VENTURA COUNTY TRANSPORTATION COMMISSION

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

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AGENDA*

Actions may be taken on any item listed on the agenda

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, FEBRUARY 7, 2014
9:00 AM

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

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

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

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

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

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

9A. APPROVE SUMMARY FROM JANUARY 10, 2014 VCTC MEETING – PG. 5
Recommended Action:
Approve
Responsible Staff: Donna Cole

9B. MONTHLY BUDGET REPORT – PG. 11
Recommended Action:
Receive and File
Responsible Staff: Sally DeGeorge

9C. PASSENGER RAIL UPDATE – PG. 17
Recommended Action:
Receive and File
Responsible Staff: Ellen Talbo

9D. FY 2014/15 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM FINANCIAL\ RESOLUTION – PG.27
Recommended Action:
Adopt attached resolution certifying that there are sufficient financial resources to fund projects in the 2015 Federal Transportation Improvement Program (FTIP).
Responsible Staff: Stephanie Young

9E. FY 2013/14 BUDGET AMENDMENT FOR LEWIS ROAD WIDENING PROJECT CARRYOVER – PG.31
Recommended Action:
Amend Fiscal Year 2013/2014 budget to add to the Transportation Improvement Program task $65,000 in carryover Surface Transportation Program (STP) funds for close-out of the Lewis Road Widening project.
Responsible Staff: Peter De Haan

9F. SPEARS MANUFUCTURING HELISTOP– PG. 33
Recommended Action:
The Airport Land Use Commission (ALUC) advises the California Division of Aeronautics that the ALUC has reviewed the plans for Spears Manufacturing Helistop in Santa Paula and makes no recommendation or assessment of the viability of the proposed plans.
Responsible Staff: Steve DeGeorge

9G. LEGISLATIVE UPDATE - PG. 35
Recommended Action:
Receive and file
Responsible Staff: Ellen Talbo

9H. BUDGET AMENDMENT FOR THE REVISED LOCAL TRANSPORTATION FUND APPORTIONMENT FOR FISCAL YEAR 2013/14 - PG. 39
Recommended Action:
- *Amend the Fiscal Year 2013/2014 Transportation Development Act Budget by increasing the Local Transportation Fund revenues and pass-through expenditures by $4,998,000.*
- *Amend the Fiscal Year 2013/2014 Transportation Improvement and Monitoring Program Budget with $102,000 in Local Transportation Fund "planning" fund transfer instead of $102,000 State Transit Assistance fund transfer previously budgeted for the potential Toll Lane Study Phase II*.

Responsible Staff: Sally DeGeorge

9I. APPOINTMENT OF VCTC REPRESENTATIVE TO CALIFORNIA ASSOCIATION OF COUNCILS OF GOVERNMENT (CalCOG) – PG. 41
Recommended Action:
- *Appoint Commissioner Manuel Minjares to represent VCTC at the California Association of Councils of Government*

Responsible Staff: Darren Kettle

9J. REQUEST FOR PROPOSALS FOR RAIL MAINTENANCE – PG.43
Recommended Action:
Authorize the Executive Director to release a Request for Proposal (RFP) for maintenance of the Santa Paula Branch Line.
Responsible Staff: Steve DeGeorge

9K. COUNTYWIDE BICYCLE WAYFINDING PROJECT – PG. 45
Recommended Action:
- *Support the Countywide Bicycle Wayfinding Project and authorize staff to seek funding for the project through the Southern California Association of Governments, TDA Article 3 and/or other sources.*
- *Designate TTAC or a subcommittee thereof as the oversight committee for the Countywide Bicycle Wayfinding Project.*

Responsible Staff: Steve DeGeorge

9L. COLLABORTIVE WORK PROGRAM WITH SCAG– PG. 47
Recommended Action:
Adopt Resolution 2014-02 authorizing collaboration between the Southern California Association of Governments (SCAG) and the VCTC on projects related to the implementation of the Regional Transportation Plan/Sustainable Communities Strategy.
Responsible Staff: Steve DeGeorge

10. OXNARD HARBOR DISTRICT QUARTERLY UPDATE – *Oral Report*
Recommended Action:
Receive and File
Responsible Staff: Kristin Decas

11. TRANSPORTATION DEVELOPMENT ACT/LOCAL TRANSPORTATION FUND DRAFT APPORTIONMENT FOR FY 2014/15 – PG. 55

Recommended Action:

Approve the Local Transportation Fund Draft Apportionment for Fiscal Year 2014/2015 apportioning $30.8 million as shown in Attachment 1.

Responsible Staff: Sally DeGeorge

12. CITY OF VENTURA CONGESTION MITIGATION AND AIR QUALITY PROGRAM FUNDING INCREASE – PG.73

Recommended Action:

Approve $137,000 in CMAQ funds for the City of Ventura Sheridan Way Bike Path and Route 126 Bike Path projects, in lieu of local match committed by the City, contingent on the City awarding the California Street Pedestrian Improvement Project and shifting the $137,000 in local match funds to that project.

Responsible Staff: Peter De Haan

13. METROLINK POSITIVE TRAIN CONTROL COST INCREASE – PG. 75

Recommended Action:

- *Approve attached resolution requesting a Letter of No Prejudice (LONP) from Caltrans to allow reimbursement of $326,126 to the Southern California Regional Rail Authority (SCRRA) in pending Proposition 1B Transit Capital funding from the Metrolink apportionment.*
- *Approve in concept a loan with the Los Angeles County Metropolitan Transportation Authority (Metro) to advance up to $326,126 for the project pending state reimbursement, contingent upon approval of a future agreement to be negotiated and presented for Board approval.*

Responsible Staff: Ellen Talbo

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.CLOSED SESSION

1.Conference with Labor Negotiators
(Pursuant to Government Code § 54957.6)
Agency designated representative: Darren Kettle, Executive Director
Unrepresented employee: All unrepresented employees

2. Pursuant to Government Code § 54957 (b)(1)
Public Employee Evaluation
Executive Director
General Counsel

3. Conference with Real Property Negotiators (Gov Code Sec. 54956.8)
Property: Santa Paula Branch Line
Agency Negotiator(s): Darren Kettle
Negotiating Parties: VCTC and Fillmore and Western/lessee to be determined
Under Negotiation: Price and terms of payment

4. Conference with Legal Counsel – Existing Litigation, (Gov Code Sec. 54956.9(a) and (d)(1))
Fillmore & Western v. VCTC

19. ADJOURN to 9:00 a.m. Friday**, March 7, 2014**

Item #9A

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 10, 2014
9:00 AM

Members Present:

Steve Sojka, City of Simi Valley, Chair
Ralph Fernandez, City of Santa Paula, Vice Chair
Steve Bennett, County of Ventura
Claudia Bill-de la Peña, City of Thousand Oaks
Manuel Minjares, City of Fillmore
Peter Foy, County of Ventura
Brian Humphrey, Citizen Rep, Cities
Kathy Long, County of Ventura
Bryan MacDonald, City of Oxnard
Jan McDonald, City of Camarillo
Carl Morehouse, City of San Buenaventura
Linda Parks, County of Ventura
Jon Sharkey, City of Port Hueneme
Jim White, Citizen Rep, County
John Zaragoza, County of Ventura
Aziz Elattar, Caltrans District 7

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS FOR THOSE ITEMS NOT LISTED IN THIS AGENDA - ***None***

CALTRANS REPORT
Aziz Elattar, Caltrans District 7
The contract for the 101/23 project was awarded to Security Paving. A groundbreaking ceremony will be held January 15th at 1 pm.

Caltrans is optimistic that the recently released draft budget will make a little more money available for transportation this year.

COMMISSIONERS REPORTS
Commissioner Morehouse introduced SCAG President Greg Petis.

Commissioner Parks encouraged VCTC to work with APCD to relocate together and co-own a building,

Commissioner Bill-de la Peña reported that the Wendy 101 Bridge Opening will be held in February.

Commissioner White received news that Roadrunner Shuttle will transport ARC clients to the Camarillo Airport.

EXECUTIVE DIRECTOR REPORT –

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. The Commission's Administrative Code sets the Chairperson rotation of city member, city member, county member, so the new Vice Chair shall be a member of the County Board of Supervisors.

101/23 Freeway Interchange Groundbreaking - The groundbreaking for the Route 101/23 Interchange improvement project is scheduled for Wednesday, January 15, at 1:00 p.m., in Thousand Oaks. As the Commission will recall, VCTC developed the project funding plan, which included $13.1 million in Proposition 1B Trade Corridor funds, $13.1 million in federal Surface Transportation Program funds, and $15.8 million from the City of Thousand Oaks to be repaid in Fiscal Year 2015/16 with State Transportation Improvement Program funds through the provisions of AB 3090.

Pacific Surfliner Governing Board Appointments – Commissioners Millhouse and Humphrey have ably served as VCTC's primary and alternate members, respectively, to the LOSSAN Pacific Surfliner board for a number of years. Due to a variety of circumstances, both Commissioners will be resigning those posts so new appointments are needed. The Commission will recall that over the past two years VCTC along with the other county transportation agencies along the coast from San Diego to San Luis Obispo undertook an effort to transition governance and management of the Surfliner service from the Caltrans Division of Rail to local self-governance by a new joint powers authority Board as called for by SB 1225. The LOSSAN JPA will meet regularly on the third Monday of the month at Los Angeles County Metropolitan Authority headquarters in downtown LA. Commissioner Bryan MacDonald has indicated an interest and availability to serve as the appointee as the primary member. If other commissioners are interested in serving as the primary member or alternate please advise the Chairman or myself.

California Association of Councils of Government (CalCOG) Appointment – Chairman Sojka has served as VCTC's appointee to the CalCOG Board of Directors and served on CalCOG Executive Committee for the past two years. Due to schedule conflicts and time commitments required of his new position with his company Commissioner Sojka advised me that he would have to resign the CalCOG appointment. CalCOG is a statewide association (kind of like the League of Cities or CSAC) for both COGs and county transportation agencies that is engaged at the State level in various regulatory, legislative, and policy that affect transportation, air quality, sustainable communities and other regional issues. The CalCOG Board meets twice a year and due to the governance structure of CalCOG VCTC's appointee is virtually guaranteed a seat on the Executive Committee. The Executive Committee meets more frequently but in most cases the Executive Committee meets by teleconference. Commissioner Minjares is interested in this appointment and if other commissioners have interest please advise the Chairman or myself so that a final appointment can be made at the February Commission meeting.

Ventura County 2014 Mass Care and Shelter Exercise - VCTC is leading the transit component of the Ventura County 2014 Mass Care and Shelter Exercise. This three day exercise will occur during the week of January 13. The exercise includes cooperative participation by all the transit operators in Ventura County, as well as Help of Ojai and The Arc of Ventura. Buses and paratransit vehicles will be provided by multiple transit operators in the county including VISTA buses for a full scale exercise on January 15 at CSUCI and Freedom Park in Camarillo.

Unmet Transit Needs Training Session and Hearing Process - Included in today's agenda is the schedule of activities to establish stakeholder partnerships and improve the public outreach for the annual hearing on Unmet Transit Needs that is required by the State Transportation Development Act. There is one change to the schedule –the first "Training Workshop" is being moved to a more central location to facilitate the attendance of as many stakeholders as possible, and we'll let you know the new location as soon as we have it. We are very pleased with the response so far to the plans for a new, more user-friendly annual process. And just a reminder - at next month's meeting, the Chair will need to appoint the Hearing Board for the February 24th public hearing.

ADDITIONS/REVISIONS –
Commissioner Foy made a motion to add the VCTC appointment to LOSSAN to this agenda, seconded by Commissioner Long. Commissioner Foy made a motion to appoint Commissioner MacDonald as the representative LOSSAN and Commissioner Sharkey to serve as the alternate. The motion was seconded by Commissioner Long and passed unanimously.

