VENTURA COUNTY TRANSPORTATION COMMISSION

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

www.goventura.org

AGENDA*

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

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, JANUARY 10, 2014
9:00 AM

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

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **PUBLIC COMMENTS** – *Each individual speaker is limited to speak three (3) continuous minutes or less. The Commission may, either at the direction of the Chair or by majority vote of the Commission, waive this three minute time limitation. Depending on the number of items on the Agenda and the number of speakers, the Chair may, at his/her discretion, reduce the time of each speaker to two (2) continuous minutes. In addition, the maximum time for public comment for any individual item or topic is thirty (30) minutes. Also, the Commission may terminate public comments if such comments become repetitious. Speakers may not yield their time to others without the consent of the Chair. Any written documents to be distributed or presented to the Commission shall be submitted to the Clerk of the Board. This policy applies to Public Comments and comments on Agenda Items.*

   Under the Brown Act, the Board should not take action on or discuss matters raised during Public Comment portion of the agenda which are not listed on the agenda. Board members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.

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

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

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

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

8A. APPROVE SUMMARY FROM DECEMBER 6, 2013 VCTC MEETING – PG. 5
Recommended Action:
Approve
Responsible Staff: Donna Cole

8B. MONTHLY BUDGET REPORT – PG. 11
Recommended Action:
Receive and File
Responsible Staff: Sally DeGeorge

8C. PASSENGER RAIL UPDATE – PG. 17
Recommended Action:
Receive and File
Responsible Staff: Ellen Talbo

8D. FY 2014/15 TDA ARTICLE 3 BICYCLE/PEDESTRIAN FUND GRANT APPLICATIONS– PG. 21
Recommended Action:
Approve the schedule and evaluation criteria for FY 2014/2015 Transportation Development Act Article 3 Bicycle and Pedestrian funds.
Responsible Staff: Mary Travis

8E. 2013 FEDERAL TRANSIT ADMINISTRATION TRIENNIAL REVIEW – PG. 25
Recommended Action:
Receive and File
Responsible Staff: Peter De Haan

8F. FY 2014/15 UNMET TRANSIT NEEDS HEARING SCHEDULE – PG. 31
Recommended Action:
Approve schedule for FY 2014/2015 Transportation Development Act (TDA) unmet transit needs public hearing and public participation program.
Responsible Staff: Mary Travis

9. FINAL ROUTE 101 PROJECT STUDY REPORT– PG. 35
Recommended Action:
Receive and File
Responsible Staff: Peter De Haan

10. Route 101 HIGH-OCCUPANCY TOLL LANES STUDY CONTRACT AWARD– PG. 37
Recommended Action:
Approve contract with CDM Smith to conduct the Route 101 High-Occupancy Toll Lanes Study, for an amount for the first phase not to exceed $110,910, and with the second phase of $188,790 subject to further Commission approval. Funds for the project are included in the budget.
Responsible Staff: Peter De Haan

11. VISTA 126 ROUTE EXTENSION WITH ADDITIONAL SERVICE TO PIRU – PG. 53
Recommended Action:
- *Authorize the Chairman to execute an agreement with the County of Ventura, to provide additional VISTA 126 service with extension to Piru.*
- *Amend the FY13/14 budget for VISTA Fixed Route Bus Service to include the local contribution of $38,800 provided by the County of Ventura for the Piru service extension, and amend the VISTA Intercity Contract Services line item in the amount of $38,800.*

Responsible Staff: Aaron Bonfilio

12. PRIMARY FREIGHT NETWORK– PG. 55
Recommended Action:
Approve joint Ventura County Transportation Commission / Oxnard Harbor District comments regarding Draft Freight Network, to be provided later under separate cover.
Responsible Staff: Peter De Haan

13. VCTC GENERAL COUNSEL'S REPORT
This item provides the opportunity for General Counsel to give update and status reports on any legal matters related to Commission activities.

14. AGENCY REPORTS

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

2.Conference with Legal Counsel – Existing Litigation (Gov Code Sec. 54956.9(a) and (d)(1))
VCTC v. Griffin Industries

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

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

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Item #8A

Meeting Summary

VENTURA COUNTY TRANSPORTATION COMMISSION

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

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, DECEMBER 6, 2013
9:00 AM

Members Present:

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

Call To Order

Pledge of Allegiance

Roll Call

Public Comments for those items not listed in this agenda

Chap Morris, FATCO
FATCO has provided transit service in the Heritage Valley for the past 20 years. The Dial A Ride Call center fields 600 calls per day. There is a great need for service in the area. FATCO is happy to provide their information to help evaluate the needs for the Heritage Valley service.

APPROVE SUMMARY FROM NOVEMBER 1, 2013 VCTC MEETING – ***It was noted that Commissioner Zaragoza attended the meeting but his name was not included on the attendance list. Commissioner Sharkey made a motion to approve the summary as presented. The motion was seconded by Commissioner McDonald and passed with Commissioner Humphrey abstaining.***

CALTRANS REPORT
Carrie Bowen reported currently projects totaling more than $83 million are in construction in Ventura County.

EXECUTIVE DIRECTOR REPORT –
Arc Vehicles Funded - Earlier this year, VCTC applied to Caltrans for FTA Section 5310 Senior and Disabled funding for two replacement vans for the Arc of Ventura County and one replacement Bus for HELP of Ojai. Both projects scored just below the cut off and neither were selected to receive funding. Recently, Caltrans has informed staff and the Arc of Ventura County that due to savings from previous cycles of the program, there is now $79,678 available for the Arc to receive their two vehicles with 88.5% federal funding. HELP of Ojai scored slightly lower than Arc and was not awarded funding.

FHWA Identifies Freight Network - The federal transportation authorization act, Moving Ahead for Progress in the 21st Century, or MAP-21, calls on the Federal Highway Administration (FHWA) to identify a 27,000 mile Primary Freight Network consisting of the most critical roadways for goods movement. FHWA has now released for comment the draft network which in Ventura County includes Route 101 from Los Angeles as far as the roadways accessing the Port of Hueneme. The draft network also includes the freeway portion of Route 23, but not the roads such as Rice, Hueneme, and Victoria which connect 101 to the Port.

Preliminary indications are that Southern California fared much better than the rest of the country so it is unlikely we can increase the road miles included our network. We are currently coordinating a response with SCAG and the other regional agencies. Since the draft network included the Route 23 Freeway but then showed a gap on Route 118, we are considering requesting Route 23 roads be removed, and replaced with the primary Port access route of Hueneme and Rice Roads.

All Electric Bus Tested in Ventura - On Monday, December 2, VISTA and Roadrunner tested Ventura County's First All-Electric Bus in a demonstration sponsored by Roadrunner Shuttle. The two-hour demonstration began at 9 a.m. along the VISTA Cal State University Channel Islands-Camarillo route. The retrofitted Gillig bus features an all-electric zero-emissions propulsion system (ZEPS) that is both quiet and clean. On Monday, it made two trips along VISTA's 25-minute-round-trip CSUCI-Camarillo route, carrying approximately 80 passengers in the process.

The bus will be field tested again over a two-week span in January 2014, and will be modified to improve hillside braking and overall top speed. In comparison with the current VISTA vehicles, the ZEPS bus is projected to save more than $266,000 in operations costs over an eight-year period and is slated for full-time incorporation by July 1, 2014. The ZEPS bus fully charges in five hours and can run all day on the CSUCI route.

Route 101/23 Intersection Construction Scheduled - As the Commission is aware, the construction of the Route 101 / 23 Interchange Improvements is scheduled to start shortly. We have just received confirmation that the groundbreaking ceremony is set for Wednesday, January 15th, at 1:00 p.m. The location is still to be determined. Staff will provide more information when it is available.

ADDITIONS/REVISIONS – ***None***

<u>CONSENT CALENDAR</u> ***– Commissioner Humphrey pulled Item #9D for discussion. Commissioner Zaragoza made a motion to approve all other items on Consent Calendar as recommended. The motion was seconded by Commissioner Millhouse and passed unanimously.***

9A. MONTHLY BUDGET REPORT – *Receive and File*

9B. PASSENGER RAIL UPDATE – *Receive and File*

9C. CALLEGUAS WATER DISTRICT PIPELINE EASEMENT REVISION – *Receive and File*

9E. VISTA FUNDING AMENDMENT - *Amend the Fiscal Year (FY) 2013/2014 VISTA Fixed budget by $118,210 ($90,820 in VISTA unallocated funds and $27,390 in State Transit Assistance funds).*

9F. ROUTE 101/23 INTERCHANGE PROJECT COOPERATIVE AGREEMENT AMENDMENT
Authorize the Chair to execute the amendment to the Cooperative Agreement with Caltrans and the City of Thousand Oaks for the Route 101/23 Project.

9D. COMMUTER SERVICES QUARTERLY REPORT – *Commissioner Humphrey asked for clarification regarding the paragraph on Farm Labor, specifically the notable increase in the number of vans traveling outside Ventura County. He asked if we are getting the rate of return we desire with employees using vans to leave the county. Staff replied that there are 5 vans leaving the county and that the end users are saving money and reducing congestion.* ***Commissioner MacDonald made a motion to receive and file the report. The motion was seconded by Commissioner Long and passed unanimously.***

<u>FY 2012/13 COMPREHENSIVE ANNUAL FINANCIAL REPORT</u>
Commissioner MacDonald made a motion to approve the audited Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2012/2013. The motion was seconded by Commissioner Morehouse and passed unanimously.

<u>TRANSPORTATION DEVELOPMENT ACT/LOCAL TRANSPORTATION FUND REVISED APPORTIONMENT FOR FY 2013/14</u> ***– Commissioner Zaragoza made a motion to adopt the Revised Local Transportation Fund Apportionment for Fiscal Year 2013/2014 apportioning an additional $5.7 million as shown in Attachment 1. The motion was seconded by Commissioner McDonald and passed unanimously.***

<u>2014 STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) SUBMITTAL</u>
Commissioner Zaragoza made a motion to approve the 2014 STIP submittal to the California Transportation Commission. The motion was seconded by Commissioner Morehouse and passed unanimously.

<u>AMENDMENT TO FY 2013/14 TRANSIT PROGRAM OF PROJECTS – PUBLIC HEARING</u> –
There were no speakers for the public hearing.
Commissioner Millhouse made a motion to amend the FY 2013/14 the Federal Transit Administration Program of Projects (POP) to include an additional $37,000 for the Metrolink operations swap to fund VCTC's share of financial consultant assistance to Metrolink. The motion was seconded by Commissioner Sharkey and passed unanimously.

<u>2014 LEGISLATIVE PROGRAM AND LEGISLATION STATUS UPDATE</u> –
Commissioner Foy made a motion to pull Bullet #3 under State Legislative Program Transportation Funding for a separate vote. The motion was seconded by Commissioner Morehouse and passed.

