



VENTURA COUNTY TRANSPORTATION COMMISSION

LOCAL TRANSPORTATION AUTHORITY

AIRPORT LAND USE COMMISSION

SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

CONSOLIDATED TRANSPORTATION SERVICE AGENCY

CONGESTION MANAGEMENT AGENCY

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AGENDA*

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

CAMARILLO CITY HALL

601 CARMEN DRIVE

CAMARILLO, CA

FRIDAY, JULY 8, 2016

9:00 AM

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

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

- 4. 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 JUNE 3, 2016 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. EAST-WEST CONNECTOR BUS PURCHASE / PROPOSITION 1B TRANSIT CAPITAL PROJECT APPROVAL - PG. 21

Recommended Action:

- *Adopt Resolution 2016-09 to program \$148,804 of Proposition 1B Transit Capital Funds to purchase vehicles for the East-West Connector Bus Service; and authorize the Executive Director to execute all required documents to receive the Transit Capital funds for the project.*
- *Approve amendment to VCTC Intercity Transit Service budget for FY 2016/2017 by adding \$1,358,000 in expenditures to the Bus Purchase line item, which increases the total program from \$8,680,400 to \$10,038,400; and correspondingly adding new revenue line items for Congestion Mitigation Air Quality (CMAQ) in the amount of \$1,209,196 and Proposition 1B Transit Capital Funds in the amount of \$148,804, for total revenues of \$10,038,400.*
- *Authorize the Executive Director to execute the purchase order for the two new fleet vehicles with bus manufacturer Motor Coach Industries after receiving CMAQ and Proposition 1B funding approvals from the administering agencies.*

Responsible Staff: Aaron Bonfilio

8E. ACTIVE TRANSPORTATION PROGRAM CYCLE 3 CALL FOR PROJECTS – PG.29

Recommended Action:

Receive and file.

Responsible Staff: Judith Johnduff

8F. LEGISLATIVE UPDATE- PG.33

Recommended Action:

Receive and file

Responsible Staff: Peter De Haan

8G. SANTA PAULA BIKE PATH PROJECT FUNDING INCREASE – PG. 47

Recommended Action:

Approve programming of \$382,231 in CMAQ funds to cover the unanticipated additional cost to complete the Santa Paula Bike Trail project, increasing total project CMAQ funding to \$5,119,042.

Responsible Staff: Peter De Haan

8H. CASH MANAGEMENT FOR VALLEY EXPRESS EXPENDITURES - PG. 49

Recommended Action:

Authorize the Executive Director to utilize State Transit Assistance fund balance for cash-flow purposes for Valley Express.

Responsible Staff: Sally DeGeorge

9. VENTURA COUNTY TRANSPORTATION INVESTMENT/EXPENDITURE PLAN AND VENTURA COUNTY LOCAL TRANSPORTATION AGENCY TRANSACTIONS AND USE TAX ORDINANCE – ORDINANCE 2016-1 - PG. 51

Recommended Action:

Acting in the capacity of the Ventura County Local Transportation Authority:

- *Approve Resolution #2016-10 adopting the Ventura County Transportation Investment/Expenditure Plan; and*
- *Approve a motion to waive reading, introduce and adopt, subject to voter approval, an Ordinance of the Ventura County Transportation Commission Acting in its Capacity as the Ventura Local Transportation Authority Imposing a One-Half of One Percent Transaction and Use Tax to be Administered by the State Board of Equalization – (Ordinance 2016 – 1) and requesting that the Ventura County Board of Supervisors call a special election on November 8, 2016 to place the transaction and use tax measure before the voters.*

Responsible Staff: Darren Kettle

10. VCTC GENERAL COUNSEL'S REPORT

11. AGENCY REPORTS

12. CLOSED SESSION

13. ADJOURN to 9:00 a.m. Friday, September 2, 2016

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Item # 8A

Meeting Summary

VENTURA COUNTY TRANSPORTATION COMMISSION

**LOCAL TRANSPORTATION AGENCY
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, JUNE 6, 2016
9:00 AM**

MEMBERS PRESENT:

Keith Millhouse, City of Moorpark, Chair
Bryan MacDonald, City of Oxnard, Vice Chair
Steve Bennett, County of Ventura
Claudia Bill-de la Peña, City of Thousand Oaks
Douglas Breeze, City of Port Hueneme
Peter Foy, County of Ventura
Ginger Gherardi, City of Santa Paula
Brian Humphrey, Citizen Rep, Cities
Bill Little, City of Camarillo
Kathy Long, County of Ventura
Manuel Minjares, City of Fillmore
Steve Sojka, City of Simi Valley
Jim White, Citizen Rep, County
Carrie Bowen, Caltrans Dist 7

ABSENT:

Carl Morehouse, City of San Buenaventura
John Zaragoza, County of Ventura
Severo Lara, City of Ojai

CALL TO ORDER

PLEDGE OF ALLGIANCE

ROLL CALL

PUBLIC COMMENTS FOR THOSE ITEMS NOT LISTED ON THIS AGENDA

Daniel Chavez, Oxnard resident, commented the Ventura County public transportation is not as strong as it could be. The west county has good connections but east county has too many individual operators and provides little to no connection. VCTC service is a very limited express service and additional trips to Warner Center would be beneficial. Riders cannot easily connect from LA to Thousand Oaks, Oxnard and Camarillo.

CALTRANS REPORT -

Carrie Bowen reported the ATP Cycle 3 is open and the deadline is June 15.

Commissioner Sojka requested help in getting guardrails in places on 118 where they are missing. There have been many fatalities in areas where soundwalls and guardrails were planned but had not been installed.

COMMISSIONERS REPORTS

Commissioner Millhouse attended a SCAG presentation on the regional pavement management system. For the next 25 years \$66 billion will be needed in the region, however there is only \$19 billion available. Ventura County faces a \$691 million shortfall.

EXECUTIVE DIRECTOR REPORT -

Moorpark and Thousand Oaks voted unanimously to support placing the measure on the November ballot. All cities and the County are scheduled to act in the coming weeks.

The 101 bike trail was awarded *Statewide Bike Project of the Year* from California Transportation Foundation.

ADDITIONS/REVISIONS –

8. CONSENT CALENDAR - Commissioner Parks requested to pull Item #8E and Commissioner Humphrey requested to pull Item #8I for discussion.

Commissioner Sojka made a motion to approve all remaining items as recommended:

8A. APPROVE SUMMARY FROM MAY 13, 2016 VCTC MEETING – Approve

8B. MONTHLY BUDGET REPORT – Receive and File

8C. PASSENGER RAIL UPDATE – Receive and File

8D. GOLD COAST TRANSIT PROPOSITION 1B TRANSIT CAPITAL PROJECT APPROVAL–

Adopt a resolution taking the following actions:

- *Approving the programming of \$475,000 of Proposition 1B Transit Capital Funds to purchase Replacement Paratransit Vehicles for Gold Coast Transit;*
- *Approving the PTMISEA Certification and Assurances and agreeing to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations, and guidelines for all PTMISEA funded transit projects; and*
- *Authorizing the Executive Director to execute all required PTMISEA documents to receive the Transit Capital funds for the approved project.*

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8F. RESOLUTION FOR VCTC TO CLAIM FISCAL YEAR 2016/2017 TRANSPORTATION DEVELOPMENT ACT (TDA) LOCAL TRANSPORTATION FUNDS (LTF) AND STATE TRANSIT ASSISTANCE (STA) FUNDS – *Approve Resolution #2016-08 authorizing VCTC's claim for Fiscal Year 2016/2017 Transportation Development Act (TDA) Local Transportation Funds (LTF) and State Transit Assistance (STA) funds for transit, planning and administrative expenditures*

8G. CSUCI COOPERATIVE AGREEMENT FISCAL YEAR 2016/2017 EXTENSION - *Approve the FY 2016-2017 Cooperative Agreement for bus service to California State University Channel Islands (CSUCI) and CSUCI providing \$527,000 for the service in FY 2016-2017*

8H. VALLEY EXPRESS MARKETING AND COMMUNITY OUTREACH AGREEMENT- *Approve the draft one-year Marketing and Community Outreach Consulting Services Agreement between VCTC and Moore & Associates, Inc., for a total amount not to exceed \$59,000.*

8J. LEGISLATIVE UPDATE - *Receive and File*

8K. REGIONAL RIDEMATCH SERVICES AMENDMENT - *Approve an amendment to the agreement with Los Angeles County Metropolitan Transportation Authority (LACMTA) for enhancements to the regional ridematching database software for a revised total not to exceed \$33,872 for Fiscal Year 2015/2016 and \$11,954 for Fiscal Year 2016/2017. This item does not require a budget adjustment*

The motion was seconded by Commissioner Gherardi and passed by the following rollcall vote:

Yes: Commissioners Bennett, Sojka, MacDonald, Foy, Gherardi, Little, Long, White, Minjares, Breeze, Parks, Millhouse, Humphrey(abstained on Item #8A)

No: None

Abstain: Commissioner Humphrey on Item #8A

Absent: Commissioners Lara, Morehouse, Zaragoza and Bill-de la Peña

8E. ACTIVE TRANSPORTATION PROGRAM CYCLE 3 10-POINT CRITERIA -

Commissioner Parks requested a future agenda item to discuss policy regarding disadvantaged communities. Commissioner MacDonald made a motion to approve the request and to approve a methodology to award up to 10 additional points to Ventura County projects allowing VCTC to advance competitive applications for grant funds in the Cycle 3 Active Transportation Program (ATP). The motion was seconded by Commissioner Sojka and passed by the following roll call vote:

Yes: Commissioners Bennett, Sojka, MacDonald, Foy, Gherardi, Little, Long, White, Minjares, Breeze, Parks, Millhouse, Humphrey

No: None

Abstain: None

Absent: Commissioners Lara, Morehouse, Zaragoza and Bill-de la Peña

8I. UPDATED RIDER CODE OF CONDUCT AND SUSPENSION POLICY -

Commissioner Humphrey commented that there is no mention of weapons and that the policy should be more specific regarding caustics and acids typically used for etching. He also encouraged longer suspension periods and possible permanent banishment for lude and lascivious acts. He then made a motion to approve and authorize distribution of the updated Bus Passenger Code of Conduct and Suspension Policy. The motion was seconded by Commissioner Sojka and passed by the following roll call vote:

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Yes: Commissioners Bennett, Sojka, MacDonald, Foy, Gherardi, Little, Long, White, Minjares, Breeze, Parks, Millhouse, Humphrey, Bill-de la Peña
No: None
Abstain: None
Absent: Commissioners Lara, Morehouse, Zaragoza

9. FISCAL YEAR (FY) 2016/17 TRANSIT PROGRAM OF PROJECTS (PUBLIC HEARING)

There were no speakers for the public hearing.

Commissioner Sojka made a motion to approve the Program of Projects (POP) for federal transit operating, planning and capital assistance for FY 2016/17. The motion was seconded by Commissioner Long and passed by the following roll call vote:

Yes: Commissioners Bennett, Sojka, MacDonald, Foy, Gherardi, Little, Long, White, Minjares, Breeze, Parks, Millhouse, Humphrey, Bill-de la Peña
No: None
Abstain: None
Absent: Commissioners Lara, Morehouse, Zaragoza

10 ALLOCATIONS FOR TRANSPORTATION DEVELOPMENT ACT (TDA) FISCAL YEAR (FY) 2016/17 ARTICLE 3 BICYCLE/PEDESTRIAN FUNDS –

Commissioner MacDonald made a motion to approve the allocations for FY 2016/2017 Transportation Development Act (TDA) Article 3 bicycle/pedestrian funds. The motion was seconded by Commissioner Gherardi and passed by the following roll call vote:

Yes: Commissioners Bennett, Sojka, MacDonald, Foy, Gherardi, Little, Long, White, Minjares, Breeze, Parks, Millhouse, Humphrey, Bill-de la Peña
No: None
Abstain: None
Absent: Commissioners Lara, Morehouse, Zaragoza

11. CALIFORNIA TRANSPORTATION COMMISSION ACTION TO ADOPT THE 2016 STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) -

Receive and file.

12. TRANSPORTATION DEVELOPMENT ACT (TDA), LOCAL TRANSPORTATION FUND (LTF), FINAL APPORTIONMENT FOR FISCAL YEAR 2016/2017 –

Commissioner Gherardi made a motion to approve the Local Transportation Fund Final Apportionment for Fiscal Year 2016/2017 apportioning \$34.1 million as shown in Attachment 1. The motion was seconded by Commissioner Sojka and passed by the following roll call vote:

Yes: Commissioners Bennett, Sojka, MacDonald, Foy, Gherardi, Little, Long, White, Minjares, Breeze, Parks, Millhouse, Humphrey, Bill-de la Peña
No: None
Abstain: None
Absent: Commissioners Lara, Morehouse, Zaragoza

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13. FISCAL YEAR 2016/2017 BUDGET – PUBLIC HEARING –

There were no speakers for the Public Hearing.

Commissioner Gherardi made a motion to adopt, by resolution 2016-06, the proposed Fiscal Year 2016/2017 Budget and the Fiscal Year 2016/2017 salary schedule as presented in the Fiscal Year 2016/2017 Budget - Appendix C. The motion was seconded by Commissioner Sojka and passed by the following roll call vote:

Yes: Commissioners Bennett, Sojka, MacDonald, Foy, Gherardi, Little, Long, White, Minjares, Breeze, Parks, Millhouse, Humphrey, Bill-de la Peña

No: None

Abstain: None

Absent: Commissioners Lara, Morehouse, Zaragoza

14. VCTC GENERAL COUNSEL’S REPORT

15. AGENCY REPORTS

16. CLOSED SESSION

Public Employee Performance Evaluation

(Pursuant to Government Code Section 54957)

Title: General Counsel

17. ADJOURN to 9:00 a.m. Friday, July 8, 2016

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Item # 8B

July 8, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for May 2016

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 May 31, 2016 budget reports indicate that revenues were approximately 66.22% of the adopted budget while expenditures were approximately 69.64% of the adopted budget. The revenues and expenditures are as expected. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on a percentage or monthly basis. Furthermore, revenues are often billed and reimbursed in arrears.