CONSENT CALENDAR –
Commissioner MacDonald made a motion to approve all items as recommended on the Consent Calendar. The motion was seconded by Commissioner Zaragoza and passed unanimously.

8A. APPROVE SUMMARY FROM DECEMBER 6, 2013 VCTC MEETING - *Approve*

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

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

8D. FY 2014/15 TDA ARTICLE 3 BICYCLE/PEDESTRIAN FUND GRANT APPLICATIONS - *Approve the schedule and evaluation criteria for FY 2014/2015 Transportation Development Act Article 3 Bicycle and Pedestrian funds.*

8E. 2013 FEDERAL TRANSIT ADMINISTRATION TRIENNIAL REVIEW - *Receive and File*

8F. FY 2014/15 UNMET TRANSIT NEEDS HEARING SCHEDULE- *Approve schedule for FY 2014/2015 Transportation Development Act (TDA) unmet transit needs public hearing and public participation program.*

9. FINAL ROUTE 101 PROJECT STUDY REPORT–
Commissioner Bennett made a motion to:

- ***Send a letter to TTAC and cities seeking input on the report and to have the TTAC Chair available for comment when this item comes back to VCTC for action.***
- ***Have staff perform an analysis of ways to maximize the expenditure of $14 million.***

The motion was seconded by Commissioner Humphrey and passed unanimously.

10. ROUTE 101 HIGH-OCCUPANCY TOLL LANES STUDY CONTRACT AWARD–
Commissioner MacDonald made a motion to approve a contract with CDM Smith to conduct the Route 101 High-Occupancy Toll Lanes Study for an amount for the first phase not to exceed $110,910, and with the second phase of $188,790 subject to further Commission approval. Funds for the project are included in the budget. The motion was seconded by Commissioner Bennett and passed by the following roll call vote:

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

11. VISTA 126 ROUTE EXTENSION WITH ADDITIONAL SERVICE TO PIRU
Commissioner Long made a motion to:

- ***Authorize the Chairman to execute an agreement with the County of Ventura, to provide additional VISTA 126 service with extension to Piru.***
- ***Amend the FY13/14 budget for VISTA Fixed Route Bus Service to include the local contribution of $38,800 provided by the County of Ventura for the Piru service extension, and amend the VISTA Intercity Contract Services line item in the amount of $38,800.***

The motion was seconded by Commissioner Bennett and passed unanimously

12. PRIMARY FREIGHT NETWORK
Public Comment
John Demers, Oxnard Harbor District
The Port appreciates VCTC's consideration of the joint letter. The current draft network includes 101 but the Port is separated. This poses a challenge for urban and secondary roads. Designating the connector of Rice Rd to Hueneme Rd as elements of the network puts in the Port in a higher tier to receive funding.

Commissioner Sharkey made a motion to approve joint Ventura County Transportation Commission / Oxnard Harbor District comments regarding the Draft Freight Network. The motion was seconded by Commissioner Long and passed unanimously.

13. VCTC GENERAL COUNSEL'S REPORT

14. AGENCY REPORTS

15. CLOSED SESSION

1.Conference with Real Property Negotiators (Gov Code Sec. 54956.8)
Property: Santa Paula Branch Line
Agency Negotiator(s): Darren Kettle
Negotiating Parties: VCTC and Fillmore and Western/lessee to be determined
Under Negotiation: Price and terms of payment – ***No reportable action***

2.Conference with Legal Counsel – Existing Litigation (Gov Code Sec. 54956.9(a) and (d)(1))
VCTC v. Griffin Industries – ***The Commission approved by a 16-0 vote a settlement with Griffin Industries and its insurance carriers a settlement pursuant to which the insurance companies will pay VCTC $110,000.***

3.Conference with Legal Counsel – Existing Litigation, (Gov Code Sec. 54956.9(a) and (d)(1))
Fillmore & Western v. VCTC – ***No reportable action***

16. ADJOURN

The next VCTC Commission meeting is scheduled to be held at 9:00 a.m. Friday**, February 7, 2014**, Camarillo City Hall, City Council Chambers, 601 Carmen Drive, Camarillo.

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Item # 9B

February 7, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for December 2013

BACKGROUND:

The monthly budget report is presented in a comprehensive agency-wide format with the investment report presented at the end. The Annual Budget numbers are updated as the Commission approves budget amendments or administrative budget amendments are approved by the Executive Director. Staff monitors the revenues and expenditures of the Commission on an on-going basis.

The December 31, 2013 budget reports indicate that revenues were approximately 44.71% of the adopted budget while expenditures were approximately 30.45% The adopted budget. The revenues and expenditures are as expected. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on a percentage or monthly basis.

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

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

VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF DECEMBER 31, 2013

ASSETS

Assets:	
Cash and Investments - Wells Fargo Bank	$ 3,559,969
Cash and Investments - County Treasury	30,825,282
Petty Cash	50
Receivables/Due from other funds	2,780,292
Prepaid Expenditures	511,031
Deposits	13,065
Capital Assets, undepreciated	25,885,133
Capital Assets, depreciated, net	24,453,420
Total Assets:	**$88,028,242**

LIABILITIES AND FUND BALANCE

Liabilities:	
Accrued Expenses/Due to other funds	$ 1,590,431
Deferred Revenue	1,541,413
Deposits	400
Total Liabilities:	**$ 3,132,244**
Net Position:	
Invested in Capital Assets	$50,338,553
Fund Balance	34,557,445
Total Net Position	**$84,895,998**
Total Liabilities and Fund Balance:	**$88,028,242**

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, 2013

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Revenues								
Federal Revenues	$ 3,454,577	$ 0	$ 0	$ 0	$ 3,454,577	$ 12,355,069	(8,900,492)	27.96
State Revenues	1,914,933	15,839,640	1,231,527	255,736	19,241,836	41,052,637	(21,810,801)	46.87
Local Revenues	3,024,970	0	0	248	3,025,218	4,074,135	(1,048,917)	74.25
Other Revenues	5,927	0	0	0	5,927	3,751	2,176	158.01
Interest	339	6,748	11,210	3,027	21,324	105,000	(83,676)	20.31
Total Revenues	**8,400,746**	**15,846,388**	**1,242,737**	**259,011**	**25,748,882**	**57,590,592**	**(31,841,710)**	**44.71**
Expenditures								
Administration								
Personnel Expenditures	1,133,092	0	0	0	1,133,092	2,782,200	(1,649,108)	40.73
Legal Services	5,680	0	0	0	5,680	30,000	(24,320)	18.93
Professional Services	66,375	0	0	0	66,375	115,300	(48,925)	57.57
Office Leases	73,647	0	0	0	73,647	144,000	(70,353)	51.14
Office Expenditures	246,368	0	0	0	246,368	291,000	(44,632)	84.66
Total Administration	**1,525,162**	**0**	**0**	**0**	**1,525,162**	**3,362,500**	**(1,837,338)**	**45.36**
Programs and Projects								
Transit & Transportation Program								
Senior-Disabled Transportation	198,493	0	0	0	198,493	333,070	(134,577)	59.59
Go Ventura Smartcard	90,167	0	0	0	90,167	259,900	(169,733)	34.69
VISTA Fixed Route Bus Service	3,050,389	0	0	0	3,050,389	14,158,608	(11,108,219)	21.54
VISTA DAR Bus Services	1,275,133	0	0	0	1,275,133	2,620,400	(1,345,267)	48.66
Nextbus	2,925	0	0	0	2,925	173,800	(170,875)	1.68
Trapeze	9,479	0	0	0	9,479	30,900	(21,421)	30.68
Transit Grant Administration	2,433,392	0	0	0	2,433,392	8,940,116	(6,506,724)	27.22
Total Transit & Transportation	**7,059,978**	**0**	**0**	**0**	**7,059,978**	**26,516,794**	**(19,456,816)**	**26.62**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Highway Program								
Congestion Management Program	3,750	0	0	0	3,750	25,000	(21,250)	15.00
Motorist Aid Call Box System	0	0	0	123,664	123,664	440,000	(316,336)	28.11
SpeedInfo Highway Speed Sensor	0	0	0	47,500	47,500	144,000	(96,500)	32.99
Total Highway	**3,750**	**0**	**0**	**171,164**	**174,914**	**609,000**	**(434,086)**	**28.72**
Rail Program								
Metrolink & Commuter Rail	1,645,528	0	0	0	1,645,528	3,242,930	(1,597,402)	50.74
LOSSAN & Coastal Rail	690	0	0	0	690	30,600	(29,910)	2.25
Santa Paula Branch Line	312,749	0	0	0	312,749	951,601	(638,852)	32.87
Total Rail	**1,958,967**	**0**	**0**	**0**	**1,958,967**	**4,225,131**	**(2,266,164)**	**46.36**
Commuter Assistance Program								
Transit Information Center	25,169	0	0	0	25,169	53,200	(28,031)	47.31
Rideshare Programs	4,613	0	0	0	4,613	56,500	(51,887)	8.16
Total Commuter Assistance	**29,782**	**0**	**0**	**0**	**29,782**	**109,700**	**(79,918)**	**27.15**
Planning & Programming								
Transportation Development Act	71,463	8,757,424	0	0	8,828,887	29,536,714	(20,707,827)	29.89
Transportation Improvement Program	162,107	0	0	0	162,107	285,650	(123,543)	56.75
Regional Transportation Planning	10,242	0	0	0	10,242	364,000	(353,758)	2.81
Airport Land Use Commission	40,020	0	0	0	40,020	206,000	(165,980)	19.43
Regional Transit Planning	6,324	0	0	0	6,324	97,700	(91,376)	6.47
Freight Movement	30	0	0	0	30	12,500	(12,470)	0.24
Total Planning & Programming	**290,186**	**8,757,424**	**0**	**0**	**9,047,610**	**30,502,564**	**(21,454,954)**	**29.66**
General Government								
Community Outreach & Marketing	222,003	0	0	0	222,003	519,600	(297,597)	42.73
State & Federal Relations	39,354	0	0	0	39,354	76,525	(37,171)	51.43
Management & Administration	52,000	0	0	0	52,000	130,456	(78,456)	39.86
Total General Government	**313,357**	**0**	**0**	**0**	**313,357**	**726,581**	**(413,224)**	**43.13**
Total Expenditures	**11,181,182**	**8,757,424**	**0**	**171,164**	**20,109,770**	**66,052,270**	**(45,942,500)**	**30.45**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)
Revenues over (under) expenditures	**(2,780,436)**	**7,088,964**	**1,242,737**	**87,847**	**5,639,112**	**(8,461,678)**	**14,100,790**
Other Financing Sources							
Transfers Into GF from LTF	2,565,190	0	0	0	2,565,190	2,565,190	0
Transfers Into GF from STA	2,449,065	0	0	0	2,449,065	10,545,610	(8,096,545)
Transfers Into GF from SAFE	1,689	0	0	0	1,689	41,900	(40,211)
Transfers Out of LTF into GF	0	(2,565,190)	0	0	(2,565,190)	(2,565,190)	0
Transfers Out of STA into GF	0	0	(2,449,065)	0	(2,449,065)	(10,546,760)	8,097,695
Transfers Out of SAFE into GF	0	0	0	(1,689)	(1,689)	(41,900)	40,211
Total Other Financing Sources	**5,015,944**	**(2,565,190)**	**(2,449,065)**	**(1,689)**	**0**	**(1,150)**	**1,150**
Net Change in Fund Balances	**2,235,508**	**4,523,774**	**(1,206,328)**	**86,158**	**5,639,112**	**(8,462,828)**	**14,101,940**
Beginning Fund Balance	**1,592,617**	**10,411,113**	**13,403,280**	**3,511,323**	**28,918,333**	**22,314,000**	**1,788,827**
Ending Fund Balance	**$3,828,125**	**$14,934,887**	**$12,196,952**	**$3,597,481**	**$34,557,445**	**$13,851,172**	**$15,890,767**

For Management Reporting Purposes Only

VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF DECEMBER 31, 2013

As stated in the Commission's investment policy, the Commission's investment objectives are safety, liquidity, diversification, return on investment, prudence and public trust with the foremost objective being safety. VCTC has the ability to meet its expenditure requirements, at a minimum, for the next six months. Below is a summary of the Commission's investments that are in compliance with the Commission's investment policy and applicable bond documents.