Commissioner Morehouse made a motion to support a constitutional amendment to lower the voter threshold to pass local transportation finance measures to 55%. The motion was seconded by Commissioner Millhouse and passed by the following roll call vote:

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

Commissioner Millhouse made a motion to adopt the remaining items in the 2014 Legislative Program as presented. The motion was seconded by Commissioner MacDonald and passed unanimously,

<u>SANTA PAULA BRANCH LINE TRAIL</u> –

<u>Public Comment</u>
Lynn Jensen*, COLAB is a non-profit organization that works with the County on projects that impact business in the County. All the trail documents are problematic for the agriculture industry. There are issues with the federal food safety act and also conflicting language with all elements including public safety. COLAB would like to be involved in future efforts regarding this project.*

Commissioner Bennett made motion to:

- ***Designate the Santa Paula Branch Line Advisory Committee (SPBLAC) as the policy subcommittee of the Commission to oversee all work associated with the SPBL Recreational Trail.***
- ***Authorize staff to develop a Request for Proposal (RFP) for consultant services to update the SPBL Recreational Trail Master Plan and PEIR as well as re-engaging the agricultural community in the trail planning process.***

The motion was seconded by Commissioner Humphrey and passed by the following roll call vote:

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

<u>RELEASE OF REQUEST FOR PROPOSALS FOR SHORT RANGE TRANSIT PLAN</u> –
Commissioner Foy made a motion to approve release of a Request for Proposals (RFP) for VCTC Short Range Transit Plan (SRTP), to assist in future delivery of VCTC Intercity/Regional transit services, strategic countywide allocation of capital transit funds, and the VCTC implementation of the Countywide Transit Plan. Work elements and funding will be for both the current and next Fiscal Year. The motion was seconded by Commissioner MacDonald and passed unanimously.

<u>TRANSPORTATION DEVELOPMENT ACT (TDA) UNMET TRANSIT PUBLIC HEARING DEFINITIONS AND PUBLIC PARTICIPATION PROCESS</u> –
<u>Public Comment</u>
***Shaun Kroes**, City of Moorpark*
Thanked the Commission for undertaking the task of updating its Unmet Transit Needs Process. Moorpark agrees that it is important to establish a clear definition of an Unmet Transit Need, but, also, what is not an Unmet Transit Need. The Unmet Transit Needs process in Ventura County helps identify areas of improvement for our transit program. He asked that VCTC staff confirm that the revised Unmet Transit Needs process will not result in small cities with a population under 100,000 being required to spend TDA money on regional transit services that should be funded collectively by all jurisdictions simply because the small jurisdictions have TDA money "available" for streets and roads projects.

Commissioner Bennett made a motion to adopt the report recommendations regarding the annual Transportation Development Act (TDA) unmet transit needs public hearing definitions and public participation input program. The motion was seconded by Commissioner Sharkey and passed unanimously.

VCTC GENERAL COUNSEL'S REPORT - *None*

AGENCY REPORTS

CLOSED SESSION – *No report*

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

2. *Conference with Legal Counsel – Existing Litigation (Gov Code Sec. 54956.9(a) and (d)(1))*
   VCTC v. Griffin Industries

3. *Conference with Legal Counsel – Anticipated Litigation, (Gov Code Sec. 54956.9(a) and (d)(2))*
   Significant Exposure to Litigation – One Case

ADJOURN

The next VCTC Commission meeting is scheduled to be held at 9:00 a.m. Friday**, January 10, 2014**, Camarillo City Hall, City Council Chambers, 601 Carmen Drive, Camarillo.

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Item # 8B

January 10, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for November 2013

BACKGROUND:

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

The November 30, 2013 budget reports indicate that revenues were approximately 38.98% of the adopted budget while expenditures were approximately 25.04% The adopted budget. The revenues and expenditures are as expected. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on a percentage or monthly basis.

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

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

VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF NOVEMBER 30, 2013

ASSETS

Assets:	
Cash and Investments - Wells Fargo Bank	$ 3,960,243
Cash and Investments - County Treasury	30,880,479
Petty Cash	50
Receivables/Due from other funds	1,896,382
Prepaid Expenditures	511,031
Deposits	13,065
Capital Assets, undepreciated	25,885,133
Capital Assets, depreciated, net	24,453,420
Total Assets:	**$87,599,803**

LIABILITIES AND FUND BALANCE

Liabilities:	
Accrued Expenses/Due to other funds	$ 891,698
Deferred Revenue	1,573,608
Deposits	400
Total Liabilities:	**$ 2,465,706**
Net Position:	
Invested in Capital Assets	$50,338,553
Fund Balance	34,795,544
Total Net Position	**$85,134,097**
Total Liabilities and Fund Balance:	**$87,599,803**

VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE FIVE MONTHS ENDING NOVEMBER 30, 2013

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Revenues								
Federal Revenues	$ 2,781,580	$ 0	$ 0	$ 0	$ 2,781,580	$ 12,355,069	(9,573,489)	22.51
State Revenues	1,773,319	13,347,028	1,231,527	197,262	16,549,136	41,052,637	(24,503,501)	40.31
Local Revenues	3,058,793	0	0	248	3,059,041	3,983,315	(924,274)	76.80
Other Revenues	4,771	0	0	0	4,771	3,751	1,020	127.19
Interest	283	6,748	11,210	3,024	21,265	105,000	(83,735)	20.25
Total Revenues	**7,618,746**	**13,353,776**	**1,242,737**	**200,534**	**22,415,793**	**57,499,772**	**(35,083,979)**	**38.98**
Expenditures								
Administration								
Personnel Expenditures	938,350	0	0	0	938,350	2,782,200	(1,843,850)	33.73
Legal Services	2,032	0	0	0	2,032	30,000	(27,968)	6.77
Professional Services	61,448	0	0	0	61,448	115,300	(53,852)	53.29
Office Leases	62,247	0	0	0	62,247	144,000	(81,753)	43.23
Office Expenditures	240,569	0	0	0	240,569	291,000	(50,431)	82.67
Total Administration	**1,304,646**	**0**	**0**	**0**	**1,304,646**	**3,362,500**	**(2,057,854)**	**38.80**
Programs and Projects								
Transit & Transportation Program								
Senior-Disabled Transportation	198,493	0	0	0	198,493	333,070	(134,577)	59.59
Go Ventura Smartcard	74,854	0	0	0	74,854	259,900	(185,046)	28.80
VISTA Fixed Route Bus Service	2,555,290	0	0	0	2,555,290	14,158,608	(11,603,318)	18.05
VISTA DAR Bus Services	1,060,184	0	0	0	1,060,184	2,620,400	(1,560,216)	40.46
Nextbus	2,925	0	0	0	2,925	173,800	(170,875)	1.68
Trapeze	7,581	0	0	0	7,581	30,900	(23,319)	24.53
Transit Grant Administration	2,428,498	0	0	0	2,428,498	8,940,116	(6,511,618)	27.16
Total Transit & Transportation	**6,327,825**	**0**	**0**	**0**	**6,327,825**	**26,516,794**	**(20,188,969)**	**23.86**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Highway Program								
Congestion Management Program	3,750	0	0	0	3,750	25,000	(21,250)	15.00
Motorist Aid Call Box System	0	0	0	118,732	118,732	440,000	(321,268)	26.98
SpeedInfo Highway Speed Sensor	0	0	0	35,700	35,700	144,000	(108,300)	24.79
Total Highway	**3,750**	**0**	**0**	**154,432**	**158,182**	**609,000**	**(450,818)**	**25.97**
Rail Program								
Metrolink & Commuter Rail	1,293,299	0	0	0	1,293,299	3,242,930	(1,949,631)	39.88
LOSSAN & Coastal Rail	600	0	0	0	600	30,600	(30,000)	1.96
Santa Paula Branch Line	253,924	0	0	0	253,924	951,601	(697,677)	26.68
Total Rail	**1,547,823**	**0**	**0**	**0**	**1,547,823**	**4,225,131**	**(2,677,308)**	**36.63**
Commuter Assistance Program								
Transit Information Center	20,592	0	0	0	20,592	53,200	(32,608)	38.71
Rideshare Programs	4,410	0	0	0	4,410	56,500	(52,090)	7.81
Total Commuter Assistance	**25,002**	**0**	**0**	**0**	**25,002**	**109,700**	**(84,698)**	**22.79**
Planning & Programming								
Transportation Development Act	44,646	6,688,582	0	0	6,733,228	29,536,714	(22,803,486)	22.80
Transportation Improvement Program	155,032	0	0	0	155,032	285,650	(130,618)	54.27
Regional Transportation Planning	10,214	0	0	0	10,214	364,000	(353,786)	2.81
Airport Land Use Commission	40,020	0	0	0	40,020	206,000	(165,980)	19.43
Regional Transit Planning	6,726	0	0	0	6,726	97,700	(90,974)	6.88
Freight Movement	0	0	0	0	0	12,500	(12,500)	0.00
Total Planning & Programming	**256,638**	**6,688,582**	**0**	**0**	**6,945,220**	**30,502,564**	**(23,557,344)**	**22.77**
General Government								
Community Outreach & Marketing	146,018	0	0	0	146,018	519,600	(373,582)	28.10
State & Federal Relations	34,578	0	0	0	34,578	76,525	(41,947)	45.19
Management & Administration	49,288	0	0	0	49,288	130,456	(81,168)	37.78
Total General Government	**229,884**	**0**	**0**	**0**	**229,884**	**726,581**	**(496,697)**	**31.64**
Total Expenditures	**9,695,568**	**6,688,582**	**0**	**154,432**	**16,538,582**	**66,052,270**	**(49,513,688)**	**25.04**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)
Revenues over (under) expenditures	**(2,076,822)**	**6,665,194**	**1,242,737**	**46,102**	**5,877,211**	**(8,552,498)**	**14,429,709**
Other Financing Sources							
Transfers Into GF from LTF	2,565,190	0	0	0	2,565,190	2,565,190	0
Transfers Into GF from STA	1,813,437	0	0	0	1,813,437	10,518,220	(8,704,783)
Transfers Into GF from SAFE	1,689	0	0	0	1,689	41,900	(40,211)
Transfers Out of LTF into GF	0	(2,565,190)	0	0	(2,565,190)	(2,565,190)	0
Transfers Out of STA into GF	0	0	(1,813,437)	0	(1,813,437)	(10,519,370)	8,705,933
Transfers Out of SAFE into GF	0	0	0	(1,689)	(1,689)	(41,900)	40,211
Total Other Financing Sources	**4,380,316**	**(2,565,190)**	**(1,813,437)**	**(1,689)**	**0**	**(1,150)**	**1,150**
Net Change in Fund Balances	**2,303,494**	**4,100,004**	**(570,700)**	**44,413**	**5,877,211**	**(8,553,648)**	**14,430,859**
Beginning Fund Balance	**1,592,617**	**10,411,113**	**13,403,280**	**3,511,323**	**28,918,333**	**22,314,000**	**1,788,827**
Ending Fund Balance	**$3,896,111**	**$14,511,117**	**$12,832,580**	**$3,555,736**	**$34,795,544**	**$13,760,352**	**$16,219,686**

For Management Reporting Purposes Only

VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF NOVEMBER 30, 2013

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

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo – Checking	Government Checking	N/A	$353.97	0.02%	$3,960,243.05
County of Ventura	Treasury Pool	N/A	$20,956.77	0.38%	$30,912,668.71
Total			**$21,310.74**		**$34,872,911.76**

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

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

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

For Management Reporting Purposes Only

Item #8C

January 10, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **ELLEN TALBO, PROGRAM ANALYST**

SUBJECT: **PASSENGER RAIL UPDATE**

RECOMMENDATION:

- Receive and file.