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

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

**VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF MAY 31, 2016**

ASSETS

Assets:

Cash and Investments - Wells Fargo Bank	\$ 4,650,944
Cash and Investments - County Treasury	17,126,647
Petty Cash	130
Receivables/Due from other funds	753,956
Prepaid Expenditures	296,556
Deposits	14,919
Capital Assets, undepreciated	25,938,653
Capital Assets, depreciated, net	33,505,489

Total Assets: **\$82,287,294**

LIABILITIES AND FUND BALANCE

Liabilities:

Accrued Expenses/Due to other funds	\$ 1,165,414
Deferred Revenue	1,878,152
Deposits	400

Total Liabilities: **\$ 3,043,966**

Net Position:

Invested in Capital Assets	\$59,444,142
Fund Balance	19,799,186

Total Net Position **\$79,243,328**

Total Liabilities and Fund Balance: **\$82,287,294**

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE ELEVEN MONTHS ENDING MAY 31, 2016**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Revenues								
Federal Revenues	\$ 4,760,321	\$ 0	\$ 0	\$ 0	\$ 4,760,321	\$ 12,525,518	(7,765,197)	38.00
State Revenues	4,149,778	26,010,687	1,933,305	571,745	32,665,515	45,726,584	(13,061,069)	71.44
Local Revenues	3,942,954	0	0	1,571	3,944,525	4,216,142	(271,617)	93.56
Other Revenues	4,016	0	0	0	4,016	0	4,016	0.00
Interest	405	13,199	22,257	8,406	44,267	82,000	(37,733)	53.98
Total Revenues	12,857,474	26,023,886	1,955,562	581,722	41,418,644	62,550,244	(21,131,600)	66.22
Expenditures								
Administration								
Personnel Expenditures	2,162,061	0	0	0	2,162,061	3,136,100	(974,039)	68.94
Legal Services	14,023	0	0	0	14,023	25,000	(10,977)	56.09
Professional Services	134,003	0	0	0	134,003	153,000	(18,997)	87.58
Office Leases	135,567	0	0	0	135,567	152,200	(16,633)	89.07
Office Expenditures	290,317	0	0	0	290,317	471,500	(181,183)	61.57
Total Administration	2,735,971	0	0	0	2,735,971	3,937,800	(1,201,829)	69.48
Programs and Projects								
Transit & Transportation Program								
Senior-Disabled Transportation	156,260	0	0	0	156,260	240,600	(84,340)	64.95
Fare Collection APC Systems	253,918	0	0	0	253,918	737,600	(483,682)	34.42
VCTC Intercity Bus Service	8,043,867	0	0	0	8,043,867	8,891,049	(847,182)	90.47
HVT Bus Contract Services	1,784,558	0	0	0	1,784,558	2,285,112	(500,554)	78.09
Nextbus	147,015	0	0	0	147,015	305,400	(158,385)	48.14
Transit Grant Administration	3,866,701	0	0	0	3,866,701	8,995,688	(5,128,987)	42.98
Total Transit & Transportation	14,252,319	0	0	0	14,252,319	21,455,449	(7,203,130)	66.43

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Highway Program								
Motorist Aid Call Box System	0	0	0	658,387	658,387	993,000	(334,613)	66.30
Highway Project Management	367	0	0	0	367	852,300	(851,933)	0.04
SpeedInfo Highway Speed Sensor	0	0	0	87,200	87,200	144,000	(56,800)	60.56
Total Highway	367	0	0	745,587	745,954	1,989,300	(1,243,346)	37.50
Rail Program								
Metrolink & Commuter Rail	3,971,811	0	0	0	3,971,811	5,739,467	(1,767,656)	69.20
LOSSAN & Coastal Rail	2,368	0	0	0	2,368	3,300	(932)	71.76
Santa Paula Branch Line	422,754	0	0	0	422,754	973,090	(550,336)	43.44
Total Rail	4,396,933	0	0	0	4,396,933	6,715,857	(2,318,924)	65.47
Commuter Assistance Program								
Transit Information Center	1,603	0	0	0	1,603	5,500	(3,897)	29.15
Rideshare Programs	13,381	0	0	0	13,381	83,100	(69,719)	16.10
Total Commuter Assistance	14,984	0	0	0	14,984	88,600	(73,616)	16.91
Planning & Programming								
Transportation Development Act	169,609	25,610,944	0	0	25,780,553	30,716,006	(4,935,453)	83.93
Transportation Improvement Program	24,479	0	0	0	24,479	58,835	(34,356)	41.61
Regional Transportation Planning	324,557	0	0	0	324,557	1,156,800	(832,243)	28.06
Airport Land Use Commission	49,180	0	0	0	49,180	100,580	(51,400)	48.90
Regional Transit Planning	8,136	0	0	0	8,136	66,000	(57,864)	12.33
Freight Movement	227	0	0	0	227	12,500	(12,273)	1.82
Total Planning & Programming	576,188	25,610,944	0	0	26,187,132	32,110,721	(5,923,589)	81.55
General Government								
Community Outreach & Marketing	561,626	0	0	0	561,626	590,800	(29,174)	95.06
State & Federal Relations	83,801	0	0	0	83,801	98,115	(14,314)	85.41
Management & Administration	32,005	0	0	0	32,005	71,500	(39,495)	44.76
Office Building Purchase	141,789	0	0	0	141,789	3,522,000	(3,380,211)	4.03
Total General Government	819,221	0	0	0	819,221	4,282,415	(3,463,194)	19.13
Total Expenditures	22,795,983	25,610,944	0	745,587	49,152,514	70,580,142	(21,427,628)	69.64

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)
Revenues over (under) expenditures	(9,938,509)	412,942	1,955,562	(163,865)	(7,733,870)	(8,029,898)	296,028
Other Financing Sources							
Transfers Into GF from LTF	4,328,180	0	0	0	4,328,180	4,473,180	(145,000)
Transfers Into GF from STA	4,684,196	0	0	0	4,684,196	9,560,951	(4,876,755)
Transfers Into GF from SAFE	9,335	0	0	0	9,335	21,500	(12,165)
Transfers Out LTF into GF	0	(4,328,180)	0	0	(4,328,180)	(4,473,180)	145,000
Transfers Out of STA into GF	0	0	(4,684,196)	0	(4,684,196)	(9,560,951)	4,876,755
Transfers Out of SAFE into GF	0	0	0	(9,335)	(9,335)	(21,500)	12,165
Total Other Financing Sources	9,021,711	(4,328,180)	(4,684,196)	(9,335)	0	0	0
Net Change in Fund Balances	(916,798)	(3,915,238)	(2,728,634)	(173,200)	(7,733,870)	(8,029,898)	296,028
Beginning Fund Balance	3,537,313	8,009,206	11,902,365	4,084,172	27,533,056	23,834,920	3,698,136
Ending Fund Balance	<u>\$ 2,620,515</u>	<u>\$4,093,968</u>	<u>\$9,173,731</u>	<u>\$3,910,972</u>	<u>\$19,799,186</u>	<u>\$15,805,022</u>	<u>\$ 3,994,164</u>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF MAY 31, 2016**

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	\$ 556.52	0.01%	\$ 4,650,944.43
County of Ventura	Treasury Pool	N/A	43,837.05	0..50%	17,140,649.02
Total			\$44,393.57		\$21,791,593.45

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

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

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

For Management Reporting Purposes Only



Item #8C

July 8, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: ELLEN TALBO, TRANSIT PLANNING MANAGER

SUBJECT: PASSENGER RAIL UPDATE

RECOMMENDATION:

- Receive and file.

BACKGROUND:

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

DISCUSSION:

Metrolink

During the month of May, ridership on the Ventura County portion of the VC Line averaged 1,743 total boardings per weekday (inbound and outbound) resulting in a year over year decrease of 7.78% on the line. Systemwide ridership experienced a year over year decrease of 6.5%. Monthly ridership statistics for the month of May 2016 are provided in the attachment for reference. On-time performance data (which denotes trains arriving within five minutes of scheduled time) for the month of May was 94.69%, indicating a 2.07% increase from the previous month.

In May, Metrolink received Low Carbon Transportation Operations Program (LCTOP) funding in the amount of \$2,051,707 to complete the procurement of one Tier IV locomotive. The locomotive will complete the planned long-term Metrolink fleet expansion plan which calls for up to 40 new low-emission Tier 4 locomotives. Metrolink is the first commuter rail system in the country to purchase Tier 4 locomotives. The first of the low-emission locomotives are expected to begin operating throughout the Metrolink system in late 2016, with the remainder arriving in 2017. Once the first locomotive is fully equipped with Positive Train Control, staff will work with the board members and member agencies to schedule a Whistle-Stop Tour to showcase the locomotives at stations in all five counties. The timing is tentatively August/September for the Metrolink System Whistle-Stop Tour.

Metrolink staff transmitted a member agency reconciliation and schedule of deferred revenue for fiscal year 2014. The Member Subsidy Reconciliation shows that VCTC had an operating surplus of \$667,768 for FY2014. This surplus has been included in the FY2014 ending balance on the Schedule of Deferred Revenue for VCTC. The operating surplus may be used toward the FY 16-17 operating budget and any future budget amendments, or the surplus may be reserved for FY 17-18. Staff will work with Metrolink staff to advise how the operating surplus will be utilized.

LOSSAN

There was no regularly scheduled Board meeting for the month of May and the June Board meeting was cancelled, therefore there is little to report for this month's passenger rail report. New service schedules went into effect on June 6, 2016 for the southern portion (Los Angeles – San Diego) of the Pacific Surfliner corridor based on the recommended timetables developed by SMA Consulting and Amtrak operations. Also in June, the Amtrak Pacific Surfliner launched the new Transit Transfer Program; funded by a Transit and Intercity Rail Capital Program (TIRCP) grant, the pilot program allows Pacific Surfliner passengers to transfer more seamlessly to connecting public transit services along the corridor. There are currently 14 transit providers participating in the program, including VCTC Intercity Transit and Gold Coast Transit in Ventura County, with more operators to be added in the near future.

Additionally, between April and June, LOSSAN executive staff made progress toward completing special train service schedules for the Del Mar Race Season and Comic-Con in San Diego. During May, LOSSAN staff utilized social media to advertise the California Strawberry Festival. VCTC staff will continue to work with LOSSAN to promote upcoming special events that are easily accessible from the train stations, such as the Oxnard Salsa Festival in July and the Ventura County Fair in August.

May 2016 Metrolink Ridership

AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)
MAY 2016 vs. APRIL 2016 (MONTH OVER MONTH)

MO/YR	Ventura County Portion	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA (weekday)
May-16	1,743	3,557	39,678	161
Apr-16	1,755	3,556	40,312	174
Change	-0.68%	0.03%	-1.57%	-7.47%

AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)
MAY 2016 vs. MAY 2015 (YEAR OVER YEAR)

MO/YR	Ventura County Portion	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA (weekday)
May-16	1,743	3,557	39,678	161
May-15	1,890	3,617	42,437	219
Change	-7.78%	-1.66%	-6.50%	-26.48%

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

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Average Daily Metrolink Monthly Passholders on Amtrak (weekday)
May-16	3,557	1,743	39,678	161
May-15	3,617	1,890	42,437	219
May-14	3,671	1,626	42,133	148
May-13	4,076	1,995	43,380	264
May-12	4,008	1,941	44,037	210

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Item # 8D

July 8, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: PETER DEHAAN, PROGRAMMING DIRECTOR
AARON BONFILIO, PROGRAM MANAGER, TRANSIT SERVICES**

**SUBJECT: EAST-WEST CONNECTOR BUS PURCHASE / PROPOSITION 1B TRANSIT CAPITAL
PROJECT APPROVAL**

RECOMMENDATION:

- Adopt Resolution 2016-09 to program \$148,804 of Proposition 1B Transit Capital Funds to purchase vehicles for the East-West Connector Bus Service; and authorize the Executive Director to execute all required documents to receive the Transit Capital funds for the project.
- Approve amendment to VCTC Intercity Transit Service budget for FY 2016/2017 by adding \$1,358,000 in expenditures to the Bus Purchase line item, which increases the total program from \$8,680,400 to \$10,038,400; and correspondingly adding new revenue line items for Congestion Mitigation Air Quality (CMAQ) in the amount of \$1,209,196 and Proposition 1B Transit Capital Funds in the amount of \$148,804, for total revenues of \$10,038,400.
- Authorize the Executive Director to execute the purchase order for the two new fleet vehicles with bus manufacturer Motor Coach Industries after receiving CMAQ and Proposition 1B funding approvals from the administering agencies.

BACKGROUND:

Proposition 1B, approved by the voters in 2006, includes \$3.6 billion statewide for transit capital projects, to be distributed to transit operators and regional agencies by formula. Funds in this account are appropriated annually by the Legislature to the State Controller's Office (apportionment is approximately \$39,523,000). The Commission has programmed all of the original apportionment for specific projects, but staff was recently informed that \$148,804 was added to VCTC's apportionment due to a state program administration cost adjustment.

As part of the 2015 CMAQ call for projects, the Commission approved \$2,178,286 for bus purchase and operations of an East-West Connector Intercity bus line connecting the cities of Simi Valley, Moorpark, Camarillo and Ventura. It is recommended that the Commission approve programming \$148,804 of Proposition 1B Transit Capital Funds to use as match for the purchase of the two buses for the East-West Connector service and adopt Resolution 2016-09 in Attachment A authorizing the Executive Director to submit all required documents to Caltrans for this project.

July 8, 2016
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Staff is recommending that the Commission approve the ordering of the buses at this time so that the new East/West bus line can begin service without further delay after the buses have been delivered. Therefore, staff is bringing this item before the Commission now without going to TRANSCOM for discussion of the programming of the \$148,804 residual Proposition 1B balance for this project. Staff believes that a Commission action at this time is appropriate to avoid delay to the East/West bus line.

The order for the two vehicles is pursuant with pricing in the joint procurement agreement between Motor Coach Industries and Victor Valley Transit Authority, of which VCTC participated. Through this agreement, VCTC has the ability to purchase a total of twenty vehicles, and has thus far purchased fifteen. Following this purchase, VCTC will have the opportunity to purchase up to three additional vehicles. The current order includes standard equipment specified with VCTC's previous bus purchases, such as bicycle racks, and passenger seat outlets and Wi-Fi access. Additionally, on-board video surveillance systems, and passenger seatbelts have been included in this order. This procurement includes the required provisions for federal funding eligibility.

**RESOLUTION #2016-09 OF THE
VENTURA COUNTY TRANSPORTATION COMMISSION
FOR THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES
FOR THE PROPOSITION 1B PUBLIC TRANSPORTATION
MODERNIZATION, IMPROVEMENT, AND SERVICE ENHANCEMENT
ACCOUNT BOND PROGRAM**

WHEREAS, the Ventura County Transportation Commission ("VCTC") is an eligible project sponsor and may receive state funding from the Public Transportation Modernization, Improvement, and Service Enhancement Account ("PTMISEA") now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 88 (2007) named the Department of Transportation ("Department") as the administrative agency for the PTMISEA; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing PTMISEA funds to eligible project sponsors (local agencies); and

WHEREAS, VCTC has reviewed eligible transit capital projects through the Transit Management Advisory Committee (TRANSCOM), and developed a list of priority projects.

NOW, THEREFORE, the Ventura County Transportation Commission does hereby resolve as follows:
Section 1. VCTC approves programming \$148,804 of Proposition 1B Transit Capital Funds to purchase two buses for the VCTC Intercity Service.

