VENTURA COUNTY TRANSPORTATION COMMISSION

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

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AGENDA*

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

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, FEBRUARY 5, 2016
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 8, 2016 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.BICYCLE WAYFINDING PROJECT UPDATE – PG. 21
Recommended Action:
Receive and File
Responsible Staff: Richard Holzer

9E. TRANSPORTATON DEVELOMENT ACT (TDA) AUDITS FOR FISCAL YEAR 2014/2015 – PG.23
Recommended Action:
Receive and File
Responsible Staff: Sally DeGeorge

9F. 2017 FEDERAL TRANSPORTATION IMPROVEMENT PLAN (FTIP) FINANCIAL RESOLUTION – PG.25

Recommended Action:
Adopt Resolution 2016-02 certifying that there are sufficient financial resources to fund projects in the 2017 Federal Transportation Improvement Program (FTIP).
Responsible Staff: Judith Jonduff

9G. SUBRECIPEINT AGREEMENTS FOR DEFERAL TRANSIT ADMINISTRATION (FTA) FUNDS– PG.29

Recommended Action:
Approve agreements with the (1) Ventura Transit System, Inc. to receive $220,000 in FTA Section 5310 funds for purchase of accessible taxicabs; and (2) California Vanpool Authority (CalVans) to receive $25,000 in Section 5307 Jobs Access and Reverse Commute (JARC) funds.
Responsible Staff: Peter De Haan

9H. LEGISLATIVE UPDATE – PG.47

Recommended Action:
Receive and File
Responsible Staff: Peter De Haan

10. TRANSPORTATION DEVELOPMENT ACT (TDA), LOCAL TRANSPORTATION FUND (LTF), DRAFT APPORTIONMENT FOR FISCAL YEAR 2016/2017 – PG. 55

Recommended Action:
Approve the Local Transportation Fund Draft Apportionment for Fiscal Year 2016/2017 apportioning $34.1 million as shown in Attachment 1.
Responsible Staff: Sally DeGeorge

11. SCAG PRESENTATION – RTP/SCS – PG.61

Recommended Action:
Receive a presentation from the Southern California Association of Governments (SCAG) on the 2016 - 2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).
Responsible Staff: Steve DeGeorge

12. VCTC GENERAL COUNSEL'S REPORT

13. AGENCY REPORTS

14. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9

15. ADJOURN to 9:00 a.m. Friday, March 4, 2016

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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 8, 2016
9:00 AM

MEMBERS PRESENT:
Peter Foy, County of Ventura, Chair
Keith Millhouse, City of Moorpark, Vice Chair
Steve Bennett, County of Ventura
Claudia Bill-de la Peña, City of Thousand Oaks
Douglas Breeze, City of Port Hueneme
Ginger Gherardi, City of Santa Paula
Brian Humphrey, Citizen Rep.,Cities
Kathy Long, County of Ventura
Bryan MacDonald, City of Oxnard
Carl Morehouse, City of San Buenaventura
Linda Parks, County of Ventura
Steve Sojka, city of Simi Calley
Jim White, Citizen Rep, County
John Zaragoza, County of Ventura
Carrie Bowen, Caltrans District 7

ABSENT:
Betsy Clapp, City of Ojai
Bill Little, City of Camarillo
Manuel Minjares, City of Fillmore

CALL TO ORDER

PLEDGE OF ALLGIANCE

ROLL CALL

PUBLIC COMMENTS FOR THOSE ITEMS NOT LISTED ON THIS AGENDA
Ryan Stern, Santa Clara River Railroad Historical Society/F&W Volunteer
Thanked VCTC for awarding a bridge inspection contract for the Santa Paula Branch Line. He is encouraged by VCTC's commitment to maintenance and is hopeful there will be a way to work with Fillmore and Western to keep it going. There was a great turnout for the holiday trains. Many families asked what they could do to help keep the train running.

CALTRANS REPORT -
Carrie Bowen reported Caltrans has been very busy with the damage to 101 caused by the recent Solimar fire and storms. They worked closely with local fire departments and CHP on the 101 closure. There was a huge amount of mud and water in the burn area. K Rail was brought in to help prevent additional mud flow. Work was done around the clock at a cost of $2.5 million to restore service.

Caltrans will hold a 126 project scoping meeting in Fillmore on January 27 and on Feb 3 in Santa Paula.

EXECUTIVE DIRECTOR REPORT -

Unmet Transit Needs Training Session and Hearing Process - Later this month we start our annual unmet transit needs process. The Commission approved the schedule last month, and the Chair is appointing a hearing board for the February 8th 1:30-3:30 public meeting here at the Camarillo City Hall (any volunteers?). This year we are going to try some different public outreach methods during the unmet needs process. In the past we have held listening sessions at three locations throughout the county, this year we will have three "interactive forums" where people can show us their needs on a map and solicit feedback through a web & written survey. Also, we are welcoming people to solicit feedback on other transportation needs at the forums, but the forums will be formatted in a way so that feedback is held consistent with the unmet needs process. The interactive forums will be at Moorpark City Hall on January 25th from 6 to 7:30 pm, at the Santa Paula Community Center on January 26th from 6 to 7:30 pm, and at the Oxnard Transportation Center on January 28th from 6 to 7:30 pm. Commissioners are encouraged to attend these forums should your schedules permit.
Commissioners Humphrey, White and Parks will serve on the Unmet Needs Hearing Board

VCTC Chair and Vice Chair – As a reminder, the February Commission meeting is when the current seated 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 Commissioner from a City.

Changes planned for Valley Express - Later this month the Valley Express bus service will be experiencing a handful of new and exciting changes, with a schedule change planned effective January 18, 2016. Those changes include: new route for the City of Fillmore that is planned to address requests for additional/expanded service to residential and shopping destinations; expanded service between Fillmore and Piru on the weekends; and, expansion of the Dial-a-Ride program, to provide additional services to seniors throughout each of the communities. In addition, a modest cash fare increase that was previously planned will take effect, which will help address potential farebox recovery issues down the line. Information regarding service changes will disseminated over the next few days, and new bus stop equipment will be installed where needed middle part of next week.

Metrolink Station to Station Fares - There are some additional noteworthy tidbits that didn't make it into the monthly rail passenger report due to the production & timing of getting the agenda packet out before the holidays. First, on January 1st Metrolink lowered its one-way fares for travel between stations. Prior to 2016, the regular fare was at least $6.25 for people wanting to ride between stations. Now, the regular fare is $3.00 and $1.50 for seniors to ride between up to two stations. The fare change was approved by the Metrolink Board in October as it was designed to increase ridership by encouraging local trips using Metrolink as an additional transportation option.

Metrolink Ticket Vending Machines - In other Metrolink news, there has been an ongoing effort since last summer to evaluate replacement options for the ticket vending machines. The first half of this effort has resulted in their shift toward mobile ticketing, which is currently in a pilot phase in Riverside County, and scheduled to launch system-wide by September 2016. The second half of the effort will be deciding whether to sell tickets through traditional ticket vending machines – or through something more accessible to people such as a retail location such as a Vons or CVS. Metrolink and VCTC staff met this week to discuss options for replacing the ticket vending machines in Ventura County, but also to discuss opportunities that can be leveraged so that our bus patrons throughout the county can benefit from mobile ticketing.

VCTC Intercity Buses Get Cameras and Wifi - Speaking of buses, we are currently in the midst of installing cameras and wifi equipment on the buses. By the end of January ALL VCTC buses will be equipped with upgraded equipment that will improve the availability and consistency of on-board WiFi, and while we've heard from some of our customers who experienced technical difficulties over the past few weeks, we'd like to thank them for their patience while we upgrade our fleet to give them a better and more secure travel experience.

COMMISSIONER'S REPORTS
Commissioners Morehouse and Millhouse reported on the recent 6th Annual SCAG Economic Summit. The good news is Ventura County has replaced all the jobs lost during the recession, however those jobs are not necessary the same quality or caliber of those that were lost. Ventura faces a number of challenges regarding agriculture and water issues, pesticides, housing, land use restrictions, and the fact that it is a commuter economy where many leave to get work.

ADDITIONS/REVISIONS – ***None***

CONSENT CALENDAR
Commissioner Sojka made a motion to approve all items as recommended on the Consent Calendar. The motion was seconded by Commissioner Zaragoza and passed by a unanimous roll call vote.

8A. APPROVE SUMMARY FROM DECEMBER 4, 2015 VCTC MEETING – *Approve*

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

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

8D. ALLOCATION OF FISCAL YEAR 2015/16 CAP-AND-TRADE FUNDS
- *Program $801,097 of VCTC's FY 2015/16 Cap-and-Trade operations apportionment to the Oxnard/Camarillo VCTC Intercity Bus Service Project.*
- *Adopt Resolution 2016-01 in Attachment A authorizing the Executive Director to execute all required documents to receive VCTC's FY 2015/16 cap-and-trade transit operations apportionment for the Oxnard/Camarillo VCTC intercity Bus Service project.*
- *Reserve the remainder $82,826 in FY 2015/16 LCTOP Funds for a SCRRA project to be determined at a later date.*

8E. REVISION TO PROPOSITION 1B TRANSIT CAPITAL PROGRAM –

- *Approve reprogramming City of Thousand Oaks Proposition 1B Transit Capital Fund project balances totaling $15,991 along with any accrued interest to purchase a new transit support vehicle for the City of Thousand Oaks.*
- *Approve reprogramming up to $7,728 of available funding from the Proposition 1B Heritage Valley Bus Purchase project for engine replacement for a Camarillo Healthcare District vehicle, and approve the attached Proposition 1B Subrecipient Agreement with the Camarillo Health Care District.*
- *Amend the VCTC budget to transfer $7,728 of Proposition 1B revenues from the Valley Express Bus Purchase line item to the Transit Grant Administration Pass-Through item.*

8F. HERITAGE VALLEY TRANSIT SERVICE MARKETING AND COMMUNITY OUTREACH PROGRAM CONTRACT AMENDMENT- *Authorize the Executive Director to execute the draft Contract Amendment No. 1 with Moore & Associates, the Heritage Valley Transit Service Marketing and Community Outreach Program contractor, to increase the FY 2015/16 Marketing budget from $50,000, by $35,000, for a total contract cost not to exceed $85,000.*

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

8H. VENTURA COUNTY COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLAN 2016 REVISION, REQUEST FOR QUALIFICATIONS- *Approve and issue the attached draft RFQ for updating the Coordinated Human Services Transportation Plan.*

9. <u>OXNARD HARBOR DISTRICT QUARTERLY UPDATE</u> –
Kristin Decas reported that the Port brings in $69 million in state and local tax revenues. There was a 54% increase in cargo activity, and also increases in agriculture commodities. A close working relationship with local growers has resulted in an increase in exports. The Maritime industry is rapidly changing and there is a plan to deepen the port to 40 feet to accommodate larger ships. Federal funding of $7 million, along with a match from the port will pay for the deepening project, while a TIGER grant of $12.3 million will go toward strengthening the structural integrity for the deepening.

Commissioner Long made a motion to receive and file the update. The motion was seconded by Commissioner Morehouse and passed unanimously

10. <u>2016 LEGISLATIVE PROGRAM AND LEGISLATIVE UPDATE</u>
Commissioner Millhouse made a motion to receive and file the update. The motion was seconded by Commissioner Morehouse and passed unanimously.

11. <u>CONGESTION MITIGATION AND AIR QUALITY PROJECT SHELF LIST PROJECTS</u>
Commissioner Gherardi made a motion to approve programming $11,358,524 for the attached previously-adopted shelf list of CMAQ projects. The motion as seconded by Commissioner Millhouse and passed by a unanimous roll call vote.

12. <u>VCTC OFFICE BUILDING UPDATE</u>
Commissioner Sojka made a motion to receive and file the update. The motion as seconded by Commissioner Long and passed unanimously.

13 <u>TRANSPORTATION REVENUE MEASURE AD HOC COMMITTEE STATUS REPORT</u> –
Commissioner Bennett made a motion to make a request to all city councils to place this presentation on an agenda no later than mid-March. The motion was seconded by Commissioner Long and passed by the following roll call vote:
Yes: *Commissioners Long, MacDonald, Millhouse, Morehouse, Gherardi, Zaragoza, Sojka, Humphrey, White Breeze, Parks, Bill de la Peña, Foy*
No: *None*
Abstain *None*
Absent*: Commissioners Bennett, Clapp, Little, Minjares*

14. VCTC GENERAL COUNSEL'S REPORT

15. AGENCY REPORTS

16. CLOSED SESSION – ***No Report From Closed Session***
CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9

17. ADJOURN to 9:00 a.m. Friday, February 5, 2016

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Item # 9B

February 5, 2015

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 2015

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 2015 budget reports indicate that revenues were approximately 32.34% of the adopted budget while expenditures were approximately 36.12% of the adopted budget. The revenues and expenditures are as expected. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on a percentage or monthly basis. Furthermore, revenues are often billed and reimbursed in arrears.