BACKGROUND:

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

DISCUSSION:

Metrolink

Ridership & On-Time Performance

During the month of November, the Ventura County Line averaged approximately 3,640 total passenger boardings per weekday. This is a 1% decrease from the previous month of October and also a 1% decrease year-over-year, from November 2012. Detailed statistics are attached.

As of this writing Metrolink data for the second quarter of the fiscal year was not available and will be provided at the next Commission meeting.

Finances

Consultant staff from KPMG LLP continue to assist the Metrolink Accounting and Finance Department to improve agency cash flow and account reconciliations in order to stabilize finances. At the December Board of Directors meeting, KPMG staff reported average daily cash on hand for the agency was $57 million. Accounting and Finance staff have significantly decreased the number of current accounts receivable. Priority is now focused on collecting past due accounts receivable, especially invoices older than 90 days.

Operator Service Contract with Amtrak

Metrolink's Operator Service contract with the Amtrak will expire June 30, 2014. At the December meeting, the Metrolink Board approved an extension of the contract to June 30, 2017 to enable seamless continuation of operator services. It is anticipated that Amtrak crews will have recently completed necessary training to accommodate the Authority's Positive Train

Control (PTC) system. It is staff's intention to keep these newly-trained crew members and the management engaged with continued train operations. Three main changes were discussed with Amtrak as part of this extension: 1) creation of an Assistant Conductor position; 2) reduction in the Contingency Fee and 3) increase in the Management Fee (Overhead and Profit).

It is estimated that the additional cost associated with increased Management Fees would be approximately 2% over the contract period. It is also estimated that the additional cost associated with Assistant Conductor salaries would be approximately $600,000 per year based on eight new Assistant Conductors envisioned per year.

LOSSAN JPA

Ridership & On-Time Performance

During the December Commission meeting, data for the month of September was provided however as of this writing, data for the month of October is not available and will be provided at the next Commission meeting.

Governance

The final Administrative Services Agreement (ASA) with OCTA was approved at the November Board meeting. OCTA is making progress on initial steps for the Interagency Transfer Agreement, through continued discussions with the State and working with our partners at the San Joaquin Regional Rail Commission.

Pending ASA approval, OCTA will present an Interim Workplan in mid-January 2014 and subsequently proceed to negotiate the interagency transfer of intercity train service from the State to the regional Joint Powers Authority, as authorized under SB 1225 (Padilla, 2012).

ATTACHMENT

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

MO/YR	Ventura County Line	System Average Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA
13-Oct	3,772	42,040	488
13-Nov	3,643	42,181	471
Variance	*-1.03%*	*1.00%*	

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

MO/YR	Ventura County Line	System Average Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA
12-Nov	3,943	43,418	460
13-Nov	3,643	42,181	471
Variance	*-1.08%*	*-1.02%*	

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Item # 8D

January 10, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: MARY TRAVIS, ANALYST II

SUBJECT: FISCAL YEAR (FY) 2014/2015 TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 BICYCLE/PEDESTRIAN FUND GRANT APPLICATIONS

RECOMMENDATION:

- Approve the schedule and evaluation criteria for FY 2014/2015 Transportation Development Act Article 3 Bicycle and Pedestrian funds.

DISCUSSION:

Pursuant to California PUC Section 99233.3, a portion of the available Transportation Development Act (TDA) Local Transportation Funds each year must be used for planning, maintaining and constructing facilities for the exclusive use of pedestrians and bicyclists. In FY 2014/2015, we expect about $600,000 will be available for these purposes. About 15% or $90,000 of the total will be allocated to the cities/County based on the Class I Bike Trail mileage the agency maintains under the Commission's Class I Bicycle Trail Maintenance program. After this is deducted, there should be about $510,000 remaining for allocation to the cities/County for local bicycle or pedestrian projects on a competitive basis.

VCTC has established an annual process for the cities/County to submit projects and compete for the available funds; please see the recommended FY 2014/2015 Article 3 allocation schedule (Attachment # 1). VCTC has assigned the responsibility to the Citizen's Transportation Advisory Committee/Social Services Transportation Advisory Council (CTAC/SSTAC) for reviewing the applications and making application ranking order recommendations to the Commission. CTAC/SSTAC uses evaluation criteria to do the rankings, and the criteria has been streamlined for the upcoming year from what has been used in the past; please see Attachment # 2.

Each city and the County are allowed to submit one project for funding consideration. The applicants are informed that it is strongly recommended they provide a 50/50 match with local and/or other grant funds to augment the Article 3 funds being requested. Every application must include a written response to each of the evaluation criteria as part of the request for funds and a clear 8 ½ x 11 map with directions to the project is requested to facilitate field visits. Applicants are also asked to report on the status of projects for which they were awarded past Article 3 allocations.

While reviewing the VCTC evaluation criteria, the CTAC/SSTAC looked at how other counties allocate the Article 3 money each year; most counties simply allocate the annual Article 3 fund by population to the cities/County. However, in discussing past allocations, CTAC/SSTAC felt using a per capita split would encourage the use of Article 3 money for routine projects such as curb cuts. While this example is a worthwhile activity, the Committee felt the Article 3 funds should be used for more innovative and exciting projects, such as bike path gap closures and/or for bigger projects that might involve more than one city and/or the County. This point will therefore be emphasized when the FY 2014/2015 application packets are distributed in late January.

Attachment # 1

FY 2014/2015 TDA ARTICLE 3
BICYCLE/PEDESTRIAN FUND ALLOCATION SCHEDULE

December 10, 2013	CTAC/SSTAC reviews draft FY 2014/2015 schedule and evaluation criteria
January 14, 2014	VCTC reviews/approves schedule and evaluation criteria
January 20, 2014	County Auditor estimates FY 2014/2015 TDA funds available
January 21, 2014	Article 3 application packets sent to cities/County for their consideration
February 5, 2014	Applicant workshop 3 PM at VCTC conference room
February 24, 2014	**Noon - City/County applications due at VCTC office** (Note: resolutions authorizing the claims may be submitted at a later date but must be received at the VCTC before any funds will be allocated to the claimant.)
March 11, 2014	**CTAC/SSTAC review project applications and interview project applicants**
April 8, 2014	CTAC/SSTAC meeting with general discussion of projects and field visits
May 13, 2014	CTAC/SSTAC meeting to rank projects and make funding recommendation to VCTC
June 6, 2014	VCTC reviews recommendation and approves FY 2014/2015 Article 3 project funding allocations
November 15. 2014	Instructions sent to County Auditor allocating FY 2014/2015 Article 3 funds
December 15, 2014	Instructions sent to County Auditor allocating FY 2014/2015 Class I Bike Trail maintenance funds

Attachment # 2

TDA FY 14/15 ARTICLE 3 BICYCLE/PEDESTRIAN CLAIM EVALUATION

CLAIMANT: ______________________________

Possible Points	
100	Couldn't imagine a better response
90-80	Excellent, insightful response
70-60	More than adequate response
50-40	Adequate response, no special insights
30-20	Inadequate response
10-0	Totally inadequate response
0	No response given

Criteria	Possible Points	Points Awarded
SAFETY • Describe how the project will improve safety in the area – cite accident reports or other documentation if available. • How will the project be maintained?	0-30	
TRAFFIC GENERATORS • Does the project connect to transit stops, train stations, schools, senior centers, work sites and other traffic generators? • Does the project encourage multi-modal transit use? • Will the project benefit transit-dependent areas?	0-15	
PROJECT READINESS • When will the project be implemented? • Have past funds been spent? If not, why not? Please refer to claimant's annual TDA Article 3 audit for details.	0-10	
MISSING LINK AND CONNECTIVITY • Are other agencies involved in the project? • Does the project connect with facilities within a city, or with another area and/or regional facilities? • Does the project fill in a "missing link" identified in the Countywide Bicycle Plan?	0-20	
SPECIAL CONSIDERATIONS • Has the claimant provided a local match? How much? • Does the project improve accessibility to the area? • Are there special environmental advantages to the project? • Is there public support for the project?	0-25	
TOTAL POINTS	100	

Item #8E - REVISED

January 10, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

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

SUBJECT: **FEDERAL TRANSIT ADMINISTRATION 2013 TRIENNIAL REVIEW**

RECOMMENDATION:

Receive and file.

BACKGROUND:

Every three years the Federal Transit Administration (FTA) conducts a review of compliance with FTA funding requirements. This review includes a document review and a visit to the offices and facilities of VCTC and one or more subrecipients. This year's visit, which included the City of Thousand Oaks operations facility and the Ventura Transit Center, was completed on December 13th. As of this writing, staff has received a preliminary copy of the draft report. Although some revisions in the report are anticipated, the following is a summary of what are expected to be the findings, with the most significant issue appearing to be the requirement for an evaluation of the failure to achieve the adopted Disadvantaged Business Enterprise (DBE) goal. Attached for the Commission's information is an overview of the various areas that are checked during the Triennial Review. FTA will provide the final report, when complete, separately to Commission staff and to the Chair.

Disadvantaged Business Enterprise (DBE): Since the Commission has consistently not been achieving its adopted DBE goal, it will be required to perform an analysis of how to improve DBE participation. Although VCTC revised its program to include a Small Business Enterprise (SBE) element, the program must be reformatted to include the SBE element in the body of the document rather than as an addendum. VCTC must revise its procedures to increase the number of public notifications published during DBE goal adoption. The two DBE participation reports for Fiscal Year 2010/11 were not submitted through the new on-line process and were therefore recorded as not having been submitted, and have now been resubmitted on-line.