Section 2. VCTC will comply with all conditions and requirements set forth in the Certification and Assurances document (Exhibit 1) and applicable statutes, regulations, and guidelines for all PTMISEA funded transit projects.

Section 3. VCTC authorizes the Executive Director to execute all required documents of the PTMISEA program and any Amendments thereto with the California Department of Transportation.

PASSED AND ADOPTED by the VCTC at its regular meeting this 8th day of July 2016.

Keith Millhouse, Chair

ATTEST:

Donna Cole, Clerk

APPROVED AS TO FORM:

Steven T. Mattas, General Counsel

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Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Bond Program

Certifications and Assurances

Project Sponsor: *Ventura County Transportation Commission.*

Effective Date of this Document: *July 8, 2016*

The California Department of Transportation (Department) has adopted the following certifications and assurances for the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) bond program. As a condition of the receipt of PTMISEA bond funds, project sponsors must comply with these terms and conditions.

A. General

- (1) The project sponsor agrees to abide by the current PTMISEA Guidelines
- (2) The project sponsor must submit to the Department a PTMISEA Program Expenditure Plan, listing all projects to be funded for the life of the bond, including the amount for each project and the year in which the funds will be requested.
- (3) The project sponsor must submit to the Department a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

B. Project Administration

- (1) The project sponsor certifies that required environmental documentation is complete before requesting an allocation of PTMISEA funds. The project sponsor assures that projects approved for PTMISEA funding comply with Public Resources Code § 21100 and § 21150.
- (2) The project sponsor certifies that PTMISEA funds will be used only for the transit capital project and that the project will be completed and remains in operation for its useful life.
- (3) The project sponsor certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.
- (4) The project sponsor certifies that they will notify the Department of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.
- (5) The project sponsor must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
- (6) Any interest the project sponsor earns on PTMISEA funds must be used only on approved PTMISEA projects.

- (7) The project sponsor must notify the Department of any changes to the approved project with a Corrective Action Plan (CAP).
- (8) Under extraordinary circumstances, a project sponsor may terminate a project prior to completion. In the event the Project Sponsor terminates a project prior to completion, the Project Sponsor must (1) contact the Department in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.
- (9) Funds must be encumbered and liquidated within the time allowed in the applicable budget act.

C. Reporting

- (1) Per Government Code § 8879.55, the project sponsor must submit the following PTMISEA reports:
 - a. Semi-Annual Progress Reports by February 15th and August 15th each year.
 - b. A Final Report within six months of project completion.
 - c. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of PTMISEA bond funds. A copy of the audit report must be submitted to the Department within six months of the close of the year (December 31) each year in which PTMISEA funds have been received or expended.

D. Cost Principles

- (1) The project sponsor agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (2) The project sponsor agrees, and will assure that its contractors and subcontractors will be obligated to agree, that (a) Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual project costs and (b) those parties shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving PTMISEA funds as a contractor or subcontractor shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (3) Any project cost for which the project sponsor has received payment that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 49 CFR, Part 18, are subject to repayment by the project sponsor to the State of California (State). Should the project sponsor fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the project sponsor from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

E. Record Retention

- (1) The project sponsor agrees, and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the project sponsor, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers of the project sponsor, its contractors and subcontractors connected with PTMISEA funding shall be maintained for a minimum of three (3) years from the date of final payment and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the project sponsor, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the Project Sponsor pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the project sponsor's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
- (2) For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the project sponsor's contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the project sponsor shall furnish copies thereof if requested.
- (3) The project sponsor, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

F. Special Situations

- (1) A project sponsor may lend its unused funds from one year to another project sponsor for an eligible project, for maximum fund use each fiscal year (July 1 – June 30). The project sponsor shall collect no interest on this loan.
- (2) Once funds have been appropriated in the budget act, a project sponsor may begin a project with its own funds before receiving an allocation of bond funds, but does so at its own risk.
- (3) The Department may perform an audit and/or request detailed project information of the project sponsor's PTMISEA funded projects at the Department's discretion at any time prior to the completion of the PTMISEA program.

I certify all of these conditions will be met.

VENTURA COUNTY TRANSPORTATION COMMISSION

BY:

Darren Kettle, Executive Director



Item #8E

July 8, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: JUDITH JOHNDUFF, PROGRAM ANALYST

SUBJECT: ACTIVE TRANSPORTATION PROGRAM CYCLE 3 CALL OF PROJECTS – UPDATE

RECOMMENDATION:

- Receive and file.

BACKGROUND:

The Active Transportation Program (ATP) was created by Senate Bill 99 (Chapter 359, Statutes of 2013) and by Assembly Bill 101 (Chapter 354, Statutes of 2013) to fund projects that:

- Increase the proportion of biking and walking trips,
- Increase safety for non-motorized users,
- Increase mobility for non-motorized users,
- Advance the efforts of regional agencies to achieve greenhouse gas reduction goals,
- Enhance public health, including the reduction of childhood obesity through the use of projects eligible for Safe Routes to Schools Program funding,
- Ensure disadvantaged communities fully share in program benefits (25% of program), and
- Provide a broad spectrum of projects to benefit many types of active transportation users.

Approximately \$240 million is available for ATP Cycle 3. The California Transportation Commission (CTC) adopted guidelines for the Cycle 3 *Call for Projects* on March 16, 2016. Caltrans issued the *Call for Projects* in April. Applications were due to Caltrans on June 15th 2016. Consistent with application requirements, copies of the applications within Ventura County were provided to the Ventura County Transportation Commission (VCTC). A summary of the applications received by VCTC is attached.

Summary of the Application Review Process: Caltrans/CTC reviews all ATP project applications and scores are assigned to each project application based on the Caltrans/CTC Scoring Rubric:

http://www.catc.ca.gov/programs/ATP/2017/2017_ATP_Scoring_Rubrics_for_Q1_Q7.pdf Applications can receive a maximum of 100 points. Points will be awarded as follows:

1. (0 to 10 points) Project benefits for disadvantaged communities
2. (0 to 35 points) Potential for increased walking and bicycling and improved connectivity
3. (0 to 25 points) Potential for reducing pedestrian and bicyclist fatalities and injuries
4. (0 to 10 points) Public participation and planning
5. (0 to 10 points) Project benefits for Improved public health
6. (0 to 5 points) Cost effectiveness
7. (0 to 5 points) Leveraging of non-ATP funds

According to the ATP Guidelines, program funding is segregated into three components and is distributed as follows:

- 50% to the state for the statewide competitive program (Cycle 3 Statewide Competition - approximately \$120 million)
- 10% to small urban and rural regions
- 40% to Metropolitan Planning Organizations (MPO) (Cycle 3 Regional Program - approximately \$50 million to the SCAG region of which Ventura County's population based share is roughly \$2 million).

Statewide Competition: Once the applications are scored by Caltrans/CTC, the projects are ranked. Those projects with the highest ranking that can be funded with the approximately \$120 million available will receive funding through the statewide competitive program.

Regional Program: Those projects that don't make the cut-off under the statewide competitive program are then sent to the MPO's for consideration. Projects located in Ventura County are forwarded to SCAG. Population-based funding targets are applied to each county within the SCAG region to meet SCAG's requirements for the consideration of geographic equity. Under the SCAG Regional Guidelines, the Caltrans/CTC scores may be adjusted by up to 10 points by the county transportation commissions to prioritize projects that advance county priorities. VCTC adopted the 10-point criteria at the June 3rd meeting. Those projects with the highest scores within the limits of the available funding are awarded funding.

Disadvantaged Communities: One of the goals of the ATP program is to ensure that disadvantaged communities fully share in program benefits (25% of program). In Cycle's 1 and 2 of the ATP program, approximately 80% of all ATP funding was awarded to those projects that qualified as a "disadvantaged communities" project. Concern was expressed that the CTC's application and method of scoring used in Cycles 1 and 2 resulted in too much emphasis being placed on the benefit to disadvantaged communities and not enough emphasis on the overall merits of the individual project to meet the ATP program goals resulting in an unbalanced geographic distribution of projects throughout the state and shutting out projects that otherwise met all of the goals of the program. In an effort to address the concern, the CTC solicited and received input from stakeholders statewide and the application and scoring rubric were revised. The points awarded to projects which qualify as a "disadvantaged community" project will now be awarded on a sliding scale and based upon how much of an impact and benefit the project provides to the disadvantaged community. Previously, if projects qualified as a "disadvantaged community" project they were automatically awarded all 10 points.

ATP CYCLE 3 VENTURA COUNTY PROJECT APPLICATIONS

Applicant	Project Name	Project Description	ATP	Total
City of Oxnard	Etting Road Sidewalk and Bike Lanes Project	Install sidewalks, curb, gutter, and access ramps, and widen the road to accommodate bike lanes. It will also install crosswalks, crosswalk flashing beacons, and street lights, as well as an all-way stop at the intersection of Etting and Olds Roads.	\$991,000	\$1,239,000
City of Thousand Oaks	Conejo School Road and Willow Lane Safe Routes to Schools (SRTS) Sidewalk Improvement Project	Construct sidewalks on Conejo School Road and Willow Lane to provide a safe route to Conejo Elementary School and Colina Middle School and provide safe access to Thousand Oaks Boulevard to access to regional transit, shopping and jobs.	\$775,000	\$894,000
City of Thousand Oaks	Moorpark Road Sidewalk Safety Project	Installation of 4,600 linear feet of six-foot wide concrete sidewalk, concrete curb and gutter, ADA curb ramps, and retaining walls to fill missing gaps in the sidewalk network near Thousand Oaks High School.	\$851,000	\$862,000
City of Ventura	Harmon Barranca Corridor Gap Closure for Montalvo and Portola Elementary Schools	Provide Class IV Cycle Track and Class III Bike Boulevard gap closure, safety features for sidewalk and bicycle infrastructure, serving Montalvo Elementary School and Portola Elementary School students, and surrounding community; connecting parks, employment centers, and connecting a vital low-stress north-south green corridor link to Ventura Community Park.	\$501,000	\$507,000
City of Ventura	Montalvo SRTS Cypress Point Gap Closure and Complete Streets Project	Provide Class I Path gap closure, safety features for sidewalk and bicycle infrastructure, and connecting Complete Street corridor for Montalvo Elementary School students, and surrounding Montalvo community; connecting parks, employment centers, and providing a vital low-stress north-south and east-west green corridor link.	\$1,380,000	\$1,560,000
County of Ventura	Central Avenue Pedestrian Improvements	Construct sidewalk, curb, gutter and access ramps on Central Avenue, connecting residential areas within unincorporated Ventura County to Rio Mesa High School and to existing and planned transit stops on Central Avenue.	\$391,000	\$550,000
County of Ventura	Potrero Road Bike Lanes – Phase 1 Project	Construct 1.4 miles of Class II bike lanes on Potrero Road in the county and 500 feet of Class II bike lanes on Potrero Road in the City of Thousand Oaks.	\$2,095,000	\$2,530,000

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Item #8F

July 8, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: LEGISLATIVE UPDATE

RECOMMENDATION:

- Receive and file.

DISCUSSION

Federal Issues

On May 19th the Senate approved the Fiscal Year 2016/17 appropriation bill for Transportation, Housing and Urban Development, with the transportation funding level consistent with the amount authorized in the Fixing America's Surface Transportation (FAST) Act. Highway funding is set to \$43.3 billion, up \$900 million from the prior year, while transit funding is budgeted at \$12.0 billion which is a \$520 million increase. A week later the House transportation spending bill was passed by the Appropriations Committee, with similar spending levels. However, the Administration has issued a threat to veto the House bill due to a provision to block a proposed regulatory change related to truck driver off-duty time requirements.

State Issues

Attachment A provides the monthly report of Delaney Hunter, the Commission's state lobbyist. This report includes an analysis of the adopted Fiscal Year 2016/17 state budget. Attachment B is the monthly update on the status of bills being tracked by VCTC.



**VENTURA COUNTY TRANSPORTATION COMMISSION
MONTHLY STATE ADVOCACY REPORT
JUNE 2016**

Legislative Update

Throughout the month of June, much of the Legislature was focused on passing the main budget bill before the June 15th deadline. These negotiations involved budget subcommittee hearings broken down by subject, along with full committee and conference committee meetings to finalize the differences between the Senate and Assembly versions of the budget. Ultimately, the \$122.5 billion budget was passed on time, while many of the remaining budget trailer bills are still being worked out. While a majority of the Legislator's time was spent on budget discussions, the floor deadline for bills to pass out of the first house was June 3rd. As a result, there were lengthy floor sessions during the week leading up to the house of origin deadline. The bills that made it off the floor are now being set for the first policy committee hearings in the second house. The last two weeks of June will consist of lengthy committee hearings, so that the large number of bills can move out of policy committee by the July 1st deadline, where they will then move to their respective Appropriations Committee. GQHC will continue to track these bills and advocate on behalf VCTC, as the numerous transportation bills make their way through the second house legislative process.

Special Session

While the legislative session has focused on the budget and quickly moving bills into the second house, the Transportation and Infrastructure Special Session has lagged behind the regular session timeline. SBX1-1 by Senator Beall was amended at the end of April to reflect the negotiations with Republican Legislators. However, despite the inclusion of these negotiations, this transportation package still requires a 2/3 vote of the Legislature for passage. The current indications suggest that there are not enough votes to advance a proposal that includes a tax increase. Similarly, there were discussions that Assembly Member Frazier's bills (AB 1591) would soon be amended to reflect further negotiations among the Legislature. However, the amendments have not yet been put into print, so GQHC will continue to keep VCTC updated on any new developments. Lastly, the Governor reintroduced his original \$3.6 billion funding plan in his budget proposal, but the Legislature rejected the inclusion of this language, in favor of dealing with transportation funding in the legislative process. The Special Session negotiations have taken a backseat to the budget discussions and recent primary election items, but GQHC will remain involved and on the front line, if any developments arise.

Budget Update

The Legislature worked tirelessly throughout the first two weeks of June to pass the budget, and that compromise is now heading to the Governor. The highlights of the budget include an additional \$3 billion into the state's rainy day fund, repurposing Proposition 63 MHSA money to house individuals with mental illnesses, and repealing the controversial cap on welfare payments. In addition to the main budget bill, there are two comparable transportation budget trailer bills moving through the Legislature (AB 1610 and SB 838). The main provisions of importance in these trailer bills are the changes to the State Transit Assistance allocations and the expansion of the Green and White Sticker Programs. Both trailer bills include the STA fix. Specifically, the fix reverts back the allocation formula to the previous methodology for the 3rd and 4th quarter allocations of 2015-16, and for all four quarters of 2016-17 and 2017-18. Only SB 838 includes the sticker program language, which eliminates the cap and extends both the Green and White Sticker Programs to 2019, while AB 1610 makes no change to this section. The Assembly passed SB 838 and the Senate passed AB 1610. GQHC will keep VCTC updated on which version makes it to the Governor for signature or if there is another plan for reconciliation of the differences in the Legislature. Furthermore, there was nothing agreed upon related to cap and trade, so GQHC will continue to monitor the negotiations between the Administration and the Legislature.