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

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

VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF DECEMBER 31, 2015

ASSETS

Assets:	
Cash and Investments - Wells Fargo Bank	$ 4,018,825
Cash and Investments - County Treasury	21,926,183
Petty Cash	130
Receivables/Due from other funds	3,763,153
Prepaid Expenditures	296,556
Deposits	15,064
Capital Assets, undepreciated	25,938,653
Capital Assets, depreciated, net	33,505,489
Total Assets:	**$89,464,053**

LIABILITIES AND FUND BALANCE

Liabilities:	
Accrued Expenses/Due to other funds	$ 5,529,874
Deferred Revenue	2,159,918
Deposits	400
Total Liabilities:	**$ 7,690,192**
Net Position:	
Invested in Capital Assets	$59,444,142
Fund Balance	22,329,719
Total Net Position	**$81,773,861**
Total Liabilities and Fund Balance:	**$89,464,053**

VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE SIX MONTHS ENDING DECEMBER 31, 2015

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Revenues								
Federal Revenues	$ 2,568,218	$ 0	$ 0	$ 0	$ 2,568,218	$ 11,823,199	(9,254,981)	21.72
State Revenues	1,839,598	12,128,708	0	258,069	14,226,375	43,881,543	(29,655,168)	32.42
Local Revenues	2,611,210	0	0	558	2,611,768	4,296,142	(1,684,374)	60.79
Other Revenues	3,756	0	0	0	3,756	0	3,756	0.00
Interest	158	4,684	9,882	3,884	18,608	82,000	(63,392)	22.69
Total Revenues	**7,022,940**	**12,133,392**	**9,882**	**262,511**	**19,428,725**	**60,082,884**	**(40,654,159)**	**32.34**
Expenditures								
Administration								
Personnel Expenditures	1,151,338	0	0	0	1,151,338	3,110,900	(1,959,562)	37.01
Legal Services	8,878	0	0	0	8,878	25,000	(16,122)	35.51
Professional Services	70,328	0	0	0	70,328	133,000	(62,672)	52.88
Office Leases	76,567	0	0	0	76,567	152,200	(75,633)	50.31
Office Expenditures	256,140	0	0	0	256,140	443,000	(186,860)	57.82
Total Administration	**1,563,251**	**0**	**0**	**0**	**1,563,251**	**3,864,100**	**(2,300,849)**	**40.46**
Programs and Projects								
Transit & Transportation Program								
Senior-Disabled Transportation	63,086	0	0	0	63,086	219,000	(155,914)	28.81
Fare Collection APC Systems	218,963	0	0	0	218,963	737,600	(518,637)	29.69
VCTC Interciy Bus Service	4,261,628	0	0	0	4,261,628	8,231,049	(3,969,421)	51.78
HVT Bus Contract Services	1,109,644	0	0	0	1,109,644	2,292,840	(1,183,196)	48.40
Nextbus	7,610	0	0	0	7,610	305,400	(297,790)	2.49
Transit Grant Administration	1,656,309	0	0	0	1,656,309	7,442,300	(5,785,991)	22.26
Total Transit & Transportation	**7,317,240**	**0**	**0**	**0**	**7,317,240**	**19,228,189**	**(11,910,949)**	**38.05**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Highway Program								
Motorist Aid Call Box System	0	0	0	540,940	540,940	993,000	(452,060)	54.48
Highway Project Management	143	0	0	0	143	852,300	(852,157)	0.02
SpeedInfo Highway Speed Sensor	0	0	0	56,400	56,400	144,000	(87,600)	39.17
Total Highway	**143**	**0**	**0**	**597,340**	**597,483**	**1,989,300**	**(1,391,817)**	**30.03**
Rail Program								
Metrolink & Commuter Rail	2,617,657	0	0	0	2,617,657	5,739,467	(3,121,810)	45.61
LOSSAN & Coastal Rail	691	0	0	0	691	3,300	(2,609)	20.94
Santa Paula Branch Line	238,071	0	0	0	238,071	1,113,090	(875,019)	21.39
Total Rail	**2,856,419**	**0**	**0**	**0**	**2,856,419**	**6,855,857**	**(3,999,438)**	**41.66**
Commuter Assistance Program								
Transit Information Center	1,201	0	0	0	1,201	5,500	(4,299)	21.84
Rideshare Programs	10,239	0	0	0	10,239	83,100	(72,861)	12.32
Total Commuter Assistance	**11,440**	**0**	**0**	**0**	**11,440**	**88,600**	**(77,160)**	**12.91**
Planning & Programming								
Transportation Development Act	169,395	11,494,025	0	0	11,663,420	30,716,006	(19,052,586)	37.97
Transportation Improvement Program	9,836	0	0	0	9,836	58,350	(48,514)	16.86
Regional Transportation Planning	63,525	0	0	0	63,525	894,800	(831,275)	7.10
Airport Land Use Commission	1,151	0	0	0	1,151	100,580	(99,429)	1.14
Regional Transit Planning	4,890	0	0	0	4,890	104,700	(99,810)	4.67
Freight Movement	89	0	0	0	89	12,500	(12,411)	0.71
Total Planning & Programming	**248,886**	**11,494,025**	**0**	**0**	**11,742,911**	**31,886,936**	**(20,144,025)**	**36.83**
General Government								
Community Outreach & Marketing	374,970	0	0	0	374,970	590,800	(215,830)	63.47
State & Federal Relations	53,115	0	0	0	53,115	98,600	(45,485)	53.87
Management & Administration	17,860	0	0	0	17,860	71,500	(53,640)	24.98
Office Building Purchase	97,373	0	0	0	97,373	3,522,000	(3,424,627)	2.76
Total General Government	**543,318**	**0**	**0**	**0**	**543,318**	**4,282,900**	**(3,739,582)**	**12.69**
Total Expenditures	**12,540,697**	**11,494,025**	**0**	**597,340**	**24,632,062**	**68,195,882**	**(43,563,820)**	**36.12**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)
Revenues over (under) expenditures	**(5,517,757)**	**639,367**	**9,882**	**(334,829)**	**(5,203,337)**	**(8,112,998)**	**2,909,661**
Other Financing Sources							
Transfers Into GF from LTF	2,526,862	0	0	0	2,526,862	4,473,180	(1,946,318)
Transfers Into GF from STA	3,538,248	0	0	0	3,538,248	9,450,951	(5,912,703)
Transfers Into GF from SAFE	1,348	0	0	0	1,348	21,500	(20,152)
Transfers Out LTF Art 3	0	(2,526,862)	0	0	(2,526,862)	(4,473,180)	1,946,318
Transfers Out of STA into GF	0	0	(3,538,248)	0	(3,538,248)	(9,450,951)	5,912,703
Transfers Out of SAFE into GF	0	0	0	(1,348)	(1,348)	(21,500)	20,152
Total Other Financing Sources	**6,066,458**	**(2,526,862)**	**(3,538,248)**	**(1,348)**	**0**	**0**	**0**
Net Change in Fund Balances	**548,701**	**(1,887,495)**	**(3,528,366)**	**(336,177)**	**(5,203,337)**	**(8,112,998)**	**2,909,661**
Beginning Fund Balance	**3,537,313**	**8,009,206**	**11,902,365**	**4,084,172**	**27,533,056**	**23,834,920**	**3,698,136**
Ending Fund Balance	**$ 4,086,014**	**$6,121,711**	**$8,373,999**	**$3,747,995**	**$22,329,719**	**$15,721,922**	**$ 6,607,797**

VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF DECEMBER 31, 2015

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	$321.04	0.01%	$ 4,018,825.50
County of Ventura	Treasury Pool	N/A	$18,432.85	0.42%	$21,940,184.28
Total			**$18,753.89**		**$25,959,009.78**

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

The Commission's checking accounts for the General Fund are swept daily into a money market account. The interest earnings are deposited the following day. The first $250,000 of the combined deposit balance is federally insured and the remaining balance is collateralized by Wells Fargo Bank. A portion of interest earned in the General Fund is for Proposition 1B funds and is reclassified and is not shown as General Fund interest in the Statement of Revenues, Expenditures and Changes in Fund Balance.

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

Item #9C

February 5, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: ELLEN TALBO, TRANSIT PLANNING MANAGER

SUBJECT: PASSENGER RAIL UPDATE

RECOMMENDATION:

- Receive and file.

BACKGROUND:

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

DISCUSSION:

Ridership & On-Time Performance (OTP)

During the month of November, ridership on the Metrolink Ventura County Line averaged 3,289 total boardings per weekday (inbound and outbound) resulting in a year over year decrease of 8.5% on the line. Systemwide ridership experienced a year over year decrease of 3.9%. Monthly ridership statistics for the month of December 2015 are provided in the attachment for reference. On-time performance data (which denotes trains arriving within five minutes of scheduled time) for the month of December was 96.1% indicating a 5.8% increase from the previous month. With the increase in OTP, it isn't likely that mechanical failures were a cause of the decreased ridership. Regional gas prices declined between August to December which may have contributed to declining ridership during the month. Monthly vehicle miles of travel reported by Caltrans was not available for December to determine if overall travel trends declined during this period however staff continues to track if the declining ridership trends are consistent with trends in regional travel demand.

Board & TAC Updates

Metrolink

In January,the Federal Railroad Administration (FRA) granted SCRRA Interim Approval to operate the leased BNSF locomotives pending conditional approval of Metrolink's waiver request. The locomotives will be allowed to operate with Positive Train Control (PTC) enabled, at a maximum speed of 70mph without Automatic Train Stop (ATS) equipment. In the meantime, the cab cars can be modified to correct a fleet-wide safety issue. As a condition of interim approval, Metrolink must provide FRA with the start and end dates of the BNSF lease and a schedule for repairs/modification of the cab cars. A schedule will be presented to staff and the Board in the coming months.

LOSSAN

LOSSAN exeucutive staff has been in discussions with Metrolink management staff to review and discuss analysis of the Rail2Rail (R2R) Program. The R2R program allows monthly Metrolink pass holders in Ventura, Los Angeles and Orange Counties to use their pass on Pacific Surfliner specific commuter-hour trains. LOSSAN staff reached general consensus on the majority of the data points necessary to evaluate the program, including the average number of monthly riders, cost per passenger mile and cost per operating mile for the Pacific Surfliner. These data points are key in the on-going discussion and efforts to negotiate a continuance of the R2R Program. LOSSAN staff also agreed that a long-term agreement should include a flat rate for annual reimbursement. Based on the analysis to date and this meeting, the current LOSSAN proposal is a flat rate reimbursement calculated from the average number of boardings per month and the LOSSAN Board of Directors (Board) directed reimbursement rate, for a period of five months from February 1, 2016 to June 30, 2016. A separate update will be provided to Commission in the next agenda.

December 2015 Metrolink Ridership

AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)
DECEMBER 2015 vs. NOVEMBER 2015 (MONTH OVER MONTH)

MO/YR	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA (weekday)
Dec-15	3,289	37,897	138
Nov-15	3,632	41,552	195
Change	*-9.44%*	*-8.84%*	*-29.23%*

AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)
DECEMBER 2015 vs. DECEMBER 2014 (YEAR OVER YEAR)

MO/YR	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA (weekday)
Dec-15	3,289	37,897	138
Dec-14	3,598	39,420	168
Change	*-8.5%*	*-3.9%*	*-17.8%*

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

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Average Daily Metrolink Monthly Passholders on Amtrak (weekday)
15-Dec	3,289	1,699	37,879	138
14-Dec	3,598	1,833	39,420	168
13-Dec	3,207	1,528	38,138	140
12-Dec	3,533	1,838	39,109	192
11-Dec	3,580	1,741	39,035	254

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Item # 9D

February 5, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: RICHARD HOLZER, PLANNING ANALYST

SUBJECT: BIKE WAYFINDING PROJECT UPDATE

RECOMMENDATION:

- Receive and file.

DISCUSSION:

VCTC entered into a contract with Alta Planning + Design in September to design and prioritize bike routes and wayfinding infrastructure throughout the county. After meeting with TTAC and the oversight committee, VCTC began its public outreach campaign in December 2015. The outreach included a survey and bike WikiMap, an interactive web map where the public can login and draw routes they frequent and points for major destinations.

The outreach has been highly successful with over 238 unique logins to the WikiMap and 569 different comments. Fifteen different GPS routes were uploaded and subsequently added to the map. Sixty-three participants have taken the survey – of these participants, over 70 percent agree that a wayfinding infrastructure would encourage them to take more trips by bicycle. Almost 30 percent of respondents use bicycles mainly to commute to work while 60 percent mostly ride recreationally. Many expressed that locating routes in an unfamiliar area is a common problem.

The public comment period ends January 31, 2016. Alta will be processing this data and working with the oversight committee to design preliminary routes throughout February. In March, staff will bring the preliminary results to the commission for review and comment. Bike rides with local bike groups will occur later in March to “truth” the routes and ensure each route is safe and viable. The project is on track to release the draft plan in the spring and a final draft this summer.

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Item #9E

February 5, 2016

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **SALLY DEGEORGE, FINANCE DIRECTOR**

SUBJECT: **TRANSPORTATION DEVELOPMENT ACT (TDA) AUDITS FOR FISCAL YEAR 2014/2015**

RECOMMENDATION:

- Receive and file the Transportation Development Act (TDA) Audits for Fiscal Year 2014/2015

BACKGROUND:

The Ventura County Transportation Commission (VCTC) is the Regional Transportation Planning Agency (RTPA) for Ventura County. As the RTPA, the Commission is responsible for authorizing Transportation Development Act (TDA) funding to local agencies. The Commission is also responsible for ensuring that an annual fiscal audit is conducted for all TDA claimants and Proposition 1B Public Transportation, Modernization, Improvement, and Service Enhancement Account (PTMISEA) and Low Carbon Transit Operation Program (LCTOP) recipients to ensure program compliance. State law requires that the TDA and Proposition 1B PTMISEA and LCTOP fiscal audits be submitted to the State Controller's Office and the Regional Transportation Planning Agency within six months of the close of each fiscal year (unless a 90-day extension is granted).

DISCUSSION:

In July 2014, the Commission contracted with Conrad, LLP to perform the TDA, Proposition 1B and LCTOP audits for all TDA claimants except the Gold Coast Transit District (GCTD) who has its TDA audit performed in conjunction with its CAFR by the Pun Group. All audits received an audit opinion that "the financial statements were presented fairly in all material respects." The audits were completed and filed on-time with the State Controller's Office with the exception of the GCTD audit which was delayed.

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

City of Camarillo – Article 3 and Article 8a
City of Fillmore - Article 3, Article 8a and Article 8c
City of Moorpark - Article 3, Article 8a, Article 8c, and Proposition 1B
City of Ojai - Article 3, Article 8a, Article 8c, and Proposition 1B
City of Oxnard - Article 3, Article 8a and Article 8c
City of Port Hueneme - Article 3 and Article 8a
City of San Buenaventura - Article 3, Article 8a and Article 8c
City of Santa Paula - Article 3, Article 8a and Article 8c
City of Simi Valley - Article 3, Article 4, Article 8a and Proposition 1B
City of Thousand Oaks - Article 3, Article 8a, Article 8c/4, and Proposition 1B
County of Ventura – Article 3, Article 8a and Article 8c
VCTC - Article 3, Article 8c, Article 6.5 and Proposition 1B, LCTOP
Gold Coast Transit – Article 4 and Proposition 1B

These reports are available upon request or can be found on the Commission's website, www.goventura.org, as agenda attachments.

Item # 9F

February 5, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: JUDITH JOHNDUFF, PROGRAMMING ANALYST

SUBJECT: 2017 (FY 2016/17 – FY 2021/22) FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP) FINANCIAL RESOLUTION

RECOMMENDATION:

- Adopt attached resolution 2016-02 certifying that there are sufficient financial resources to fund projects in the 2017 Federal Transportation Improvement Program (FTIP).