Program of Projects (POP): Future POP public notices must contain additional wording stipulating that the published POP will be the final POP unless a subsequent notice is published.

Title VI: VCTC must revise its procedures to ensure notices of Title VI protections are available to all patrons. Staff has been advised that the posting of the notice must not be limited to websites and transit ticket offices, but in most cases must include a posting within every bus.

Americans with Disabilities Act (ADA): VCTC must revise its procedures to ensure adequate oversight of subrecipients with regard to no-show policies for ADA complementary service.

Drug Free Workplace: VCTC must revise the Drug Free Workplace wording in its personnel manual to comply with FTA requirements.

Drug & Alcohol Program: VCTC must revise its policies to ensure adequate review of written subrecipient and contractor Drug & Alcohol testing policies.

Safety and Security: There are advisory comments for VCTC to develop a Safety Policy and Plan, and Security Plan, an Emergency Management Plan, and written Coordinated Emergency Response Procedures. (It should be noted that over recent years Commission staff has been working with various agencies to improve emergency coordination, but as of yet there is little in the way of written policies.)

Items that will likely require Commission actions will be to adopt a revised DBE program, and a Personnel policy pertaining to Drug Free Workplace. The remaining items primarily involve changes in grant procedures which staff will likely be able to complete within the next month.

ATTACHMENT

INFORMATION FOR BASELINE REVIEW

1. LEGAL

The grantee must be eligible and authorized under state and local law to request, receive, and dispense FTA funds and to execute and administer FTA funded projects. The authority to take actions and responsibility on behalf of the grantee must be properly delegated and executed.

2. FINANCIAL MANAGEMENT AND FINANCIAL CAPAICTY

The grantee must demonstrate the ability to match and manage FTA grant funds, cover cost increases and operating deficits, financially maintain and operate FTA funded facilities and equipment, and conduct and respond to applicable audits.

3. TECHNICAL

The grantee must be able to implement FTA funded projects in accordance with the grant application, Master Agreement, and all applicable laws and regulations, using sound management practices.

4. SATISFACTORY CONTINUING CONTROL

The grantee must maintain control over real property, facilities, and equipment and ensure that they are used in transit service.

5. MAINTENANCE

Grantees and subrecipients must keep federally funded equipment and facilities in good operating order and maintain ADA accessibility features.

6. PROCUREMENT

FTA grantees use their own procurement procedures that reflect applicable state and local laws and regulations, provided that the process ensures competitive procurement and the procedures conform to applicable Federal law, including 49 CFR Part 18 (specifically Section 18.36) and FTA Circular 4220.1F, "Third Party Contracting Guidance."

7. DISADVANTAGED BUSINESS ENTERPRISE (DBE)

The grantee must comply with 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. Grantees also must create a level playing field on which DBEs can compete fairly for DOT-assisted contracts.

8. PLANNING/PROGRAM OF PROJECTS

(Planning): The grantee must participate in the transportation planning process in accordance with FTA requirements, SAFETEA-LU, and the metropolitan and statewide planning regulations.

(Human Services Transportation): Grantees must participate in a coordinated public transit-human services transportation planning process that identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes; provides strategies for meeting those local needs; and prioritizes transportation services for funding and implementation.

(Program of Projects (POP): Each recipient of a Section 5307 grant shall develop, publish, afford an opportunity for a public hearing on, and submit for approval, a POP. an compete fairly for DOT-assisted contracts.

9. TITLE VI

The grantee must ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participating in, or be denied the benefits of, or be subject to discrimination under any program, or activity receiving federal financial assistance. The grantee must ensure that federally supported transit services and related benefits are distributed in an equitable manner.

10. PUBLIC COMMENT ON FARE AND SERVICE CHANGES

Section 5307 grantees are expected to have a written, locally developed process for soliciting and considering public comment before raising a fare or carrying out a major transportation service reduction.

11. HALF FARE

For fixed route service supported with Section 5307 assistance, fares charged elderly persons, persons with disabilities or an individual presenting a Medicare card during off peak hours will not be more than one half the peak hour fares.

12. AMERICANS WITH DISABILITIES ACT (ADA)

Titles II and III of the Americans with Disabilities Act of 1990 (ADA) provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and the provision of service, including complementary paratransit service.

13. CHARTER BUS

Grantees are prohibited from using federally funded equipment and facilities to provide charter service if a registered private charter operator expresses interest in providing the service. Grantees are allowed to operate community based charter services excepted under the regulations.

14. SCHOOL BUS

Grantees are prohibited from providing exclusive school bus service unless the service qualifies and is approved by the FTA Administrator under an allowable exemption. Federally funded equipment or facilities cannot be used to provide exclusive school bus service. School tripper service that operates and looks like all other regular service is allowed.

15. NATIONAL TRANSIT DATABASE (NTD)

Grantees that receive Section 5307 and 5311 grant funds must collect, record and report financial and non-financial data in accordance with the Uniform System of Accounts (USOA) and the National Transit Database (NTD) Reporting Manual as required by 49 USC 5335(a).

16. SAFETY AND SECURITY

Under the safety authority provisions of the federal transit laws, the Secretary has the authority to investigate the operations of the grantee for any conditions that appear to create a serious hazard of death or injury, especially to patrons of the transit service.

As recipients of Section 5307 funds, grantees must annually certify that they are spending at least one percent of such funds for transit security projects or that such expenditures for security systems are not necessary.

FTA and the Department of Homeland Security's (DHS) Transportation Security Administration (TSA) have developed a list of 17 Security and Emergency Management Action Items for Transit Agencies. The action items aim to elevate security readiness throughout the public transportation industry by establishing baseline measures that transit agencies should employ.

The goal of FTA's Safety and Security Program is to achieve the highest practical level of safety and security in all modes of transit. To this end, FTA continuously promotes the awareness of safety and security throughout the transit community by establishing programs to collect and disseminate information on safety/security concepts and practices. In addition, FTA develops guidelines that transit systems can apply in the design of their procedures and by which to compare local actions. Many of the questions in this review area are designed to determine what efforts grantees have made to develop and implement safety, security, and emergency management plans. While there may not be specific requirements associated with all of the questions, grantees are encouraged to implement the plans, procedures, and programs referenced in these questions. For this reason, findings in this area will most often result in advisory comments rather than deficiencies.

17. DRUG FREE WORKPLACE AND DRUG AND ALCOHOL PROGRAM

All grantees are required to maintain a drug-free workplace for all employees and to have an ongoing drug-free awareness program. Grantees receiving Section 5307, 5309 or 5311 funds that have safety-sensitive employees must have a drug and alcohol testing program in place for such employees.

18. EQUAL EMPLOYMENT OPPORTUNITIES (EEO)

The grantee must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program, or activity receiving federal financial assistance under the federal transit laws. (Note: EEOC's regulation only identifies/recognizes religion and not creed as one of the protected groups.)

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Item # **8F**

January 10, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **MARY TRAVIS, ANALYST II**

SUBJECT: **TRANSPORTATION DEVELOPMENT ACT (TDA) FISCAL YEAR (FY) 2014/2015 UNMET TRANSIT NEEDS PUBLIC HEARING SCHEDULE**

RECOMMENDATION:

- Approve schedule for FY 2014/2015 Transportation Development Act (TDA) unmet transit needs public hearing and public participation program.

BACKGROUND:

VCTC has been designated by the State as the Transportation Planning Agency (TPA) for Ventura County. One of the TPA responsibilities is administration of the Transportation Development Act (TDA) which is a major source of transportation funding for the cities and County of Ventura.

Each year, California Public Utilities Code (PUC) Section 99401.5 (c) requires the transportation planning agency to hold at least one public hearing pursuant to Section 99238.5 to solicit comments on the Unmet Transit Needs that may exist within the jurisdictions and that may be reasonable to meet by establishing or contracting for new public transportation, or specialized transportation, or by expanding existing services.

All Unmet Transit Needs that are reasonable to meet must be funded before any allocation is made from TDA funds to the cities/County for streets and roads pursuant to PUC Section 99401.5 (e). The State also requires this discussion must be countywide. Moreover, per amendments to the TDA by SB 716 and SB 203 (which are effective July 1, 2014) this determination must be made specifically for the cities under 100,000 in population which are not a part of the Gold Coast Transit District (GCT). These cities are Camarillo, Fillmore, Moorpark and Santa Paula.

Although the public hearing and subsequent annual determination of “Unmet Transit Needs” are required by law, the local process has also become a useful tool for the cities and County to use in assessing where and how public transit services should be provided for the benefit of Ventura County.

DISCUSSION:

Last October, the Commission engaged COH & Associates and Ayars & Associates to review the annual process and interview involved individuals and agencies to hear their concerns and suggestions to improve the annual program. A primary goal was to reduce the frustration and confusion that the annual process sometimes generated with the result of more targeted testimony.

Last month, the Commission approved the consultant report analyzing VCTC's annual process. The report included revised definitions for the Commission to use as required by State TDA regulations for "unmet transit needs" and "reasonable to meet". Also included in the adopted report was a new public participation process to ensure the agencies and the public participating in the annual collection of testimony fully understand what comments are most useful and exactly how the testimony submitted is evaluated and subsequently addressed in the annual findings.

Public Participation Involvement Enhancements

VCTC consultant interviews with a wide-range of individuals and agencies who have been involved with the annual public hearing process revealed the same sentiment – despite some frustration with the annual findings, everyone would like the process to work in a more positive and rewarding manner. This shared response creates the perfect opportunity for the Commission to positively partner with social service agencies and citizen advocacy groups to solicit more focused testimony each year and improve the responsiveness of the annual public hearing.

It is also important to make this annual transit review a part of the overall Ventura County/city/GCT planning efforts, with the goal of improved Countywide short-and-long-range transit planning.

The schedule for the FY 2014/2015 annual TDA public hearing is attached. Note that because of the time constraints and in order to produce the best results, the existing sub-contract with Ayars and Associates was extended through January to assist with this partnership effort.

FISCAL YEAR (FY) 2014/2015 TRANSPORATION DEVELOPMENT ACT (TDA) PUBLIC HEARING ON UNMETTRANSIT NEEDS SCHEDULE

- VCTC training workshops will be held in January to partner with interested parties to "teach" people what type/detail of information about transit needs is most helpful. New, user-friendly materials for public distribution will be prepared and circulated through a variety of channels and outlets. It will also be explained that the collection of transit need input will be a continuing effort throughout the year from now on culminating with the annual Public Hearing.

    1. Training Workshop # 1 will be held January 14, 2014, 1:30 – 2:30 PM, County Government Center Hall of Justice Pacific Meeting Room in Ventura in conjunction with the VCTC Citizen's Advisory Transportation Committee/Social Services Transportation Advisory Council (CTAC/SSTAC).