VCTC Supported Bills

AB 2090 (Alejo), which would provide money from cap-and-trade funds for ongoing transit operations for a transit agency that is experiencing a fiscal emergency. The GQHC team registered VCTC's support in the policy and appropriations committee hearings. The bill then passed off the Assembly Floor on a 77 to 1 vote. AB 2090 passed out of the Senate Transportation Committee unanimously on June 21, where GQHC advocated for the bill's passage, and it will now be heard in the Senate Environmental Quality Committee next week.

AB 2222 (Holden) creates the Transit Pass Program from the greenhouse gas reduction fund to provide free or reduced cost transit passes to students. AB 2222 took a similar legislative path as AB 2090, passed off of the appropriations suspense file, and then advanced off the Assembly Floor 72 to 7. The bill was also set for hearing in the Senate Transportation Committee, and GQHC has expressed VCTC's support to the committee Members and consultants. AB 2222 passed out of the first policy committee on a 7 to 0 vote, and will now be set for hearing in the Senate Environmental Quality Committee.

AB 2170 (Frazier) requires federal freight funds apportioned under the FAST Act to be allocated to projects through the state Trade Corridor Improvement Fund (TCIF) program. After VCTC adopted a support position on the bill, GQHC registered the Commission's support in the Senate Transportation Committee, where it passed unanimously on a 10 to 0 vote. The bill is now scheduled to go to the Senate Environmental Quality Committee on Wednesday, June 29th, before the policy committee deadline, and GQHC will advocate VCTC's position to the members and consultants of the committee.

AB 2034 (Salas) deletes the January 1, 2017 sunset for Caltrans to waive its right to sovereign immunity from lawsuits brought in federal court, so that Caltrans can indefinitely continue to assume the role of the U.S. DOT for National Environmental Policy Act decision making. The bill passed out of the Assembly Transportation Committee, the Appropriations Committee, and the Assembly Floor on the consent calendar. GQHC has expressed VCTC's support for the bill to the author and committee members and will

continue to track the measure and update VCTC staff, as the bill will soon be set for hearing in the second house policy committee.

SB 824 (Beall) makes a number of changes in how transit agencies utilize their Low Carbon Transit Operations (LCTOP) formula shares, including banking funds, pooling funds, issuing letters of no prejudice, among a myriad of other changes that increase the flexibility provided to transit agencies. After securing an amendment to the bill for VCTC that would allow letters of no prejudice to be issued for capital and operating needs, the bill passed off the suspense file and then recently moved off of the Senate Floor on a 26 to 11 vote. SB 824 is scheduled to be heard in the Assembly Transportation Committee on June 27th, and GQHC will continue to support the bill on behalf of VCTC.

Upcoming Bill Deadlines and Priority Legislation

June 3 Last day for each house to pass bills introduced in that house

June 6 Committee meetings may resume

June 15 Budget Bill must be passed by midnight

June 30 Last day for a legislative measure to qualify for the Nov. 8 General Election ballot

July 1 Last day for policy committees to meet and report bills. Summer Recess begins upon adjournment

Aug. 1 Legislature reconvenes from Summer Recess

AB 326 (Frazier D) Public works: prevailing wage rates: wage and penalty assessments.

Introduced: 2/13/2015

Status: 6/9/2016-Read second time and amended. Re-referred to Com. on APPR.

Summary: Current law provides that there is no liability for liquidated damages if a contractor, subcontractor, or surety deposits the full amount of the assessment or notice, including penalties, with the Department of Industrial Relations to hold in escrow pending administrative or judicial review. This bill would require the department to release the funds deposited in escrow plus interest earned to those persons and entities within 30 days following either the conclusion of all administrative and judicial review or upon the department receiving written notice from the Labor Commissioner or his or her designee of a settlement or other final disposition of an assessment issued, as specified, or from the authorized representative of the awarding body of a settlement or other final disposition of a notice issued, as specified.

AB 779 (Garcia, Cristina D) Local government: financial disclosures.

Introduced: 2/25/2015

Status: 6/15/2016-Re-referred to Com. on GOV. & F.

Summary: Would require a city, county, city and county, or special district to post a link on the homepage of its Internet Web site that contains the names, positions, and total compensation, including a breakdown of the types of compensation provided, of each elected official within that entity for the previous fiscal year and the 10 employees with the greatest total compensation, as specified. By increasing the duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 1364 (Linder R) California Transportation Commission.

Introduced: 2/27/2015

Status: 2/4/2016-Referred to Coms. on T. & H. and G.O.

Summary: Current law vests the California Transportation Commission with specified powers, duties, and functions relative to transportation matters. Current law requires the commission to retain independent authority to perform the duties and functions prescribed to it under any provision of law. This bill would exclude the California Transportation Commission from the Transportation Agency and establish it as an entity in the state government. The bill would also make conforming changes.

AB 1591 (Frazier D) Transportation funding.

Introduced: 1/6/2016

Status: 2/1/2016-Referred to Coms. on TRANS. and REV. & TAX.

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

AB 1813 (Frazier D) High-Speed Rail Authority: membership.

Introduced: 2/8/2016

Status: 6/15/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (June 14). Re-referred to Com. on APPR.

Summary: Would provide for appointment of one Member of the Senate by the Senate Committee on Rules and one Member of the Assembly by the Speaker of the Assembly to serve as ex officio members of the High-Speed Rail Authority. The bill would provide that the ex officio members shall participate in the activities of the authority to the extent that participation is not incompatible with their positions as Members of the Legislature.

AB 1886 (McCarty D) California Environmental Quality Act: transit priority projects.

Introduced: 2/11/2016

Status: 6/9/2016-Referred to Com. on E.Q.

Summary: CEQA provides for limited CEQA review or exempts from its requirements transit priority projects meeting certain requirements, including the requirement that the project be within 1/2 mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. CEQA specifies that a project is considered to be within 1/2 mile of a major transit stop or high-quality transit corridor if, among other things, all parcels within the project have no more than 25% of their area farther than 1/2 mile from the stop or corridor. This bill, for a transit priority project to meet the requirements for limited CEQA review, would increase that percentage to 50%.

AB 1943 (Linder R) Parking: county transportation commissions.

Introduced: 2/12/2016

Status: 6/16/2016-Read second time. Ordered to Consent Calendar.

Summary: Current law establishes county transportation commissions in Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties for the coordination of public transportation services and the performance of various transportation planning activities. Existing law authorizes each commission to make contracts of any nature whatsoever, including to employ labor. This bill would authorize the Riverside County Transportation Commission to enter into contracts with private vendors for the enforcement of

parking regulations and the removal of vehicles parked in violation of parking regulations adopted by the commission.

AB 1964 (Bloom D) High-occupancy vehicle lanes: vehicle exceptions.

Introduced: 2/12/2016

Status: 5/19/2016-Referred to Com. on T. & H.

Summary: Current authorizes super ultra-low emission vehicles, ultra-low emission vehicles, partial zero-emission vehicles, or transitional zero-emission vehicles, as specified, that display a valid identifier issued by the Department of Motor Vehicles to use these HOV lanes until January 1, 2019, or until the date federal authorization expires, or until the Secretary of State receives a specified notice, whichever occurs first. This bill would extend the operation of the provisions allowing specified vehicles to use HOV lanes until the date federal authorization expires, or until the Secretary of State receives a specified notice, whichever occurs first.

AB 2034 (Salas D) Department of Transportation: environmental review process: federal program.

Introduced: 2/16/2016

Status: 5/5/2016-Referred to Com. on T. & H.

Summary: Current law, until January 1, 2017, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities the Department of Transportation assumed as a participant in the surface transportation project delivery program. This bill would delete the January 1, 2017, repeal date and thereby extend these provisions indefinitely.

Position: Support

AB 2090 (Alejo D) Low Carbon Transit Operations Program.

Introduced: 2/17/2016

Status: 6/9/2016-Referred to Coms. on T. & H. and E.Q.

Summary: Current law continuously appropriates specified portions of the annual proceeds in the Greenhouse Gas Reduction Fund to various programs, including 5% for the Low Carbon Transit Operations Program, which provides operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities. This bill would additionally authorize moneys appropriated to the program to be expended to support the operation of existing bus or rail service if the governing board of the requesting transit agency declares a fiscal emergency and other criteria are met, thereby expanding the scope of an existing continuous appropriation.

Position: Support

AB 2170 (Frazier D) Trade Corridors Improvement Fund: federal funds.

Introduced: 2/18/2016

Status: 6/9/2016-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on T. & H.

Summary: Would require revenues apportioned to the state from the National Highway Freight Program established by the federal Fixing America's Surface Transportation Act to be allocated for trade corridor improvement projects approved pursuant to these provisions. This bill contains other related provisions and other existing laws.

Position: Support

AB 2222 (Holden D) Greenhouse Gas Reduction Fund: Transit Pass Program.

Introduced: 2/18/2016

Status: 6/9/2016-Referred to Coms. on T. & H. and E.Q.

Summary: Would establish the Transit Pass Program to be administered by the Department of Transportation with moneys from the Greenhouse Gas Reduction Fund, upon appropriation, to support transit pass programs that provide free or reduced-fare transit passes to specified pupils and students. The bill would require the department, in coordination with the state board, to develop guidelines that describe the criteria that eligible transit providers are required to use to make available free or reduced-fare transit passes to eligible participants and the methodologies that eligible participants would use to demonstrate that the proposed expenditures will reduce greenhouse gas emissions.

Position: Support

AB 2289 (Frazier D) Department of Transportation: capital improvement projects.

Introduced: 2/18/2016

Status: 6/15/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (June 14). Re-referred to Com. on APPR.

Summary: Current law requires the Department of Transportation to prepare a state highway operation and protection program for the expenditure of transportation funds for major capital improvements that are necessary to preserve and protect the state highway system and that include capital projects relative to maintenance, safety, and rehabilitation of state highways and bridges that do not add a new traffic lane to the system. This bill would add to the program capital projects relative to the operation of those state highways and bridges.

AB 2374 (Chiu D) Construction Manager/General Contractor method: regional transportation agencies: ramps.

Introduced: 2/18/2016

Status: 4/28/2016-Referred to Com. on T. & H.

Summary: Current law authorizes regional transportation agencies to use the Construction Manager/General Contractor project delivery method, as specified, to design and construct certain expressways that are not on the state highway system if: (1) the expressways are developed in accordance with an expenditure plan approved by voters, (2) there is an evaluation of the traditional design-bid-build method of construction and of the Construction Manager/General Contractor method, and (3) the board of the regional transportation agency adopts the method in a public meeting. This bill would authorize regional transportation agencies also to use this authority on ramps that are not on the state highway system, as specified.

AB 2411 (Frazier D) Transportation revenues.

Introduced: 2/19/2016

Status: 6/9/2016-Referred to Com. on T. & H.

Summary: Current law requires certain miscellaneous revenues deposited in the State Highway Account that are not restricted as to expenditure by Article XIX of the California Constitution to be transferred to the Transportation Debt Service Fund in the State Transportation Fund, as specified, and requires the Controller to transfer from the fund to the General Fund an amount of those revenues necessary to offset the current year debt service made from the General Fund on general obligation transportation bonds issued pursuant to Proposition 116 of 1990. This bill would, on July 1, 2017, delete the transfer of these miscellaneous revenues to the Transportation Debt Service Fund, thereby eliminating the offsetting transfer

to the General Fund for debt service on general obligation transportation bonds issued pursuant to Proposition 116 of 1990.

AB 2542 (Gatto D) Streets and highways: reversible lanes.

Introduced: 2/19/2016

Status: 6/15/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (June 14). Re-referred to Com. on APPR.

Summary: Would require the Department of Transportation or a regional transportation planning agency, when submitting a capacity-increasing project or a major street or highway lane realignment project to the California Transportation Commission for approval, to demonstrate that reversible lanes were considered for the project.

AB 2564 (Cooper D) Air Quality Improvement Program: Clean Vehicle Rebate Project.

Introduced: 2/19/2016

Status: 6/9/2016-Referred to Com. on E.Q.

Summary: Would require the State Air Resources Board to adopt regulations for the purposes of the Clean Vehicle Rebate Project that would establish the maximum gross annual income at specified levels for a person to be eligible for a rebate; increase rebate payments by \$500 for low-income applicants, as defined; include outreach to low-income households; and prioritize rebate payments for low-income applicants. This bill contains other existing laws.

AB 2620 (Dababneh D) Passenger rail projects: funding.

Introduced: 2/19/2016

Status: 6/15/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 11. Noes 0.) (June 14). Re-referred to Com. on APPR.

Summary: Would reallocate funds allocated pursuant to the Clean Air and Transportation Improvement Act of 1990 that are not expended or encumbered by July 1, 2020, to any other existing passenger rail project with existing rail service. The bill would require the California Transportation Commission to determine the projects pursuant to this reallocation. By reallocating unexpended or unencumbered funds to any other existing passenger rail project, the bill would make an appropriation.

AB 2741 (Salas D) Long-range transportation planning: California Transportation Plan.

Introduced: 2/19/2016

Status: 6/15/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (June 14). Re-referred to Com. on APPR.

Summary: Would, beginning in 2020, require updates to the California Transportation Plan to be approved by the California Transportation Commission prior to submission to the Legislature and the Governor. The bill would require the department to submit a draft of its proposed update to the commission for its comments by June 30, 2020, and every 5 years thereafter.

AB 2796 (Bloom D) Active Transportation Program.

Introduced: 2/19/2016

Status: 6/9/2016-Referred to Com. on T. & H.

Summary: Current law creates the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation. Current law requires the California Transportation Commission to award 50% and 10% of available funds to projects statewide and to projects in small urban and rural regions, respectively, with the remaining 40% of available funds to be

awarded to projects by metropolitan planning organizations, with the funds available for distribution by each metropolitan planning organization based on its relative population. This bill would require a minimum of 5% of available funds in each of the 3 distribution categories to be awarded for planning and community engagement for active transportation in disadvantaged communities and a minimum of 10% of all available Active Transportation Program funds to be programmed for noninfrastructure purposes, except as provided.

AB 2843 (Chau D) Public records: employee contact information.

Introduced: 2/19/2016

Status: 6/13/2016-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on JUD.

Summary: The California Public Records Act excepts from public inspection the home addresses and home telephone numbers of state employees and employees of a school district or county office of education, provided that disclosure can be made in specified instances, including to an employee organization. Would extend the limitation on the disclosure of the personal information described above to all employees of a public agency and would extend the limitation to include personal cellular telephone numbers, personal electronic mail addresses, and birth dates. By increasing the duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 2847 (Patterson R) High-Speed Rail Authority: reports.