BACKGROUND:

Federal law requires that federally-funded transportation projects, as well as regionally-significant projects funded with state and local funds be included in an adopted Federal Transportation Improvement Program (FTIP). The FTIP is required to be updated every two years and lists projects that are scheduled for implementation within the next four years. The Southern California Association of Governments (SCAG) adopts the FTIP based upon input from each of the six county transportation commissions within the SCAG region. The SCAG 2017 TIP will cover a 6-year period from October 1, 2016 (FY 2016/17) through September 30th of 2022 (FY 2021/22).

The FTIP is required to be financially constrained by year. This means that the amount of funding devoted to projects must not exceed the amount of estimated funding available. Only projects listed in the FTIP are eligible to receive federal transportation funding. Accordingly, VCTC is required to adopt a resolution certifying that sufficient resources are expected to be available for projects programmed in Ventura County.

As with the previous cycle, the Ventura County portion of the 2017 FTIP includes all of the following projects:

- Congestion Management and Air Quality (CMAQ) and Surface Transportation Program (STP): The FTIP includes carryover CMAQ projects programmed under the prior calls for projects and STP projects programmed under the Commission's programming policies. The FTIP will be amended in the future to incorporate the results of any future programmed 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 2015/16, 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 2017 FTIP includes updated listings for projects.

- Active Transportation Program (ATP): The FTIP includes carryover ATP projects programmed under the prior calls for projects. The FTIP will be amended in the future to incorporate future calls for projects.

- 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 A

RESOLUTION NO. 2016-02

A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION WHICH CERTIFIES THAT VENTURA COUNTY HAS THE RESOURCES TO FUND THE PROJECTS IN THE FFY 2016/17 – 2021/22 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 Fixing America's Surface Transportation Act (FAST Act) requires SCAG to adopt a regional transportation improvement program for the metropolitan planning area; and

WHEREAS, the FAST Act 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 2016/17-2021/22 Ventura County Transportation Improvement Program with funding for FFY 2016/17 and 2017/18 available and committed, and reasonably committed for fiscal years 2018/19 through 2021/22.

NOW, THEREFORE, BE IT RESOLVED by the Ventura County Transportation Commission that it affirms its continuing commitment to the projects in the FY 2016/17 – 2021/22 Ventura County Transportation Improvement Program (TIP); and

BE IT FURTHER RESOLVED, that the FY 2016/17-2021/22 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 2016/17 – 2021/22 Ventura County TIP are consistent with the proposed 2016 State Transportation Improvement Program that is scheduled to be approved by the California Transportation Commission in April 2016; 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 2016/17 – 2021/22 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 the FAST Act Guaranteed Funding levels.

PASSED, APPROVED AND ADOPTED this 5th day of February, 2016.

____
Keith Millhouse, Chair

ATTEST:

____
Donna Cole, Clerk

APPROVED AS TO FORM:

____
Steven Mattas, General Counsel

Item #9G

February 5, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: SUBRECIPIENT AGREEMENTS FOR FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDS

RECOMMENDATION:

- Approve the attached agreements with the (1) Ventura Transit System, Inc. to receive $220,000 in FTA Section 5310 funds for purchase of accessible taxicabs; and (2) California Vanpool Authority (CalVans) to receive $25,000 in Section 5307 Jobs Access and Reverse Commute (JARC) funds.

BACKGROUND:

At the January 9, 2015 meeting, the Commission selected projects for the FTA Section 5310 and Section 5307 JARC programs. As required by law, the projects were selected through an open, competitive process, with a call for projects having been released on October 3, 2014, and applications being due on November 25, 2014. As part of this action, the Commission approved $220,000 in Section 5310 for Ventura Transit System, Inc. (VTS), for the purchase of accessible taxicabs; and $25,000 in JARC funds for the CalVans vanpool program, specifically to provide user vouchers to encourage new vanpool formation.

Since FTA has now approved the funding for these projects, they are ready to move forward. Staff therefore recommends the Commission approve the attached Cooperative Agreements with the two entities. Under this agreement, the subrecipients will provide the required local match (20% for Ventura Transit Systems and 50% for CalVans), as committed in the project applications.

ATTACHMENT A

COOPERATIVE AGREEMENT

BETWEEN

VENTURA COUNTY TRANSPORTATION COMMISSION

AND

VENTURA TRANSIT SYSTEM, INCORPORATED

THIS AGREEMENT is entered into between Ventura County Transportation Commission (hereinafter referred to as VCTC) and Ventura Transit System, Incorporated (hereinafter referred to as VTS) regarding the administration of the Department of Transportation (DOT) and Federal Transit Administration (FTA) funds for use in the purchase of vehicles for public transit service by VTS.

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

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

WHEREAS, VTS is a private for-profit provider of shared-ride public transit service and is therefore an eligible organization for FTA reimbursement funds for transit projects; and,

WHEREAS, VCTC authorized VCTC staff to apply for FTA funds on behalf of public transit operators including VTS, with the provision that the local match funds be provided by the transit operators; and

WHEREAS, it is the intention of VCTC to enter into this Cooperative Agreement with the VTS regarding the administration of FTA funds for Fiscal Year 2014/15 FTA Section 5310 funds, as a mutually acceptable agreement is a pre-condition of acceptance of funding;

NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:

I. FUNDING/PROGRAM MANAGEMENT

1. Assignments of Participants: VCTC hereby agrees to engage VTS and VTS hereby agrees to carry out the work to purchase eight (8) wheelchair accessible taxicab vehicles for use in public transportation service in Ventura County, utilizing $220,000 in FTA Section 5310 funds. VTS will be responsible for assuring that VTS meets all grant requirements placed on federal fund recipients.

2. Scope of Services:

   a. Grant Administration: VCTC agrees to carry out the administrative requirements necessary to reserve, apply for and receive FTA funds.

   b. Contract Administration: VTS hereby agrees that the VTS is in compliance with all the DOT assurances and requirements as described in FTA Circular 9030 applicable to purchase of transit vehicles incorporated herein by this reference, and as listed under Section II of this Agreement.

   c. Use of Vehicles: VTS shall operate the vehicles in service at standard regulated fares throughout its service area, providing service targeted to persons with ambulatory and wheelchair disabilities, and also to non-disabled persons when not on wheelchair trips. The funding application submitted by VTS to VCTC on November 24, 2014, and incorporated herein by reference, shall serve as the operations plan governing how the vehicles shall be used.

3. Bid Proposal Award and Approval: The VTS procurement process for the vehicles shall comply with applicable FTA procurement requirements as defined in FTA Circular 4220, incorporated herein by this reference. These requirements include, but are not limited to, open and competitive contract bidding, and inclusion of FTA-required bidding document clauses. Prior to publishing a request for bids for the vehicles, VTS shall submit its bid package to VCTC, and shall not publish the bid request document until after receiving written approval from VCTC. In addition, VTS shall not award the vehicle purchase contract until receiving written VCTC approval of the contract document. VCTC's review of the bid document and contract will be limited to assuring that the FTA requirements have been satisfied.

4. Duration of Agreement: The agreement shall commence on February 6, 2016, and shall continue until the vehicles purchased with the funds have reached the end of their useful life defined as 4 years or 100,000 miles, whichever occurs later.

5. Amendments to the Agreement: The provisions of this Agreement may be amended upon written acceptance and ratification of any such amendment by both VCTC and the VTS.

6. Method of Payment: VCTC, as the grant applicant, shall receive reimbursement payment from FTA in accordance with FTA grant procedures. VCTC will transfer the funds to VTS within thirty (30) days upon VTS's submittal of an invoice for the vehicle purchase: provided, however, that if VCTC has not received funds from FTA for the funding of the vehicle purchase expense covered by any such invoice when such invoice is received from VTS by VCTC, VCTC will transfer funds to VTS for any such invoice within five (5) working days after receipt of VCTC of such funds from FTA. VTS shall invoice for the maximum allowable federal share, 80% of the purchase cost, and shall furnish the required 20% local match from its own sources.

   VCTC shall not be held responsible or liable for any late or nonpayment from FTA for any reason.

II. FEDERAL REQUIREMENTS

VTS shall note that the following provisions apply to grants-in-aid from DOT, and VTS must take all necessary action to ensure their compliance as though they were the grantee directly.

1. Equal Employment Opportunity: During the performance of this Agreement the VTS agrees as follows: VTS shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, political belief, marital status, age, national origin, sex, or handicap VTS shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, marital status, religion, political belief, age, national origin, sex, or any handicap not limiting the ability of the person to perform the job contemplated. Such action shall include but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment, or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection of training, including apprenticeship. Such shall be in compliance with Executive Order 11246 amended by Executive Order 11375 and as supplemented in Department of Labor regulations (41 CFR, Part 60). VTS agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of the Equal Opportunity Clause.

2. Audit and Inspection: VTS shall permit, and shall require that its contractors permit, the authorized representatives of VCTC, the US DOT and the Controller General of the United States to inspect and audit all data and records of VTS relating to its performance under this Agreement, as required in FTA Circular 9030.1C, Chapter VI, Application Instruction, Section 9(d), Oversight.

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

3. "Buy America" Provisions: VTS shall comply with FTA regulations, "Buy America Requirements-Surface Transportation Assistance act of 1982," 49 CFR Part 661 and any amendments thereto, and any implementation guidance issued by FTA, with respect to each third party contract funded with FTA funds.

4. Debarred Bidders: VTS shall require that its contractors bonded by this agreement, including any of its officers or holder of a controlling interest, inform VTS whether or not it is or has been or is on any debarred, suspended, proposed for debarment, or declared ineligible list, or voluntarily excluded from participation in ay Federal Contracts. Should a contractor be included on such a list during the performance of this project, it should so inform VTS.

5. Restrictions on Lobbying: VTS agrees that no federal funds will be paid, by or on behalf of VTS to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement, and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan, or cooperative agreement. VTS must certify with this provision. VTS has approved the attached Lobbying Certification

6. Title VI of the Civil Rights Act of 1964

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

   a. Compliance with Regulations: VTS shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.

   b. Nondiscrimination: VTS with regard to the work performed by it during the Agreement, shall not discriminate on the grounds of race, color or national origin in the selection and retention of contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.56 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulation.

   c. Solicitation for Subcontractors, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by VTS for work to be performed under a contract, including procurement of materials or leases of equipment, each potential contractor or supplier shall be notified by VTS of the contractor's obligations under this contract and regulations relative to non-discrimination on the grounds of race, color or national origin.

d. Information and Reports: VTS shall require that subcontractor provide all information and reports required by the Regulations or directives issued pursuant thereto, and permit access to its books, record, accounts, other sources of information, and its facilities as may be determined by FTA to be pertinent to ascertain compliance with such regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to VCTC or FTA as appropriate, and shall set forth what efforts it has made to obtain the information.

e. Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, VCTC shall impose contract sanctions as it or the FTA may determine to be appropriate, including, but not limited to:

   i. Withholding of payments to VTS until the contractor complies; and/or
   ii. Cancellation, termination, or suspension of the contract, in whole or in part.

f. Incorporation of Provisions: VTS shall include the provisions of paragraphs "a" through "e" of this section 7 of Part II in every contract funded through this Agreement, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. VTS shall take such reasonable action with respect to any contract or procurement as VCTC or FTA may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, VTS may request VCTC, and in addition, VTS may request the United States to enter into such litigation to protect the interest of the United States.

7. Rolling Stock Requirements: VTS shall acquire and maintain rolling stock purchased with FTA funds in conformance with FTA rolling stock guidelines outlined in FTA Circular 9030 and further detailed in FTA Circular 5010, as incorporated herein by this reference, including the development and utilization of a vehicle maintenance plan, minimum insurance requirements, maintaining a written log of all maintenance work, as well as additional requirements. VCTC and FTA shall have the right to conduct periodic inspections for the purpose of confirming proper maintenance.

8. Bid Protest Procedures: VTS shall adopt a bid award Protest Procedures for any Federal Grants-In-Aid Procurement of over $25,000 as required by FTA.

9. Certification of Vehicle Testing Program: In accordance with requirement of 49 CFR Part 665, VTS must certify, if applicable, that by the time of final acceptance of a vehicles, two conditions will be met for any new vehicle model or any vehicle model with a major change in confirmation or components acquired or leased with FTA funds:

   a) A model of the vehicle has been tested at the vehicle testing facility;
   b) VTS has received a copy of the Test Report on the vehicle model.

10. Accessibility of Transit System Vehicles: The Americans with Disabilities act (ADA) and Section 504 of the Rehabilitation Act of 1973, 29 USC 794, prohibits discrimination on the basis of handicap by recipients of federal financial assistance. This extends to public transit service in that special efforts must be made to provide transportation that handicapped persons, including but not limited to, wheelchair users and semi-ambulatory person, can use.

11. Federal Privacy Act: VTS hereby agrees to comply with, and assures the compliance of its employees with, the information, restrictions, and other applicable requirements of the

Privacy Act of 1974, 5 USC 552a. The subrecipient agrees to obtain the express consent of the Federal Government before operating a system of records on behalf of the Federal Government. VTS shall include this requirement in each subcontract to administer any system of records on behalf of the Federal Government, financed in whole or in part with FTA funds.

12. Disadvantaged Business Enterprise: The Ventura County Transportation Commission (VCTC) has established a DBE Program pursuant to 49 C.F.R. Part 26, which applies to this Agreement. The requirements and procedures of VCTC's DBE Program are hereby incorporated by reference into this Agreement. Failure by any party to this Agreement to carry out VCTC's DBE Program procedures and requirements or applicable requirements of 49 C.F.R. Part 26 shall be considered a material breach of this Agreement, and may be grounds for termination of this Agreement, or such other appropriate administrative remedy. Each party to this Agreement shall ensure that compliance with VCTC's DBE Program shall be included in any and all sub-agreements entered into which arise out of or are related to this Agreement.

13. Provider of Shared Ride Service: As required by Question #19 of the FTA "Questions and Answers Elderly Individuals & Individuals with Disabilities (Section 5310), JARC and New Freedom Program," and as required by FTA Circular 9045.1 (5/2007), 11. Eligible Activities, (b)(1), Page III-10, VTS hereby certifies that it is a provider of shared-ride public transportation service. As defined in that document, "shared-ride" means that the general nature of the service must include two or more passengers in the same vehicle who are otherwise not traveling together.

14. Quarterly Reporting: VTS shall submit a quarterly report of its use of the vehicles within thirty (30) calendar days after the close of each quarter. The report shall contain information requested by VCTC to indicate the extent to which VTS is utilizing the vehicles for service targeted to persons with disabilities.