    2. Training Workshop # 2 will be held February 5, 2014, Thousand Oaks City Hall, Meeting Room, in conjunction with the Thousand Oaks Council on Aging meeting. Note this Training Workshop will be videotaped by the City and made available for broadcast to other areas and agencies.

- In February 2014, three community "listening" sessions will be held in cooperation with the transit providers and social service agencies in the Gold Coast Transit (GCT), Heritage Valley and the East County. These sessions will be participant-friendly and encourage public discussion.

    1. Public Session # 1 will be held on February 5, 2014, 10 AM, Gold Coast Transit (GCT) Administrative Headquarters in Oxnard in conjunction with the Gold Coast Board meeting.

    2. Public Session # 2 will be held on February 12, 2014, 6:30 – 7:30 PM, at a location in the Heritage Valley (to be determined).

    3. Public Session # 3 will be held on February 18, 2014, 6:30 - 7:30 PM, at Moorpark City Hall Community Meeting Room.

- The required Public Hearing will be Monday, February 24, 2014, 1:30 – 3 PM at Camarillo City Hall Council Chambers. At the hearing, the Hearing Board will be briefed on the comments heard to date and will also take any additional comments, however, most of the input about transit needs should have already been received.

- In March, VCTC staff will work with the cities/County and interested local agencies to develop the draft findings and respond directly to people and agencies who submitted testimony. Note that specific findings must be made for the cities of Camarillo, Fillmore, Moorpark and Santa Paula before these cities can claim any TDA funds for local street purposes.

- CTAC/SSTAC will review the draft findings at their meeting April 8, 2014, 1:30 PM, at the County Government Center, HOJ, Pacific Meeting Room.

- The Hearing Board will review the draft findings on Monday, April 21, 2014, at 1:30 PM at Camarillo City Hall Council Chambers.

- The Commission will consider the findings at its' May 9, 2014 meeting, 9 AM, at the Camarillo City Hall Council Chambers. (Note: if additional time for review is needed, the item can be carried over and considered at the Commission's June 6, 2014 meeting.)

- The deadline for submittal of FY 2014/2015 findings to State is August 15, 2014.

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Item #9

January 10, 2014

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: FINAL ROUTE 101 PROJECT STUDY REPORT

RECOMMENDATION:

- Receive and file.

BACKGROUND:

At the October, 2013, meeting, the Commission received a preliminary report on the results of the Route 101 Project Study Report – Project Development Support (PSR-PDS) document, prepared by Caltrans using funds provided by VCTC. At the January meeting, Caltrans staff will make a presentation of the final report.

At the October meeting Caltrans also presented the final results of PSR-PDS for the Route 118 Freeway Widening. No further information on Route 118 will be presented at this time since the final information was already presented in October.

DISCUSSION:

As described in the October agenda, the PSR-PDS provides a very preliminary analysis of the project, evaluating engineering, environmental, and traffic issues. Based on this analysis, order-of-magnitude costs are estimated and preliminary project schedules are prepared. One particularly important item is the project development cost estimate, since STIP funds for the Preliminary Analysis / Environmental Document phase could be committed based on this estimate. On the other hand, funds for the remainder of the project estimates, including final design, right-of-way and construction, will not be committed until after the Preliminary Analysis/Environmental Document phase is completed.

The report considers four alternatives:

Alternative 1: No Build Alternative.

Alternative 2: Nonstandard Width High-Occupancy Vehicle (HOV) Lane, adding one HOV lane in each direction from the L.A. County Line to Route 33. The estimated cost is $15 million for right-of-way and $575-690 million for construction.

Alternative 3: Standard Width HOV Lane, adding one HOV lane in each direction over the same limits. The estimated cost is less than $100 million for right-of-way and $1,375-1,650 million for construction.

Alternative 4: Two Standard Width HOV Lanes, adding two HOV lanes in each direction over the same limits. The estimated cost is less than $100 million for right-of-way and $1,630-2,000 million for construction. The additional cost of adding High-Occupancy Toll (HOT) features to this alternative, to provide for use by single-occupant vehicles paying tolls, is $60-70 million. (HOT Lanes can also be considered with Alternatives 2 and 3, but Caltrans did not estimate the cost.)

Besides these four alternatives, the PSR-PDS also discusses the applicability of auxiliary lanes in addressing traffic congestion. Depending on the number of auxiliary lanes constructed, the cost for this measure could be as high as $120-130 million.

The PSR-PDS estimates the cost of the project development and environmental document phase at $14 million, which is the amount VCTC approved at last month's meeting to nominate for State Transportation Improvement (STIP) funding.

Item #10 - REVISED

January 10, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

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

SUBJECT: **ROUTE 101 HIGH-OCCUPANCY TOLL LANES STUDY CONTRACT AWARD**

RECOMMENDATION:

- Approve contract with CDM Smith to conduct the Route 101 High-Occupancy Toll Lanes Study, for an amount for the first phase not to exceed \$110,910, and with the second phase of \$188,790 subject to further Commission approval. Funds for the project are included in the budget.

BACKGROUND:

The Comprehensive Transportation Plan points out that ever-increasing traffic congestion on the Route 101 and 118 Freeways is a major issue threatening the future well-being of Ventura County. However, VCTC's ability to improve these freeways is severely constrained by limited state and federal funding, so the Plan recommends that alternative funding strategies be explored. Tolling is one of the possible funding strategies identified in the Plan, but it is uncertain if Ventura County congestion levels are or will be sufficient to make toll-funded improvements feasible.

At the October meeting, the Commission authorized staff to release a Request for Proposals (RFP) for a financial feasibility study of Route 101 High-Occupancy Toll (HOT) Lanes. Under this concept, a new lane or lanes would be constructed and outfitted with electronic tolling equipment. As an example of how the tolls could be structured, the new lanes could be made available to carpoolers for free, or for a reduced toll, while single-occupant vehicles would pay the full toll, and the fees would be adjusted throughout the day to ensure the lanes remain free-flowing. There would be no tolls on the previously-existing freeway lanes, but traffic flow on those lanes would likely benefit due to the diversion of some trips to the new HOT lanes. In addition, buses could be run in the HOT lanes, to provide a fast and attractive transit service.

The VCTC budget has set aside \$300,000 for a consultant-assisted corridor study to follow up on the Comprehensive Transportation Plan. These funds include \$150,000 of Transportation Development Act funds and \$150,000 of State Transit Assistance (STA) funds. Due to the carpool and transit components of HOT Lanes, this feasibility study is eligible to use STA funds. The work scope contained in the RFP provided that the study would be conducted in two phases, with VCTC having the option of stopping after the first phase based on the results of the initial feasibility study.

DISCUSSION:

In response to the RFP, VCTC received six proposals, from the following firms:

CDM Smith
Parsons Brinckerhoff
AECOM
Delcan / Cambridge Systematics
HDR/Infraconsult
eTrans

Proposals were evaluated by a committee consisting of staff with HOT Lanes expertise from Caltrans, Southern California Association of Governments, and the Los Angeles County Metropolitan Transportation Authority, along with VCTC staff. The committee selected CDM Smith as its number one choice, based on the strong experience of the proposed Project Manager; the strong qualifications to address the technical requirements of the work scope, including traffic modelling and public financing parameters; and the team's clear understanding of the project and its possible challenges. Frank Furger, the proposed Project Manager, in his previous role as Chief Deputy Director of the Alameda County Congestion Management Agency, was responsible for the development, implementation, and operation of the I-680 HOT Lanes project in the Bay Area. The ranking factors included general experience, project approach, and price for both the initial phase and the full scope.

Attached is the final draft of the contract, which is pending legal review.

ATTACHMENT

AGREEMENT

FOR ROUTE 101 HIGH-OCCUPANCY TOLL LANES FEASIBILITY STUDY

This is an Agreement ("AGREEMENT") by and between Ventura County Transportation Commission, also referred to as "VCTC," and CDM Smith, referred to as "CONSULTANT".

RECITAL

WHEREAS, the Ventura County Transportation Commission ("VCTC") issued a Route 101 High-Occupancy Toll (HOT) Lanes Feasibility Study ("Project") on September 17, 2013, with proposals submitted on October 3, 2013, and has selected Contractor to undertake Project.

NOW, THEREFORE, VCTC and Contractor hereby agree as follows:

1. STATEMENT OF AGREEMENT

VCTC hereby engages CONSULTANT, and CONSULTANT hereby accepts such engagement, to perform the services on the terms and conditions herein described, and as set forth in the Scope of Work in Attachment #1 to this AGREEMENT. CONSULTANT hereby warrants that it has the qualifications, experience and facilities to properly perform said services and hereby agrees to undertake and complete the performance thereof as an independent CONSULTANT. The Contract Manager for VCTC shall be Peter De Haan, Programming Director.

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2. CONTRACT DOCUMENTS

This complete Contract between VCTC and CONSULTANT includes the Contract Documents, to wit: "Ventura County US-101 High-Occupancy Toll Lane Feasibility Study Request for Proposals (RFP)" issued by VCTC dated September 17, 2013; the CONTRACTOR's proposal dated October 23, 2013, including the amended Section 7 Technical Approach approved by CONSULTANT and VCTC on December 12, 2013; and this AGREEMENT including all exhibits and documents incorporated herein and made applicable by reference. This complete Contract constitutes the complete and exclusive statement of the term(s) and condition(s) agreed to between VCTC and CONSULTANT and it supersedes all prior representations, understandings and communications. The invalidity in whole or in part of any term or condition of this Contract shall not affect the validity of other term(s) or condition(s). In the case of conflict the following order or precedence will be followed:

A. This AGREEMENT
B. VCTC Request for Proposals
C. CONSULTANT Proposal as amended

VCTC's failure to insist in any one or more instances upon CONSULTANT'S performance of any term(s) or condition(s) of this AGREEMENT shall not be construed as a waiver or relinquishment of VCTC's right to such performance or to future performance of such term(s) or condition(s) and CONSULTANT'S obligation in respect thereto shall continue in full force and effect. Changes to any portion of this AGREEMENT shall not be binding upon VCTC except when specifically confirmed in writing by an authorized representative of VCTC by way of written amendment to this AGREEMENT and issued in accordance with the provisions of this AGREEMENT.

3. VCTC DESIGNEE

The Executive Director of VCTC, or designee, shall have the authority to act for and exercise any rights of VCTC as set forth in this AGREEMENT.

4. PROGRESS AND PAYMENT

Subject to the general direction of VCTC, CONSULTANT shall commence work on the services to be performed upon written authorization of the VCTC to proceed. All services shall be completed in accordance with the Scope of Work in Attachment #1 to this AGREMENT.