Introduced: 2/19/2016

Status: 5/23/2016-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on T. & H.

Summary: Current law requires the High-Speed Rail Authority, on a biennial basis, to prepare a business plan containing specified elements and also requires the preparation of various other reports. This bill would require the business plan to identify projected financing costs for each segment or combination of segments of the high-speed rail system, if financing is proposed by the authority. The bill, in the business plan and in another report, would require the authority to identify any significant changes in scope for segments of the high-speed rail system identified in the previous version of each report and to provide an explanation of adjustments in cost and schedule attributable to the changes.

AB 2853 (Gatto D) Public records.

Introduced: 2/19/2016

Status: 6/16/2016-Read second time and amended. Re-referred to Com. on APPR.

Summary: Would authorize a public agency that posts a public record on its Internet Web site to refer a member of the public that requests to inspect the public record to the public agency's Internet Web site where the public record is posted. This bill would require, if a member of the public requests a copy of the public record due to an inability to access or reproduce the public record from the Internet Web site where the public record is posted, the public agency to promptly provide a copy of the public record to the member of the public, as specified. This bill contains other related provisions and other existing laws.

AB 2906 (Committee on Transportation) Transportation: omnibus bill.

Introduced: 3/7/2016

Status: 6/13/2016-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on T. & H.

Summary: Current law requires that the issue, renewal, cancellation, retention, and transfer of the Olympic plates be subject to specified provisions as if they were environmental license plates, including, among others, provisions that impose a \$48 registration fee and a \$38 renewal fee for the issuance of the plates. This bill would repeal the provisions that require the Olympic plates to be subject to the environmental license plates provisions described above.

ACR 142 (Williams D) Ventura County Deputy Sheriff Peter Aguirre, Jr. Memorial Highway.

Introduced: 2/19/2016

Status: 6/15/2016-From committee: Be adopted, and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (June 14). Re-referred to Com. on APPR.

Summary: This measure would designate a specified portion of State Highway Route 33 in the County of Ventura as the Ventura County Deputy Sheriff Peter Aguirre, Jr. Memorial Highway. The measure would also request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from nonstate sources covering the cost, to erect those signs.

SB 32 (Pavley D) California Global Warming Solutions Act of 2006: emissions limit.

Introduced: 12/1/2014

Status: 6/10/2016-From committee with author's amendments. Read second time and amended. Re-referred to Com. on NAT. RES.

Summary: Would require the State Air Resources Board to approve a statewide greenhouse gas emissions limit that is equivalent to 40% below the 1990 level to be achieved by 2030. This bill contains other related provisions.

SB 321 (Beall D) Motor vehicle fuel taxes: rates: adjustments.

Introduced: 2/23/2015

Status: 6/15/2016-From inactive file on motion of Senator Beall. Ordered to unfinished business.

Summary: Would, for the 2016- 17 fiscal year and each fiscal year thereafter, require the State Board of Equalization on March 1 of the fiscal year immediately preceding the applicable fiscal year, as specified, to adjust the rate in a manner as to generate an amount of revenue equal to the amount of revenue loss attributable to the exemption, based on estimates made by the board that reflect the combined average of the actual fuel price over the previous 4 fiscal years and the estimated fuel price for the current fiscal year, and continuing to take into account adjustments required by existing law to maintain revenue neutrality for each year. This bill contains other existing laws.

Position: Support

SB 824 (Beall D) Low Carbon Transit Operations Program.

Introduced: 1/7/2016

Status: 6/9/2016-Referred to Com. on TRANS.

Summary: Would authorize a recipient transit agency that does not submit an expenditure for funding under the Low Carbon Transit Operations Program in a particular fiscal year to retain its funding share for expenditure in a subsequent fiscal year. The bill would allow a recipient transit agency to loan or transfer its funding share in any particular fiscal year to another recipient transit agency within the same region, or to apply to the Department of Transportation to reassign, to other eligible expenditures under the program, any savings of surplus moneys from an approved and completed expenditure under the program or from an approved expenditure that is no longer a priority, as specified.

Position: Support

SB 838 (Committee on Budget and Fiscal Review) Transportation.

Introduced: 1/7/2016

Status: 6/16/2016-In Senate. Concurrence in Assembly amendments pending.

Summary: The net proceeds of the sale of the compact assets are required to be deposited into certain transportation funds in a specified order. Current law requires that when the amounts described in those provisions have been paid to the transportation funds named, the revenues received by the state from the tribal compacts are required to be remitted to the California Gambling Control Commission for deposit in the General Fund. This bill would instead provide that after the amounts described have been fully paid to the transportation funds named, or in any year during which any portion of these amounts are repaid from the General Fund pursuant to specified provisions of the California Constitution in an amount greater than or equal to the amount of tribal gaming revenues remitted pursuant to the amended tribal compacts in that year, the revenues received by the state from the compact would be required to be remitted to the California Gambling Control Commission for deposit in the General Fund.

SB 903 (Nguyen R) Transportation funds: loan repayment.

Introduced: 1/21/2016

Status: 2/4/2016-Referred to Com. on T. & H.

Summary: Would acknowledge, as of June 30, 2015, \$879,000,000 in outstanding loans of certain transportation revenues, and would require this amount to be repaid from the General Fund by June 30, 2016, to the Traffic Congestion Relief Fund for allocation to the Traffic Congestion Relief Program, the Trade Corridors Improvement Fund, the Public Transportation Account, and the State Highway Account, as specified. The bill would thereby make an appropriation. This bill contains other related provisions and other existing laws.

SB 940 (Vidak R) High-Speed Rail Authority: eminent domain: right of first refusal.

Introduced: 2/3/2016

Status: 6/14/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 15. Noes 0.) (June 13). Re-referred to Com. on APPR.

Summary: Under current law, if the High-Speed Rail Authority determines that real property or an interest therein acquired by the state for high-speed rail purposes is no longer necessary for those purposes, the authority is authorized to sell or exchange the real property or interest therein at fair market value as specified. This bill would require the authority, if selling the real property or interest therein, to send notification by certified mail to the last known owner of the real property or interest therein at his or her last known address, advising him or her that the real property or interest therein will be offered for sale. The bill would require the authority to wait at least 30 days after the notification has been sent to sell the real property or interest therein.

SB 1066 (Beall D) Transportation funds: fund estimates.

Introduced: 2/16/2016

Status: 5/9/2016-Referred to Com. on TRANS.

Summary: Current law requires the Department of Transportation to submit to the California Transportation Commission an estimate of state and federal funds reasonably expected to be available for future programming over the 5-year period in each state transportation improvement program, and requires the California Transportation Commission to adopt a fund estimate in that regard. This bill would require the fund estimates prepared by the department and the commission to identify and include federal funds

derived from apportionments made to the state under the Fixing America's Surface Transportation Act of 2015.

SBX1 1 (Beall D) Transportation funding: environmental mitigation: oversight.

Introduced: 6/22/2015

Status: 4/21/2016-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.

Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system and for other specified purposes. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund.

Position: Support

SCAX1 1 (Huff R) Motor vehicle fees and taxes: restriction on expenditures.

Introduced: 6/19/2015

Status: 9/9/2015-From committee: Be adopted and re-refer to Com. on APPR. (Ayes 13. Noes 0. Page 72.) (September 8). Re-referred to Com. on APPR.

Summary: Would prohibit the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. The measure would also prohibit those revenues from being pledged or used for the payment of principal and interest on bonds or other indebtedness. This bill contains other related provisions and other existing laws.

VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY June 28, 2016			
BILL/AUTHOR	SUBJECT	POSITION	STATUS
AB 1591 Frazier	Increases fuel taxes and vehicle fees to raise \$7 billion annually for transportation.	Support	In Assembly Transportation and Revenue & Taxation Committees.
AB 2034 Salas	Makes permanent the legal provisions allowing delegation of NEPA authority to Caltrans.	Support	Passed Senate Transportation & Housing Committee 9-0. In Senate Environmental Quality Committee.
AB 2090 Alejo	Amends LCTOP program to allow use of funds to avoid reducing transit services that would otherwise be cut due to a fiscal emergency, where cutting the service will increase greenhouse gas emissions.	Support	Passed Assembly Appropriations Committee 20-0. Passed Assembly 77-1. Passed Senate Transportation & Housing Committee 9-0. In Senate Environmental Quality Committee.
AB 2170 Frazier	Provides that National Highway Freight Program funds be distributed within California through the Transportation Corridor Improvement Fund (TCIF) program.	Support	Passed Assembly Appropriations Committee 20-0. Passed Assembly 73-0. Passed Senate Transportation & Housing Committee 10-1. In Senate Environmental Quality Committee.
AB 2222 Holden	Allocates cap-and-trade funds to support university student bus pass programs. Amended to provide formula allocation of funds to county commission and transit	Support	Passed Assembly Appropriations Committee 18-2. Passed Assembly 58-3. Passed Senate

VENTURA COUNTY TRANSPORTATION COMMISSION
STATE LEGISLATIVE MATRIX BILL SUMMARY
June 28, 2016

BILL/AUTHOR	SUBJECT	POSITION	STATUS
	operators.		Transportation & Housing Committee 7-0. In Senate Environmental Quality Committee.
ACR 142 Williams	Designates Route 33 from West Ojai Avenue to Fairview Road as the Ventura County Sheriff Deputy Peter Aguirre Jr. Memorial Highway.	Support	Passed Senate Transportation & Housing Committee 11-0. Passed Appropriations Committee on consent. In full Senate.
ACA 4 Frazier	Places before the voters a Constitutional Amendment to reduce to 55% the approval threshold for local transportation funding measures.	Support	In Assembly Appropriations Committee.
AB X1-1 Alejo	Provides various transportation revenue enhancements including a prohibition on spending truck weight fees on transportation bond debt service.	Support	No action.
SB 824 Beall	Allows LCTOP recipients to carry over their apportionments. Amended to provide for expenditure on approved projects prior to receipt of funds.	Support	Passed Senate Appropriations Committee 6-1. Passed Senate 24-8. Passed Assembly Transportation Committee 11-1. In Assembly Appropriations Committee.
SB X1-1 Beall	Increases fuel taxes and vehicle fees to raise \$6.5 billion annually for transportation.	Support	In Senate Appropriations Committee.



Item #8G

July 8, 2016

MEMO TO: TRANSPORTATION TECHNICAL ADVISORY COMMITTEE
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: SANTA PAULA BIKE PATH PROJECT FUNDING INCREASE

RECOMMENDATION:

- Approve programming of \$382,231 in CMAQ funds to cover the unanticipated additional cost to complete the Santa Paula Bike Trail project, increasing total project CMAQ funding to \$5,119,042.

BACKGROUND:

In the early 1990's the Commission acquired the Santa Paula Branch Line to preserve it for rail use and to develop future bicycle and pedestrian improvements. During several calls for projects VCTC programmed \$3,626,811 in CMAQ funds to construct a bicycle/pedestrian trail running parallel to the active railroad within the Santa Paula segment of this right-of-way. However, when the City went out to bid the cost environment at that time was such that the bids came in well over budget, and so the contract had to be awarded with a reduced scope.

Of particular note, the project was completed without nine planned bicycle/ pedestrian-related railroad crossing improvements. In December, 2011, the Commission programmed an additional \$1,110,000 in CMAQ to fund these crossings. Recently the City has completed the packaging of a second construction contract to finish this work, including an updated cost estimate of \$1,492,231 for this phase, \$382,231 more than was programmed by VCTC.

DISCUSSION:

Since the Commission adopted its Comprehensive Transportation Plan (CTP) in 2013, it has had a goal of realigning the bicycle and pedestrian project funding criteria to foster greater use of bicycling and walking for daily transportation. It is apparent that the Santa Paula Bike Trail project, given its significance in connecting key destinations throughout the Santa Paula community, and given the heavy usage it currently experiences despite its incomplete state, is an excellent example of a transformative active transportation project in keeping with this objective of the CTP.

Furthermore, the project is ready to go now, and has already been designated in previous VCTC calls for projects as a priority. Staff therefore recommends at this time to provide the additional \$382,231 in CMAQ money to allow completion of the project. At its June 16, 2016 meeting, TTAC unanimously approved this staff recommendation

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Item # 8H

July 8, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: CASH MANAGEMENT FOR VALLEY EXPRESS EXPENDITURES

RECOMMENDATION:

- Authorize the Executive Director to utilize State Transit Assistance fund balance for cash-flow purposes for Valley Express.

BACKGROUND:

The Ventura County Transportation Commission (VCTC) manages bus services for the Valley Express per the agreement with Santa Paula, Fillmore and the County of Ventura. The expenses incurred for running the system are largely reimbursed with contributions from the local agencies as well as fares and Federal Transportation Administrative (FTA) funds.

The local agencies are invoiced for the annual services at the beginning of the Fiscal Year. The local agencies usually fund these activities with Local Transportation Funds (LTF) which must follow a claims process which includes an adopted resolution. Historically, the cities of Santa Paula and Fillmore pay the entire amount when they claim their LTF funds and the County of Ventura pays monthly with LTF funds passed-through Gold Coast Transit District.

Because the local contribution is not immediately available, VCTC must cover the expenditures until funds are available for reimbursement creating a cashflow problem. Staff is recommending the Commission give the Executive Director the authority to process Valley Express payments utilizing State Transit Assistance (STA) funds for temporary cashflow purposes until the local contributions are available.

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Item #9

July 8, 2016

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION/VENTURA COUNTY
LOCAL TRANSPORTATION AGENCY**

FROM: DARREN M. KETTLE, EXECUTIVE DIRECTOR

**SUBJECT: VENTURA COUNTY TRANSPORTATION INVESTMENT/EXPENDITURE PLAN AND
VENTURA COUNTY LOCAL TRANSPORTATION AGENCY TRANSACTIONS AND
USE TAX ORDINANCE – ORDINANCE 2016-1**

RECOMMENDATION:

Acting in the capacity of the Ventura County Local Transportation Authority:

1. Approve attached resolution 2016-10 adopting the Ventura County Transportation Investment/Expenditure Plan; and
2. Approve a motion to waive reading, introduce and adopt, subject to voter approval, an Ordinance of the Ventura County Transportation Commission Acting in its Capacity as the Ventura Local Transportation Authority Imposing a One-Half of One Percent Transaction and Use Tax to be Administered by the State Board of Equalization – (Ordinance 2016 – 1) and requesting that the Ventura County Board of Supervisors call a special election on November 8, 2016 to place the transaction and use tax measure before the voters.