III. MISCELLANEOUS PROVISIONS

1. Legal Title to Vehicles, Inventory and Disposition

VTS shall become and remain the registered, legal owner of vehicles purchased with FTA funds. VCTC will have no ownership or interest in, liability or responsibility for, the vehicles either for their use, operation or maintenance. Under no circumstances shall VTS transfer title to the vehicles without prior VCTC approval. VTS shall participate in VCTC's biennial inventory of equipment as required by FTA. Should a vehicle be withdrawn from service for any reason prior to meeting its useful life, defined as 4 years or 100,000 miles, whichever comes later, the VTS shall remit to VCTC, for repayment to FTA, a proportional amount of the fair market value of the vehicle, determined based on the ratio of the FTA grant funds paid under this Agreement to the actual purchase cost. Fair market value shall be deemed to be the unamortized value of the remaining service life based on a straight-line depreciation of the original purchase price. Should a vehicle be lost or damaged by fire, casualty, or natural disaster, the fair market value shall be calculated based on the condition of the vehicle immediately before the fire, casualty, or natural disaster, irrespective of the extent of insurance coverage, and the proceeds based on the calculation shall be applied to the cost of replacing the lost or damaged vehicle. If a vehicle is sold for more than $5,000 subsequent to reaching the end of its useful life, VTS shall remit to VCTC a proportional share of the vehicle's sale price based on the original FTA share of the vehicle's purchase price.

2. Insurance

A. LIABILITY INSURANCE

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

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

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

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

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

a. The Insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.

b. Any failure of VTS to comply with reporting provisions of the policy shall not affect coverage provided to VCTC and its officers, employees, agents, and volunteers.

Additional Insured Status VCTC, its officers, officials, employees, and volunteers are to be covered as insureds on the auto policy with respect to liability arising out of vehicles purchased under this agreement; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of VTS including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the VTS’s insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 23 37 forms if later revisions used).

C. AUTOMOBILE COLLISION INSURANCE

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

D. ALL POLICIES REQUIREMENTS

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

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

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

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

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

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

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

Further, if the VTS's insurance policy includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability.

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

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

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

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

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

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

3. Indemnification

VTS shall defend, indemnify and hold harmless the Ventura County Transportation Commission, from all liability costs, damages, or expenses, including attorneys' fees arising out of or incurred in connection with the VTS and its employees'/agents' and subcontractors' acts or omissions in the performance of the services provided pursuant to this agreement, and agrees at its own cost, expense and risk to defend any and all resulting actions, suits, or other legal proceedings brought or instituted against VCTC arising out of its performance of the services under this Agreement, and to pay and satisfy any resulting judgments, claims, damages and costs.

VTS agrees to defend and pay entire cost of defending any claim or suit whenever or wherever made or brought against the VCTC based upon an infringement or alleged infringement of such letters patent, and to indemnify and save harmless the VCTC from and against any and all liability, damage, loss or injury adjudged or sustained in any such claim or suit, or adjudged or sustained by reason of the equipment to be furnished hereunder constituting an infringement of any letters patent or adjudged or sustained by reason of inability of the VCTC to use said equipment because of any infringement or alleged infringement of any letters patent.

VENTURA TRANSIT
SYSTEM, INC.

____
President or Vice-President

VENTURA COUNTY TRANSPORTATION
COMMISSION

____
Keith Millhouse
Chair

Approved as to Content:

____
Darren M. Kettle
Executive Director

APPROVED AS TO FORM:

____
Steven T. Mattas
General Counsel

ATTACHMENT B

COOPERATIVE AGREEMENT

BETWEEN

VENTURA COUNTY TRANSPORTATION COMMISSION

AND

CALIFORNIA VANPOOOL AUTHORITY

THIS AGREEMENT is entered into between Ventura County Transportation Commission (hereinafter referred to as VCTC) and California Vanpool Authority (hereinafter referred to as CALVANS) regarding the administration of the Department of Transportation (DOT) and Federal Transit Administration (FTA) funds for use in the provision of vouchers in support of public transit service by CALVANS.

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

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

WHEREAS, CALVANS is an eligible organization for FTA reimbursement funds for transit projects; and,

WHEREAS, VCTC authorized VCTC staff to apply for FTA funds on behalf of public transit operators including CALVANS, with the provision that the local match funds be provided by the transit operators; and

WHEREAS, it is the intention of VCTC to enter into this Cooperative Agreement with CALVANS regarding the administration of FTA funds for Fiscal Year 2014/15 FTA Section 5307 Jobs Access and Reverse Commute funds, as a mutually acceptable agreement is a pre-condition of acceptance of funding;

NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:

I. FUNDING/PROGRAM MANAGEMENT

7. Assignments of Participants: VCTC hereby agrees to engage CALVANS and CALVANS hereby agrees to carry out the work consisting of subsidized vanpool operations and vanpool program marketing, utilizing $25,000 in FTA Section 5307 funds. CALVANS will be responsible for assuring that CALVANS meets all grant requirements placed on federal fund recipients.

8. Scope of Services:

   a. Grant Administration: VCTC agrees to carry out the administrative requirements necessary to reserve, apply for and receive FTA funds.

   b. Contract Administration: CALVANS hereby agrees that CALVANS is, and shall remain during the term of this agreement, in compliance with all applicable DOT assurances and requirements, including all applicable procurement requirements.

c. Work Scope: The funding application submitted by CALVANS to VCTC on November 25, 2014, and incorporated herein by reference, shall serve as the operations plan governing how the funds shall be used.

9. Duration of Agreement: The agreement shall commence on February 5, 2016, and shall continue earlier or the following events: (1) the $25,000 in the grant has been exhausted, or (2) the Agreement is terminated by either party after thirty (30) days written notice.

10. Amendments to the Agreement: The provisions of this Agreement may be amended upon written acceptance and ratification of any such amendment by both VCTC and the CALVANS.

11. Method of Payment: VCTC, as the grant applicant, shall receive reimbursement payment from FTA in accordance with FTA grant procedures. VCTC will transfer the funds to CALVANS within thirty (30) days upon CALVANS's submittal of an invoice for an eligible expense: provided, however, that if VCTC has not received funds from FTA for the funding of the expenses covered by any such invoice when such invoice is received from CALVANS by VCTC, VCTC will transfer funds to CALVANS for any such invoice within five (5) working days after receipt of VCTC of such funds from FTA. CALVANS shall invoice for the maximum allowable federal share, 50% of eligible operating costs, and shall furnish the required 50% local match from its own sources.

    VCTC shall not be held responsible or liable for any late or nonpayment from FTA for any reason.

12. Quarterly Reporting: CALVANS shall submit a quarterly report of its program funded under this Agreement.

II. FEDERAL REQUIREMENTS

CALVANS shall note that the following provisions apply to grants-in-aid from DOT, and CALVANS must take all necessary action to ensure their compliance as though they were the grantee directly.

15. Equal Employment Opportunity: During the performance of this Agreement the CALVANS agrees as follows: CALVANS shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, political belief, marital status, age, national origin, sex, or handicap CALVANS shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, marital status, religion, political belief, age, national origin, sex, or any handicap not limiting the ability of the person to perform the job contemplated. Such action shall include but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment, or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection of training, including apprenticeship. Such shall be in compliance with Executive Order 11246 amended by Executive Order 11375 and as supplemented in Department of Labor regulations (41 CFR, Part 60). CALVANS agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of the Equal Opportunity Clause.

16. Audit and Inspection: CALVANS shall permit, and shall require that its contractors permit, the authorized representatives of VCTC, the US DOT and the Controller General of the United States to inspect and audit all data and records of CALVANS relating to its performance under this Agreement, as required in FTA Circular 9030.1C, Chapter VI, Application Instruction, Section 9(d), Oversight.

CALVANS also agrees, and shall require that its contractor(s) agree, to maintain all required records relating to this project for at least three (3) years after the funds are expended under this agreement.

17. Debarred Bidders: CALVANS shall require that its contractors funded by this agreement, including any of its officers or holder of a controlling interest, inform CALVANS whether or not it is or has been or is on any debarred, suspended, proposed for debarment, or declared ineligible list, or voluntarily excluded from participation in ay Federal Contracts. Should a contractor be included on such a list during the performance of this project, it should so inform CALVANS.

18. Title VI of the Civil Rights Act of 1964

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

a. Compliance with Regulations: CALVANS shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.

b. Nondiscrimination: CALVANS with regard to the work performed by it during the Agreement, shall not discriminate on the grounds of race, color or national origin in the selection and retention of contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.56 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulation.

c. Solicitation for Subcontractors, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by CALVANS for work to be performed under a contract, including procurement of materials or leases of equipment, each potential contractor or supplier shall be notified by CALVANS of the contractor's obligations under this contract and regulations relative to non-discrimination on the grounds of race, color or national origin.

d. Information and Reports: CALVANS shall require that subcontractor provide all information and reports required by the Regulations or directives issued pursuant thereto, and permit access to its books, record, accounts, other sources of information, and its facilities as may be determined by FTA to be pertinent to ascertain compliance with such regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to VCTC or FTA as appropriate, and shall set forth what efforts it has made to obtain the information.

e. Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, VCTC shall impose contract sanctions as it or the FTA may determine to be appropriate, including, but not limited to:

   i. Withholding of payments to CALVANS until the contractor complies; and/or
   ii. Cancellation, termination, or suspension of the contract, in whole or in part.

f. Incorporation of Provisions: CALVANS shall include the provisions of paragraphs "a" through "e" of this section 7 of Part II in every contract funded through this Agreement, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. CALVANS shall take such reasonable action with respect to any contract or procurement as VCTC or FTA may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, CALVANS may request VCTC, and in addition, CALVANS may request the United States to enter into such litigation to protect the interest of the United States.

19. Bid Protest Procedures: CALVANS shall adopt a bid award Protest Procedures for any Federal Grants-In-Aid Procurement of over $25,000 as required by FTA.

20. Accessibility of Transit System Vehicles: The Americans with Disabilities act (ADA) and Section 504 of the Rehabilitation Act of 1973, 29 USC 794, prohibits discrimination on the basis of handicap by recipients of federal financial assistance. This extends to public transit service in that special efforts must be made to provide transportation that handicapped persons, including but not limited to, wheelchair users and semi-ambulatory person, can use.

21. Federal Privacy Act: CALVANS hereby agrees to comply with, and assures the compliance of its employees with, the information, restrictions, and other applicable requirements of the Privacy Act of 1974, 5 USC 552a. The subrecipient agrees to obtain the express consent of the Federal Government before operating a system of records on behalf of the Federal Government. CALVANS shall include this requirement in each subcontract to administer any system of records on behalf of the Federal Government, financed in whole or in part with FTA funds.

III. MISCELLANEOUS PROVISIONS

4. Insurance

D. LIABILITY INSURANCE

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

E. COMMERICAL GENERAL AND AUTOMOBILE LIABILITY INSURANCE

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

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

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

a. The Insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.

b. Any failure of CALVANS to comply with reporting provisions of the policy shall not affect coverage provided to VCTC and its officers, employees, agents, and volunteers.

Additional Insured Status VCTC, its officers, officials, employees, and volunteers are to be covered as insureds on the auto policy with respect to liability arising out of the scope of work funded under this agreement; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of CALVANS including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the CALVANS's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 23 37 forms if later revisions used).

F. AUTOMOBILE COLLISION INSURANCE

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

D. ALL POLICIES REQUIREMENTS

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

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

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

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

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

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

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

Further, if the CALVANS's insurance policy includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability.

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

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

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

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

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

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

5. Indemnification

CALVANS shall defend, indemnify and hold harmless the Ventura County Transportation Commission, from all liability costs, damages, or expenses, including attorneys' fees arising out of or incurred in connection with the CALVANS and its employees'/agents' and subcontractors' acts or omissions in the performance of the services provided pursuant to this agreement, and agrees at its own cost, expense and risk to defend any and all resulting actions, suits, or other legal proceedings brought or instituted against VCTC arising out of its performance of the services under this Agreement, and to pay and satisfy any resulting judgments, claims, damages and costs.

CALVANS agrees to defend and pay entire cost of defending any claim or suit whenever or wherever made or brought against the VCTC based upon an infringement or alleged infringement of such letters patent, and to indemnify and save harmless the VCTC from and against any and all liability, damage, loss or injury adjudged or sustained in any such claim or suit, or adjudged or sustained by reason of the equipment to be furnished hereunder constituting an infringement of any letters patent or adjudged or sustained by reason of inability of the VCTC to use said equipment because of any infringement or alleged infringement of any letters patent.

CALIFORNIA VANPOOL AUTHORITY

VENTURA COUNTY TRANSPORTATION COMMISSION

Keith Millhouse
Chair

Approved as to Content:

Darren M. Kettle
Executive Director

APPROVED AS TO FORM:

Steven T. Mattas
General Counsel

Item #9H

February 5, 2016

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

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

SUBJECT: **LEGISLATIVE UPDATE**

RECOMMENDATION:

- Receive and file.

State Issues

Attachment A provides the monthly report of Delaney Hunter, the Commission's state lobbyist. This report reviews the Governor's Fiscal Year 2016/2017 budget proposal, which included the reintroduction of the Governor's earlier transportation funding package. The report also discusses the recently-introduced AB 1591 (Frazier) which provides a transportation funding package mirroring SB 16 (Beall) for which VCTC has adopted a "SUPPORT" position. There is also a matrix comparing the transportation funding proposals of the Administration, Senate, and Assembly.

Attachment B contains the status of bills being tracked by VCTC.

ATTACHMENT A

GONZALEZ, QUINTANA HUNTER & CRUZ, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION
MONTHLY STATE ADVOCACY REPORT
JANUARY 2016

Legislative Update

The Legislature reconvened on January 4th for the second year of the two year legislative session. The conclusion of the legislative recess has led to a full schedule of policy committees and floor sessions. Adding to this eventful schedule, two year bills that are still in the house of origin are now subject to a number of strict legislative deadlines. These deadlines require two year bills to move into the second house by the end of January, so policy committees have a heightened focus on hearing these bills. In addition to the regular legislative session, the Transportation Special Session is still underway. While political challenges and election politics have bogged down the negotiations, the special session is still open and negotiations may continue, as Legislators vie for a 2/3 vote.

Governor's Budget

Governor Brown released his proposed $122.6 billion state budget on January 7th. With the improving economic conditions, overall revenues are higher than previously projected. As a result, Legislators have been advocating for restoring programs that were cut in previous years, while Governor Brown has emphasized an approach of fiscal restraint. The Governor, wary of future economic downturns, has proposed more one-time monetary allocations, instead of committing to funding permanent and ongoing state programs. Along these lines, the budget proposal also included allocating $2 billion into the state's rainy day fund.