For CONSULTANT'S full and complete performance of its obligations under this AGREEMENT, VCTC shall pay CONSULTANT on a fixed fee basis in accordance with the following provisions:

4.1 – CONSULTANT shall invoice VCTC on a monthly basis for payments corresponding to the work performed by CONSULTANT, as defined in the schedule of progress payments shown in Attachment #2. Work performed shall be documented in a monthly progress report prepared by CONSULTANT, which shall accompany each invoice submitted by CONSULTANT. CONSULTANT shall also furnish such other information as may be requested by VCTC to substantiate the validity of an invoice.

4.2 – VCTC shall remit payment within thirty (30) calendar days of the receipt and approval of each invoice.

4.3 - No retainage will be held by VCTC from progress payments due the CONSULTANT.

4.4 – As shown in the Attachment #2 payment schedule, the maximum payment to CONTRACTOR under this AGREEMENT shall be $110,910 for the Phase 1 as defined in the Scope of Work. Phase 2 of the Scope of Work is only to be performed by CONSULTANT if VCTC provides written notice that VCTC has elected to proceed with this phase. The maximum payment to CONTRACTOR for Phase 2 is $188,790.

5. TERM OF AGREEMENT

The term of this AGREEMENT shall be one year from the date hereof, extendable by a written extension signed by both parties hereto.

6. ASSIGNMENT AND SUBCONTRACTING

This AGREEMENT is for professional services and CONSULTANT may not assign its rights under this AGREEMENET nor delegate the performance of its duties without the VCTC's prior written consent.

CONSULTANT shall complete all work under this AGREEMENT and as set forth in Attachment A. CONSULTANT may assign duties to another consultant or a subcontractor upon prior written consent of the VCTC. Any assignment or delegation without VCTC's prior written consent shall be void.

Nothing contained in this AGREEMENT or otherwise, shall create any contractual relation between VCTC and any subcontractors, and no subcontract shall relieve the CONSULTANT of its responsibilities and obligations hereunder. The CONSULTANT agrees to be as fully responsible to VCTC for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the CONSULTANT. The CONSULTANT's obligation to pay its subcontractors is an independent obligation from VCTC 's obligation to make payments to the CONSULTANT .

Any retainage held by the CONSULTANT or subcontractors from progress payments due to subcontractors shall be promptly paid in full to subcontractors within 30 days after the subcontractor's work is satisfactorily completed, except that any delay or postponement of payment over the 30 days may take place only for good cause and with VCTC's prior written approval. Any violation of this provision shall subject the violating CONSULTANT or subcontractor to the penalties, sanctions and other remedies specified in Section 7108.5 of the Business and Professions Code. These requirements shall not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise, available to the CONSULTANT or subcontractor in the event of a dispute involving late payment or nonpayment by the CONSULTANT, deficient subcontract performance, or noncompliance by a subcontractor. This provision applies to both DBE and non-DBE prime contractors and subcontractors. Any subcontract entered into as a result of this AGREEMENT shall contain this provision.

7. COVENANT AGAINST CONTINGENT FEES

CONSULTANT warrants that it has not employed or retained any company or person, other than a bona fide employee working for the CONSULTANT, to solicit or secure this AGREEMENT, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or formation of this AGREEMENT. For breach or violation of this warranty, VCTC shall have the right to annul this AGREEMENT without liability or, at its discretion, to deduct such amounts paid from the CONSULTANT"S earned fees, or otherwise recover the full amount of such fee, commission, percentage, brokerage fee, gift, or contingency fee.

8. INDEPENDENT CONTRACTOR

CONSULTANT'S relationship to VCTC in the performance of this AGREEMENT is that of an independent contractor. CONSULTANT's personnel performing services under this AGREEMENT shall at all times timed be under CONSULTANT'S exclusive direction and control and shall be employees of CONSULTANT and not employees of VCTC. CONSULTANT shall comply with articles 13,19 and 20, below, regarding all wages, salaries and other amounts due its employees in connection with this AGREEMENT and shall be responsible for all reports and obligations respecting them, such as social security, income tax withholding, unemployment compensation, worker's compensation and similar matters.

9. OWNERSHIP OF DOCUMENTS

The originals of all letters, documents, reports and other products and data produced under this AGREEMENT shall be delivered to, and become the property of VCTC. Copies may be made for CONSULTANT'S records but shall not be furnished to others without prior written authorization from VCTC. Such deliverables shall be deemed works made for hire and all rights in copyright therein shall be retained by VCTC.

All ideas, memoranda, specifications, plans, manufacturing, procedures, drawings, descriptions, and all other written information submitted to CONSULTANT in connection with the performance of this AGREEMENT shall not, without prior written approval of VCTC, be used for any purpose other than the performance under this AGREEMENT, nor be disclosed to an entity not connected with the performance of the project. CONSULTANT shall comply with VCTC's policies regarding such material. Nothing furnished to CONSULTANT which is otherwise known to CONSULTANT or is or becomes generally known to the relative industry shall be deemed confidential. CONSULTANT shall not use VCTC's name, photographs of the project, or any other publicity pertaining to the project in any professional publication, magazine, trade paper, newspaper, seminar or other medium without the prior written consent of VCTC.

No copies, sketches, computer graphics or graphs, including graphic artwork, are to be released by CONSULTANT to any other person or agency except after prior written approval by VCTC, except as necessary for the performance of services under this AGREEMENT. All press releases, including graphic display information to be published in newspapers, magazines, etc., are to be handled by VCTC unless otherwise agreed to by CONSULTANT and VCTC.

10. KEY PERSONNEL

Frank Furger is considered essential to the work being performed under this AGREEMENT; substitution for this individual will not be made without the prior written consent of VCTC.

11. INSURANCE

CONSULTANT shall procure and maintain insurance coverage during the entire term of this AGREEMENT. Coverage shall be full coverage and not subject to self-insurance provisions. CONSULTANT shall provide the following insurance coverage:

11.1 – Commercial General Liability, to include Products/Completed Operations, Independent Contractors' Contractual Liability, and Personal Injury Liability with a minimum limit of $1,000,000.00 per occurrence and $2,000,000.00 general aggregate.

11.2 – Automobile Liability Insurance to include owned, hired and non-owned autos with a combined single limit of $1,000,000.00 each accident.

11.3 – Workers' Compensation with limits as required by the State of California including a waiver of subrogation in favor of VCTC, its officers, directors, employees and agents.

11.4 – Employer's Liability with minimum limits of $1,000,000.00.

11.5 – Professional Liability with minimum limits of $1,000,000.00 per claim.

Proof of such coverage, in the form of an insurance company issued policy endorsement and a broker-issued insurance certificate, must be received by VCTC prior to commencement of any work. Proof of insurance coverage must be received by VCTC within ten (10) calendar days from the effective date of this AGREEMENT with the VCTC, its officers, directors, employees and agents designated as additional insured on the general and automobile liability. Such insurance shall be primary and non-contributive to any insurance or self-insurance maintained by VCTC.

12. INDEMNIFICATION

Notwithstanding the existence of insurance coverage required of CONSULTANT pursuant to this contact, CONSULTANT shall save, keep, indemnify, hold harmless and defend VCTC and its appointed and elected officials, officers, employees and agents, from every claim or demand made and every liability, loss damage or expense of any nature whatsoever and all costs or expenses incurred in connection therewith, which arise at any time, by reason of any claim or action brought by, or damage to the property of, or personal injury to, any person or entity, occurring or arising out of the performance and to the extent caused by CONSULTANT, its officers, agents or employees, including but not limited to, its subcontractors, of the work required pursuant to this AGREEMENT, occasioned by any negligent or wrongful act or omission by CONSULTANT including any such liability imposed by reason of any infringement of rights or any person or persons, firm or corporation, in consequence of the use in the performance of CONSULTANT of the work hereunder of any article or material supplied or installed pursuant to this AGREEMENT.

CONSULTANT will, at the election of, and using counsel approved by, VCTC, defend any action or actions filed in connection with any of said claims, damages, penalties, obligations or liabilities and will pay all costs and expenses, including attorney's fees incurred in connection herewith.

CONSULTANT will pay all costs and expenses, incurred in connection herewith, including attorney’s fees for counsel approved by VCTC.

CONSULTANT agrees to pay VCTC, its officers, agents and employees, as the case requires, all damages and other expenses incurred by them or any of them, without limitation, including reasonable attorney’s fees, arising out of or in connection with the sole negligence or wrongful acts of CONSULTANT.

13. DISPUTES

This AGREEMENT shall be construed and all disputes hereunder shall be settled in accordance with the laws of the State of California. The parties may mutually agree to engage in mediation and binding or nonbinding arbitration in an effort to resolve any dispute. Pending final resolution of a dispute hereunder, CONSULTANT shall proceed diligently with the performance of this AGREEMENT and in accordance with VCTC’s instructions.

14. ATTORNEYS’ FEES

In the event an action, including a request for mediation and arbitration, is filed by either party to enforce rights under this AGREEMENT, each party shall be responsible for its own costs and attorneys’ fees.

15. TERMINATION

This AGREEMENT may be terminated by VCTC or the CONSULTANT at any time upon thirty (30) days written notice. In full discharge of any obligation to CONSULTANT in respect of this AGREEMENT and such termination, the VCTC shall pay for the costs and non-cancelable commitments incurred prior to the date of termination and fair closeout costs in accordance with Article 4. CONSULTANT shall take all reasonable steps to minimize termination costs. In no event, however, shall the VCTC be obligated to pay CONSULTANT any amount in excess of the total funds committed by the VCTC up to the time of termination to support the work.

16. NOTICES

All notices to VCTC under this AGREEMENT shall be in writing and sent to:

Darren Kettle, Executive Director
Ventura County Transportation Commission
950 County Square Drive, Suite 207
Ventura, CA 93003

With copies to:

Steven T. Mattas
Attorney at Law
Meyers Nave
575 Market Street, Suite 2600
San Francisco, CA 94105

All notices to the CONSULTANT under this AGREEMENT shall be in writing and sent to:

Abdollah Ansari, Principal
CDM Smith Inc
523 W. 6th Street, Suite 400
Los Angeles, CA 90014

17. ENTIRE AGREEMENT, MODIFICATION, AND EFFECTIVE DATE

This AGREEMENT constitutes the entire AGREEMENT between the parties and supersedes all previous AGREEMENTs and understandings related to this work. Each party to this AGREEMENT acknowledges that no representations, inducements, promises or AGREEMENTs, orally or otherwise, have been made by a party, or anyone acting on behalf of any party, which are not embodied herein, and that any other AGREEMENT, statement or promise not contained in the AGREEMENT shall not be valid or binding.

This AGREEMENT may not be altered, amended, or modified except by a written instrument signed by the duly authorized representative of both parties.