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo – Checking	Government Checking	N/A	$414.38	0.02%	$3,559,969.19
County of Ventura	Treasury Pool	N/A	$20,956.77	0.38%	$30,857,470.99
Total			**$21,371.15**		**$34,417,440.18**

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 #9C

February 7, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: ELLEN TALBO, PROGRAM ANALYST

SUBJECT: PASSENGER RAIL UPDATE

RECOMMENDATION:

- Receive and file.

BACKGROUND:

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

DISCUSSION:

Metrolink

Ridership & On-Time Performance

During the Second Quarter months of October-December 2013, ridership on the Ventura County Line averaged 3,207 total boardings per weekday (inbound and outbound). This represents an average decrease of 11.9% from ridership during the same period in the previous year. Overall Metrolink experienced decline in ridership except on Orange County, Inland Empire Orange County, and Riverside lines. A recent decline in gas prices, slow job growth in the downtown Los Angeles area, and recent mechanical issues occurred during the quarter. For the month of December, Metrolink observed many people taking more time off due to the mid-week occurrence of the holiday schedule. These factors may be contributing factors to the decline in ridership. Staff is working with Metrolink to evaluate the quarterly ridership loss. Ridership statistics for the months of October to December 2013 are provided in the attachment for reference.

On-time performance data (which denotes trains arriving within five minutes of scheduled time) for the months October through December were as follows:

October:	95% (inbound/outbound)
November:	95% (inbound/outbound)
December:	97% (inbound/outbound)

Finances

Consultant staff from KPMG continues to assist the Metrolink Accounting and Finance Department to improve agency cash flow and account reconciliations in order to stabilize finances. At the January Board of Directors meeting, KPMG staff reported average daily cash on hand for the agency was $35 million, up from less than $20 million in November. Accounting and Finance staff have significantly decreased the number of current accounts receivable. Attention is now focused on collecting past due accounts receivable, to reduce the overall outstanding invoices. However, the current contract funding amount to retain KPMG is nearly exhausted. Thus, the Board also approved an increase in contract funding authority to retain KPMG through March 15, 2014, to continue supplemental accounting and finance assistance.

Positive Train Control (PTC) Update

Proposed evaluation criteria have been developed to initiate a competitive procurement to retain a qualified firm for systems communications and installation services within the Metrolink service area. The specialized work would involve the installation, modification, testing and/or cut-over on new and relocated wayside signal systems. The work will directly support the development of the Computer Aided Dispatch (CAD) and Back Office Server (BOS) systems. Installation of the services are subject to rigorous Federal Railroad Administration (FRA) and California Public Utilities Commission regulations, therefore the proper execution of the contractor services is critical to the safe and reliable delivery of PTC. Advancement and operational delivery of the CAD and BOS systems will enable the Revenue Service Demonstration to begin for its scheduled testing in Summer 2014. Metrolink is seeking FRA PTC certification by late 2014. As a result of project delays in implementing the CAD and BOS systems, Metrolink has forecasted additional costs for extending staff and other resources that would exceed the program budget. More information about this is discussed separately in Item 12.

LOSSAN JPA

Ridership & On-Time Performance

In advance of the impending transfer of intercity rail operations, from the State to the LOSSAN Joint Powers Authority (JPA) between June 2014 and June 2015, staff is providing intercity rail performance measures reporting.

Amtrak Pacific Surfliner ridership decreased in November 2013 by 4.3 percent compared to the same period last year. Factors contributing to the ridership decline on the LOSSAN rail corridor could include a work window for the Santa Margarita River Bridge project on the weekend of November 16, 2013, which annulled all train service south of San Clemente, or 34 trains each day. Metrolink and COASTER also experienced one less operating weekday compared to 2012.

During November 2013, combined ridership on all corridor trains (Pacific Surfliner, Metrolink Ventura County Line, and North County Transit District COASTER system) was 562,757. This represents a 5 percent decrease from November 2012, and a 9.3 percent decline compared to October 2013.

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

On-time performance on the Pacific Surfliner was 80.1 percent in November 2013 representing slight increases since October 2013. On-time performance on the Ventura County line was 95.5 percent.

Along the entire LOSSAN corridor, significant changes in scheduling included the addition of four COASTER stops on six Pacific Surfliner trains as part of the Amtrak/Caltrans/North County Transit District Rail2Rail agreement. The schedules were adjusted in April 2013 to accommodate the additional time needed to make these stops. Therefore, no additional time was added to these trains in October 2013.

Governance

At the January LOSSAN Board meeting, OCTA staff presented a draft Interim Work Plan that provides a detailed scope of work, budget, and schedule for managing the agency's activities during the 12-18 month start-up term. The work plan is subject to further updates and refinements as discussions continue with the State and consensus is reached on a schedule for the transition of administrative responsibilities. However, the final work plan will be submitted by June 1, 2014 for work to be completed though the end of the start-up term in June 2015, if the interagency transfer agreement is not executed before that time.

LOSSAN's next steps currently scheduled to occur prior to June 2014 include the following but are subject to change:

- Presentation of Budget for balance of fiscal year (FY) 2014
- Negotiation of Interagency Transfer Agreement
- Begin Development of Business Plan (to cover the initial 3 years)
- Adopt FY 2015 Budget
- Submit FY 2015 Program of Expenditures to the State
- Form Executive & Ad Hoc Committees and Develop Risk Management Program
- Develop Policies/Procedures to the Board

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ATTACHMENT

December 2013 Metrolink Ridership

AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)
NOVEMBER 2013 v. DECEMBER 2013 (MONTH OVER MONTH)

MO/YR	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA
13-Dec	3,207	38,138	140
13-Nov	3,643	42,181	208
Variance	*-11.9%*	*-9.5%*	*-32%*

AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)
DECEMBER 2013 V.DECEMBER 2012 (YEAR OVER YEAR)

MO/YR	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA
12-Dec	3,207	38,138	140
13-Dec	3,533	39,109	192
Variance	*-9.2%*	*-2.4%*	*-27%*

TOTAL BOARDINGS (INBOUND and OUTBOUND)

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Average Daily Metrolink Monthly Passholders on Amtrak
Dec-13	3,207	1,543	38,138	140
Dec-12	3,533	1,813	39,109	192
Dec-11	3,580	1,752	39,035	254
Dec-10	3,215	1,633	35,669	255
Dec-09	3,297	1,764	37,532	303
Dec-08	4,226	2,247	42,764	208
Dec-07	3,940	1,908	40,630	284
Dec-06	3,522	1,650	37,842	244
Dec-05	3,248	1,684	36,957	236
Dec-04	3,465	1,753	34,745	212
Dec-03	3,516	1,951	33,727	104

TOTAL BOARDINGS (INBOUND and OUTBOUND)

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Average Daily Metrolink Monthly Passholders on Amtrak
Nov-13	3,643	1,735	42,181	208
Nov-12	3,943	1,973	43,418	204
Nov-11	3,774	1,914	40,848	261
Nov-10	3,589	1,769	39,739	311
Nov-09	3,559	1,863	40,813	325
Nov-08	4,452	2,268	46,434	229
Nov-07	4,149	2,113	43,658	299
Nov-06	3,935	1,901	42,185	218
Nov-05	4,099	2,003	41,513	229
Nov-04	4,099	2,099	38,849	152
Nov-03	4,568	2,681	36,223	130

TOTAL BOARDINGS (INBOUND and OUTBOUND)

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Average Daily Metrolink Monthly Passholders on Amtrak
Oct-13	3,772	1,975	42,040	256
Oct-12	4,041	1,963	44,269	212
Oct-11	4,035	2,012	42,379	292
Oct-10	3,605	1,876	39,605	304
Oct-09	3,762	1,984	41,776	340
Oct-08	4,275	2,183	46,655	319
Oct-07	4,078	1,960	42,787	272
Oct-06	4,070	1,979	42,530	253
Oct-05	4,071	1,987	41,177	253
Oct-04	4,143	2,207	38,636	137
Oct-03	4,295	2,498	35,803	111

INBOUND BOARDINGS*

MO/YR	East Ventura	Oxnard	Camarillo	Moorpark	Simi Valley	VTA Cnty Total	Total Line
Dec-13	40	70	99	219	369	797	1673
Dec-12	46	85	122	245	424	922	1772
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

INBOUND BOARDINGS*

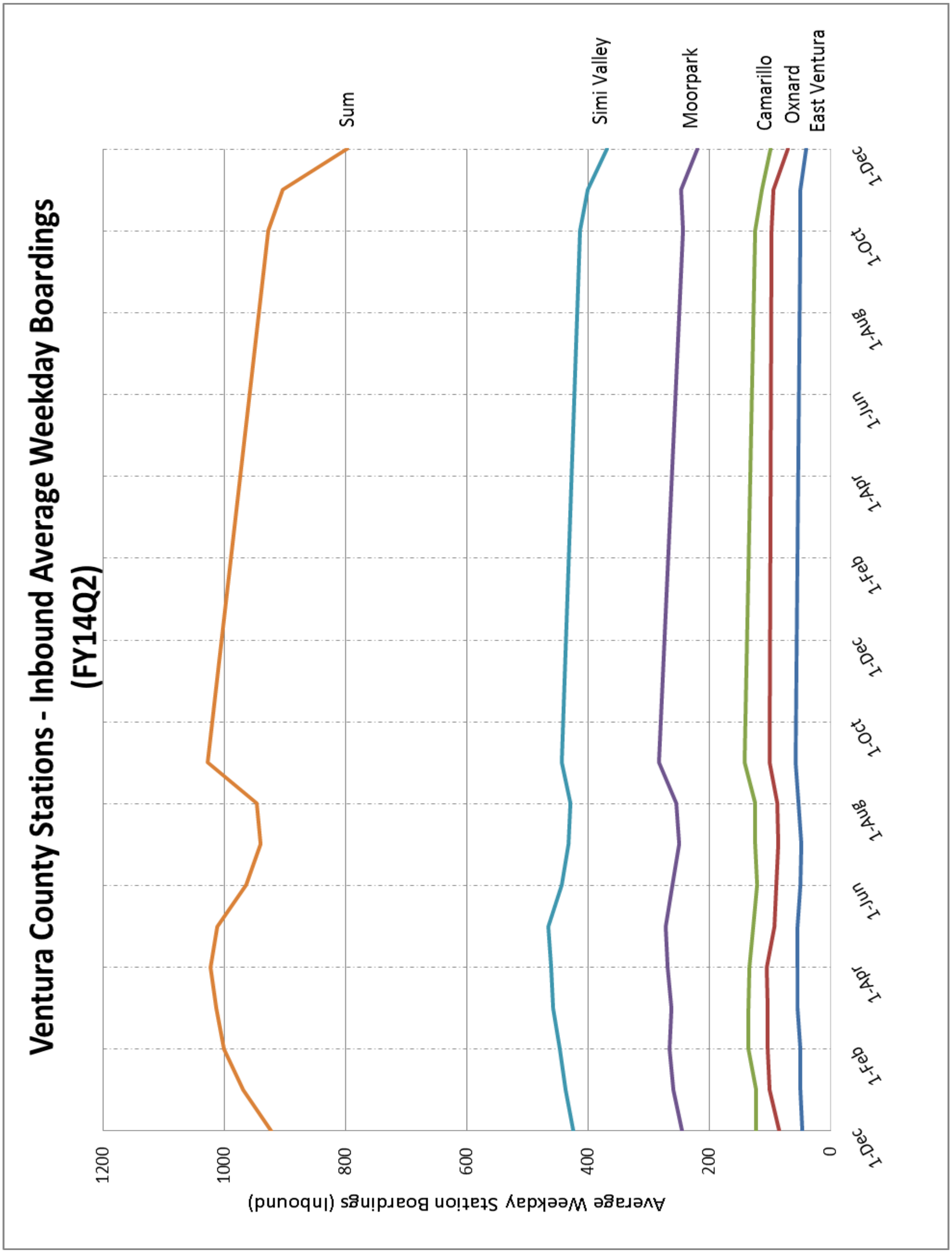
MO/YR	East Ventura	Oxnard	Camarillo	Moorpark	Simi Valley	VTA Cnty Total	Total Line
Nov-13	50	94	113	247	400	904	1879
Nov-12	55	113	135	273	464	1040	1944
Nov-11	50	109	124	266	456	1,005	1,938
Nov-10	47	98	99	200	336	780	1,276
Nov-09	39	79	100	186	310	714	1,165
Nov-08	64	72	89	242	379	846	1,550
Nov-07	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