The Governor's budget also included funding for a number of transportation related purposes. With a specific fix-it-first approach, the Governor focused on highway and road maintenance and expanding public transit. Specifically, the Governor's plan includes an increase of $342 million to cities and counties for local road maintenance, with an additional $148 million from loan repayments to reimburse locals for funds already spent on Traffic Congestion Relief Program projects. A $515 million increase would be provided to Caltrans for maintenance and repair of state highways. Caltrans would also receive $100 million to implement a new Low Carbon Road Program, and it stipulated that 50 percent of this money would be directed to disadvantaged communities. The Transit and Intercity Rail Capital Program would be allocated an increase of $409 million for various capital investments. The Governor also focused on trade corridor improvements, which was indicated by his allocation of $211 million to fund various corridor projects. The Governor also highlighted numerous other efficiencies, including P3 extension, some CEQA exemptions, expediting project delivery, and changes to improve reporting requirements to CalTrans.

A portion of cap and trade funds were also allocated towards transportation. The numerous continuous appropriations of cap and trade dollars included funding for the High Speed Rail, the Low Carbon Transit

Operations Program, the Transit and Intercity Rail Capital Program, and the Strategic Growth Council. As part of the overall effort on environmental protection, the Governor also called for a 50 percent reduction of petroleum use, which provides funding for transportation related purposes. Specifically, the Transit and Intercity Rail Capital Program would receive $400 million, the Low Carbon Road Program would be allocated $100 million, and the Low Carbon Transportation & Fuels would receive $500 million. The Governor's plan for local climate action also includes $100 million for the Strategic Growth Council for transformational climate communities.

The Department of Motor Vehicles was granted a $1.1 billion budget, which included $170,000 for staff and system updates required for the implementation of the new road improvement charge. Self-service terminals to expand public accessibility are expected to receive $8 million and the new automatic voter registration process will be allocated $3.9 million of general fund dollars. To help further generate revenue, the Governor called for a $10 increase in the vehicle registration fee.

Transportation Funding Proposals

In the budget, Governor Brown reintroduced his earlier transportation funding package. The proposal is identical to the earlier introduced plan, which calls for a split between state and local transportation needs. The Governor's proposal would generate $3.6 billion annually for ten years for maintenance and rehabilitation of state and local transportation systems and investments in transit. As a recap, the Governor's funding package would include a $65 vehicle fee, stabilizing the gas excise tax and adjusting for inflation, increasing the gas tax and also adjusting for inflation, using cap and trade proceeds for transportation purposes, and enacting cost-saving reforms by addressing Caltrans inefficiencies.

In addition to the Governor's plan, Assemblyman Frazier recently introduced AB 1591, which mirrors Senator Beall's proposal detailed in SB 16. Specifically, AB 1591 would increase the gas excise tax by 22.5 cents and increase the diesel tax by 30 cents. Additional revenues would be generated by a $38 annual vehicle registration fee and a $165 electric vehicle surcharge fee. The bill would also include repaying outstanding transportation loans, which would be used for local road improvements. AB 1591 would additionally restore truck weight fees back to transportation and into the State Highway Account. Finally, Assemblyman Frazier's over $7 billion plan would allocate cap and trade proceeds totaling $600 million to corridor and transit projects.

Revenues from the diesel tax increase would be used for state corridor developments, while the gas tax increase funds would be split between state and local transportation agencies and allocated to highway maintenance and rehabilitation. Furthermore, the vehicle and electric vehicle registration fees are expected to generate $1.2 billion and $16 million, respectively, for road maintenance and rehabilitation. Lastly, $400 million from cap and trade funds would be used to reduce congestion in the state's corridors, and the other $200 million would be used for transit and intercity rail improvements.

Upcoming Bill Deadlines and 2 Year Bills

February 19 - Last day for bills to be introduced
March 17 - Spring Recess begins upon adjournment
March 28 - Legislature reconvenes from Spring Recess
April 22 - Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house

Below is a list of VCTC tracked bills that were subject to the two year bill deadline schedule.

AB 52 (Gray D) Public accommodations: construction-related accessibility claims.
Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was JUD. on 1/22/2015)
Summary: Would provide that a defendant's maximum liability for statutory damages in a construction-related accessibility claim against a place of public accommodation is $1,000 for each offense if the defendant has corrected all construction-related violations that are the basis of the claim within 180 days of being served with the complaint and the defendant demonstrates that the structure or area of the alleged violation was determined to meet standards or was subjected to an inspection, as specified.

AB 79 (Mathis R) State highway routes: route numbers.
Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 1/5/2015)
Summary: Current law gives the Department of Transportation full possession and control of all state highways. Current law describes the authorized routes in the state highway system by route numbers and provides that the route numbers are those given to the routes by the California Transportation Commission. This bill would make technical, nonsubstantive changes to these provisions.

AB 212 (Achadjian R) State highways.
Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/2/2015)
Summary: Current law establishes the Department of Transportation and the California Transportation Commission and provides that the department has full possession and control of all state highways and all property and rights in property acquired for state highway purposes and authorizes and directs the department to lay out and construct all state highways between the termini designated by law and on the locations as determined by the commission. This bill would make technical, nonsubstantive changes to these provisions.

AB 326 (Frazier D) Public works: prevailing wage rates: wage and penalty assessments.
Status: 1/7/2016-Read second time. Ordered to third reading.
Summary: Current law requires the Labor Commissioner to issue a civil wage and penalty assessment to a contractor or subcontractor, or both, if the Labor Commissioner determines, after investigation, that the contractor or subcontractor, or both, violated the laws regulating public works contracts, including the payment of prevailing wages. This bill would require the department to release the funds deposited in escrow plus interest earned to those persons and entities within 30 days following the conclusion of all administrative and judicial review. This bill contains other existing laws.

AB 457 (Melendez R) High-occupancy toll lanes.
Status: 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/6/2015)
Summary: Current law authorizes a regional transportation agency, as defined, in cooperation with the Department of Transportation, to apply to the California Transportation Commission to develop and operate high-occupancy toll lanes. Current law requires the commission, in cooperation with the Legislative Analyst, to annually prepare a report on the progress of the development and operation of these facilities. This bill would instead require the commission, in cooperation with the Legislative Analyst, to prepare this report every two years.

AB 1087 (Grove R) Greenhouse Gas Reduction Fund: high-speed rail.
Status: 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/20/2015)
Summary: Would provide that the continuous appropriations from the Greenhouse Gas Reduction Fund to the High-Speed Rail Authority are for specified components of the initial operating segment and Phase I blended system, as described in the authority's 2012 business plan, of the high-speed train system that shall be constructed as specified.

AB 1115 (Salas D) School zones: traffic control devices: state highways.
Status: 1/13/2016-Action From APPR.: Read second time. Re-referred to APPR..
Summary: Would authorize the governing board of a city, county, city and county, or school district, by ordinance, to designate a school zone within its geographic jurisdiction on a state highway, other than a freeway, if the state highway is within 1,000 feet of the grounds of a school, and to specify in the ordinance the applicable speed limit that shall apply within the school zone. The designation of a school zone pursuant to this section may be made regardless of the previously posted speed limits on the state highway or the presence of a fence, gate, or other physical barrier separating the state highway from the school grounds.

AB 1265 (Perea D) Transportation projects: comprehensive development lease agreements.
Status: 5/29/2015-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/6/2015)

Summary: Current law authorizes the Department of Transportation and regional transportation agencies, as defined, to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees, subject to various terms and requirements. These arrangements are commonly known as public-private partnerships. This bill would provide that a lease agreement shall not be entered into under these provisions on or after January 1, 2030, and would delete obsolete cross-references and make technical changes to these provisions.

AB 1364 (Linder R) California Transportation Commission.
Status: 1/12/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 16. Noes 0.) (January 11). Re-referred to Com. on APPR.
Summary: Current law vests the California Transportation Commission with specified powers, duties, and functions relative to transportation matters. Current law requires the commission to retain independent authority to perform the duties and functions prescribed to it under any provision of law. This bill would exclude the California Transportation Commission from the Transportation Agency and establish it as an entity in the state government. The bill would also make conforming changes.

ACA 4 (Frazier D) Local government transportation projects: special taxes: voter approval.
Status: 8/27/2015-In committee: Hearing postponed by committee.
Summary: Would provide that the imposition, extension, or increase of a sales and use tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or a transactions and use tax imposed in accordance with the Transactions and Use Tax Law by a county, city, city and county, or special district for the purpose of providing funding for local transportation projects, as defined, requires the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes.

SB 8 (Hertzberg D) Taxation.
Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was G. & F. on 2/19/2015)
Summary: Would state legislative findings regarding the Upward Mobility Act, key provisions of which would expand the application of the Sales and Use Tax law by imposing a tax on specified services, would enhance the state's business climate, would incentivize entrepreneurship and business creation by evaluating the corporate tax, and would examine the impacts of a lower and simpler personal income tax. This bill contains other related provisions.

SB 16 (Beall D) Transportation funding.
Status: 9/9/2015-Ordered to inactive file on request of Senator Beall.
Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would provide for the program to be authorized every 5 years by the Legislature, and would provide that authorization for the 2015-16 through 2019-20 fiscal years. The bill would require the California Transportation Commission to identify the estimated funds to be available for the program and adopt performance criteria to ensure efficient use of the funds.

SB 158 (Huff R) Transportation projects: comprehensive development lease agreements.
Status: 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was T. & H. on 4/7/2015)
Summary: Would authorize the Department of Transportation or a regional transportation agency to enter into a comprehensive development lease on or after January 1, 2017, for a proposed transportation project on the state highway system if a draft environmental impact statement or draft environmental impact report for the project was released by the department in March 2015 for public comment. This bill contains other related provisions.

SB 194 (Cannella R) Vehicles: high-occupancy vehicle lanes.
Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 2/19/2015)
Summary: Current law authorizes local authorities and the Department of Transportation to establish exclusive or preferential use of highway lanes for high-occupancy vehicles on highways under their respective jurisdictions. This bill would make technical, nonsubstantive changes to that provision.

SB 321 (Beall D) Motor vehicle fuel taxes: rates: adjustments.
Status: 9/11/2015-Ordered to inactive file on request of Senator Beall.
Summary: Would, for the 2016- 17 fiscal year and each fiscal year thereafter, require the State Board of Equalization on March 1 of the fiscal year immediately preceding the applicable fiscal year, as specified, to adjust the rate in a manner as to generate an amount of revenue equal to the amount of revenue loss attributable to the exemption, based on estimates made by the board that reflect the combined average of the actual fuel price over the previous 4 fiscal years and the estimated fuel price for the current fiscal year, and continuing to take into account adjustments required by existing law to maintain revenue neutrality for each year. This bill contains other existing laws.

SB 391 (Huff R) Assault and battery: transit employees.
Status: 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was PUB. S. on 4/21/2015)
Summary: Would make an assault committed against a transit employee punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding $2,000, or by both that fine and imprisonment. By expanding the scope of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

SB 595 (Cannella R) Vehicles: prima facie speed limits: schools.
Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 3/12/2015)
Summary: Under current law, the prima facie speed limit when approaching or passing a school is 25 miles per hour. Current law authorizes a local authority to establish a lower prima facie speed limit within specified distances of a school. This bill would make technical, nonsubstantive changes to that provision.

SB 649 (Roth D) Vehicles: weight limits.
Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 3/12/2015)
Summary: Current law generally prohibits the total gross weight in pounds imposed on the highway by a group of 2 or more consecutive axles of a vehicle from exceeding a specified weight, depending on the distance in feet between the extremes of a group of 2 or more consecutive axles, and the number of axles. This bill would make technical, nonsubstantive changes to those provisions.

SB 698 (Cannella R) Active Transportation Program: school zone safety projects.
Status: 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/19/2015)
Summary: Would continuously appropriate an unspecified amount from the Greenhouse Gas Reduction Fund to the State Highway Account in the State Transportation Fund for purposes of funding school zone safety projects within the Active Transportation Program. This bill contains other existing laws.

SCA 5 (Hancock D) Local government finance.
Status: 7/16/2015-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.
Summary: Would exempt from taxation for each taxpayer an amount up to $500,000 of tangible personal property used for business purposes. This measure would prohibit the Legislature from lowering this exemption amount or from changing its application, but would authorize it to be increased consistent with the authority described above. This measure would provide that this provision shall become operative on January 1, 2019. This bill contains other related provisions and other existing laws.

SCA 7 (Huff R) Motor vehicle fees and taxes: restriction on expenditures.
Status: 1/12/2016-Set for hearing January 19 in E. & C.A. pending receipt.
Summary: Would prohibit the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. The measure would also provide that none of those revenues may be pledged or used for the payment of principal and interest on bonds or other indebtedness.

ATTACHMENT B

VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY January 14, 2016			
BILL/AUTHOR	**SUBJECT**	**POSITION**	**STATUS**
AB 1591 Frazier	Increases fuel taxes and vehicle fees to raise $7 million annually for transportation.	Support	Newly-introduced bill which mirrors SB 16 and SB X1-1, which VCTC supported.
ACA 4 Frazier	Places before the voters a Constitutional Amendment to reduce to 55% the approval threshold for local transportation funding measures.	Support	In Assembly Appropriations Committee.
AB X1-1 Alejo	Provides various transportation revenue enhancements including a prohibition on spending truck weight fees on transportation bond debt service.	Support	No action.
SB 321 Beall	Modifies the gas tax adjustment process to reduce fluctuations.	Support	In full Senate for concurrence with Assembly amendments.
SB X1-1 Beall	Increases fuel taxes and vehicle fees to raise $6 million annually for transportation.	Support	In Senate Appropriations Committee.

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Item #10

February 5, 2016

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 2016/2017

RECOMMENDATION:

- Approve the Local Transportation Fund Draft Apportionment for Fiscal Year 2016/2017 apportioning $34.1 million as shown in Attachment 1.

BACKGROUND:

Each year the Ventura County Transportation Commission (Commission or VCTC) 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 if eligible. 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.

In recognition of the volatility of sales tax revenue, in 2011 the Commission 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.

In recognition of increased Commuter Rail costs, in 2013 the Commission made a decision to increase the Commuter Rail allocations. It was decided that each time there was an increase in estimated LTF revenues that the increase would be split one-third to Commuter Rail and two-thirds to bus transit.