This AGREEMENT shall be effective as of the issuance of a Notice to Proceed from the VCTC to CONSULTANT.

18. FEDERAL, STATE AND LOCAL LAWS

CONSULTANT warrants that in the performance of this AGREEMENT, it shall comply with all applicable federal, state and local laws, and all lawful orders, rules and regulations promulgated thereunder.

19. EQUAL EMPLOYMENT OPPORTUNITY

In connection with its performance under this AGREEMENT, CONSULTANT shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age or national origin. CONSULTANT shall take action to ensure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion, color, sex or national origin. Such actions shall include, but not limited to, the following: employment, upgrading, demotion or transfer; recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

20. PROHIBITED INTERESTS

CONSULTANT covenants that, for the term of this AGREEMENT, no director, member, officer or employee of VCTC during his/her tenure in office or for one (1) year thereafter shall have any interest, direct or indirect, in this AGREEMENT or the proceeds thereof.

21. PATENT AND COPYRIGHT INFRINGEMENT

In lieu of any other warranty by VCTC or CONSULTANT against patent or copyright infringement, statutory or otherwise, it is agreed that CONSULTANT shall defend at its expense any claim or suit against VCTC on account of any finding that any item furnished under this AGREEMENT or the normal use or sale thereof arising out of the performance of this AGREEMENT, infringes upon any presently existing U.S. letters patent or copyright and CONSULTANT shall pay all costs and damages finally awarded in any such suit or claim, provided that CONSULTANT is promptly notified in writing of the suit or claim and given authority, information and assistance at CONSULTANT's expense for the defense of same. However, CONSULTANT will not indemnify VCTC if the suit or claim results from: (1) VCTC's alteration of a deliverable, such that said deliverable in its altered form infringes upon any presently existing U.S. letters patent or copyright; or (2) the use of a deliverable in combination with other material not provided by CONSULTANT when such use in combination infringes upon an existing U.S. letters patent or copyright.

CONSULTANT shall have sole control of the defense of any such claim or suit and all negotiations for settlement thereof. CONSULTANT shall not be obligated to indemnify VCTC under any settlement made without CONSULTANT's consent or in the event VCTC fails to cooperate fully in the defense of any suit or claim, provided, however, that said defense shall be at CONSULTANT's expense. If the use or sale of said item in enjoined as a result of such suit or claim, CONSULTANT, at no expense to VCTC, shall obtain for VCTC the right to use and sell said item, or shall substitute an equivalent item acceptable to VCTC and extend this patent and copyright indemnity thereto.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their duly authorized representatives.

"VCTC": VENTURA COUNTY TRANSPORTATION COMMISSION

______________________________ ____________

Steven Sojka, Chair VCTC

CONSULTANT:

__________________________________ ____________

Abdollah Ansari, Principal
CDM Smith Inc

APPROVED AS TO FORM:

____

VCTC General Counsel

Attachment #1

SCOPE OF WORK

A. Administration and Project Management

The purpose of this task is to ensure a smooth workflow and timely completion of the project.

Project Management Plan
The Consultant shall:

- Develop a Project Management Plan (PMP) that will at minimum include the following: team organization and responsibilities, identification of contact person and schedule showing timeline for deliverables and time management.
- Allow at least 7-10 days for VCTC staff to review the draft version of all deliverables outlined in the Statement of Work.
- Provide the final versions of the deliverables to VCTC staff within one (1) week after receiving the revised draft from VCTC. All final Versions of the deliverables shall be made available in electronic editable format (Microsoft Word, PowerPoint, travel demand forecasting model, etc.) and;
- Provide a minimum of two (2) hard copies of the PMP.

Monthly Activity Reports and Invoices
The Consultant shall provide the status of the work efforts in monthly activity reports submitted to VCTC along with the Consultant's invoice. Monthly Progress report shall be prepared and attached to the invoices documenting the work effort during the billing period, tasks to be accomplished over the next (30) days as well as forthcoming challenges and issues, and potential methods for resolution. If no invoice is submitted for a particular month, the Consultant is still requested to submit the monthly activity report.
Deliverable: Monthly Progress Reports and Invoices

Progress Meetings
The Consultant shall set-up bi-weekly meetings with VCTC staff and the Consultant team in order to ensure timely delivery of the work product and the effective coordination of the task requirements. Sixteen (16) team meetings at approximately two (2) hours each shall be budgeted over the course of the nine (9) month period. These meetings may include attendees other than VCTC staff as requested by VCTC's Project Manager.
Deliverable: Attendance at Bi-weekly Progress Meetings

Project Kick-Off Meeting
The Consultant shall conduct a kick-off meeting with VCTC staff and the Consultant team at the beginning of the project to ensure effective coordination of the work effort. One (1) Project kick-off meeting of approximately two (2) hours shall be budgeted.
Deliverable: Attendance at one (1) Project kick-off meeting

B. Preliminary Concept of Operations / Initial Financial Feasibility Review

The purpose of this task is to define the initial operating concept, perform an evaluation of all concepts and make a recommendation for a preferred concept HOT Lanes on US-101 within the stated project limits. As a part of these reviews, it will be important to visually document engineering conditions and constrains in the corridor.

Identify Preliminary Conceptual HOT Operating Alternatives
The Consultant shall:

- Coordinate with the various partner agencies, including VCTC and Caltrans District 7, to identify up to three conceptual options for implementation of the HOT Lanes on US-101 from approximately State Route 23 to State Route 33. Develop schematic plans of the conceptual options as the basis for conducting a sketch level evaluation, and document the corridor conditions and constraints.

- Arrange meetings with Caltrans planning staff, and with Southern California Association of Governments modeling staff, to evaluate currently-available future traffic modeling results available for the corridor. Based on this information, recommend to VCTC staff an approach for developing travel demand forecast estimates of the potential traffic utilization of the proposed HOT Lanes.
- Complete a sketch level evaluation of the conceptual options using a combination of available quantitative and qualitative data. In addition to the physical characteristics of the facility, definition of the concept will also include consideration of institutional, regulatory, operational, enforcement, maintenance, and other policy and procedural requirements. The analysis shall also include a high level discussion of potential traffic, environmental and social impact on areas adjacent to the US-101 corridor.
- Summarize the findings in a technical memorandum and provide a presentation to the partner agencies and VCTC Transportation Technical Advisory Committee to facilitate the recommendations of a selected concept for further evaluation.

Deliverables: 1) Draft and Final Conceptual Operating Alternatives Technical Memorandum 2) One (1) Presentation to partner Agencies and one (1) Presentation to the VCTC Transportation Technical Advisory Committee (consisting of local agency engineering staff representatives).

Evaluate HOT Concept of Operations

Based on the selected concepts identified under the prior task, the Consultant shall:

- Further define the physical and operational characteristics of the selected concept to support a more detailed evaluation.
- Prepare schematic plans, typical cross sections and identify key design considerations for the concept.
- Develop traffic and revenue estimates, and preliminary cost estimates for construction, operations and maintenance for the selected concept. (The Consultant shall utilize the conceptual construction capital cost estimates prepared by Caltrans in its Project Study Report. The Caltrans report will not address tolling systems or ongoing operating costs, so these costs will be estimated by the Consultant.)
- Assess the institutional, operational, enforcement, maintenance and other policy and procedural requirements for implementation of the selected concept.
- Evaluate the selected concept based on the information developed as a part of this task to determine overall feasibility for implementation and summarize the findings in a technical memorandum. The evaluation shall include an order-of-magnitude evaluation as to financial feasibility, with consideration of whether to continue with Parts C and D of this scope. Based on the results of this evaluation, VCTC shall make a “Go / No Go” decision as to whether to continue with Parts C and D.

Deliverable: Draft and Final Evaluation of Selected HOT Lane Concept Technical Memorandum including Schematic Plans and Travel Demand Estimates

Develop Preliminary Concept of Operations

The Consultant shall summarize findings of the two prior tasks in a Preliminary Concept of Operations Report. The report shall include preliminary concept schematics, preliminary traffic and revenue estimates, conceptual cost estimates, and determination of financial feasibility, preliminary policy and procedural requirements including institutional coordination needs, legislative issues and key operation elements, and a recommended implementation strategy. ***If needed, the Consultant will conduct a “cursory” review of possible project “right-sizing,” based on the sketch level traffic analysis.***
Deliverable: Draft and Final Preliminary Concept of Operations Report / Initial Feasibility Review; Presentation to VCTC Board.

C. Modeling – Preliminary Traffic and Revenue Forecasts

The purpose of this task is to support the development and evaluation of the preliminary operational concepts for HOT Lanes on US-101 by preparing traffic and revenue forecasts. Traffic and revenue forecasts for the preliminary concepts will be utilized to support evaluation of the feasibility of completing the project. Since current traffic models generally extend to 2035, the Consultant may need to extend the traffic forecasts further, or in some other manner extend the revenue forecasts further, should a longer time horizon be required to evaluate project financing.

Initial HOT Concept Traffic Forecasts
Based on the description of the conceptual options for HOT Lanes on US-101, the Consultant shall:

- Submit to VCTC the method to be utilized for the traffic and revenue forecasting, addressing the potential need for a longer time horizon than the typical 2035 modeling date.
- Prepare travel demand forecast estimates of the potential traffic utilization of the proposed HOT Lanes.
- Perform a Model run for each of the operational scenarios identified (up to 3) in the Concept of Operation Alternatives Technical Memorandum.
- Develop performance measures based on outputs of the model to support evaluation of the conceptual options.
- Provide a summary of the modeling methodology and modeling results for conceptual options as input to the screening evaluation that will be completed as part of the development of the operating scenarios.

Deliverable: Draft and Final Summary of Modeling Methodology and Modeling Results for the Concept of Operations

Preliminary HOT Concept Traffic and Revenue Forecasts
Based on the selected concept for HOT Lanes on US-101, the Consultant shall complete traffic and revenue estimates for the proposed HOT Lanes facility, and develop preliminary cost estimates for construction, operations and maintenance for the selected concept. Conceptual traffic forecast shall be developed and revenue estimates derived from the model output results using an industry accepted methodology. Preliminary cost estimates shall be developed based on typical lump sum values from peer projects for major improvement and operational elements. Modeling methodology and modeling results for the selected concept will be summarized. The revenue estimates, and if necessary the traffic forecasts, shall extend out as many years as necessary to adequately evaluate financial feasibility and consider maintenance funding alternatives.
Deliverable: Draft and Final Summary of Modeling Methodology and Modeling Results Technical Memorandum for the Recommended Concept

Preliminary HOT Concept Cost/Revenue Determination
Using the revenue estimates and cost estimates developed as part of the prior task, the Consultant shall complete an assessment of the revenue to cost for the proposed project to preliminarily determine financial feasibility. Evaluation methodology and results for the assessment of revenue and cost will be summarized in a technical memorandum. ***As needed, the updated feasibility assessment will consider (in a cursory manner) possible opportunities to enhance financial feasibility by project "right-sizing."***
Deliverable: Draft and Final Revenue and Cost Evaluation Methodology and Results Technical Memorandum+

D. FINAL REPORT

The Consultant shall prepare an Executive Summary of the project and combine this Summary with the prior written report deliverables provide a Final Report suitable for distribution to VCTC Board Members and other interested parties. The Consultant shall provide thirty (30) copies of the Final Report as well as electronic format.