* on Metrolink trains

INBOUND BOARDINGS*

MO/YR	East Ventura	Oxnard	Camarillo	Moorpark	Simi Valley	VTA Cnty Total	Total Line
Oct-13	49	98	125	243	413	928	1949
Oct-12	60	114	142	284	475	1075	2054
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

* on Metrolink trains



Ventura County Stations - Inbound Average Weekday Boardings
(FY14Q2)
Average Weekday Station Boardings (Inbound)
1200
1000
800
600
400
200
0
1-Dec
1-Feb
1-Apr
1-Jun
1-Aug
1-Oct
1-Dec
1-Feb
1-Apr
1-Jun
1-Aug
1-Oct
1-Dec
Sum
Simi Valley
Moorpark
Camarillo
Oxnard
East Ventura

Item # 9D

February 7, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: STEPHANIE YOUNG, PROGRAMMING ANALYST

SUBJECT: 2015 (FY 2014/15 – FY 2019/20) FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP) FINANCIAL RESOLUTION

RECOMMENDATION:

- Adopt attached resolution certifying that there are sufficient financial resources to fund projects in the 2015 Federal Transportation Improvement Program (FTIP).

BACKGROUND:

Every two years, the Southern California Association of Governments (SCAG) adopts and submits for federal approval an FTIP which lists all transportation projects which are either federally-funded or regionally significant, as required by the Moving Ahead for Progress in the 21st Century Act (MAP-21) and prior federal legislation. State law requires that each county transportation commission within the SCAG region approve a county Transportation Improvement Program (TIP) for the portion of the FTIP within its borders. The FTIP process is used by the federal government to ensure that transportation projects are developed through the federally-required planning process and conform to air quality requirements.

Under a policy first established by the Intermodal Surface Transportation Efficiency Act (ISTEA), projects can only be listed in the FTIP if there are sufficient funds projected to be available for them. Accordingly, VCTC is required to adopt a resolution certifying that sufficient resources are expected to be available for projects programmed in Ventura County. SCAG generally adopts a TIP every two years, with the last complete TIP update having been made in 2012. The new 2015 TIP covers the period from October 1, 2014 to September 30, 2020.

As with the previous cycle, the Ventura County portion of the 2015 FTIP includes all of the following projects:

- Surface Transportation Program (STP) and Congestion Management and Air Quality (CMAQ) projects: The FTIP includes carryover STP and CMAQ projects programmed under the prior calls for projects, based on the assumption that these federal programs will initially be extended at current levels. The FTIP will be amended in the future to incorporate the results of any future calls for projects.

- FTA Formula-Funded Projects: These projects are approved annually by the VCTC Board through the Program of Projects (POP). Since we have not yet approved the POP for beyond FY 2013/14, the TIP only contains ongoing programs which the transit operators anticipate continuing based on the assumption of Federal apportionments remaining constant. The TIP will be amended each year to incorporate what is actually approved by VCTC in each year's POP.

- STIP Regional Share Projects: VCTC programs projects in the STIP using its regional funding share of the State Transportation Improvement Program (STIP). These dollars are programmed based on the Caltrans Fund Estimate, which is based on anticipated availability of state and federal dollars, assuming current law. The 2015 FTIP includes updated listings for projects which VCTC nominated for the 2014 STIP.

- State Operation, Maintenance, and Interregional Projects: These projects are funded by Caltrans and the California Transportation Commission as part of the interregional share of the STIP or as part of the state highway maintenance and operations program. These dollars are also programmed based on the Fund Estimate.

- Discretionary Projects: The TIP includes projects receiving Congressionally-earmarked funds and projects receiving funds from the US Department of Transportation (USDOT) or Caltrans through competitive selection.

- Local Projects: The TIP also includes regionally-significant projects for which local agencies have indicated they have sufficient local funding to implement.

In each case the projects approved for funding in Ventura County were programmed based on the expectation of available federal, state, and/or local revenue. Therefore, based on current law, resources are anticipated to be sufficient to fund all current commitments of the Ventura County transportation program.

ATTACHMENT

RESOLUTION NO. 2014-01

A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION WHICH CERTIFIES THAT VENTURA COUNTY HAS THE RESOURCES TO FUND THE PROJECTS IN THE FY 2014/15 – 2019/20 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMS ITS COMMITMENT TO IMPLEMENT ALL OF THE PROJECTS IN THE PROGRAM

WHEREAS, the Ventura County Transportation Commission is located within the metropolitan planning boundaries of the Southern California Association of Governments; and

WHEREAS, the Moving Ahead for Progress in the 21st Century Act (MAP-21) requires SCAG to adopt a regional transportation improvement program for the metropolitan planning area; and

WHEREAS, MAP-21 also requires that the regional transportation improvement program include a financial plan that demonstrates how the transportation improvement program can be implemented; and

WHEREAS, the Ventura County Transportation Commission is the agency responsible for short-range capital and service planning and programming for the Ventura County area within SCAG; and

WHEREAS, as the responsible agency for short-range transportation planning, the Ventura County Transportation Commission is responsible for the development of the Ventura County Transportation Improvement Program, including all projects utilizing federal and state highway/road and transit funds; and

WHEREAS, the Ventura County Transportation Commission must determine, on an annual basis, the total amount of funds that could be available for transportation projects within its boundaries; and

WHEREAS, the Ventura County Transportation Commission has adopted the FY 2014/15 – 2019/20 Ventura County Transportation Improvement Program with funding for FFY 2014/15 and 2015/16 available and committed, and reasonably committed for fiscal years 2016/17 through 2019/20.

NOW, THEREFORE, BE IT RESOLVED by the Ventura County Transportation Commission that it affirms its continuing commitment to the projects in the FY 2014/15 – 2019/20 Ventura County Transportation Improvement Program (TIP); and

BE IT FURTHER RESOLVED, that the FY 2014/15 – 2019/20 Ventura County Transportation Improvement Program Financial Plan identifies the resources that are available and committed in the first two years and reasonably available to carry out the program in the last four years, and certifies that:

1. Projects in the FFY 2014/15 – 2019/20 Ventura County TIP are consistent with the proposed 2014 State Transportation Improvement Program that is scheduled to be approved by the California Transportation Commission in April 2014; and

2. All of the projects in the Ventura County TIP have complete funding identified.

3. Ventura County has the funding capacity in its county Surface Transportation Program and Congestion Mitigation and Air Quality Program allocation to fund all of the projects in the FY 2014/15 – 2019/20 Ventura County TIP; and

4. The local match for projects funded with federal STP and CMAQ program funds is identified in the TIP; and

5. All the Federal Transit Administration funded projects are programmed within MAP-21 Guaranteed Funding levels.

PASSED, APPROVED AND ADOPTED this 7th day of February, 2014.

____
Ralph Fernandez, Chair

ATTEST:

____
Donna Cole, Clerk

APPROVED AS TO FORM:

____
Steven Mattas, General Counsel

Item #9E

February 7, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

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

SUBJECT: **FISCAL YEAR 2013/2014 BUDGET AMENDMENT FOR LEWIS ROAD WIDENING PROJECT CARRYOVER**

RECOMMENDATION:

- Amend Fiscal Year 2013/2014 budget to add to the Transportation Improvement Program task $65,000 in carryover Surface Transportation Program (STP) funds for close-out of the Lewis Road Widening project.

BACKGROUND:

The Fiscal Year 2012/2013 Budget included $750,000 in carryover funds for the close-out of the Lewis Road Widening, a project managed by the County of Ventura with funds administered by VCTC. The Fiscal Year 2013/14 budget includes no funds for this project, as it was expected at the time of budget adoption that the project would be completed and closed out prior to the Fiscal Year start. The widening necessitated reconstruction of the Camarillo Station main entrance, and after the widening became operational the need arose for a minor modification to the Camarillo Station main entrance as it had been constructed. This work was performed under a separate contract in late 2013. The project close out was therefore delayed, but is now underway.

The project still remains well under the budget amount provided for 2012/2013. There was $511,399 expended during that Fiscal Year out of the $750,000 budgeted, with only $65,000 estimated to be required in 2013/14 to close the project. Therefore, staff recommends the Fiscal Year 2013/2014 budget Transportation Improvement Program task be amended to carryover $65,000 from the prior fiscal year for Lewis Road. The approved grant funds for the project remain available for drawdown as required.

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Item #9F

February 7, 2014

MEMO TO: **VENTURA COUNTY AIRPORT LAND USE COMMISSION**

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

SUBJECT: **SPEARS MANUFACTURING HELISTOP**

RECOMMENDATION:

- The Airport Land Use Commission (ALUC) advises the California Division of Aeronautics that the ALUC has reviewed the plans for Spears Manufacturing Helistop in Santa Paula and makes no recommendation or assessment of the viability of the proposed plans.

BACKGROUND:

In 1990, the Ventura County Airport Land Use Commission (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 Aeronautics Act requires the ALUC to review all applications for airports in Ventura County and heliports are defined as an airport within the Act. While the ALUC is required to review heliports, there is no criteria governing private heliports to base a finding upon, and the ALUC is not required to approve or deny them. The application authority rests with the State Division of Aeronautics.

The Commission on the advice of legal counsel 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

Spears manufacturing in Santa Paula is proposing a Permanent Helistop Project at its location at 140 W. Santa Barbara Street, Santa Paula, see Figure 1. Heliplanners, an aviation planning consulting group specializing in heliports prepared the ALUC review package and submitted the associated noise study prepared Acoustics Group, Inc.

The helistop would not have a helicopter stationed on the site but would only be used to visit the site by the property owner. Although typical use would average approximately three flights per week, an average of five flights per week was used to perform site impact analysis. Flights would only occur during normal weekday business hours. No night flights are planned and no lighting is proposed.

The noise study identifies the types of helicopters to be used, the noise generated by the helicopters and maps out sensitive receptors in the area. The sensitive receptors identified consist of largely private residents and two schools and overlays the Community Noise Equivalent Level (CNEL) contours to analyze noise impacts on the surrounding community, see Figure 2. The study indicates that noise associated with the helicopter flights fall within the acceptable range identified by the CLUP.