On July 1, 2014, Senate Bill (SB) 716 and SB 203 as well as Assembly Bill (AB) 664 went into effect. SB 716 and SB 203 required that jurisdictions with populations over 100,000 and not in the Gold Coast Transit District (GCTD) claim funds for public transit purposes only. The bills allowed jurisdictions with populations under 100,000 and not in GCTD to claim funds for Article 8a, *Streets and Roads*, after public transportation needs were met. AB 664 required that funding for jurisdictions within the GCTD, be claimed by the district for public transportation purposes.

DISCUSSION:

Each year the Ventura County Auditor-Controller provides LTF estimates to VCTC and the County is projecting that Fiscal Year 2016/2017 Local Transportation Fund sales tax receipts will increase by $100,000 to $34.5 million (see Attachment 2). It is estimated that the beginning fund balance will be $700,000 less than Fiscal Year 2015/2016's beginning fund balance largely due to Fiscal Year 2014/2015 revenues being less than projected.

After accounting for the estimated $2.5 million beginning fund balance, $34.5 million projected tax receipts and $2.9 million reserve, it is estimated that there will be $34.1 million to apportion in Fiscal Year 2016/2017. This amount is $500,000 less than the previous year largely due to a lower beginning fund balance. The Fiscal Year 2016/2017 apportionment (see Attachment 1) includes the following:

- $4,546,233 Article 3 funds for Commission activities including:
    - $2,864,233 for Metrolink commuter rail purposes. This is an increase of $33,333 which is one-third of the $100,000 increase in estimated revenues.
    - $682,000 (or 2%) 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, Fare Collection and APC Systems, Nextbus, Grant Administration, Transit Information Center, TDA Administration, Transportation Improvement Program and Monitoring as well as supporting the Commission's office administration and management.
- $13,500 Article 3 funds for the County Auditor-Controller's administrative costs.
- $648,090 Article 3 funds for Bicycle and Pedestrian projects.
- $28,892,177 for apportionment to local jurisdictions as allowed by TDA. This is a reduction of approximately $703,000 and is largely due to a lower beginning fund balance. 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 2016/2017 draft apportionment is based on the May 2015 population estimate of 848,073. The final LTF apportionment will be adjusted for the new population estimate published in May 2016.

Although not part of the LTF apportionment, it should be noted that State Transit Assistance (STA) funding (another source of TDA funds) is projected to be lower in Fiscal Year 2016/2017 due to lower tax receipts on gasoline sales. The State has not sent out the detailed estimates for Fiscal Year 2016/2017, but based on the Governor's budget estimate of $315 million, staff estimates that VCTC's share of STA will be approximately $3.87 million in Fiscal Year 2016/2017 or $900,000 less than budgeted for Fiscal Year 2015/2016. STA is a substantial funding source for Metrolink Commuter Rail and VCTC Intercity Bus Service as well as other rail and transit services.

At the same time STA funds are estimated to decrease, it is anticipated that costs for rail and bus service will continue to increase. More detailed information about estimated cost increases will be provided when the draft Fiscal Year 2016/2017 budget is prepared. Furthermore, because VCTC does not have a sustainable source of local/operating funds, staff continues to work with LA Metro and SCRRA to "trade"

VCTC's federal capital money for LA Metro's local funds to cover some of VCTC's operating costs for Metrolink. Both SCRRA and LA Metro have notified VCTC that it is becoming increasingly difficult to trade VCTC's federal funds, and they do not know how much longer they will be able to assist VCTC in this manner. With less STA funding, sustainability of services as well as other funding sources, including LTF, will need to be evaluated.

ATTACHMENT 1

VENTURA COUNTY TRANSPORTATION COMMISSION

TDA LOCAL TRANSPORTATION FUND DRAFT APPORTIONMENT FOR FISCAL YEAR 2016/2017

	DRAFT Fiscal Year 2016/2017	FINAL Fiscal Year 2015/2016	Change vs. Fiscal Year 2015/2016	FINAL Fiscal Year 2014/2015
Estimated Unapportioned Cash Balance	**2,500,000**	3,200,000	-700,000	6,000,000
Contingency Reserve	**-2,900,000**	-3,000,000	100,000	-3,200,000
Estimated Annual LTF Receipts	**34,500,000**	34,400,000	100,000	34,400,000
Total Funds Available	**34,100,000**	34,600,000	-500,000	37,200,000
Auditor's Administrative Costs	**13,500**	14,000	500	14,000
VCTC Administrative Costs	**1,000,000**	805,280	-194,720	964,517
VCTC Planning Costs	**682,000**	692,000	10,000	744,000
Subtotal	**32,404,500**	33,088,720	-684,220	35,477,483
Article 3 Bikeway/Pedestrian Fund	**648,090**	661,774	13,684	709,550
Subtotal	**31,756,410**	32,426,946	-670,536	34,767,933
Article 3 Commuter Rail	**2,864,233**	2,830,900	-33,333	2,830,900
Total to be Apportioned	**28,892,177**	29,596,046	-703,869	31,937,033

Article 4 and Article 8 by Agency	**Population**	**Pop %**	**DRAFT FY 2016/2017**	**FINAL FY 2015/2016**	**Change vs. FY 2015/2016**	**FINAL FY 2014/2015**
Camarillo	67,154	7.92%	**2,287,805**	2,343,540	-55,735	2,528,997
Fillmore	15,441	1.82%	**526,044**	538,860	-12,816	581,140
Moorpark	35,727	4.21%	**1,217,149**	1,246,801	-29,652	1,332,542
Santa Paula	30,556	3.60%	**1,040,983**	1,066,343	-25,360	1,153,567
Simi Valley	126,483	14.91%	**4,309,027**	4,414,003	-104,976	4,785,249
Thousand Oaks	129,349	15.25%	**4,406,666**	4,514,020	-107,354	4,888,830
Gold Coast Transit District:						
Ojai	7,612	0.90%	**259,325**	265,644	-6,319	287,710
Oxnard	206,148	24.31%	**7,023,056**	7,194,151	-171,095	7,715,388
Port Hueneme	22,768	2.68%	**775,661**	794,557	-18,896	848,619
San Buenaventura	109,338	12.89%	**3,724,930**	3,815,677	-90,747	4,128,146
Ventura County - Unincorporated	97,497	11.50%	**3,321,531**	3,402,450	-80,919	3,686,845
Total	848,073	100.00%	**28,892,177**	29,596,046	-703,869	31,937,033

ATTACHMENT 2

JEFFERY S. BURGH
AUDITOR-CONTROLLER

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

ASSISTANT
AUDITOR-CONTROLLER
JOANNE McDONALD

CHIEF DEPUTIES
VALERIE BARRAZA
BARBARA BEATTY
JILL WARD
MICHELLE YAMAGUCHI

January 11, 2016

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

SUBJECT: LOCAL TRANSPORTATION FUND FY 2015-16 ESTIMATES

Dear Mr. Kettle:

The Auditor-Controller's conservative estimate of the Local Transportation Fund (LTF) revenues for fiscal year 2016-17 is $34.5 million. Based on current year projected growth of 2.0 percent, the estimate could be up to $35.2 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 2015-16 we had projected $34.4 million. This estimate is currently revised to $34.5 million. In addition, based on the allocation schedule provided by your office, we estimate that approximately $20,156 in interest will be earned by the fund during fiscal year 2015-16 and be available for allocation in the subsequent fiscal year.

Based on revised revenue estimates of $34.5 million, budgeted allocations of $34.6 million and interest of $20,156 we project a LTF fund balance at June 30, 2016, of approximately $2,497,359 (see Attachment I).

The Auditor-Controller's estimated LTF administrative costs for fiscal year 2016-17 are $13,500.

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 Jill Ward at (805) 654-3153.

Sincerely,

JEFFERY S. BURGH
Auditor-Controller

Enclosure

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

ATTACHMENT 1

COUNTY OF VENTURA
AUDITOR-CONTROLLER
LOCAL TRANSPORTATION FUND
PROJECTED ACTIVITY AND FUND BALANCE
AS OF JUNE 30, 2016

Audited Fund Balance as of June 30, 2015	$	2,589,406	
Reversal of FY15 Fair Value adjustment		2,194	
Subtotal:			**2,591,600**
ADD:			
FY 15-16 Actual LTF Receipts as of December 31, 2015	$	17,548,508	
Projected LTF receipts for remainder of FY 15-16		16,937,095	
Subtotal: (A)			**34,485,603**
FY 15-16 interest earnings apportioned as of December 31, 2016	$	4,684	
Projected interest earnings for the remainder of FY 15-16		15,472	
Total Interest (B)			**20,156**
Funding Available		$	**37,097,359**
LESS:			
FY 15-16 allocations as of December 31, 2015	$	13,948,166	
Projected allocations for the remainder of FY 15-16(C)		20,651,834	
Subtotal:			**34,600,000**
Projected Fund Balance as of June 30, 2016		$	**2,497,359**

(A) FY 15-16 projected LTF receipts are based on FY15-16 actual receipts through December, 2015.

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

(C) Based on VCTC FY 15-16 Transportation Development Act (TDA) allocations adopted on June 5, 2015.

Item #11

February 5, 2016

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

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

SUBJECT: **SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2016 – 2040 REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITNTIES STRATEGY (RTP/SCS)**

RECOMMENDATION:

- Receive a presentation from the Southern California Association of Governments (SCAG) on the 2016 - 2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

DISCUSSION:

The Southern California Association of Governments (SCAG), as the Metropolitan Planning Organization (MPO) for our region, is required by law to ensure federally funded transportation projects meet federal conformity requirement in terms of emissions analysis, financial constraints, public review and other criteria. Every four years SCAG prepares the Regional Transportation Plan (RTP) to satisfy that federal mandate. Enacted in 2008, California Senate Bill 375 (SB 375) added a requirement to the RTP to include a Sustainable Communities Strategy (SCS). The SCS outlines growth strategies that integrate land use and transportation planning in order to reduce the State's greenhouse gas emissions.

The Draft 2016-2040 RTP/SCS was recently released by SCAG and contains diverse strategies to address the complexities of balancing transportation, land use, the economy, health and host of other issues all within the southern California region estimated to reach 22 million people by 2040. SCAG has worked closely with the cities, the sub-regions and the transportation commissions to deliver this RTP containing nearly $557 billion in transportation investments. The RTP Executive Summary is attached to this item for your review. The complete RTP can be found on SCAG's website at, http://scagrtpscs.net/Pages/Draft2016RTPSCS.aspx.

Hasan Ikhrata, SCAG's Executive Director will present an overview of the 2016 – 2040 Regional Transportation Plan.

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EXECUTIVE SUMMARY

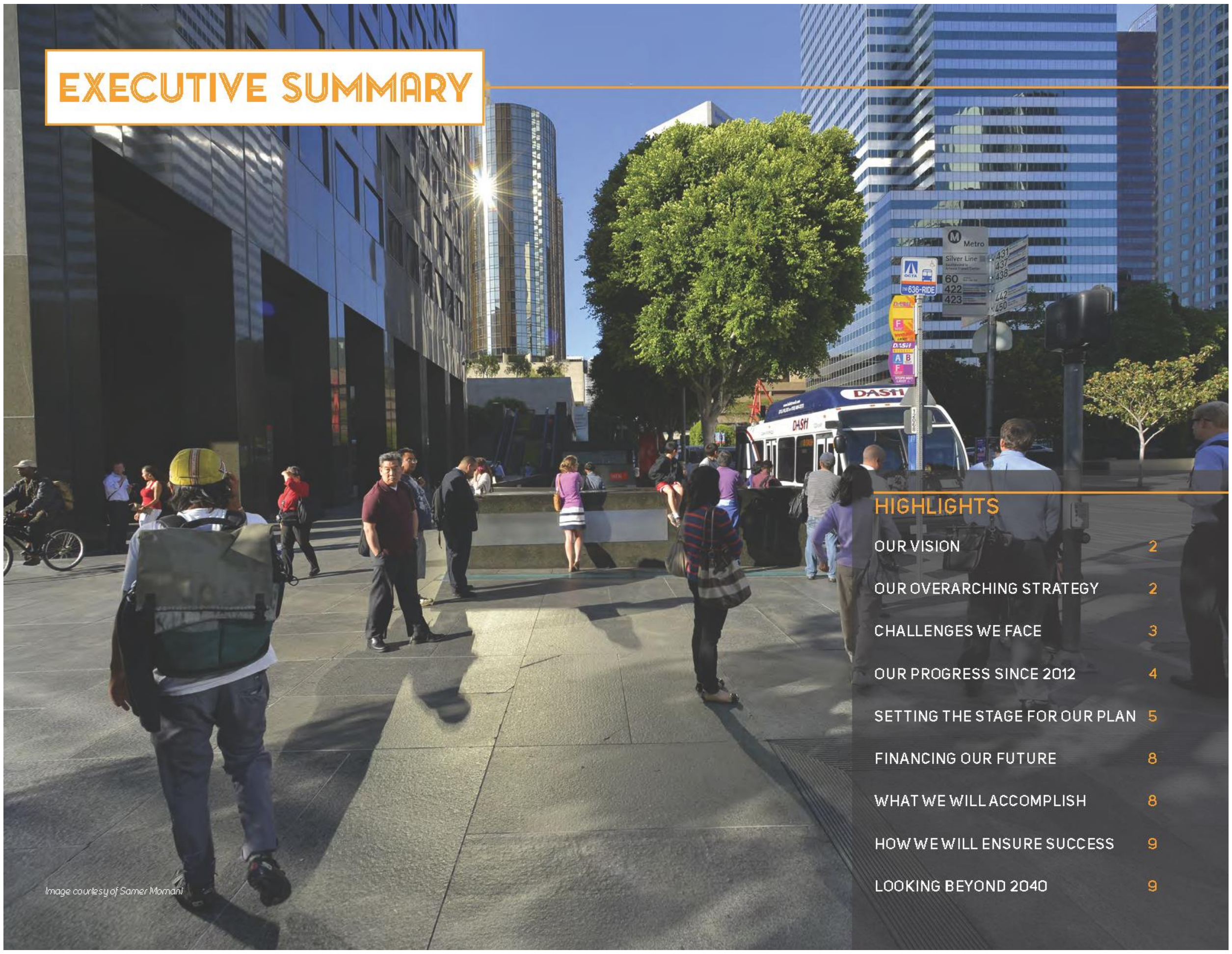

Image courtesy of Samer Momani

HIGHLIGHTS

ENVISIONING OUR REGION IN 2040

Transport yourself 25 years into the future. What kind of Southern California do you envision? SCAG envisions a region that has grown by nearly four million people – sustainably. In communities across Southern California, people enjoy increased mobility, greater economic opportunity and a higher quality of life.

