu, 25th District
As introduced December 3, 2012

SUMMARY:

This constitutional amendment, upon approval of voters at a statewide election, would authorize a local government to impose a sales tax exclusively for transportation improvements upon the approval of 55 percent of the voters of that local government, rather than the current 2/3rds vote requirement

BACKGROUND:

In 1987, the Legislature enacted the "Local Transportation Authority and Improvement Act" (SB 142, Deddeh). This bill allowed county Boards of Supervisors to create a local transportation agency. Voters could – by a majority vote – approve local sales tax increases to fund transportation projects, such as road and street repaving, construction of High-Occupancy Vehicle Lanes, and bus and passenger rail projects.

The 19 so-called "self-help" sales tax counties – including Los Angeles County – now represent approximately 85% of the state's population and have successfully completed many needed transportation projects. However, a number of these taxes face reauthorization by local voters as the measures' impending "sunset" dates approach. In 1995, the State Supreme Court ruled that these transportation taxes require a 2/3rds vote to be created, extended or increased. This ruling has made it more difficult to adjust the taxes when needed.

In California, an average of 48% of the funding for transportation projects comes from local sources, while in Southern California that percentage goes up to over 70%, according to the nonpartisan Legislative Analyst's Office and the Southern California Association of Governments. The reliance on local revenue sources has made the taxes even more important as state and federal funding sources have declined.

A proposal to extend the voter-approved Los Angeles County transportation sales tax narrowly failed at the November 2012 election. The measure gathered 64.72 percent approval, just shy of the 66.7 percent threshold needed to pass. In Alameda County, a measure to increase and make permanent a transportation sales tax gathered 66.53 percent approval and was subject to a recount as of early December 2012.

SOLUTION:

This bill allows voters to keep in place, create or increase transportation sales taxes with a 55 percent vote – the same vote threshold for passing school construction bonds.

This Constitutional Amendment gives local government agencies the opportunity to create an additional resource to fund transportation improvements and create jobs.

If approved by a 2/3rds vote of both houses of the Legislature, this SCA would be placed before California voters at the next regularly scheduled General Election.

CONTACT:

Robert Oakes

Legislative Director

Senator Carol Liu

(916) 651-4025

Robert.Oakes@sen.ca.gov

Editorial: Legislature should give California's cities and counties more leeway on taxes

Published Monday, Jan. 07, 2013

With Democrats firmly in control in both houses of the Legislature, and Democrat Jerry Brown sitting in the governor's seat, now is an opportune time to reform California's convoluted tax laws.

Senate President Pro Tem Darrell Steinberg of Sacramento says he has no plans to launch a full frontal assault on Proposition 13, the 1978 property tax-slashing measure. Certainly no serious efforts are under way to fiddle with the residential side of Proposition 13.

A split roll that allows commercial property taxes to rise while retaining limits on residential properties has been discussed for years, but it would necessitate a gigantic political war with the state's business community. At a time the economy remains very fragile, that seems foolhardy.

It makes far more sense for the Legislature to target its tax reform efforts toward giving local government greater authority to raise revenue.

Cities, counties and special districts are closer to the people and have the bulk of the responsibility to carry out governmental functions, but they are short on resources and face constraints on their ability to raise revenues. The two-thirds vote rule for special local tax measures is one unnecessary hurdle the Legislature can and should address.

In the November election, less than half – 19 of 43 local special tax measures – passed. Many of those that failed did so very narrowly.

Alameda County's special transportation measure B1 stands out. It garnered 66.5 percent of the vote, less than 800 votes shy of the two-thirds vote threshold needed for passage. Another transportation measure in Los Angeles County failed after winning 64.7 percent of the vote.

While special taxes require two-thirds approval, state law allows a simple majority vote approval for general tax increases, those tax measures that essentially give local governments a blank check to spend the extra taxes voters approve for any legitimate governmental purpose.

The distinction between general and special taxes grew out of a California Supreme Court decision interpreting Proposition 13. It provided that cities, counties and special districts could impose a "special tax" only after a two-thirds vote of the people. But Proposition 13 drafters neglected to define "special taxes." The state's high court defined a special tax as any that was earmarked for a specific purpose.

Voters reaffirmed the two-thirds vote requirement for special taxes when they approved Proposition 218 in 1996.

It's not right that a minority of voters in Alameda County, Los Angeles or anywhere else in the state can thwart the will of a sizable majority, but it happens every election cycle.

Voters have already reduced the two-thirds vote threshold for school bond measures to 55 percent. Two constitutional amendments have been introduced this legislative session that would reduce the voter thresholds to 55 percent for school parcel tax measures and library taxes. More are expected.

Rather than this piecemeal approach, it would be cleaner and, frankly fairer, if all local tax increases were decided by a simple majority vote.

Such a change requires a constitutional amendment, which means a two-thirds vote in the Legislature, something that Democrats with supermajorities in both houses now have the numbers to achieve. Of course, the final decision would be made by the voters, probably in 2014.

So as they ponder what of real significance they can accomplish with their supermajorities, giving local governments more flexibility to raise their own taxes should be high on Democrats' list.

[© Copyright The Sacramento Bee. All rights reserved.](#)