Figure 1 Project Location

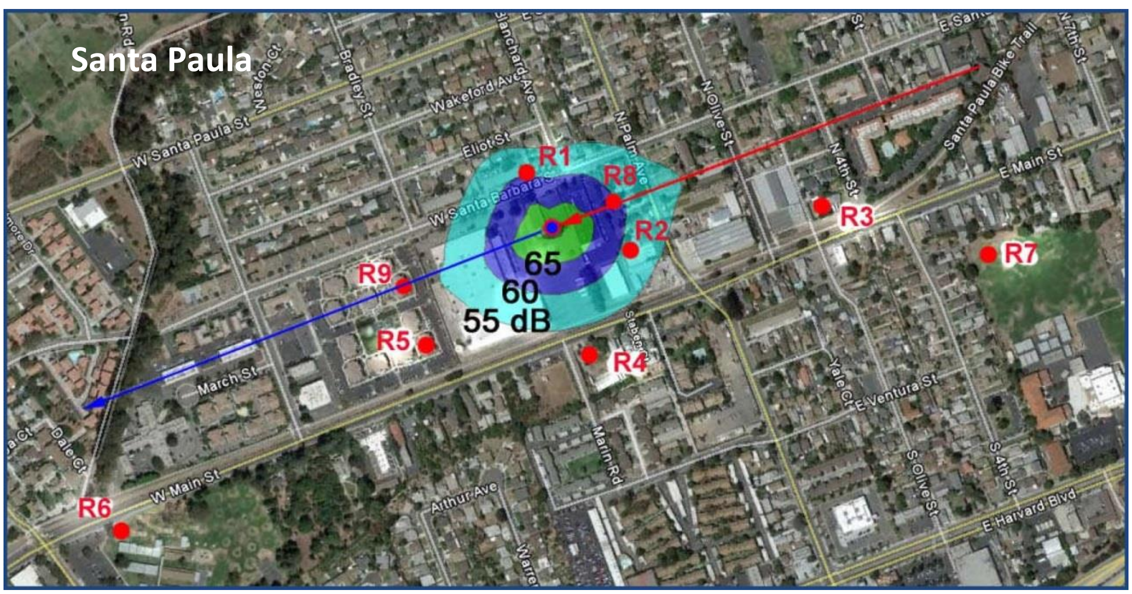

Figure 2, Sensitive Receptor Location

Staff recommends that the ALUC advise the California Division of Aeronautics that the ALUC has reviewed the plans for Spears Manufacturing Helistop in Santa Paula and makes no recommendation or assessment of the viability of the proposed plans.

Item #9G

February 7, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **ELLEN TALBO, PROGRAM ANALYST**

SUBJECT: **LEGISLATIVE UPDATE**

RECOMMENDATION:

- Receive and file

BACKGROUND:

State Issues

Attached is the monthly report from Delaney Hunter, the Commission's lobbyist. The report includes an analysis of the proposed state budget for next year.

Federal Issues

In mid-January 2014, Congress filed and passed appropriations legislation, known as an omnibus, which funds all federal agencies for the remainder of fiscal year (FY) 2014. The omnibus appropriates approximately $1.1 trillion for FY 2014, up from $967 billion in fiscal year FY 2013.

Transit

Public transportation fared well under the omnibus as the Federal Transit Administration received the full funding authorized ($8.5 billion) for core formula programs under the Moving Ahead for Progress in the 21st Century Act (MAP-21).

Eligibility requirements under the Congestion Mitigation and Air Quality Improvement Program (CMAQ) were altered to allow exemptions from the current 5-year time limit on use of continued CMAQ funds from FY 12. This could provide added flexibility for Ventura County transit operations.

Rail

Regarding federal railroad programs, Amtrak received $1.39 billion for capital and operating grants. The appropriations for federal railroad programs did not provide any funds, beyond Amtrak, for intercity or high-speed rail, however language in the bill did not preclude federal funding for California High-Speed Rail projects. The bill did not provide additional funding for the congressionally mandated implementation of Positive Train Control.

Highways and Streets
The bill includes $41 billion for the Federal-aid Highway program, honoring the funding level authorized in MAP-21. This funding level provides an increase of $636 million above last year's level and the amount included in the current continuing resolution.

The Transportation Infrastructure Generating Economic Recovery (TIGER) program was appropriated $600 million, which is $126 million higher than what was provided for 2013 and what would have been provided under a continuing resolution. Out of the $600 million, $35 million is available for planning grants. TIGER has been a popular competitive grant program that supports nationally significant projects of a wide variety of modes including highways & bridges, public transportation, passenger & freight rail, port infrastructure, and non-motorized modes.

GONZALEZ, QUINTANA & HUNTER, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION
MONTHLY STATE ADVOCACY REPORT
JANUARY 2014

Legislative Updates

2 year bills

AB 574 (Lowenthal) California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: sustainable communities strategies:
This bill was going to be the tool for allocating Cap & Trade revenues to transportation. Recall, that last year the SCAG regional agencies agreed to language that would have delineated how Cap & Trade dollars would be spent in the region. The bill stalled when the entirety of the Cap and Trade revenues were loaned to the General Fund. It was thought the bill would move again this month but the author decided not to move it given the direction in the Governor's Budget and his detailed plan for how to spend Cap & Trade dollars. We expect there will be further discussions in the coming months and new legislation to be introduced as part of the budget process.

Select Committee on Passenger Rail created
The Legislature has formed a new Select Committee on Passenger Rail. The Select Committee will be chaired by Senator Hannah-Beth Jackson and Senator Mark DeSaulnier will serve as Vice Chair. Other members include Senators Marty Block, Anthony Cannella, Galgiani, Hill, Liu and Padilla. The Select Committee will hold its first hearing later this spring.

Governor's Budget

Cap & Trade Funding:
The Governor has proposed a new funding plan using proceeds from Cap & Trade auctions. A total of $850 million will be spent in three distinct categories, with the transportation portion being the largest since the majority of GHG emissions come from transportation.

The First category is for Sustainable Communities and Clean Transportation. This will receive $600 million, to be split up into three programs: Implementing regional Sustainable Community Strategies, Low Carbon Transportation, and Rail Modernization. $100 million will be put towards implementing regional Sustainable Community Strategies, supporting regions implementing SB 375 and other areas with GHG reduction policies. $200 million will be spent on Low Carbon Transportation to accelerate the transition to low carbon freight and passenger transportation. $300 million is allocated to Rail Modernization; $250 million is going to High Speed Rail to pay for the initial Central Valley segment, and $50 million is being given to CALTRANS to fund a competitive grant program for existing operators to integrate systems and connect to High Speed Rail.

The Second category is for Energy Efficiency and Clean Energy. This $140 million is for energy efficiency opportunities in residential and public buildings, agricultural and industrial operations, and water system and use efficiency. Two-thirds will go toward weatherization programs for low-income households.

The Third and final category is for Natural Resources and Waste Diversion. The $110 million in this category will be spent on strategies to reduce emissions through natural resource management, including forest health, composting and recycling.

Item #9H

February 7, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **SALLY DEGEORGE, FINANCE DIRECTOR**

SUBJECT: **BUDGET AMENDMENT FOR THE REVISED LOCAL TRANSPORTATION FUND APPORTIONMENT FOR FISCAL YEAR 2013/2014**

RECOMMENDATION:

- Amend the Fiscal Year 2013/2014 Transportation Development Act Budget by increasing the Local Transportation Fund revenues and pass-through expenditures by $4,998,000.
- Amend the Fiscal Year 2013/2014 Transportation Improvement and Monitoring Program Budget with $102,000 in Local Transportation Fund "planning" fund transfer instead of $102,000 State Transit Assistance fund transfer previously budgeted for the potential Toll Lane Study Phase II.

BACKGROUND:

In December 2013, the Commission approved the revised Transportation Development Act (TDA) Local Transportation Fund (LTF) Fiscal Year 2013/2014 apportionment. The LTF apportionment was revised for the one-time sales tax payment from the Board of Equalization for the Owens Minor/City of Fillmore settlement. The apportionment consisted of $600,000 additional contingency, $4,998,000 additional pass-through expenditures and an additional $102,000 in TDA planning funds.

The Fiscal Year 2013/2014 Budget needs to be amended for these additional funds. The $4,998,000 pass-through apportionment will be claimed by the individual jurisdictions through the normal claims process. The $102,000 LTF planning funds will be exchanged with State Transit Assistance funds in the Transportation Improvement and Monitoring Program Budge for the potential Phase II Toll Lane Study. If Phase II of the Toll Lane Study is not approved by the Commission, another planning study will be identified.

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Item # 9I

February 7, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **DARREN KETTLE, EXECUTIVE DIRECTOR**

SUBJECT: **APPOINTMENT OF VCTC REPRESENTATIVE TO CALIFORNIA ASSOCIATION OF COUNCILS OF GOVERNMENT (CalCOG)**

RECOMMENDATION:

- Appoint Commissioner Manuel Minjares to represent VCTC at the California Association of Councils of Government

BACKGROUND:

California Association of Councils of Government (CalCOG) is a statewide association for both COGs and county transportation agencies that is engaged at the State level in various regulatory, legislative, and policy that affect transportation, air quality, sustainable communities and other regional issues.

Chairman Sojka has served as VCTC's appointee to the CalCOG Board of Directors and served on CalCOG Executive Committee for the past two years. Due to schedule conflicts and time commitments required of his new position with his company Commissioner Sojka has resigned the CalCOG appointment. At the January VCTC meeting this vacancy was announced and Commissioner Minjares has expressed interest in filling this appointment.

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Item # 9J

February 7, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

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

SUBJECT: **RAIL MAINTENANCE REQUEST FOR PROPOSAL (RFP)**

RECOMMENDATION:

- Authorize the Executive Director to release a Request for Proposal (RFP) for maintenance of the Santa Paula Branch Line.

DISCUSSION:

The Ventura County Transportation Commission (VCTC) is required by agreement with Union Pacific Rail Road (UP) to maintain a portion of the Santa Paula Branch Line (SPBL) between Mile Post 405.31 and 415.30, roughly from Montalvo through Santa Paula. As the termination of the Fillmore and Western Railway Company lease moves forward, staff must ensure that track and signal maintenance continues on that segment of the SPBL.

In the event that a new maintenance contractor is required, staff working with VCTC's rail consultant, Mr. Tom Egan, has begun developing a Request for Proposal (RFP) for track and signal maintenance specific to the SPBL. Staff believes it to be prudent that the Executive Director be empowered to release that RFP should the need arise at some point in the future. Any contract resulting from that RFP process would be brought back to the Commission for a full discussion and approval. Staff is therefore recommending the Commission authorize the Executive Director to release a RFP for track and signal maintenance on the SPBL should it be required.

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Item # 9K

February 7, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR

SUBJECT: COUNTYWIDE BICYCLE WAYFINDING PROJECT

RECOMMENDATION:

- Support the Countywide Bicycle Wayfinding Project and authorize staff to seek funding for the project through the Southern California Association of Governments, TDA Article 3 and/or other sources.

- Designate TTAC or a subcommittee thereof as the oversight committee for the Countywide Bicycle Wayfinding Project.

DISCUSSION:

During the Comprehensive Transportation Plan (CTP) outreach process as well as during the Southern California Association of Governments' (SCAG's) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) process, active transportation projects or the lack thereof, were a focal point for many members of the public. The suggestion of a Countywide Wayfinding Project was made and staff believes this project has a great deal of merit and could serve multiple purposes.

The Bicycle Wayfinding Project as envisioned would be consultant assisted and would identify major intercity bicycle routes and develop common directional signage to be installed Countywide. Much of the work to identify routes could be leveraged from VCTC's Countywide Bicycle Master Plan completed in 2007. Specific route directions would be developed in partnership with local jurisdictions and cycling advocates representing a cross section of cycling expertise.

In order to encourage gap closure and usage of the bicycle system, staff would suggest that those routes identified in the Wayfinding Project be included in the Transportation Development Act (TDA) Article 3 funding criteria as critical linkages and be weighted sufficiently to encourage their development.

On January 16th staff met with the Transportation Technical Advisory Committee (TTAC) to gauge local interest and support. Staff further suggested that TTAC or a subcommittee be delegated the role of oversight committee and work with staff and the community to develop this project. TTAC endorsed both the project and it's role as the oversight committee. Additionally, TTAC suggested that the identified routes be included in a Wayfinding phone app.

Staff recommends that that the Commission support the Countywide Bicycle Wayfinding Project and authorize staff to seek funding for the project through the Southern California Association of Governments, TDA Article 3 and/or other sources. Staff further recommends that the Commission designate TTAC or a subcommittee thereof as the project oversight committee. Staff's recommendations do not include the expenditure of funds other than staff time or the issuance of a Request for Proposal. Staff will bring specific actions to the Commission in the future once funds have been identified.