Attachment #2

Summary of Estimated Budget - Tasks A & B (Phase 1)

Ventura County Transportation Commission - HOT Lane Feasibility Study

Personnel Category	Phase 1 Tasks					Hourly	Phase 1 Total	
	Task A	Task B-1	Task B-2	Task B-3	Task B-4	Rate	Hours	Costs
Salaries								
Project Advisor (Regan)	0	8	0	0	2	$125.00	8	$1,000
Project Principal (Wuestefeld, Ansari)	10	10	12	10	0	103.00	42	$4,330
Project Manager (Furger)	50	8	8	6	0	100.00	72	$7,200
Project Advisor (Kulakowski)	0	24	0	0	0	75.00	24	1,800
Task Manager (Oryani)	0	0	0	0	0	70.00	0	0
Task Manager (Fabbricante)	0	40	8	40	0	62.00	88	5,460
Senior Modeler (Chong Wu)	0	0	0	0	0	55.00	0	0
Modeler/Toll Engineer (Xiao Cui, Zukowski)	0	80	0	20	0	42.00	100	4,200
Planner/Engineer (Padlo)	0	0	0	0	0	41.00	0	0
Planner/Engineer (Aron)	0	0	0	0	0	38.00	0	0
Planner/Engineer (Mooradian)	0	40	0	0	0	32.00	40	1,280
Drafting (Celone)	0	8	0	8	0	35.00	16	560
Administrative Support (Anastasio)	10	10	0	8	0	25.00	28	700
Technician	0	0	0	0	0	30.00	0	0
Technical Typist/Word Processor	0	0	0	0	0	28.00	0	0
Junior Analyst/Clerical	0	0	0	0	0	28.00	0	0
Total Hours	70	228	28	92	2		418	
Subtotal Salaries	$6,280	$12,290	$2,530	$5,430	$250			$26,530
Overhead and Fringe Benefits (1.75 percent of Salaries)	$10,990	$21,510	$4,430	$9,500	$440			$46,430
Fee (10 percent of Salaries+ Overhead+Benefits)	$1,730	$3,380	$700	$1,490	$70			$7,300
Direct Expenses								
Travel	$1,600	$0	$0	$750	$0			$2,350
Subsistence	3,000	0	0	500	0			$3,500
INRIX Speed Data	0	0	0	0	0			$0
Prints/Reproduction	0	100	0	50	0			$150
Telephone and FAX	50	0	0	100	0			$150
Civil Sub	0	0	12,500	0	0			$12,500
Financial Sub	0	0	0	0	12,000			$12,000
Subtotal Direct Expenses	$4,650	$100	$12,500	$1,400	$12,000			$30,650
Total Cost Tasks A & B	$23,650	$37,280	$20,160	$17,820	$12,760			$110,910

Total Budget Request $110,910

Task A: Administration and Project Management
Task B-1: Preliminary Concept of Operations/Initial Financial Feasibility Review
Task B-2: Evaluate HOT Concept of Operations
Task B-3: Develop Preliminary Concept of Operations

Attachment #2

Summary of Estimated Budget - Tasks C & D (Phase 2)

Ventura County Transportation Commission - HOT Lane Feasibility Study

Personnel Category	Phase 2 Tasks									Hourly	Total Tasks C & D	
	Task A	Task C-1	Task C-2	Task C-3	Task C-4	Task C-5	Task C-6	Task C-7	Task D	Rate	Hours	Costs
Salaries												
Project Advisor (Regan)	0	4	2	2	2	0	0	0	8	$125.00	18	$2,250
Project Principal (Wuestefeld, Ansari)	10	0	0	0	0	12	12	0	12	103.00	46	$4,740
Project Manager (Furger)	47	0	0	0	0	4	12	0	40	100.00	103	$10,300
Project Advisor (Kulakowski)	0	8	8	8	4	0	0	0	8	75.00	36	2,700
Task Manager (Oryani)	0	0	16	16	16	0	0	0	0	70.00	48	3,360
Task Manager (Fabbricante)	0	0	0	0	0	16	60	0	4	62.00	80	4,960
Senior Modeler (Chong Wu)	0	0	60	0	20	0	0	0	0	55.00	80	4,400
Modeler/Toll Engineer (Xiao Cui, Zukowski)	0	0	80	80	0	0	40	0	0	42.00	200	8,400
Planner/Engineer (Padlo)	0	0	30	20	20	0	0	0	0	41.00	70	2,870
Planner/Engineer (Aron)	0	40	0	0	0	0	0	0	0	38.00	40	1,520
Planner/Engineer (Mooradian)	0	40	40	0	0	0	0	0	0	32.00	80	2,560
Drafting (Celone)	0	8	0	16	16	0	8	0	24	35.00	72	2,520
Administrative Support (Anastasio)	8	0	0	0	8	0	8	0	24	25.00	48	1,200
Technician	0	0	0	0	0	0	0	0	0	30.00	0	0
Technical Typist/Word Processor	0	0	0	0	0	0	0	0	0	28.00	0	0
Junior Analyst/Clerical	0	0	0	0	0	0	0	0	0	28.00	0	0
Total Hours	65	100	236	142	86	32	140	0	120		921	
Subtotal Salaries	$5,930	$4,180	$11,140	$6,710	$4,350	$2,630	$8,320	$0	$8,520			$51,780
Overhead and Fringe Benefits (1.75 percent of Salaries)	$10,380	$7,320	$19,500	$11,740	$7,610	$4,600	$14,560	$0	$14,910			$90,620
Fee (10 percent of Salaries+ Overhead+Benefits)	$1,630	$1,150	$3,060	$1,850	$1,200	$720	$2,290	$0	$2,340			$14,240
Direct Expenses												
Travel	$1,600	$0	$0	$0	$0	$0	$750		$0			$2,350
Subsistence	3,000	0	0	0	0	0	500	0	0			$3,500
INRIX Speed Data	0	5,000	0	0	0	0	0	0	0			$5,000
Prints/Reproduction	0	50	50	50	50	0	50	0	400			$650
Telephone and FAX	50	0	0	0	0	0	50	0	50			$150
Civil Sub	0	0	0	0	0	12,500	0	0	0			$12,500
Financial Sub	0	0	0	0	0	0	0	8,000	0			$8,000
Subtotal Direct Expenses	$4,650	$5,050	$50	$50	$50	$12,500	$1,350	$8,000	$450			$32,150
Total Cost Tasks C & D	$22,590	$17,700	$33,750	$20,350	$13,210	$20,450	$26,520	$8,000	$26,220			$188,790

Total Budget Request $188,790

Task C-1: Data Collection and Traffic Profile
Task C-2: Develop HOT Modeling Tool
Task C-3: Initial HOT Traffic Forecasts
Task C-4: Preliminary HOT Concept Traffic and Revenue Forecasts
Task D: Final Report

ATTACHMENT #2 – PAGE 3

Milestone Completion Schedule

Task B-3:	June, 2014
Task B-4:	June, 2014
Determination with Phase 2:	July, 2014
Task C-4:	September, 2014
Task D:	October, 2014

Item #11

January 10, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **AARON BONFILIO, PROGRAM MANAGER**

SUBJECT: **COOPERATIVE AGREEMENT WITH THE COUNTY OF VENTURA FOR VISTA 126 ROUTE EXTENSION WITH ADDITIONAL SERVICE TO PIRU**

RECOMMENDATION:

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

BACKGROUND:

At the May 2013 meeting the Commission adopted the Heritage Valley Transit Plan, which initiated the planning and coordination between the Cities of Fillmore and Santa Paula and the County of Ventura to implement the plan. One of the options identified in the plan was the addition of fixed-route bus service between the City of Fillmore and the community of Piru. The County has indicated an interest in extending service using the existing VISTA 126 service. The Commission and the County has identified a low cost alternative to implement some additional service, which will allow the agencies to demonstrate the acceptability and utility of this service approach. The identified demonstration consists of an extension of the existing service of the VISTA 126 route into downtown Piru, at times when a bus is coming into or going out of service – allowing the added service to be instituted without affecting the existing schedule or requiring additional buses be added to the service. Funding for the demonstration will be provided by the County.

The County Board approved the concept for the additional service in December 2013. The draft agreement is currently under review, and, will be distributed prior to the Commission meeting. Based on the projected timetables for the proposed service as well as the current contract rates, the monthly cost for this service is projected not to exceed $7,760, or, $38,800 for the remainder of the fiscal year. The final agreement is scheduled to come before the County Board of Supervisors on January 28, 2014, with the proposed service scheduled to begin Monday, February 3, 2014.
This recommendation is two-fold; first, that the Commission authorize the Chairman to execute an agreement with the County of Ventura to implement the service for the remainder of the fiscal year, and, second, to amend the FY13/14 budget to include revenues to the Local Contribution from the current amount of $864,533 to $903,333, as well as amend the expenditure for Contract Services, increasing the amount $38,800 from $6,110,208 to $6,149,008. The County and Commission will evaluate the service and determine if it should be continued in the future.

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Item #12

January 10, 2014

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

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

SUBJECT: **PRIMARY FREIGHT NETWORK**

RECOMMENDATION:

- Approve joint Ventura County Transportation Commission / Oxnard Harbor District comments regarding Draft Freight Network, to be provided later under separate cover.

BACKGROUND:

The federal transportation authorization act, Moving Ahead for Progress in the 21st Century, or MAP-21, calls on the Federal Highway Administration (FHWA) to identify a 27,000 mile Primary Freight Network consisting of the most critical roadways for goods movement. FHWA has now released for comment the draft network which in Ventura County includes Route 101 from Los Angeles as far as the roadways accessing the Port of Hueneme. The draft network also includes the freeway portion of Route 23, but not the roads such as Rice, Hueneme, and Victoria which connect 101 to the Port.

Preliminary indications are that Southern California fared much better than the rest of the country so it is unlikely we can increase the road miles included our network. VCTC has been working with the Southern California Association of Governments regarding that agency's comments. In addition, a comment is currently being drafted for joint submittal by VCTC and the District. The joint comment will be provided under separate cover, when it is completed, for consideration by both Boards for approval.