BACKGROUND:

In 2008 VCTC retained Moore Methods, a Sacramento based voter research firm, to conduct polling and focus groups to gauge Ventura County voter support for a ½ cent countywide sales tax measure to fund transportation investments such as maintaining local streets and roads, improving freeways, and expanding public bus and rail transit. At that time, while a clear majority of voters were inclined to support such a measure, the support was short of the 2/3rd super-majority that is required by California law. Not long after the 2008 voter research effort was completed, the County, State, and Country experienced the greatest financial upheaval since the Great Depression in what has become known as the Great Recession. In anticipation of 2012 presidential election, Moore Methods conducted another voter research effort in 2011 and not surprisingly voter support dropped significantly. In 2013, as the economy started to improve and in anticipation of the 2014 gubernatorial election, another research effort was conducted and voter support still was not in the range necessary to pursue a measure that required a 2/3rd super-majority approval.

In July 2015, following a telephone survey of 802 likely Ventura County voters, the Commission received a report from the Dr. Richard Bernard, with the voter research firm of Fairbanks, Maslin, Maulin, Metz and Associates (FM3) of survey results related to pursuing a voter approved sales tax measure for transportation in Ventura County. In summary, while the polling results showed that voters were trending toward a two-thirds majority required for a special tax, should the Commission choose to pursue a November 2016 ballot measure, the numbers would still need to edge closer to the two-thirds majority required for such a measure to be successful.

At that meeting Commission Chairman Foy advised that he would establish an ad hoc committee to continue exploring the concept of transportation sales tax measure for the November 2016 ballot. Chairman Foy appointed himself and Commissioners Bennett, Long, Millhouse, Bill de la Pena, Humphrey, MacDonald and Minjares to serve on the committee. The eight-member committee had its first meeting in September 2015 and received a report of a second poll from FM3's Dr. Bernard. The purpose of the second poll was to determine if a quarter cent sales tax measure might be received in a supportive way by voters. Based on the research Dr. Bernard concluded that there is statistically no difference in voter's minds between a $\frac{1}{4}$ cent and a $\frac{1}{2}$ cent transportation sales tax measure. So, given the clear need for the revenues generated by a $\frac{1}{2}$ cent measure to invest in local streets and roads, freeway congestion relieving projects on the 101 and 118, and public transit and active transportation projects, the ad hoc committee directed staff to proceed to develop a half cent sales tax measure expenditure plan for transportation that would be primary discussion topic of a major public education and outreach effort and encourage engagement by residents of Ventura County.

At the November ad hoc committee meeting the committee discussed a conceptual funding distribution scenario and arrived at consensus that the plan was a starting point for the purpose of discussion with various transportation stakeholders including engaging Ventura County residents. The conceptual funding program was developed based on input received from VCTC's three-year Comprehensive Countywide Transportation Plan approved by the Commission in 2013 and from results from the last two voter research efforts. The full Commission received an update from the ad hoc committee at the January 2016 Commission meeting. The Commission also approved a recommendation from the ad hoc committee to conduct a major public education effort over the first three months of 2016.

PUBLIC EDUCATION, OUTREACH, and FEEDBACK

The purpose of the community education program was to raise awareness of VCTC and the transportation challenges ahead of Ventura County in light of the limited resources that can be expected from federal and state sources. The intensive public outreach included multiple presentations by VCTC staff to city councils, transportation and community stakeholders, information distribution on social media and traditional media including print and radio, a direct mail piece sent to every residence in Ventura County, and transportation plan website keepvcmoving.org. This outreach effort preceded one last final voter research effort which was conducted at the end of March 2016. Dr. Richard Bernard once again led this effort and presented his findings to the Commission at special meeting on April 22, 2016. The poll was conducted March 24th - March 29th and had a sample size of 600 likely November 2016 voters. In summary, the voter research showed that 77% of Ventura County voters agreed there was a need for more funding for transportation throughout the county and 67% supported a $\frac{1}{2}$ cent sales tax to fund that investment.

APPROVAL OF THE VENTURA COUNTY TRANSPORTATION INVESTMENT/EXPENDITURE PLAN

At the special meeting of April 22, 2016 the Commission, in its role as Ventura County Local Transportation Agency, first received the voter research report presented by Dr. Bernard which was followed by consideration of the Ventura County Transportation Investment/Expenditure Plan. The final plan was approved for distribution to and consideration by the Board of Supervisors and all of the City Councils within Ventura County by a 14-0 vote of the Commission. The final plan is attached to this agenda item. In summary the Transportation Investment/Expenditure Plan ("Plan") is as follows:

Local Streets, Roads, and Transportation Priorities

The Plan allocates \$35 million annually, the largest amount of any category, to a local streets, roads, and transportation priorities program. This funding, which is 50% of the funds available would be returned directly to cities and the county for local street and road needs and local transportation priorities as determined by city councils and the Board of Supervisors.

Freeway Program

The Freeway Program funds improvements on US 101 from the Los Angeles County Line to SR 33, and improvements on SR 118 from Tapo Canyon Road in Simi Valley to Los Angeles Avenue in Moorpark. In the case of the Freeway Program, the Plan allocates \$14 million annually along with the State and Federal Transportation funds that come to VCTC that can be used for freeway improvements to fund the planned improvements for these two critical freeway corridors. The improvements to the 101 specifically include carpool and express bus lanes thus making carpooling and bus transit a viable alternative to single occupant vehicles, particularly during the growing peak commute period.

Freight Movement and Regional Road Improvement Funds Connect County Communities

The Freight Movement/Regional Roads and Arterials program has been identified as critical area of need to support the safe and efficient movement of freight in, out, and through Ventura County and specifically connecting the growing needs of the Port of Hueneme and improved access to Naval Base Ventura County installations as both of those economic driving forces are accessed from regional roads. Connecting these two major drivers of the Ventura County economy as well as the agriculture industry to the major freeway corridors, and improving major roads within cities and connecting between cities should remain a priority. The Plan allocates approximately \$4.8 million annually to this program. The new federal transportation law, the Fix America's Surface Transportation (FAST) Act has dedicated funding for freight movement projects but it does require a local match and Plan funds would be used to match and leverage those federal freight movement funds.

Funding for Bus Transit

The Plan's allocation of approximately \$4.1 million annually will support a fare affordability program for seniors, students, veterans and the disabled and some modest service enhancements that could include improved headways (frequencies) on the most heavily used bus routes in Ventura County and extended hours of service to support college students with evening classes and service industry employees that do not have a traditional 8-5 work schedule.

Commuter Rail Enhancements

The Plan allocates \$4.1 million annually to continue commuter/passenger rail operations in Ventura County and make the needed safety and capital improvements and commuter rail operating costs. Between Local Transportation Funds, State Transit Assistance funds, and a local transportation measure, VCTC would have a sustainable source of operating funds for Metrolink and federal rail transit capital funds could then be used for rail capital needs on the Metrolink Ventura County Line as well contributions for the Metrolink fleet of locomotives and passenger cars.

Bicycle and Pedestrian Improvements

The Plan allocates \$2.1 million annually for bicycle and pedestrian improvements. The intent of this program is to improve both bicycle and pedestrian infrastructure throughout Ventura County with a focus on connectivity between communities and improved safety for bicyclists and pedestrians. The local measure funding source and TDA Article 3 funds would make Ventura County projects more competitive in statewide competition for federal Active Transportation programs funds and expected funds that may come from the State Cap and Trade program, a program that has a stated goal of reducing greenhouse gas emissions.

Transportation Investments in the Natural Environment

This program is intended to fund transportation related environmental preservation activities that could include storm-water pollution prevention; endangered and threatened species habitat acquisition, restoration and management; and watershed restoration. The Plan allocates \$4.2 million annually to this program. This program would be augmented by State and Federal environmental preservation grants and potential non-governmental organization foundation grants.

APPROVALS FROM LOCAL JURISDICTIONS AND CEQA

As part of the April 22, 2016 meeting, the Commission, acting as the Ventura County Local Transportation Agency also directed that the Plan be circulated to the governing bodies of the Ventura County cities and the County of Ventura with a request for approval of the Plan. The law requires that at least six (6) Ventura County cities representing no less than 379,093 incorporated population plus the Board of Supervisors approved the Plan before the Commission can adopt the required ordinance and request the measure be placed on the ballot. Over the course of the last two months nine (9) City Councils representing 631,018 residents and the Board of Supervisors have approved a resolution of support for the Plan.

The decision to prepare the draft Plan and approve it for distribution to and consideration by Ventura County and the cities therein pursuant to Public Utilities Code Section 180206 was part of the process for creation of government funding mechanism and is exempt from CEQA pursuant to CEQA Guidelines Section 15378(b)(4). In addition, approval of the Plan and approval of the proposed ordinance authorizing the transaction and use tax is exempt from the CEQA pursuant to CEQA Guidelines section 15378(b)(4). The Plan provides for allocation of funds in the event that the transaction and use tax is approved by the voters but the Plan does not actually approve the projects and services specified in the Plan. The Plan also provides for a periodic comprehensive review of all programs and projects implemented under the Plan, including review of changes to environmental standards and policies, and authorizes amendments to the Plan based on the review. Such changes may include modification to or replacement of projects or services within the Plan based on potential environmental impacts. In addition, the Plan includes funding for regional mitigation programs.

Approval, by the Ventura County Local Transportation Agency and thereafter by the voters, of the transactions and use tax authorized by the proposed ordinance would levy a special tax that can only be used to fund the projects, facilities, and services described in the Plan but such approval does not actually approve any of the described projects or services. Instead, the proposed ordinance provides that the lead agency for any project or service funded with revenue from the tax shall perform any required CEQA environmental analysis prior to approving the project or providing the service. Therefore, consistent with CEQA Guidelines section 15378(b)(4), the tax is not a project pursuant to CEQA because it creates a government funding mechanism that does not approve involve any commitment to any specific project that may result in a potentially significant physical impact on the environment.

RECOMMENDED ACTIONS and NEXT STEPS

During the period of circulation of the Plan, VCTC staff, Plan consultant Monte Ward and VCTC General Counsel have finalized the required ordinance in consultation with the State Board of Equalization. The State Board of Equalization, the entity that will collect and remit the tax, has approved the form of the draft ordinance. The full Ventura County Transportation Investment/Expenditure Plan is incorporated into the ordinance by reference in Preamble Section 1(D) and is attached to this staff report. Section 22 of the draft ordinance makes the request of the Ventura County Board of Supervisors to place the measure on the November 8, 2016 ballot. The ordinance includes the following ballot question that was drafted in consultation with the Elections Division of the Ventura County Clerk-Recorder/Registrar of Voters and complies with local and state requirements.

*To help preserve Ventura County's quality of life by:
fixing potholes, repaving streets, repairing bridges;
improving traffic flow and safety on 101 and 118;
keeping senior, veteran, disabled, and student bus fares affordable;
increasing bicycle and pedestrian safety; protecting waterways and beaches from polluted runoff and restoring watersheds;
Shall Ventura County's sales tax be increased by one half cent for thirty years, raising \$70 million annually, with independent oversight and audits, and with all funds benefiting local residents?*

Staff recommends the Commission, acting in the capacity the Ventura County Local Transportation Authority:

1. Approve the attached resolution adopting the Ventura County Transportation Investment/Expenditure Plan; and

2. Approve a motion to waive reading, introduce and adopt, subject to voter approval, an Ordinance of the Ventura County Transportation Commission Acting in its Capacity as the Ventura Local Transportation Authority Imposing a One-Half of One Percent Transaction and Use Tax to be Administered by the State Board of Equalization – (Ordinance 2016 – 1) and requesting that the Ventura County Board of Supervisors call a special election on November 8, 2016 to place the transaction and use tax measure before the voters. The law requires a 2/3rd (12 Commissioners) vote in the affirmative for approval of the ordinance.

The Board of Supervisors is scheduled to consider the ministerial action of placing the measure on the November ballot at the July 19, 2016 Board meeting. Thereafter, under current law, the measure requires two-thirds voter approval.

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RESOLUTION NO. 2016-10

**A RESOLUTION OF THE VENTURA COUNTY
TRANSPORTATION COMMISSION, ACTING IN ITS CAPACITY AS THE VENTURA
COUNTY LOCAL TRANSPORTATION AUTHORITY, ADOPTING THE VENTURA
COUNTY TRANSPORTATION INVESTMENT/EXPENDITURE PLAN**

Whereas, the Ventura County Transportation Commission has been designated as the Ventura County Local Transportation Authority (hereinafter called the "Authority") by the Ventura County Board of Supervisors;

Whereas, pursuant to California Public Utilities Code Section 180206, a countywide transportation expenditure plan, referred to as the Ventura County Transportation Investment/Expenditure Plan, a copy of which is attached hereto, (hereinafter called the "Plan") was prepared;

Whereas, pursuant to California Public Utilities Code Section 180206, on April 22, 2016, the Authority approved the Plan for distribution to the city councils within Ventura County and to Ventura County Board of Supervisors for consideration and approval;

Whereas, the Plan has been approved by Ventura County Board of Supervisors and the city councils of a majority of the cities in the county representing a majority of population residing within the incorporated areas of Ventura County; and,

Whereas, adoption of the Plan is exempt from CEQA pursuant to CEQA Guidelines Section 15378(b)(4). The Plan provides for allocation of funds in the event that the transaction and use tax is approved by the voters but the Plan does not actually approve the projects and services specified in the Plan. Prior to commencement of any project or serviced included within the Plan, any necessary environmental review required by CEQA shall be completed. The Plan also provides for a periodic comprehensive review of all programs and projects implemented under the Plan, including review of changes to environmental standards and policies, and authorizes amendments to the Plan based on the review. Such changes may include modification to or replacement of projects or services within the Plan based on potential environmental impacts.

NOW, THEREFORE, THE VENTURA COUNTY TRANSPORTATION COMMISSION, ACTING IN ITS CAPACITY AS THE VENTURA COUNTY LOCAL TRANSPORTATION AUTHORITY, DOES RESOLVE AS FOLLOWS:

The Ventura County Local Transportation Authority adopts the Ventura County Transportation Investment/Expenditure Plan.