OUR VISION

In our vision for the region in 2040, many communities are more compact and connected seamlessly by numerous public transit options, including expanded bus and rail service. People live closer to work, school, shopping and other destinations. Their neighborhoods are more walkable and safe for bicyclists. They have more options available besides driving alone, reducing the load on roads and highways. People live more active and healthy lifestyles as they bike, walk or take transit for short trips. Goods flow freely along roadways, highways, rail lines and by sea and air into and out of the region – fueling economic growth.

Southern California's vast transportation network is preserved and maintained in a state of good repair, so that public tax dollars are not expended on costly repairs and extensive rehabilitation. The region's roads and highways are well-managed so that they operate safely and efficiently, while demands on the regional network are managed effectively by offering people numerous alternatives for transportation.

Housing across the region is sufficient to meet the demands of a growing population with shifting priorities and desires, and there are more affordable homes for all segments of society. With more connected communities, more choices for travel and robust commerce, people enjoy more opportunities to advance educationally and economically. As growth and opportunity are distributed widely, people from diverse neighborhoods across the region share in the benefits of an enhanced quality of life.

With more alternatives to driving alone available, air quality is improved and the greenhouse gas emissions that contribute to global climate change are reduced. Communities throughout Southern California are more prepared to confront and cope with the inevitable consequences of climate change, including droughts and wildfires, heat waves, rising seas and extreme weather. Meanwhile, natural lands and recreational areas that offer people a respite from the busier parts of the region are preserved and protected.

At mid-century, technology has transformed how we get around. Automated cars have emerged as a viable option for people and are being integrated into the overall transportation system. Shared mobility options that rely on instantaneous communication and paperless transactions have matured and new markets for mobility are created and strengthened.

Above all, people across the region possess more choices for getting around and with those choices come opportunities to live healthier, more economically secure and higher quality lives.

This vision for mid-century, which is built on input received from thousands of people across Southern California, is embodied in the 2016 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS, or Plan), a major planning document for our regional transportation and land use network. It balances the region's future mobility and housing needs with economic, environmental and public health goals. This long-range Plan, required by the state of California and the federal government, is updated by SCAG every four years as demographic, economic and policy circumstances change. The 2016 RTP/SCS is a living, evolving blueprint for our region's future.

OUR OVERARCHING STRATEGY

It is clear that the path toward realizing our vision will require a single unified strategy, one that *integrates planning for how we use our land with planning for how we get around*.

Here is what we mean: we can choose to build new sprawling communities that pave over undeveloped natural lands, necessitating the construction of new roads and highways – which will undoubtedly become quickly overcrowded and contribute to regional air pollution and ever increasing greenhouse gas emissions that drive climate change.

Or, we can grow more compact communities in existing urban areas, providing neighborhoods with efficient and plentiful public transit, abundant and safe opportunities to walk, bike and pursue other forms of active transportation and preserving the region's remaining natural lands for people to enjoy. This second vision captures the essence of what people have said they want during SCAG outreach to communities across the region.

SCAG acknowledges that more compact communities are not for everyone, and that many residents of our region prefer to live in established suburban neighborhoods. The agency supports local control for local land use decisions, while striving for a regional vision of more sustainable growth.

Within the 2016 RTP/SCS, you will read about plans for "High Quality Transit Areas," "Livable Corridors," and "Neighborhood Mobility Areas." These are a few of the key features of a thoughtfully planned, maturing region in which people benefit from increased mobility, more active lifestyles, increased economic opportunity and an overall higher quality of life. These features embody the idea of integrating planning for how we use land with planning for transportation.

As we pursue this unified strategy, it will be vital that we ensure that the benefits of our initiatives are widely distributed and that the burdens of development are not carried by any one group disproportionately. Social equity and environmental justice must be key considerations of our overall Plan.

CHALLENGES WE FACE

We are living at a time of great change in Southern California. Our region must confront several challenges as we pursue the goals outlined in the 2016 RTP/SCS:

- **We are growing slower:** But our region is projected to grow to 22 million people by 2040 – an increase of nearly four million people.
- **Our overall population will be older:** The median age of our region's overall population is expected to rise, with an increasing share of senior citizens. This demographic shift will have major impacts on transportation needs and on our transportation plans. A key challenge for the region will be to provide seniors with more transportation options for maintaining their independence as they age.
- **A smaller percentage of us will be working:** The share of younger people of working age is expected to fall. The ratio of people over the age of 65 to people of working age (15 to 64) is expected to increase. This means that our region could face a labor shortage and a subsequent reduction in tax revenues.
- **A large number of us want more urban lifestyles:** Today's Millennials, born between 1980 and 2000, are expected to demand more compact communities and more access to transit – shifting regional priorities for the overall transportation system and the types of housing that is constructed. Baby Boomers are also expected to increasingly desire these kinds of communities.
- **Many of us will continue to live in the suburbs and drive alone:** Despite the emerging trends discussed above, many people in the region will continue to live in suburban neighborhoods and drive alone to work, school, shopping and other destinations - rather than using public transit and other transportation alternatives. The 2016 RTP/SCS will not change how everyone chooses to get around, but the Plan is designed to offer residents more choices so that we can experience regionwide benefits.
- **Housing prices are increasing:** Housing prices are rising steadily and affordability is declining. As communities are redeveloped to be more compact with new transit options and revitalized urban amenities, existing residents may risk displacement.
- **Our transportation system requires rehabilitation and maintenance:** Southern California's transportation system is becoming increasingly compromised by decades of underinvestment in maintaining and preserving our infrastructure. These investments have not kept pace with the demands placed on the system and the quality of many of our roads, highways, bridges, transit and bicycle and pedestrian facilities is continuing to deteriorate. If we continue on our current path of seriously underfunding system preservation, the cost of bringing our system back to a reasonable state of good repair will grow exponentially.
- **Transportation funding is scarce and insufficient:** Full funding for transportation improvements is currently not sustainable, given the projected needs. Projected revenues from the gas tax, the historic source of transportation funding, will not meet transportation investment needs – and gas tax revenues, in real terms, are actually in decline as tax rates (both state and federal) have not been adjusted in more than two decades while the number of more fuel efficient and alternative powered vehicles continues to grow.
- **Moving goods through the region faces growing pains:** The movement of goods will face numerous challenges as consumer demand for products increases and the region continues to grow as a major exchange point for global trade. Infrastructure for freight traffic will be strained, current efforts to reduce air pollution from goods movement sources will not be sufficient to meet national air quality standards, capacity at international ports will be over-burdened and warehouse space could fall short of demands.
- **Technology is transforming transportation:** Mobility innovations including electric cars, the availability of real-time traveler information, the expansion of car sharing and ridesourcing due to smart phones and other technological advances will require updated planning to smoothly integrate these new travel options into the overall transportation system.
- **Millions of people are in poor health:** Many people in our region suffer from poor health due to chronic diseases related to poor air quality and physical inactivity. Heart disease, stroke, cancer, chronic lower respiratory disease and diabetes are responsible for 72 percent of all deaths in our region. Millions of more people live with chronic diseases, such as asthma, every day.

- **Climate change demands that we adapt:** The consequences of climate change will continue to strain everyday life for millions of people. Droughts and wildfires, water shortages brought about by drought but also declining snowpack in our mountains, rising seas, extreme weather events and other impacts will require communities to make their neighborhoods more resilient to climate change.

OUR PROGRESS SINCE 2012

Although our challenges are great, the region has made significant progress over the past few years.

TRANSIT

Transit service continues to expand throughout the region and the level of service has exceeded pre-recessionary levels – mainly due to a growth in rail service. Significant progress has been made toward completing capital projects for transit, including the Los Angeles County Metropolitan Transportation Authority (Metro) Orange Line Extension and the Metro Expo Line. Meanwhile, five major Metro Rail projects are now under construction in Los Angeles County.

PASSENGER RAIL

Passenger rail is expanding and improving service on several fronts. The Amtrak Pacific Surfliner is now being managed locally by the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Agency; Metrolink is nearing completion on the Perris Valley Line; Metrolink became the first commuter railroad in the nation to implement Positive Train Control and purchase fuel-efficient, low-emission Tier IV locomotives; and the California High-Speed Train system is under construction in the Central Valley, and scheduled to begin service to Burbank Bob Hope Airport in 2022 and reach Los Angeles Union Station in 2028. Several other capital projects are underway or have been completed, including the Anaheim Regional Intermodal Transportation Center (ARTIC) and the Burbank Bob Hope Airport Regional Intermodal Transportation Center, among others.

HIGHWAYS

The expansion of highways has slowed considerably over the last decade because of land, financial and environmental constraints. Still, several projects have been completed since 2012 to improve access and close critical gaps and congestion chokepoints in the regional network. These include the Interstate 5 South Corridor Project in Los Angeles County, Interstate 10 westbound widening in Redlands and Yucaipa, and the Interstate 215 Bi-County Project in Riverside and San Bernardino Counties, among others.

REGIONAL HIGH-OCCUPANCY VEHICLE (HOV) AND EXPRESS LANE NETWORK

The demands on our region's highways continue to exceed available capacity during peak periods, but several projects to close HOV gaps have been completed. The result has been 27 more miles of regional HOV lanes on Interstates 5, 405, 10, 215 and 605, on State Route 57 and on the West County Connector Project within Orange County. The region is also developing a Regional Express Lane Network. Among the milestones: a one-year demonstration of Express Lanes in Los Angeles County along Interstate 10 and Interstate 110 was made permanent in 2014; and construction has begun on Express Lanes on State Route 91 extending eastward to Interstate 15 in Riverside County.

ACTIVE TRANSPORTATION

Our region is making steady progress in encouraging more people to embrace active transportation and more than $650 million in Active Transportation Program investments are underway. Nearly 37 percent of all trips less than one mile and 18 percent of all trips less than three miles are made via active transportation. As a percentage share of all trips, bicycling has increased more than 70 percent since 2007 to 1.12 percent. More than 500 miles of new bikeways have been constructed in the region and safety and encouragement programs are helping people choose walking and biking as options.

GOODS MOVEMENT

The region continues to make substantial progress toward completing several major capital initiatives to support freight transportation and reducing harmful emissions generated by goods movement sources. Progress since 2012 has included: the San Pedro Bay Ports Clean Air Action Program (CAAP) has led to diesel particulate matter dropping by 82 percent, oxides of nitrogen by 54 percent and oxides of sulfur by 90 percent; and the San Pedro Bay Ports Clean Truck Program has led to an 80 percent reduction in port truck emissions. The region has also shown progress in advanced technology for goods movement, including a one-mile Overhead Catenary System (OCS) in the City of Carson. Construction of the Gerald Desmond Bridge has begun. Fourteen out of 71 planned grade separation projects throughout the region have been completed, and another 24 should be completed in 2016. Double tracking of the Union Pacific (UP) Alhambra Subdivision has been initiated. The Colton Crossing, which physically separated two Class I railroads with an elevated 1.4-mile-long overpass that lifts Union Pacific (UP) trains traveling east-west, was completed in August 2013.

SUSTAINABILITY IMPLEMENTATION

Since 2012, SCAG's Sustainability Planning Grant Program has funded 70 planning projects (totaling $10 million) to help local jurisdictions link local land use plans with 2012 RTP/SCS goals. Local jurisdictions have updated outmoded general plans and zoning codes; completed specific plans for town centers and Transit Oriented Development (TOD); implemented sustainability policies; and adopted municipal climate action plans. Thirty of the 191 cities in the SCAG region reported updating their general plans since 2012 and another 42 cities have general plan updates pending. Fifty-four percent of all the adopted and pending general plans include planning for TOD, 55 percent plan to concentrate key destinations and 76 percent include policies encouraging infill development. To protect water quality, 91 percent of cities have adopted water-related policies and 85 percent have adopted measures to address water quality. To conserve energy, 86 percent of cities have implemented community energy efficiency policies, with 80 percent of those cities implementing municipal energy efficiency policies and 76 percent implementing renewable energy policies. Of the region's 191 cities, 189 have completed sustainability components, with 184 cities implementing at least ten or more policies or programs and ten cities implementing 20 or more policies or programs. This last group includes Pasadena, Pomona and Santa Monica.

AFFORDABLE HOUSING

The state is offering new opportunities to help regions promote affordable housing. In spring 2015, California's Affordable Housing Sustainable Communities (AHSC) program awarded its first round of funding to applicants after a competitive grant process. Of $122 million available statewide, $27.5 million was awarded to ten projects in the SCAG region. Eight-hundred forty-two affordable units, including 294 units designated for households with an income of 30 percent or less of the area median income, will be produced with this funding. Meanwhile, Senate Bill 628 (Beall) and Assembly Bill 2 (Alejo), provide jurisdictions an opportunity to establish a funding source to develop affordable housing and supportive infrastructure and amenities.

PUBLIC HEALTH

The SCAG region has several ongoing efforts to promote public health. The Los Angeles County Department of Public Health and the Department of City Planning are developing a Health Atlas, which highlights health disparities among neighborhoods. In Riverside County, the Healthy Riverside County Initiative is working to have healthy cities resolutions adopted by a minimum of 15 cities. The County of San Bernardino has recently completed the Community Vital Signs Initiative, which envisions a "county where a commitment to optimizing health and wellness is embedded in all decisions by residents, organizations and government."

ENVIRONMENTAL JUSTICE

Since the adoption of the 2012 RTP/SCS, social equity and environmental justice have become increasingly significant priorities in regional plans. For example, plans to promote active transportation, improve public health, increase access to transit, preserve open space, cut air pollution and more are all evaluated for how well the benefits of these efforts are distributed among all demographic groups. The State of California's Environmental Protection Agency (Cal/EPA) developed a new tool, CalEnviroScreen, which helps to identify areas in the state that have higher levels of environmental vulnerability due to historical rates of toxic exposure and certain social factors. Based on this tool, much of the region can stand to benefit from Cap-and-Trade grants that give priority to communities that are disproportionately impacted.

SETTING THE STAGE FOR OUR PLAN

SCAG began developing the 2016 RTP/SCS by first reaching out to the local jurisdictions to hear directly from them about their growth plans. The next step was to develop scenarios of growth, each one representing a different vision for land use and transportation in 2040. More specifically, each scenario was designed to explore and convey the impact of where the region would grow, to what extent the growth would be focused within existing cities and towns and how it would grow—the shape and style of the neighborhoods and transportation systems that would shape growth over the period. The refinement of these scenarios, through extensive public outreach and surveys, led to a "preferred scenario" that helped guide the strategies, programs and projects detailed in the Plan.