Item # 9L

February 7, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

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

SUBJECT: **COLLABORATIVE WORK PROGRAM WITH THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVENRMENTS (SCAG)**

RECOMMENDATION:

- Adopt Resolution 2014-02 authorizing collaboration between the Southern California Association of Governments (SCAG) and the VCTC on projects related to the implementation of the Regional Transportation Plan/Sustainable Communities Strategy.

DISCUSSION:

The Southern California Association of Governments (SCAG) is responsible for developing and monitoring the Regional Transportation Plan (RTP) and with the passage of Senate Bill 375 a Sustainable Community Strategy (SCS) to reduce greenhouse gas emissions. SCAG adopted their first RTP/SCS in 2012. The RTP/SCS contains locally promoted transportation projects that are included in the Federal Transportation Improvement Program (FTIP) making those projects eligible for federal funding.

With the addition of the SCS, SCAG must now encourage development of projects that would not typically be found in the FTIP such as active transportation projects and complete streets. To satisfy the requirements of the 2012 RTP/SCS and provide funding and resource assistance to local agencies, SCAG is requesting that each county transportation commission enter into a collaborative work program with SCAG to encourage active transportation and other activities designed to reduce greenhouse gas emissions.

Much of the work identified in the collaborative work program is already underway and is part of VCTC's core mission as a regional transportation planning agency. Two specific bicycle projects, the Santa Paula Branch Line Recreational Trail and the Countywide Wayfinding Project are identified in the work program in order to leverage additional resources through SCAG.

Staff is recommending the Commission adopt resolution 2014-2 authorizing collaboration between SCAG and VCTC. Adoption of the resolution does not commit VCTC to expend any additional funds and all Requests for Proposals or contracts related to the collaborative work program would come back to the Commission for approval.

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RESOLUTION NO. 2014-02

A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION AUTHORIZING COLLABORATION BETWEEN VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC) AND THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) TO IMPLEMENT THE 2012-2035 REGIONAL TRANSPRTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY (RTP/SCS)

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

WHEREAS, California Government Code § 29532.4(b), and notwithstanding Government Code § 29532, the transportation planning agency ("TPA") for Ventura County means the transportation commission created in the County of Ventura by Division 12 (commencing with § 130000) of the Public Utilities Code;

WHEREAS, the development of a regional Sustainable Communities Strategy is required by state law under California Sustainable Communities Strategy and Climate Protection Act, commonly referred to as Senate Bill 375, and is a critical element of achieving statewide greenhouse gas (GHG) reduction goals established in the Global Warming Solutions Act of 2006 (Núñez, Chapter 488, Statutes of 2006);

WHEREAS, a regional Sustainable Communities Strategy is a component of the Regional Transportation Plan that specifies how the GHG reduction targets established of a region by the California Air Resources Board (CARB) will be achieved;

WHEREAS, on April 4, 2012, the Southern California Association of Governments (SCAG) Regional Council unanimously approved the region's first RTP/SCS;

WHEREAS, the adopted RTP/SCS includes land-use and transportation strategies that will support the region in meeting the established GHG reduction targets of 8% per capita by 2020 and 13% per capita by 2035;

WHEREAS the Air Resource Board on June 4, 2012 accepted the Sustainable Communities Strategy as having met the GHG target;

WHEREAS, by virtue of having met the state established GHG target, local governments in the SCAG region may choose to access a streamlined process under the California Environmental Quality Act (CEQA) for certain types of qualifying development projects;

WHEREAS, the RTP/SCS provides additional co-benefits including reducing land consumption, infrastructure costs, household costs, health incidences as well as improving mobility and creating jobs;

WHEREAS, SCAG developed the RTP/SCS in collaboration with the Ventura County Transportation Commission, other County Transportation Commissions, and local governments from the six county Southern California region through a bottoms-up, collaborative process that engaged a wide range of stakeholder groups, elected officials, special interest groups, and the general public through a series of workshops and public meetings;

WHEREAS, the RTP/SCS addresses many challenges including projected growth, changing demographics, climate change adaptation, housing needs, and transportation demands;
WHEREAS, the RTP/SCS includes a land-use strategy and growth forecast that focuses growth in High-Quality Transit Areas and along main streets, downtowns and other appropriate infill locations; shifts development from single-family towards multi-family residential development to reflect recent market trends; and promotes the implementation of Compass Blueprint Demonstration projects and other supportive land use implementation;

WHEREAS, the RTP/SCS includes transportation policies and investments that reflect the investments being made by the County Transportation Commissions through 2035; triples the amount of funding available in the previous RTP to support Active Transportation; emphasizes and provides additional resources for transportation demand management strategies and transportation systems management; maintains a focus on efficient goods movement; and establishes a financial plan that addresses deferred maintenance and includes new revenue sources and innovative financing techniques to transition our fuel tax-based system to a more direct, user fee approach;

WHEREAS, while SCAG develops the RTP/SCS, the land-use and transportation changes within it are largely driven by the actions of local governments and County Transportation Commissions, like the VCTC, that program the majority of transportation funds flowing into the region;

WHEREAS, it is therefore critical that the VCTC be engaged in the implementation of the plan in order for the plan's benefits to be realized, as well as, to ensure the region continues to make progress that can be reflected in the 2016 RTP/SCS;

WHEREAS, CARB through the AB 32 Cap-and-Trade Program will be providing funding for programs and projects throughout the state that reduce GHG emissions and help implement local climate action plans;

WHEREAS, the VCTC and SCAG currently collaborate on a broad range of initiatives to advance common transportation objectives, and it is in the interest of both agencies to continue to leverage resources toward achieving the common goals expressed in the RTP/SCS towards creating a more sustainable transportation system.

NOW, THEREFORE, the Ventura County Transportation Commission does hereby resolve as follows that the Executive Director is authorized to initiate and/or continue the following RTP/SCS implementation activities, to be referred to collectively as the **SCAG-VCTC RTP/SCS Joint-Work Program**:

Planning Work/Products

1. Develop outreach, community support and an update to the **Santa Paula Branch Line (SPBL) Recreational Trail Master Plan. T**his work effort would build community support for and amend the SPBL Recreational Trail Master Plan to reflect current regulations on food production and agricultural practices allowing for trail implementation. The SPBL Recreational Trail would support both bicycle and pedestrian activities with the potential to connecting multiple communities within Ventura County. This trail would provide bicycle commute opportunities as benefitting air quality and health.

2. Develop a **Ventura County Bicycle Way Finding Program**. This program would identify major intercity bicycle routes and develop and install common countywide directional signage allowing bicyclists to navigate through and between cities. This trail would provide bicycle commute opportunities as benefitting air quality and health. The identified routes would be defined as

critical linkages and added to VCTC's Transportation Development Act (TDA) Article 3 funding criteria to encourage development of connective bikeways between all of Ventura County's cities.

3. Explore opportunities, together with SCAG, to **expedite Active Transportation funding** planned in the RTP/SCS for local infrastructure to support the operation and expansion of Bus/Bus Rapid Transit systems and for improved bicycle/pedestrian connectivity county-wide, complete street efforts and cycle track or protected lanes . VCTC will develop a funding strategy for specific Active Transportation priority projects to support the Strategic County-Wide Bicycle Route System, and identify specific funding opportunities for each project, such as grant applications, calls for projects, and allocation of Federal, State, and local formula funds, as appropriate.

4. Explore opportunities to develop a **Countywide Safe Routes to School Plan** to help local communities identify SRTS needs and to prioritize the most cost-effective and competitive projects. If possible, document current SRTS efforts and needs; coordinate with agencies, organizations, and stakeholders for exchange of information and ideas; and identify options for pursuing additional funding sources to increase SRTS investment in Ventura County.

5. Support SCAG in developing a **Conservation Planning Policy**, as recommended in the 2012-2035 RTP/SCS. This policy is intended to build upon already-established programs that assist with more efficient transportation project delivery, including but not limited to, OCTA's Environmental Mitigation Program and Riverside County's Multiple Species Habitat Conservation Plans (MSHCP). The policy will explore opportunities to identify and seek funding to support natural land restoration, conservation, protection and acquisition, and will offer GHG emissions reduction benefits. The deliverables will likely include identification of priority conservation areas and the development of regional mitigation policies or approaches for the 2016 RTP/SCS. VCTC will coordinate with SCAG on the development of policies appropriate for Ventura County in conjunction with proposals consistent with their guidelines for Orderly Development.

6. Provide resources to local communities for development of **Complete Streets Policies** in compliance with AB-1358 (2008).

7. Continue collaborative efforts to improve **Performance Measurement and Monitoring** of the benefits and co-benefits (health, greenhouse gas reduction, etc.) of transportation projects and plans through efforts such as: monitoring of travel time and reliability on major highway corridors through upgrades to the Ventura County Transportation Plan; monitoring of transit performance; collection of bicycle use data through the bicycle data clearinghouse; participates in the SCAG annual HPMS data collection and training workshop, monitoring of milestones for the County Transportation Plan (including documenting the accomplishments of TDM programs, complete street implementation, and completion of major FTIP projects).

Advocacy

8. Seek funding and **support legislative initiatives** to assist local agencies with planning, programming, and/or capital funds to implement Compass Blueprint projects or other innovative, multimodal approaches.

9. Work with state and federal representatives to Develop Legislation in support of the above activities and the broader goals of the RTP/SCS.

Coordination

10. Appoint a representative to the Regional Sustainability Working Group, an effort initiated by the CEOs of County Transportation Commissions and led by SCAG, to actively work on the implementation of the RTP/SCS, document and monitor progress, and develop recommendations for opportunities in upcoming 2016-2040 RTP/SCS.

11. Continue to support SCAG and collaborate with regional stakeholders on the Regional Plug-In Electric Vehicle (PEV) Readiness Plan, to identify the best locations for charging infrastructure based on market demand and travel patterns. The Regional PEV Readiness Plan will become part of a larger effort to support regional sustainability while promoting economic development within the green technology sector. SCAG will continue to work with a diverse group of stakeholders to serve as a clearinghouse for zero and near-zero emission vehicle resources and implementation strategies. The key deliverables include a Regional PEV Readiness Plan and two model Subregional PEV Readiness Plans (South Bay and Western Riverside COGs). This effort is funded with grants obtained from the California Energy Commission and the U.S. Department of Energy.

12. Support the SCAG RTP/SCS through the coordinated development of complete streets policies and implementable strategies by identifying the following: achievable opportunities for deployment of complete streets strategies in a way that recognizes the diversity of urban and rural contexts in Ventura County; principles for integration of "complete streets thinking" into arterial network and land use planning within the County; specific locations that could serve as opportunities for low cost "early action" complete streets projects; possible incentives for the planning and development of complete streets projects in the County.

PASSED AND ADOPTED by the VCTC at its regular meeting this 7th day of February, 2014.

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Ralph Fernandez, Chair

ATTEST:

Donna Cole, Clerk

APPROVED AS TO FORM:

Steve Mattas, General Counsel

Item #10

February 7, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **DARREN KETTLE**

SUBJECT: **OXNARD HARBOR DISTRICT QUARTERLY REPORT**

RECOMMENDATION:

- Receive and file

BACKGROUND:

Oxnard Harbor District CEO and Port Director, Kristin Decas will present a report at the meeting.

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Item #11

February 7, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: TRANSPORTATION DEVELOPMENT ACT (TDA), LOCAL TRANSPORTATION FUND (LTF), DRAFT APPORTIONMENT FOR FISCAL YEAR 2014/2015

RECOMMENDATION:

- Approve the Local Transportation Fund Draft Apportionment for Fiscal Year 2014/2015 apportioning $30.8 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.