PASSED APPROVED AND ADOPTED this 8th day of July, 2016

Keith Millhouse, Chairperson

ATTEST:

Donna Cole, Clerk of the Board

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VENTURA COUNTY TRANSPORTATION INVESTMENT/ EXPENDITURE PLAN

Ojai



**KEEP TRAINS
& BUSES ROLLING**

Fillmore



**IMPROVE
LOCAL STREETS**

126



**KEEP BUS FARES
AFFORDABLE FOR
STUDENTS, VETS
SENIORS &
DISABLED**

Ventura



**REPAIR
REGIONAL ROADS**

33



**BIKE PATHS
CONNECTING COMMUNITIES**

Santa Paula

23

Moorpark

118

Simi
Valley

**\$\$\$
ALL FUNDS
STAY LOCAL**

Thousand
Oaks



**IMPROVE
SAFETY AT INTERSECTIONS
& RAIL CROSSINGS**

101

232

Camarillo

118

101

1

Oxnard



**ANNUAL AUDITS
& TIGHT FINANCIAL
CONTROLS**



**FIX OUR
FREEWAYS**



**PEDESTRIAN
IMPROVEMENTS**

**CREATE JOBS
BOOST
LOCAL ECONOMY**



**ENVIRONMENTAL
PRESERVATION**



**CLEAN WATER
RUN OFF**



Ventura County
Transportation
Commission

VENTURA COUNTY TRANSPORTATION INVESTMENT/EXPENDITURE PROGRAM

THE PLAN

Investment/Expenditure Plan Component	30 Year Total	Percent of Total
1. Local Streets and Roads	\$1,650,000,000	50.0%
2. Freeway Program	\$660,000,000	20.0%
3. Regional Roads/ Military Access/ Freight Movement	\$227,700,000	6.9%
4. Bus Transit Enhancements & Fare Support	\$191,400,000	5.8%
5. Commuter Rail Enhancements	\$191,400,000	5.8%
6. Bicycle & Pedestrian Improvements	\$99,000,000	3.0%
7. Transportation Environmental Mitigation	\$198,000,000	6.0%
8. State Board of Equalization Fees	\$49,500,000	1.5%
9. Admin/Taxpayer Oversight	\$33,000,000	1.0%
Total	\$3,300,000,000	100.0%

Transportation touches every area of our lives on a daily basis and we often overlook its importance. We expect our roads to carry us safely and efficiently to where we want to go, that we have options to driving and can bike, walk or take a bus. Business owners need and should have easy access to their locations for their workers, customers and goods so that Ventura County's economy thrives. Mobility is an essential ingredient in the quality of life that we've come to expect in Ventura County.

The transportation system that enables mobility in Ventura County is beginning to show the strain of many years of under-funding. Highways once free flowing are now congested, pot holes are an all too familiar sight on city streets and bus and rail services are struggling just to maintain current schedules and fares.

While maintenance costs are increasing significantly, State and Federal funding for transportation is diminishing and typically requires a commitment (sometimes dollar for dollar) for a local investment before funds are allocated. Absent local funding, taxes

collected in Ventura County, which should help support local roads, go to other counties that offer local matching funds. All this contributes to a transportation system which cannot meet our current or future needs. Local investment in our transportation system enables Ventura County to compete for federal and state funds and bring your tax dollars back to the County.

The Ventura County Transportation Commission/Ventura County Local Transportation Authority (VCTC) coordinates funding for most transportation activities in Ventura County and believes now is the time for residents to invest in the future and repair, preserve and improve the transportation system that adds so much to Ventura County's quality of life. The VCTC has been talking with communities throughout the County and has developed this County Transportation Investment/Expenditure Plan, pursuant to Public Utilities Codes section 180206 that prioritizes investments in the areas that residents want to see improvement in, hereinafter referred to in the "Plan" that is set forth in the following pages.

INVESTMENT IN LOCAL STREETS, ROADS & TRANSPORTATION PRIORITIES

ESTIMATED INVESTMENT: \$1.650 BILLION

Whether by car, bus, bike or walking, nearly every trip in Ventura County begins on a local street. The upkeep and maintenance of local streets and roads affects all of us as we travel throughout our day. Typically, we only think about streets and roads when the conditions start to deteriorate. Every city and the County of Ventura have expressed and quantified their struggle to maintain the condition of local streets and have advised of a substantial shortfall in funding just to maintain road conditions in their current state.

This Plan includes assistance for the cities and the County of Ventura that must maintain our local streets. A total of 50 percent of all Plan funds, approximately \$1,650,000,000, would be returned to local jurisdictions to augment their revenues for the maintenance and improvement of the nearly 2,500 miles of local streets and local transportation systems. To ensure an equitable distribution of those funds to the local jurisdictions, a formula has been developed by the cities and the County of Ventura, that a) provides a minimum of \$500,000 to each jurisdiction annually; b) provides the County of Ventura with 22.3% of the local street and roads funds; c) allocates the remainder of local streets and roads funds based on the percentage of lane miles within a jurisdiction. Each jurisdiction will receive funds as shown in the table below.

INVESTMENT IN LOCAL STREETS & ROADS

Jurisdiction	Approximate Percentage	Approximate 30 Year Total*	Approximate 1 Year Total*
Camarillo	8.64%	\$142.4	\$3.02
Fillmore	1.59%	\$22.7	\$0.50
Moorpark	3.45%	\$56.9	\$1.21
Ojai	1.59%	\$24.7	\$0.53
Oxnard	15.31%	\$252.6	\$5.36
Port Hueneme	1.59%	\$26.3	\$0.56
San Buenaventura	12.66%	\$208.8	\$4.43
Santa Paula	2.04%	\$33.6	\$0.71
Simi Valley	14.13%	\$233.1	\$4.94
Thousand Oaks	17.02%	\$280.9	\$5.96
County of Ventura	22.3%	\$367.9	\$7.79

* in millions

INVESTMENT IN LOCAL STREETS, ROADS & TRANSPORTATION PRIORITIES

ESTIMATED INVESTMENT:
\$1.650 BILLION

The County of Ventura and the cities are best positioned to determine their local needs for maintenance and improvements and this program is designed to give local jurisdictions the greatest flexibility in the use of these funds. Local jurisdictions may apply these funds to any transportation related project including but not limited to street repair, pavement maintenance, road widening, installation of bike lanes, side-walks, pedestrian walkways, transit stop improvements, contributions to transit services, Safe Routes to School Programs, Intelligent Transportation Systems (ITS), and/or other transportation projects as local jurisdictions deem necessary for the betterment of their residents under the conditions as follows:

- The funds distributed through this Plan to local jurisdictions are intended to augment local jurisdictions' funds that are normally or typically designated for transportation programs or projects. Local jurisdictions must continue their normal practices to fund transportation projects.
- To ensure that all users of streets and roads are considered, all jurisdictions must be compliant with Assembly Bill 1358, the California Complete Streets Act of 2008. If a jurisdiction has not yet updated its circulation plan to include a complete streets element, it may utilize the first year's Plan allocation to become compliant but no other funds will be allocated until the jurisdiction has completed a Complete Streets Plan as required by the legislation.
- All jurisdictions must comply with reporting requirements by submitting a five year Capital Improvement Plan outlining the anticipated use of Plan funds, provide an annual accounting of Plan funds expended, and provide a timely use of Plan funds report for review by the Taxpayer Oversight Committee.



FREEWAY PROGRAM

**ESTIMATED INVESTMENT:
\$660 MILLION**

Traffic relief is the focal point of the freeway program in the Plan. Over the past 10 years Caltrans with funding allocated by VCTC has built several freeway traffic flow improvement projects, thanks to the 2006 passage of Proposition 1B, a statewide transportation bond measure. However, as the economy has improved traffic has become a source of frustration for commuters and businesses alike, especially on sections of 101 and 118 that have not recently been improved. All of the Proposition 1B funds are now spent and meanwhile other state funds for road improvements have dwindled. With current state and federal funding it will be many years before there can be any new freeway traffic flow improvement projects started in Ventura County.

This Plan will implement critically-needed freeway projects to improve the 101 and 118 freeways. By making local tax funds available, state and federal funds available for freeways can be leveraged more quickly. The funding plan for these improvements includes the cost of related environmental mitigation measures such as new soundwalls and water runoff pollution control features.

The Plan and tax measure make available \$660 million for the freeway program. The overall transportation program is also funded using 100% of expected State Transportation Improvement Program revenue (\$249 million) and 100% of federal Surface Transportation Program funds (\$332 million), for a total of \$1,241,000,000.



FREEWAY PROGRAM

Route 101 from Ventura/Los Angeles County Line to Route 33 in Ventura

Route 101 is the “Main Street” of Ventura County and most of this freeway has not been improved since the 1980’s. Congestion has become much worse in the past 10 years, causing several major bottlenecks, including those near the Moorpark Road, Rice Avenue, and Johnson Drive interchanges, as well as the entire stretch through Camarillo.

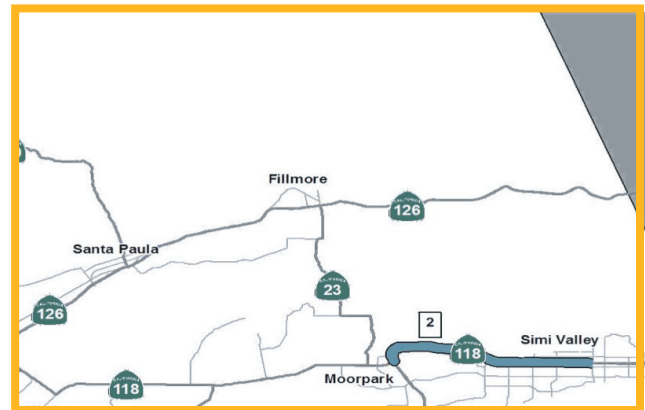
The freeway carries an average of 140,000 vehicles per day, and traffic congestion is expected to increase by 50% by 2035. The planned improvements will improve traffic flow, increase safety, and expedite VCTC Intercity Bus service over 28 miles through Thousand Oaks, Camarillo, Oxnard, and Ventura, by adding carpool lanes in the center median and merging lanes between interchanges. Additionally, local interchanges will be rebuilt to accommodate mobility and safety improvements. VCTC will take the lead in the project, with Caltrans providing oversight in its role as the freeway owner/operator. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.



Route 118 from Route 23 in Moorpark to Tapo Canyon Road in Simi Valley

Thanks to Proposition 1B, Route 118 has been widened from Tapo Canyon Road in Simi Valley to the Ventura/Los Angeles county line at Santa Susanna Pass Road. However, choke-points have now formed at Tapo Canyon, and also at the western end of the 118 Freeway where it joins the wider 23 Freeway.

The Plan includes widening over 9 miles of freeway between Tapo Canyon and Route 23, to eliminate the traffic bottlenecks and increase safety. Besides adding lanes, the widening plan includes soundwalls, a concrete median safety barrier, and interchange and bridge improvements. Caltrans will take the lead in implementing the project with VCTC administering the funds. When completed, the project will result in Routes 23 and 118 forming a continuous freeway of 3 lanes in each direction from the 101 in Thousand Oaks to Collins Drive in Moorpark, and 4 lanes in each direction from Collins Drive in Moorpark to Santa Susana Pass Road near Simi Valley. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.



REGIONAL ROADS/ MILITARY ACCESS/ FREIGHT MOVEMENT

**ESTIMATED
INVESTMENT:
\$227.7 MILLION**

Freight movement plays a vital role in maintaining Ventura County's economy. It's particularly important to keep freight flowing quickly and safely to and from the Port of Hueneme as well as to allow people and goods to access Naval Base Ventura County without degrading local traffic. The County's regional roads and state highways play a significant role in connecting together the cities within the County, and linking Routes 101 and 126.

The proposed road improvements will reduce the chance of auto, truck and bicycle accidents in rural areas. These projects will also make it easier for residents to access freeways, for emergency vehicles to respond quickly to serious incidents, and for goods, including agricultural products, to move freely throughout Ventura County. The final scope and project limits of all improvements will be determined through noticed public hearings, environmental clearance process, and agreement with affected agencies.

Congress recently authorized a new federal program to annually make available \$1.9 billion nationwide for freight projects. Given that VCTC has already developed a comprehensive transportation plan that addresses freight movement needs, Ventura County is well-positioned to benefit from this federal program, but only if there are local funds to leverage the newly-available federal funds. This Plan will provide those necessary funds.

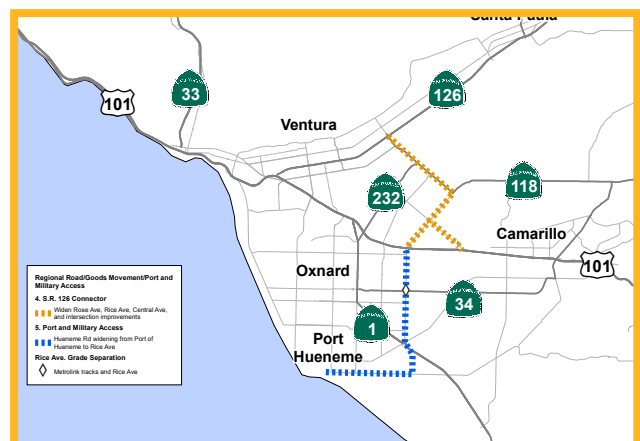
The Plan will provide nearly \$228 million for the regional road program. Under the Plan this funding would be used to leverage an additional \$63 million over 30 years from the newly-established federal freight program. The projects will be implemented by local jurisdictions such as the County of Ventura and the cities.

The Plan includes the following projects:

- Improve safety and traffic flow on Rice Avenue at Fifth Street in Oxnard, by eliminating the train crossing which has been the site of several recent accidents.

The project will build a bridge for Rice Avenue to pass over the tracks and also over Fifth Street. Traffic ramps will be built to connect Rice and Fifth.

- Enhance traffic flow, safety, and pavement strength on the main access route serving the Port of Hueneme, by implementing the following: (1) widening Hueneme Road from 2 to 4 lanes from Edison Drive to Rice Avenue; and (2) Install safety improvements and strengthen pavement on Rice Avenue from Route 101 to Hueneme Road.
- Better connect 101 and 126 through the following projects: (1) widen from 2 to 4 lanes Rose Avenue from Central in Oxnard to Route 118 in Saticoy, Rice Avenue from Auto Center Drive in Oxnard to 118 in Saticoy, and Central Avenue between Santa Clara Avenue and Del Norte Road in Oxnard; and (2) improve the Rose/118 and Rice/118 intersections in Saticoy.
- Construct other projects selected by VCTC on a competitive basis. Projects will be selected based on congestion relief, safety improvement, cost effectiveness, project readiness, and similar criteria to be determined. State highways including but not limited to, State Route 1, 23, 33, 34, 118, 126, 150, and 232 will be eligible for these funds.
- Implement qualifying projects in the local jurisdictions' General Plan Circulation Elements.



BUS TRANSIT ENHANCEMENT & FARE SUPPORT PROGRAM

**ESTIMATED INVESTMENT:
\$191.4 MILLION**

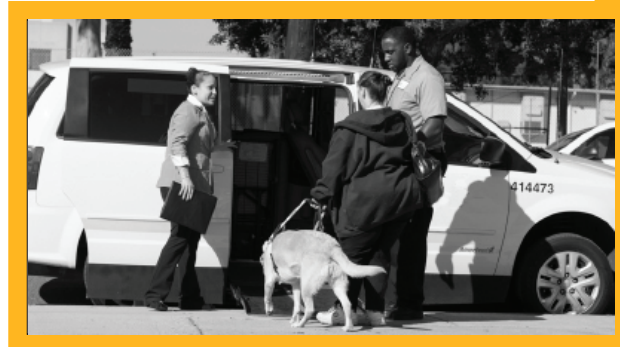
Improving bus transit is a key component in Ventura County's transportation system. The bus system enables mobility for those who don't drive and offers a choice to those who do. Underscoring the need for improved bus service is the projection from the U.S. Census Bureau that the 65 and older population will double by 2030. The bus transit elements of this Plan benefits people who live in Ventura County by keeping fares affordable for seniors, youth/students, veterans, and people with disabilities, and maintaining and expanding bus, and demand responsive services. This program provides transit operators with a flexible, consistent funding source for maintaining, restoring, and improving transit services in Ventura County.