MAJOR INITIATIVES

With the preferred scenario selected, the 2016 RTP/SCS, which includes $556.5 billion in transportation investments, has proposed several major initiatives to strive toward our vision for 2040.

PRESERVING THE TRANSPORTATION SYSTEM WE ALREADY HAVE (FIXING IT FIRST)

The 2016 RTP/SCS calls for the investment of $274.9 billion toward preserving our existing system. The allocation of these expenditures includes the transit and passenger rail system, the state highway system and regionally significant local streets and roads.

EXPANDING OUR REGIONAL TRANSIT SYSTEM TO GIVE PEOPLE MORE ALTERNATIVES TO DRIVING ALONE

The 2016 RTP/SCS includes $56.1 billion for capital transit projects This includes significant expansion of the Metro subway and Light Rail Transit (LRT) system in Los Angeles County. Meanwhile, new Bus Rapid Transit (BRT) routes will expand higher-speed bus service regionally; new streetcar services will link major destinations in Orange County; and new Metrolink extensions will further connect communities in the Inland Empire. Other extensive improvements are planned for local bus, rapid bus, BRT and express service throughout the region. To make transit a more attractive and viable option, the 2016 RTP/SCS also supports implementing and expanding transit signal priority; regional and inter-county fare agreements and media; increased bicycle carrying capacity on transit and rail vehicles; real-time passenger information systems to allow travelers to make more informed decisions; and implementing first/last mile strategies to extend the effective reach of transit.

EXPANDING PASSENGER RAIL

The 2016 RTP/SCS calls for an investment in passenger rail of $38.6 billion for capital projects and $15.7 billion for operations and maintenance. The Plan calls for maintaining the commitments in the 2012 RTP/SCS, including Phase 1 of California High-Speed Train system and the High-Speed Train System Memorandum of Understanding (MOU), which identifies a candidate project list to improve the Metrolink system and the LOSSAN rail corridor, thereby providing immediate, near-term benefits to the region while laying the groundwork for future integration with California's High-Speed Train project. These capital projects will bring segments of the regional rail network up to the federally defined speed of 110 miles per hour or greater, and help lead to a blended system of rail services.

IMPROVING HIGHWAY AND ARTERIAL CAPACITY

The 2016 RTP/SCS calls for investing $54.5 billion in capital improvements and $102.5 billion in operations and maintenance of the state highway system and regionally significant local streets and roads throughout the region. This includes focusing on achieving maximum productivity by adding capacity primarily by closing gaps in the system and improving access; and other measures including the deployment of new technology. The Plan also continues to support a regional network of Express Lanes, building on the success of the State Route 91 Express Lanes in Orange County, as well as Interstate 10 and Interstate 110 Express Lanes in Los Angeles County.

MANAGING DEMANDS ON THE TRANSPORTATION SYSTEM

The 2016 RTP/SCS calls for investing $6.9 billion toward Transportation Demand Management (TDM) strategies throughout the region. These strategies focus on reducing the number of drive-alone trips and overall vehicle miles traveled (VMT) through ridesharing, which includes carpooling, vanpooling and supportive policies for ridesourcing services such as Uber and Lyft; redistributing or eliminating vehicle trips from peak demand periods through incentives for telecommuting and alternative work schedules; and reducing the number of drive-alone trips through increased use of transit, rail, bicycling, walking and other alternative modes of travel.

OPTIMIZING THE PERFORMANCE OF THE TRANSPORTATION SYSTEM

The 2016 RTP/SCS earmarks $9.2 billion for Transportation System Management (TSM) improvements, including extensive advanced ramp metering, enhanced incident management, bottleneck removal to improve flow (e.g., auxiliary lanes), expansion and integration of the traffic signal synchronization network, data collection to monitor system performance, integrated and dynamic corridor congestion management and other Intelligent Transportation System (ITS) improvements.

PROMOTING WALKING, BIKING AND OTHER FORMS OF ACTIVE TRANSPORTATION

The 2016 RTP/SCS plans for continued progress in developing our regional bikeway network, assumes all local active transportation plans will be implemented, and dedicates resources to maintain and repair thousands of miles of dilapidated sidewalks. The Plan also considers new strategies and approaches beyond those proposed in 2012. To promote short trips, these include improving sidewalk quality, local bike networks and neighborhood mobility areas. To promote longer regional trips, these include developing a regional greenway network, and continuing investments in the regional bikeway network and access to the California Coastal Trail. Active transportation will also be promoted by integrating it with the region's transit system; increasing access to 224 rail, light rail and fixed guideway bus stations; promoting 16 regional corridors that support biking and walking; supporting bike share programs; and educating people about the benefits of active transportation for students, as well as promoting safety campaigns.

STRENGTHENING THE REGIONAL TRANSPORTATION NETWORK FOR GOODS MOVEMENT

The 2016 RTP/SCS includes $74.8 billion in goods movement strategies. Among these are establishing a system of truck-only lanes extending from the San Pedro Bay Ports to downtown Los Angeles along Interstate 710; connecting to the State Route 60 east-west segment and finally reaching Interstate 15 in San Bernardino County; working to relieve the top 50 truck bottlenecks; adding mainline tracks for the Burlington Northern Santa Fe (BNSF) San Bernardino and Cajon Subdivisions and the Union Pacific Railroad (UPRR) Alhambra and Mojave Subdivisions; expanding/modernizing intermodal facilities; building highway-rail grade separations; improving port area rail infrastructure; reducing environmental impacts by supporting the deployment of commercially available low-emission trucks and locomotives; and in the longer term advancing technologies to implement a zero- and near zero-emission freight system.

LEVERAGING TECHNOLOGY

Advances in communications, computing and engineering – from shared mobility innovations to zero-emission vehicles – can lead to a more efficient transportation system with more mobility options for everyone. Technological innovations also can reduce the environmental impact of existing modes of transportation. For example, alternative fuel vehicles continue to become more accessible for retail consumers and for freight and fleet applications – and as they are increasingly used air pollution can be reduced. Communications technology, meanwhile, can improve the movement of passenger vehicles and connected transit vehicles. As part of the 2016 RTP/SCS, SCAG has focused location-based strategies specifically on increasing the efficiency of Plug-in Hybrid Electric Vehicles (PHEV) in the region. These are electric vehicles that are powered by a gasoline engine when their battery is depleted. The 2016 RTP/SCS proposes a regional charging network that will increase the number of PHEV miles driven on electric power, in addition to supporting the growth of the PEV market generally. In many instances, these chargers may double the electric range of PHEVs, reducing vehicle miles traveled that produce tail-pipe emissions.

IMPROVING AIRPORT ACCESS

Recognizing the SCAG region is one of the busiest and most diverse commercial aviation regions in the world and that air travel is an important contributor to the region's economic activity, the 2016 RTP/SCS includes strategies for reducing the impact of air passenger trips on ground transportation congestion. Such strategies include supporting the regionalization of air travel demand; continuing to support regional and inter-regional projects that facilitate airport ground access (e.g., High-Speed Train); supporting ongoing local planning efforts by airport operators, county transportation commissions and local jurisdictions; encouraging development and use of transit access to the region's airports; encouraging the use of modes with high average vehicle occupancy; and discouraging the use of modes that require "deadhead" trips to/from airports (e.g., passengers being dropped off at the airport via personal vehicle).

FOCUSING NEW GROWTH AROUND TRANSIT

The 2016 RTP/SCS plans for focusing new growth around transit, which is supported by the following policies: identifying regional strategic areas for infill and investment; structuring the plan on a three-tiered system of centers development; developing "Complete Communities"; developing nodes on a corridor; planning for additional housing and jobs near transit; planning for changing demand in types of housing; continuing to protect stable, existing single-family areas; ensuring adequate access to open space and preservation of habitat; and incorporating local input and feedback on future growth. These policies support the development of:

- **High Quality Transit Areas (HQTAs)**: areas within one-half mile of a fixed guideway transit stop or a bus transit corridor where buses pick up passengers at a frequency of every 15 minutes or less during peak commuting hours. While HQTAs account for only three percent of total land area in SCAG region, they are planned and projected to accommodate 46 percent of the region's future household growth and 50 percent of the future employment growth.

- **Livable Corridors:** arterial roadways where jurisdictions may plan for a combination of the following elements: high-quality bus frequency; higher density residential and employment at key intersections; and increased active transportation through dedicated bikeways.
- **Neighborhood Mobility Areas (NMAs):** these areas represent the synthesis of various planning practices and are applicable in a wide range of settings. Strategies are intended to provide sustainable transportation options for residents of the region who lack convenient access to high-frequency transit but make many short trips within their urban neighborhoods. NMAs are conducive to active transportation and include a "Complete Streets" approach to roadway improvements to encourage replacing single- and multi-occupant automobile use with biking, walking, skateboarding, neighborhood electric vehicles and senior mobility devices.
- **Improving Air Quality and Reducing Greenhouse Gases:** It is through integrated planning for land use and transportation that the SCAG region, through the initiatives discussed in this section, will strive toward a more sustainable region. The SCAG region must achieve specific federal air quality standards. It also is required by state law to lower regional greenhouse gas emissions. California law requires the region to reduce per capita greenhouse gas emissions in the SCAG region by eight percent by 2020 – compared with 2005 levels – and by 13 percent by 2035. The strategies, programs and projects outlined in the 2016 RTP/SCS are projected to result in reduced greenhouse gas emissions in the SCAG region that exceeds these reduction targets.

PRESERVING NATURAL LANDS

Many natural land areas near the edge of existing urbanized areas do not have plans for conservation and are vulnerable to development pressure. The 2016 RTP/SCS recommends redirecting growth from high value habitat areas to existing urbanized areas. This strategy avoids growth in sensitive habitat areas, builds upon the conservation framework, and complements an infill-based approach.

FINANCING OUR FUTURE

To accomplish the ambitious goals of the 2016 RTP/SCS through 2040, SCAG forecasts expenditures of $556.5 billion – of which $274.9 billion is budgeted for operations and maintenance of the regional transportation system and another $250.9 billion is reserved for transportation capital improvements.

Forecasted revenues comprise both existing and several new funding sources that are reasonably expected to be available for the 2016 RTP/SCS, which together total $556.5 billion. Reasonably available revenues include short-term adjustments to state and federal gas excise tax rates and the long-term replacement of gas taxes with mileage-based user fees (or equivalent fuel tax adjustment). These and other categories of funding sources were identified as reasonably available on the basis of their potential for revenue generation, historical precedence and the likelihood of their implementation within the time frame of the Plan.

WHAT WE WILL ACCOMPLISH

Overall, the transportation investments in the 2016 RTP/SCS will provide a return of $2.00 for every dollar invested. Compared with an alternative of not adopting the Plan, the 2016 RTP/SCS would accomplish the following:

- The Plan would result in an eight percent reduction in greenhouse gas emissions per capita by 2020, an 18 percent reduction by 2035 and a 22 percent reduction by 2040 – compared with 2005 levels. This would exceed the state's mandated reductions, which are eight percent by 2020 and 13 percent by 2035.
- Regional air quality would improve under the Plan, as cleaner fuels and new vehicle technologies help to significantly reduce many of the pollutants that contribute to smog and other airborne contaminants that may impact public health in the region.
- The combined percentage of work trips made by carpooling, active transportation and public transit would increase by about four percent, with a commensurate reduction in the share of commuters traveling by single occupant vehicle.
- The number of Vehicle Miles Traveled (VMT) per capita would be reduced by nearly ten percent and Vehicle Hours Traveled (VHT) per capita by 18 percent (for automobiles and light/medium duty trucks) as a result of more location efficient land use patterns and improved transit service.
- Daily travel by transit would increase by nearly one third, as a result of improved transit service and more transit-oriented development patterns.
- The Plan would reduce delay per capita by 45 percent, and heavy

duty truck delay on highways by nearly 40 percent. This means we would spend less time sitting in traffic and our goods would move more efficiently.

- About 375,000 additional new jobs annually would be created, due to the region's increased competitiveness and improved economic performance that would result from congestion reduction and improvements in regional amenities due to implementation of the Plan.
- The Plan would reduce the amount of previously undeveloped (greenfield) lands converted to more urbanized use by 23 percent. By conserving open space and other rural lands, the Plan provides a solid foundation for more sustainable development in the SCAG region.
- The Plan would result in a reduction in our regional obesity rate of 2.5 percent, and a reduction in the share of our population that suffers with high blood pressure of three percent. It would also result in a reduction in the total annual health costs for respiratory disease of more than 13 percent.

HOW WE WILL ENSURE SUCCESS

Our Plan includes several performance outcomes and measures that are used to gauge our progress toward meeting our goals. These include:

- Location Efficiency, which reflects the degree to which improved land use and transportation coordination strategies impact the movement of people and goods.
- Mobility and Accessibility, which reflects our ability to reach desired destinations with relative ease and within a reasonable time, using reasonably available transportation choices.
- Safety and Health, which recognize that the 2016 RTP/SCS has impacts beyond those that are exclusively transportation-related (e.g., pollution-related disease).
- Environmental Quality, which is measured in terms of criteria pollutants and greenhouse gas emissions.
- Economic Opportunity, which is measured in terms of additional jobs created and the net contribution to Gross Regional Product achieved through improved regional economic competitiveness – as a result of the transportation investments provided through the 2016 RTP/SCS.
- Investment Effectiveness, which indicates the degree to which the Plan's expenditures generate benefits that transportation users can experience directly.
- Transportation System Sustainability, which reflects how well our transportation system is able to maintain its overall performance over time in an equitable manner with minimum damage to the environment and without compromising the ability of future generations to address their transportation needs.

The 2016 RTP/SCS is designed to ensure that the regional transportation system serves all segments of society. The Plan is subject to numerous performance measures to monitor its progress toward achieving social equity and environmental justice. These measures include accessibility to parks and natural lands, roadway noise impacts, air quality impacts and public health impacts, among many others.

LOOKING BEYOND 2040

The 2016 RTP/SCS is based on a projected budget constrained by the local, state and federal revenues that SCAG anticipates receiving between now and 2040. The Strategic Plan discusses projects and strategies that SCAG would pursue if new funding were to become available. The Strategic Plan discussion includes long-term emission reduction strategies for rail and trucks; expanding the region's high-speed and commuter rail systems; expanding active transportation; leveraging technological advances for transportation; addressing further regional reductions in greenhouse gas emissions; and making the region more resilient to climate change – among other topics. We anticipate that these projects and strategies may inform the development of the next Plan, the 2020 RTP/SCS.