Changes to the TDA laws and regulations will go into effect on July 1, 2014 per Senate Bill (SB) 716 (see Attachment 3) and SB 203 (see Attachment 4) as well as SB 664 (see Attachment 5). Some of these changes apply to all TDA funds and some are specific to Ventura County and/or the new Gold Coast Transit District. Some of the highlights of the three bills are as follows:

1. A new transit district, Gold Coast Transit District, was created by SB 664 and its jurisdiction includes the Cities of Oxnard, San Buenaventura (Ventura), Port Hueneme, and Ojai and the unincorporated areas of the County of Ventura. Therefore, the local transportation funds that would have been apportioned to those jurisdictions will now go directly to the Gold Coast Transit District. Per SB 664, the apportionment area for the County of Ventura includes the unincorporated area of the county, regardless of whether that area is also within the boundaries of the District. The new legislation does allow that members may claim from Gold Coast Transit District (not VCTC) a portion of these funds for transit services purposes.

2. For jurisdictions with **populations under 100,000** and not in the Gold Coast Transit District (currently the Cities of Camarillo, Fillmore, Moorpark, and Santa Paula), local transportation funds are exempt from the new requirement (SB 716 and SB 203). Therefore, these jurisdictions can claim their local transportation funds first for public transit purposes (Article 4, *Public Transportation*, and 4.5, *Community Transit Service)* but would then be allowed to be claimed for Article 8 including Article 8(a), *Streets and Roads,* and Article 8(c), *Public Transportation,* as per the TDA regulations. If the population of a jurisdiction increases over 100,000, it would subsequently be required to follow the "over 100,000" regulations as mentioned in item 3.

3. For jurisdictions with **populations over 100,000** and not in the Gold Coast Transit District (currently the Cities of Simi Valley and Thousand Oaks), local transportation funds are to be allocated for public transit purposes and not for street and road purposes (SB 716 and SB 203). Therefore these cities can claim their local transportation funds for Article 4, *Public Transportation*, and 4.5, *Community Transit Service.*

DISCUSSION:

The Ventura County Auditor-Controller is projecting that Fiscal Year 2014/2015 Local Transportation Fund sales tax receipts will be $29.6 million (see Attachment 2). Additionally, the Auditor-Controller's office is increasing their estimate for Fiscal Year 2014/2015 by $6.3 million bringing the total for Fiscal Year 2013/2014 from $29.1 million to $35.4 million. Of the $6.3 million, $0.5 million is attributed to increased sales revenue and $5.8 million is for the one-time payment for the Owens Minor/City of Fillmore settlement previously discussed in December with the revised Fiscal Year 2013/2014 apportionment.

In recognition of the volatility of sales tax revenue, the Commission at its March 2011 meeting adopted a 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 from Fiscal Year 2013/2014 of $3.4 million, plus the estimated $0.8 million increase from previous fiscal years leaves the Local Transportation Fund an estimated beginning balance of approximately $4.2 million. After accounting for this year's contingency reserve of $3 million, there is an additional $1.2 million in LTF funds to be apportioned along with the new receipts of $29.6 million for a total apportionment of $30.8 million. The Fiscal Year 2014/2015 apportionment includes the following allocations:

- $2,848,500 Article 3 funds for Commission activities including:

    - $1,232,500 for Metrolink commuter rail purposes. In Fiscal Year 2013/2014 the Commission began increasing the allocation to Commuter Rail by one-third of the increase in revenue receipts to reduce the reliance on Metrolink's trading of LA Metro's local funds with VCTC's federal capital money to cover some of VCTC's operating costs for Metrolink. The increase in receipts this fiscal year is $0.5 million with the one-third "commuter rail" share of the increase totaling $166,500. This increase plus last year's base allocation of $1,066,000 brings the Article 3, Commuter Rail, allocation to $1,232,500.

    - $616,000 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.

- $14,000 Article 3 funds for the County Auditor-Controller's administrative costs.

- $583,400 Article 3 funds for Bicycle and Pedestrian projects.

- $27,354,100 for apportionment to Articles 4, 4.5, 8a and 8c as allowed by TDA. The Commission apportions these 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 2014/2015 draft apportionment is based on the January 1, 2013 population estimate of 835,436. The final LTF apportionment will be adjusted for the new population estimate published in May 2014.

ATTACHMENT 1
VENTURA COUNTY TRANSPORTATION COMMISSION
TDA LOCAL TRANSPORTATION FUND DRAFT APPORTIONMENT FOR FISCAL YEAR 2014/2015

	DRAFT FY 2014/2015	FINAL FY 2013/2014	Change vs. FY 2013/2014	FINAL FY 2012/2013	FINAL FY 2011/2012
Estimated Unapportioned Cash Balance	**4,200,000**	5,400,000	-1,200,000	4,800,000	5,300,000
Contingency Reserve	**-3,000,000**	-3,400,000	400,000	-2,700,000	-2,590,000
One time revenue	**0**	5,700,000	-5,700,000	0	0
Estimated Annual LTF Receipts	**29,600,000**	29,100,000	500,000	27,100,000	25,600,000
Total Funds Available	**30,800,000**	36,800,000	-6,000,000	29,200,000	28,310,000
Auditor's Administrative Costs	**14,000**	14,000	0	15,000	15,000
VCTC Administrative Costs	**1,000,000**	865,190	-134,810	667,131	862,082
VCTC Planning Costs	**616,000**	736,000	120,000	584,000	566,200
Subtotal	**29,170,000**	35,184,810	-6,014,810	27,933,869	26,866,718
Article 3 Bikeway/Pedestrian Fund	**583,400**	703,696	120,296	558,677	537,334
Subtotal	**28,586,600**	34,481,114	-5,894,514	27,375,192	26,329,384
Article 3 Commuter Rail	**1,232,500**	1,066,000	-166,500	400,000	400,000
Total to be Apportioned	**27,354,100**	33,415,114	-6,061,014	26,975,192	25,929,384

Article 4 and Article 8 by Agency	**Population**	**Pop %**	**DRAFT FY 2014/2015**	**FINAL FY 2013/2014**	**Change vs. FY 2013/2014**	**FINAL FY 2012/2013**	**FINAL FY 2011/2012**
Camarillo (4, 4.5, 8a and/or 8c)	66,428	7.95%	**2,175,006**	2,656,935	-481,929	2,150,547	2,060,558
Fillmore (4, 4.5, 8a and/or 8c)	15,175	1.82%	**496,864**	606,958	-110,093	490,461	473,274
Moorpark (4, 4.5, 8a and/or 8c)	34,904	4.18%	**1,142,837**	1,396,063	-253,225	1,127,817	1,086,465
Santa Paula (4, 4.5,8a and/or 8c)	29,953	3.59%	**980,730**	1,198,037	-217,306	967,709	924,356
Simi Valley (Article 4 and/or 4.5)	125,558	15.03%	**4,111,058**	5,021,970	-910,912	4,058,310	3,913,464
Thousand Oaks (Article 4 and/or 4.5)	128,143	15.34%	**4,195,697**	5,125,363	-929,666	4,146,202	3,992,688
Gold Coast Transit District (Article 4 and/or 4.5):							
Ojai	7,548	0.90%	**247,139**	301,899	-54,760	244,016	235,103
Oxnard	200,855	24.04%	**6,576,456**	8,033,641	-1,457,185	6,489,500	6,251,539
Port Hueneme	22,024	2.64%	**721,117**	880,899	-159,782	702,157	672,256
San Buenaventura	108,294	12.96%	**3,545,795**	4,331,458	-785,663	3,470,501	3,353,110
Ventura County - Unincorporated	96,554	11.56%	**3,161,400**	3,861,891	-700,491	3,127,972	2,966,571
Total	835,436	100.00%	**27,354,100**	33,415,114	-6,061,013	26,975,192	25,929,384

ATTACHMENT 2

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

RECEIVED
JAN 16 2014

January 14, 2014

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

SUBJECT: LOCAL TRANSPORTATION FUND FY 2014-15 ESTIMATES

Dear Mr. Kettle:

The Auditor-Controller's conservative estimate of the Local Transportation Fund (LTF) revenues for fiscal year 2014-15 is $29.6 million. Based on current year projected growth of 3.3 percent, the estimate could be up to $30.6 million. As you are aware, projections are very uncertain given the current economic climate. It may be prudent to budget a contingency account to be allocated midyear if projections remain strong.

For FY 2013-14 we had projected $29.1 million. This estimate is currently revised to $35.4 million. The increase is primarily due to a one-time appeal settlement of $5.8 million for Owens Minor in the City of Fillmore. In addition, based on the allocation schedule provided by your office, we estimate that approximately $37,677 in interest will be earned by the fund during fiscal year 2013-14 and be available for allocation in the subsequent fiscal year.

Based on revised revenue estimates of $35.4 million, budgeted allocations of $36.8 million and interest of $37,677 we project a LTF fund balance at June 30, 2014, of approximately $4,210,000. (see Attachment I).

The Auditor-Controller's estimated LTF administrative costs for fiscal year 2014-15 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,

JEFFERY S. BURGH
Assistant Auditor-Controller

Enclosure

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

<u>Attachment 3</u>

BILL NUMBER: SB 716
CHAPTERED BILL TEXT

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

INTRODUCED BY Senator Wolk

FEBRUARY 27, 2009

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

LEGISLATIVE COUNSEL'S DIGEST

SB 716, Wolk. Local transportation funds.
Existing law requires that 1/4% of the local sales and use tax be transferred to the local transportation fund of the county for allocation, as directed by the transportation planning agency, to various transportation purposes. Existing law specifies the allowable uses for local transportation funds, and generally requires these funds to be used for transit purposes in urban counties, while in counties with a population under 500,000 as of the 1970 census and certain other counties, these funds may also be used for local streets and roads, if the transportation planning agency finds that there are no unmet transit needs or no unmet transit needs that are reasonable to meet, and for other specified purposes.

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

The bill would make other related changes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) Passenger rail service operations and capital improvements.

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

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

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

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

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

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

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

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

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

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

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

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

(c) Identify the unmet transit needs of the jurisdiction and those needs that are reasonable to meet. The transportation planning agency shall hold at least one public hearing pursuant to Section 99238.5 for the purpose of soliciting comments on the unmet transit needs that may exist within the jurisdiction and that might be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services. The definition adopted by the transportation planning agency for the terms "unmet transit needs" and "reasonable to meet" shall be documented by resolution or in the minutes of the agency. The fact that an identified transit need cannot be fully met based on available resources shall not be the sole reason for finding that a transit need is not reasonable to meet. An agency's determination of needs that are reasonable to meet shall not be made by comparing unmet transit needs with the need for streets and roads.

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

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

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

<u>Attachment 4</u>

Senate Bill No. 203

CHAPTER 464

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

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

LEGISLATIVE COUNSEL'S DIGEST

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

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

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

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

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

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

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

SECTION 1.

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

SEC. 2.

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

99232.3.

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

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

SEC. 3.

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

Attachment 5
Assembly Bill No. 664

CHAPTER 503

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

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

LEGISLATIVE COUNSEL'S DIGEST

AB 664, Williams. Gold Coast Transit District.

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

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

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

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

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

SECTION 1.

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

PART 18. GOLD COAST TRANSIT DISTRICT

CHAPTER 1. GENERAL PROVISIONS

107000.

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

107001.

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

107002.

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

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

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

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

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

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

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

(g) “General manager” means the person defined in subdivision (d) of Section 107020.

(h) “Member” means the County of Ventura, the Cities of Oxnard, San Buenaventura (Ventura), Port Hueneme, and Ojai, and any other city within the County of Ventura that joins as a member of the district as set forth in this part. No person or entity of any kind that is not the county or a city in the county may be a member.

(i) “Transit” means the transportation of passengers and their incidental baggage.

(j) “Transit facilities” means any and all real and personal property, easements, licenses, equipment, facilities, rights, title, or interests owned or acquired by the district for transit services and the operation thereof.

(k) “Voter” means any elector who is registered under the Elections Code.

CHAPTER 2. FORMATION OF DISTRICT

107003.

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

107004.

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

107005.

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

107006.

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

107007.

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

107008.

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

107009.

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

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

Chapter 3. Government of the District

107010.

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

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

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

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

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

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

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

(1) Adopt an annual budget.

(2) Adopt an administrative code, by ordinance, which prescribes the powers and duties of the district officers, the method of appointment of the district employees, and the methods, procedures, and systems of operation and management of the district.

(3) Make determination of policy for the district.

(4) Adopt a conflict-of-interest code.

(5) Cause a postaudit of the financial transactions and records of the district to be made at least annually by a certified public accountant.

(6) Create and administer funds of the district.

(7) Adopt priorities reflecting the district’s goals.

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

Chapter 4. Meetings

107011.

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

107012.

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

107013.

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

107014.

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

CHAPTER 5. POWERS OF THE DISTRICT

107015.

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

(a) Adopt a seal and alter it at its pleasure.

(b) Enact ordinances, resolutions, policies, and guidelines.

(c) Employ agents and employees and contract for professional services.

(d) Make and enter into contracts and enter into stipulations of any nature whatsoever and do all acts necessary and convenient for the full exercise of the powers granted in this part for the operation of the district and transit services and facilities.

(e) Acquire, convey, construct, manage, maintain, and operate buildings and improvements, equipment, and assets of the district.

(f) Acquire, convey, and dispose of real and personal property, easements, and licenses.

(g) Adopt a conflict-of-interest code.

(h) Lease and sublease real and personal property, equipment, and facilities.

(i) Create and administer funds and the distribution of those funds.

(j) Create and enact taxes, fees, fares, and penalties, as permitted by law.

(k) Advocate on behalf of the district.

(*l*) Develop and pursue ballot measures.

(m) Enforce criminally or civilly, as applicable, any and all ordinances, resolutions, and policies as permitted by law.

(n) Create standing and ad hoc committees, as deemed necessary.

(o) Incur and encumber debts, obligations, and liabilities, including, but not limited to, bonds, notes, warrants, and other forms of indebtedness. However, the debts, obligations, and liabilities incurred by the district shall not be, nor shall they be deemed to be, debts, encumbrances, obligations, or liabilities of any member.

(p) Invest money in the district treasury that is not needed for immediate necessities, as the board determines advisable, in the same manner and upon the same conditions as other local entities in accordance with Section 53601 of the Government Code.

(q) Pursue collection of obligations owed to the district.

(r) Sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

(s) Exercise the right and power of eminent domain to take any property necessary or convenient to the exercise of the powers granted in this part.

(t) Subject to applicable law, provide transportation services or facilities outside the district’s jurisdictional boundaries provided a finding is made by the board that those services or facilities benefit the citizens or users of the transportation service or facilities.

(u) Do and undertake any and all other acts reasonable and necessary to carry out the purposes of this part.

107016.

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

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

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

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

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

107017.

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

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

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

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

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

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

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

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

107018.

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

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

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

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

(e) The district is a local agency within the meaning of the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code). The term “enterprise” as used in the Revenue Bond Law of 1941 shall, for all purposes of this part, include transit facilities and any and all parts thereof and all additions, extensions, and improvements thereto and all other facilities authorized acquired, constructed, or completed by the district. The district may issue revenue bonds under the Revenue Bond Law of 1941, for any one or more facilities or enterprises authorized to be acquired, constructed, or completed by the district, or, in the alternative, may issue revenue bonds under the Revenue Bond Law of 1941, for the acquisition, construction, and completion of any one of those facilities. Nothing in this part shall prevent the district from availing itself of, or making use of, any procedure provided in this part for the issuance of bonds of any type or character for any of the facilities or works authorized under this part, and all proceedings may be carried out simultaneously or, in the alternative, as the directors may determine.

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

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

107019.

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

107020.

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

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

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

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

107021.

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

107022.

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

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

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

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

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

CHAPTER 6. CLAIMS

107023.

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

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

(c) Pursuant to Section 935 of the Government Code, all claims against the district for money or damages that are excepted by Section 905 of the Government Code from the provisions of Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, and which are not governed by any other statutes or regulations expressly relating thereto, shall be governed by the procedures prescribed in this section, as follows:

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

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

CHAPTER 7. DETACHMENTS

107024.

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

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

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

CHAPTER 8. DISSOLUTION

107025.

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

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

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

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

SEC. 2.

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

Item #12

February 7, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: CITY OF VENTURA CONGESTION MITIGATION AND AIR QUALITY PROGRAM (CMAQ) FUNDING INCREASE

RECOMMENDATION:

- Approve $137,000 in CMAQ funds for the City of Ventura Sheridan Way Bike Path and Route 126 Bike Path projects, in lieu of local match committed by the City, contingent on the City awarding the California Street Pedestrian Improvement Project and shifting the $137,000 in local match funds to that project.

BACKGROUND:

The City of Ventura opened bids on the California Street Pedestrian Improvement project which is funded with $920,000 in Transportation Enhancement (TE) funds matched with $298,211 in local funds for a total of $1,218,000. However, based on the low bid the cost is now $1,896,774. As a result, there is a shortfall of approximately $679,000. VCTC has been working with the City to identify potential sources of additional funding, and City staff has identified an additional $250,000 of its own funds that it can commit to the project. Staff is continuing to work with the City to identify a strategy to address the remaining $292,000 shortfall.

VCTC currently has an unprogrammed balance of CMAQ funds available under MAP-21; however, Caltrans has ruled that this project is ineligible for CMAQ. Ventura currently has $137,000 in local funds committed to provide match to CMAQ funds for two other projects, so VCTC can use the toll credits policy to increase CMAQ funding for those two projects, allowing Ventura to shift its local funds to California Street. Staff recommends this programming change be approved, subject to the city successfully identifying the remaining funding and moving forward with the California Street project.

Based on California Transportation Commission (CTC) policy, the City must award the contract by April 30th or else the $920,000 in TE funds will be lost to the project and to the County. City staff is still considering rejecting bids and readvertising the project, however, staff recommends the Commission commit the $137,000 at this time given the uncertainty and the CTC deadline.

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Item #13

February 7, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: ELLEN TALBO, PROGRAM ANALYST

SUBJECT: APPROVE METROLINK POSITIVE TRAIN CONTROL COST INCREASE

RECOMMENDATION:

- Approve attached resolution requesting a Letter of No Prejudice (LONP) from Caltrans to allow reimbursement of $326,126 to the Southern California Regional Rail Authority (SCRRA) in pending Proposition 1B Transit Capital funding from the Metrolink apportionment.

- Approve in concept a loan with the Los Angeles County Metropolitan Transportation Authority (Metro) to advance up to $326,126 for the project pending state reimbursement, contingent upon approval of a future agreement to be negotiated and presented for Board approval.

BACKGROUND:

In September 2013, SCRRA staff announced a need for $5.4 million in additional funding to help deliver the Positive Train Control (PTC) program. The requested funding was needed to: 1) finalize the PTC subsystems including computer aided dispatch, back office, communication network and onboard systems; 2) integrate and test PTC in the field; and 3) obtain Federal Railroad Administration certification of the overall PTC system. Approximately $3 million of the $5.4 million would be used for staff support and the remaining $2.4 million would be used for replenishing contract contingencies.

This request represents only the second increase over the initial PTC program total of $201.6 million. In 2012 the base amount increased by $9.3 million which was funded from the Metrolink apportionment of Proposition 1B. Of this total, $5 million was assigned to the PTC facilities in Pomona and the balance went to fund development of PTC software related to geography based files for train stopping and the communications systems for tunnel wiring and dispatching. With approval of the recommended LONP, additional funding can be brought to the program, bringing the total to $216.3 million, a 2.5% increase over the previous total.

SCRRA has proposed using future Metrolink allocations of Prop 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) funds to cover the $5.4M request. The $5.4 million is currently assigned to the Sealed Corridor Program, without allocation to specific projects. The sealed corridor project scheduled to begin soon in Moorpark and Simi Valley is fully-funded from other sources and will not be affected by this recommendation.

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The $5.4M is subject to approval in future state budgets and future bond sales which may not coincide with the program's projected need to draw on these funds. Therefore, Metrolink has requested VCTC to advance its share, up to $326,126, in the event that the state funds are not available when needed. Caltrans requires VCTC and the other member agencies to submit their intent to advance the funds via a LONP to the State. The required resolution is provided in the attachment.

DISCUSSION:

The LONP, as required by the State, would need to state that the member agencies would provide the $5.4M in the event that the PTC program needed the funds before they were available from the State. VCTC and the other member agencies made a similar commitment at the start of the PTC program, with a side agreement also made between VCTC and Metro for Metro to front the VCTC share should the state funds be delayed. Since the state funds were received by SCRRA before required for the PTC project cash flow, the potential loan by Metro on VCTC's behalf never occurred.

Funding previously recommended for future Sealed Corridor improvements would be provided over three years from Metrolink's apportionment from the Proposition 1B Transit Capital program. Below is how the funds were programmed to the Sealed Corridor project as approved by member agencies in 2011:

Agency	FY 15	FY 16	FY 17	Total
LA Metro	$2,04800	$1,024,000	$1,024,000	$4,096,000
SANBAG	$515,424	$257,712	$257,712	$1,030,848
VCTC	$163,068	$81,534	$81,534	$326,136

To provide the needed share for the $5.4 million shortfall, VCTC would enter into a borrowing agreement with Metro in the amount of $326,126 including interest. Interest would be determined as provided in the agreement and is estimated to be less than $1,000 because the state funding is likely to come no more than a few months after the beginning of FY 2014/15. Therefore, VCTC's FY 14/15 Budget will include the estimated interest for the loan with Metro.

Approval of the resolution provided in the attachment would allow staff to proceed with drafting an agreement with Metro and submit the request to Caltrans for a LONP. Staff will return to the Board in a few months to request the Board's approval of terms of the agreement with Metro.

ATTACHMENT

RESOLUTION NO. 2014-03

A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION AUTHORIZATING A LETTER OF NO PREJUDICE FOR FUTURE PUBLIC TRANSPORTATION, MODERNIZATION, AND SERVICE ENHANCEMENT ACCOUNT ALLOCATIONS IN SUPPORT OF THE SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY'S POSITIVE TRAIN CONTROL PROGRAM

WHEREAS, the Positive Train Control (PTC) program is a priority for the Southern California Regional Rail Authority (SCRRA) and its member agencies; and

WHEREAS, the program requires $5.4 million in future Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) funds allocated to SCRRA that require member agency approval; and

WHEREAS, VCTC's portion of the $5.4 million is $326,126.00 and VCTC is committed to ensuring the funds are available for the PTC program when needed which is projected to be as soon as soon as June 2014; and

WHEREAS, the $5.4 million is subject to inclusion in approved state budgets and future bond sales which may not coincide with the program's projected need to draw on these funds; and

WHEREAS, VCTC is willing to advance its share, up to its $326,126 in the event that the state funds are not available when needed; and

WHEREAS, VCTC is required to submit its intent to advance the funds via a letter to the State which is authorized to either approve or deny the agency's request;

NOW, THEREFORE, BE IT RESOLVED THAT THE VENTURA COUNTY TRANSPORTATION COMMISSION:

1. Authorizes submittal of a letter of no prejudice to the State committing to advance up to $326,126.00 to SCRRA for implementation of the PTC program under the conditions described herein.

PASSED AND ADOPTED by the Ventura County Transportation Commission at its regular meeting this 7th day of February, 2014.

____
Ralph Fernandez, Chair

ATTEST:

____
Donna Cole, Clerk

APPROVED AS TO FORM:

____
Steven Mattas, General Counsel

ATTESTATION

I, Donna Cole, Clerk of the Commission, hereby certify that the foregoing Resolution was adopted by the Ventura County Transportation Commission at a regularly scheduled meeting held on February 7, 2014, upon the motion of Commissioner _________________________, seconded by Commissioner _______________________ and adopted on the following vote of the Commission:

Ayes:

Nays:

Absent:

Dated: February 7, 2014 ___________________________________

Donna Cole, Clerk of the Board