Countywide Affordable Fares Program: \$38,280,000

The plan provides funding for regional fare programs that keep fares affordable for seniors, youth/students, veterans, and people with disabilities. VCTC will work collaboratively with all Ventura County transit operators, providing direct funding to keep fares affordable and utilizing proven technologies and fare mediums to ensure an effective and sustainable program.

County Transit Improvement Program: \$153,120,000

This program provides funds for local solutions to the growing transportation needs through a flexible need-based process that will expand public transit services (including services to seniors and persons with disabilities) through increased frequencies, neighborhood feeder services, peak hour commute and express service, bus-rapid transit, expanded bike/bus programs, vehicles purchases, capital improvements and improved connectivity through enhanced intercity and intercounty service.



COMMUTER RAIL ENHANCEMENTS

ESTIMATED
INVESTMENT:
\$191.4 MILLION

These funds will maintain and increase safe and reliable commuter/passenger rail service for Ventura County residents. This program provides a stable and continuous source of funding for Metrolink commuter rail service. Metrolink commuter rail service is critical to all residents of Ventura County to relieve congestion and provide a commute alternative. Moreover, Metrolink service plays a key role in our environment, by reducing vehicle emissions to keep our air clean. This plan provides the funds to continue commuter/passenger rail operations in Ventura County and make the needed safety and capital improvements on all commuter/passenger rail lines and support operating costs. Eligible expenditures are capital and operating costs.



Legend

- ★ Metrolink Stations
- Metrolink Tracks
- Coast Mainline



INVESTMENT IN BICYCLE & PEDESTRIAN IMPROVEMENTS

**ESTIMATED
INVESTMENT:
\$99 MILLION**

A comprehensive transportation system must ensure that all modes of transportation are integrated into it and supported. This Plan includes assistance for jurisdictions specifically for bicycle and pedestrian projects. A total of 3% of all Plan funds, approximately \$99,000,000, will be dedicated for bicycle and pedestrian projects.

Funding would occur through a competitive grant program designed to improve both the bicycling and pedestrian infrastructure throughout Ventura County. Funds could be used for planning, project development, construction, maintenance and/or to match federal and/or state grant funds including but not limited to Safe Routes to School Programs, Active Transportation Program (ATP) and Congestion Mitigation and Air Quality (CMAQ). Along with the cities and the County of Ventura, school districts, colleges, and universities would be eligible to compete for these funds.

These funds are meant to augment any existing funds and not as a replacement for funds that an entity has historically used for this activity. Each grant recipient would be subject to requirements for the timely use of funds and an annual reporting of expenditures for review by the Taxpayer Oversight Committee.



TRANSPORTATION INVESTMENT IN THE NATURAL ENVIRONMENT

**ESTIMATED INVESTMENT:
\$198 MILLION**

A transportation system that ensures mobility throughout Ventura County adds substantially to the quality of life but development of that transportation system cannot ignore the impacts that it may have on the environment. While individual projects in this Plan would include project specific mitigations, this program includes a total of 6% of all Plan funds, approximately \$198,000,000, for transportation investments that enable the preservation and/or improvement of Ventura County's natural environment.

A regional advanced mitigation program will enhance funding for individual project mitigations by enabling comprehensive, rather than piecemeal mitigation of the environmental impacts of major regional transportation improvements funded by the Plan. Funds will be available to provide high-value, landscape-scale benefits such as habitat protection, wildlife corridors, and watershed protection in exchange for streamlined programmatic permits and approvals from regulatory agencies such as:

- California Department of Fish and Wildlife
- U.S. Fish and Wildlife Service
- State and Regional Water Quality Control Boards
- U.S. Army Corps of Engineers
- U.S. Environmental Protection Agency

Funding would occur through a competitive grant program, based upon an open, science-based process, involving interested, knowledgeable stakeholders, to ensure maximum benefit and protection to impacted areas and sensitive, threatened and endangered habitat and species. Funds could be used for planning, project development, land acquisition, construction, maintenance, and/or to match other grant funds.



Priority will be given to projects that have strong community and stakeholder support, demonstrated readiness, and the ability to attract matching funds, grants, and in-kind contributions from local state, federal and non-profit entities. Projects must provide a direct nexus to transportation and may include but are not limited to:

- Reduction or elimination of runoff from highways, streets and roads including drainage improvements; bioswales and biofiltration channels; maintenance of catch basins, filters and screens; or other water quality improvements.
- Protection and/or restoration of habitat and watersheds including wetlands, rivers, streams, riparian corridors, and removal or modification of fish passage barriers that are or have been impacted by transportation infrastructure.
- Infrastructure or programs designed to enhance and protect opportunities for human interaction in natural areas such as hiking trails, raised trails, biking trails, trail bridges, signage, or other improvements.

Along with the cities and the County of Ventura, special districts, Caltrans, California Department of Fish and Wildlife, U.S. Fish and Wildlife and U.S. Army Corps of Engineers would be eligible to compete for these funds. Each grant recipient would be subject to requirements for the timely use of funds and an annual reporting of expenditures for review by the Taxpayer Oversight Committee.

Plan funds must augment, not replace, existing transportation related environmental quality, environmental mitigation, water quality and watershed expenditures.

ADMINISTRATION, ACCOUNTABILITY & OVERSIGHT

ESTIMATED
INVESTMENT:
\$33 MILLION

Implementation of the Transportation Investment/Expenditure Plan and all spending is subject to the following specific safeguards and requirements to ensure that sales tax funds collected for the Plan may be spent only for the purposes identified in the Plan. Under no circumstances may the proceeds be applied to any purpose other than transportation and transportation-related improvements, projects, and programs benefitting Ventura County, including administration of the Plan, the costs of which will be limited to one percent of funding over the 30-year life of the Plan. Under no circumstances may these funds be diverted or appropriated by the State of California or any other governmental agency. The State and other public agencies may qualify for grant funding identified elsewhere in the Plan.

Administration

Plan and Sales Tax Duration

The duration of the Plan will be thirty years beginning April 2017 and terminating March 2047. The Plan and the sales tax revenue cannot be extended unless they are re-submitted to the voters under the laws and regulations in effect at that time.

Governing Body

The governing body for the Plan will be the Ventura County Transportation Commission (Commission), acting as the Local Transportation Authority under the Local Transportation Authority and Improvement Act, California Public Utilities Code Section 180000 et seq. The Commission consists of seventeen voting members as follows:

- All five members of the Ventura County Board of Supervisors
- A mayor or councilmember from each of the ten cities in Ventura County
- Two citizen representatives

No Diversion of Funds

Funds can be spent only on projects and programs that serve Ventura County outlined in the Plan. Under no circumstances may these funds be appropriated by the State of California or any other entity not identified in the Plan. The state and other public agencies may qualify for grant funding identified elsewhere in the Plan.

Open Decision Making Process

All decisions must be made through a fully noticed public process. The Commission will hold noticed public meetings subject to the Brown Act open meeting law; prepare annual budgets, strategic plans and annual spending reports with full public review and participation.

Strict Limit on Administrative Costs

Cost for staff salaries and benefits to administer the Plan will be strictly limited to no more than one percent of the revenues or \$33 million over thirty years. Costs of administration include reasonable consultant costs; reasonable attorneys' fees, including costs of defense of the Plan or the sales tax measure; and the costs of the election seeking voter approval of the sales tax.

Annual Spending Limit

A limit on the amount that the Commission may spend annually will be established pursuant to Section 4 of Article XIII B of the California Constitution.

Maintenance of Effort

Pursuant to California Public Utilities Code Section 180000 (e), it is the intent of this Plan that funds generated by the sales tax be used to supplement, not replace, existing local revenues used for transportation purposes.

ADMINISTRATION, ACCOUNTABILITY & OVERSIGHT CONT.

Comprehensive Review of Progress and Performance

At least every ten years, a comprehensive review of all programs and projects implemented under the Plan will be undertaken to evaluate the status and performance of the overall program. The review shall include consideration of changes to local, state and federal transportation plans and policies; changes in land use, travel and growth projections; changes in environmental standards and policies; changes in project cost estimates and revenue projections; project constraints; level of public support for the Plan; and the progress of the Commission and local jurisdictions in implementing the Plan. The Commission may amend the Plan based upon its comprehensive review, subject to the following amendment process.

Amendments Require 2/3rd Support of the Commission

The Plan may be amended to provide for the use of additional federal, state or local revenues, to account for unexpected revenues, to take into consideration unforeseen circumstances or respond to a comprehensive review. An amendment must be adopted by a two-thirds vote of the Commission acting as both the Commission and the Local Transportation Authority. The public and all jurisdictions in the County will be given a minimum of 45 days to comment on any proposed amendment.

Matching Funds

Leveraging matching funds from federal, state and local sources is strongly encouraged and incentivized by the Plan. Any sales tax funds made available through replacement by matching funds will be allocated to another project or program of the same type as outlined in the Plan and shall not be diverted to any other use.

Project and Program Financing

"Pay as you go" is the preferred method of financing transportation improvements and operations under the Plan. However, the Commission may and is authorized to use bond financing as an alternative method if the scope and timing of planned expenditures makes "pay as you go" infeasible. If used, bonds will be repaid with the proceeds of the sales tax. Costs associated with bonding, including interest payments, will be borne only by the capital projects or programs in the Plan that utilize bond proceeds. All costs and risks associated with bonding will be presented in the Commission's strategic plan and subject to public comment before any bond sale is approved.

AUDITS & ANNUAL SPENDING REVIEW

All funds will be subject to an annual audit, and all expenditures will be reviewed annually by a Taxpayer Oversight Committee.

Taxpayer Oversight Committee

The Taxpayer Oversight Committee will have the responsibility to review and oversee all expenditures of sales tax funds under the Plan. The Committee reports directly to the public and has the following responsibilities:

- Hold public hearings and issue reports on at least an annual basis to inform Ventura County residents about how sales tax funds are being spent. Meetings and hearings of the full Committee will be open to the public and subject to the Brown Act open meeting law.
- The Committee will have full access to the Commission's independent auditor and will have the authority to request and review specific information regarding the use of sales tax funds and to comment on the auditor's reports.
- The Committee will have access to all sales tax audit reports prepared for local jurisdictions who receive sales tax allocations under the Plan.
- The Taxpayer Oversight Committee will prepare an annual report on spending and progress in implementing the Plan, and will make an annual finding, published and given broad distribution throughout Ventura County, as to whether the Commission is proceeding in accordance with the Plan.
- Taxpayer Oversight Committee members will be private citizens who are not elected or appointed officials at any level of government, nor public employees from agencies that either oversee or benefit from the proceeds of the sales tax. Membership is limited to individuals who live in Ventura County. Members will be required to submit an annual statement of financial disclosure, and membership is restricted to those with no economic interest in any of the Plan's projects or programs.

- Each city and the County of Ventura shall solicit and appoint a member of the public from its jurisdictional boundaries to the Committee. Appointees should have expertise in one of the following areas: accounting, active transportation, construction, environmental sciences, engineering, finance, mobility, public transit, or project management. Terms of service will be four (4) years with no appointee serving more than two terms.

Commitments from Fund Recipients

- All local jurisdictions receiving funds under the Plan for transit, roads, highways, bicycle and pedestrian improvements, goods movement, and environmental enhancements must expend funds expeditiously and report annually on completed or committed expenditures and any future planned expenditures. The reports will be made available to the public.
- All recipients of funds allocated under the Plan will be required to sign a Master Funding Agreement which details their role and responsibilities in spending the funds. Funding agreements will include performance and accountability measures, and recipients will be required to have an annual audit conducted by an independent CPA to ensure that funds are managed and spent in accordance with the requirements of the Plan and Master Funding Agreement.

Annual Budget and Strategic Plan

Each year the Commission will adopt an annual budget that projects expected sales tax receipts, other anticipated revenues and planned expenditures for administration, programs and projects under the Plan. The Commission will also prepare a strategic plan that will identify the priority for projects, and dates for project and/or program implementation based upon readiness, the ability to attract matching funds and other relevant criteria. Both the budget and the strategic plan will be adopted at a fully noticed public meeting of the Commission.

ORDINANCE NO. 2016-1

AN ORDINANCE OF THE VENTURA COUNTY TRANSPORTATION COMMISSION ACTING IN ITS CAPACITY AS THE VENTURA COUNTY LOCAL TRANSPORTATION AUTHORITY IMPOSING A ONE-HALF OF ONE PERCENT TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

THE VENTURA COUNTY TRANSPORTATION COMMISSION, ACTING IN ITS CAPACITY AS THE VENTURA COUNTY LOCAL TRANSPORTATION AUTHORITY, does hereby ordain as follows:

Section 1. PREAMBLE.

A. Ventura County's transportation system is used by everyone. Our population is mobile and while Ventura County's population grows slower than the rest of southern California, residents are living longer and our young families are growing, and communities are more connected than ever before for jobs, schools, shopping and entertainment. Unfortunately this means more traffic. Hours wasted in traffic stifle productivity and rob us of time spent with our families and friends. Our transportation infrastructure is deteriorating. Dramatic reductions in federal and state funding have left cities struggling to maintain local streets and roads and the Ventura County Transportation Commission unable to fund major freeway corridor improvements to the 101 and 118. Our population is aging. Without greater investment our seniors face a future of limited transportation options to access basic services. The Ventura County Transportation Commission has developed a comprehensive and accountable plan to address our long-term transportation needs while preserving Ventura County's quality of life. The Plan would:

1. **PRESERVE VENTURA COUNTY'S QUALITY OF LIFE:** make transportation improvements that preserve the character and mobility of local communities and that keep Ventura County moving.
2. **REPAIR LOCAL STREETS:** fix potholes, repave roads and repair bridges; provide funding to local cities to maintain and improve neighborhood streets and sidewalks.
3. **IMPROVE FREEWAY SAFETY AND TRAFFIC FLOW:** improve traffic flow and safety on 101 and 118; ensure people and freight move safely and efficiently on regional roads.
4. **KEEP RAIL AND TRANSIT AVAILABLE AND AFFORDABLE:** keep senior, veteran, disabled, student fares affordable; maintain a sustainable bus and rail system.
5. **IMPROVE SAFETY:** increase bicycle and pedestrian safety; earthquake retrofit bridges and overpasses; make merging onto freeways safer and easier and improve safety at intersections and rail crossings.
6. **PROTECT WATERWAYS AND BEACHES:** protect water ways and beaches from polluted runoff and restore watersheds.

B. Pursuant to California Public Utilities Code Section 180050, the Ventura County Transportation Commission has been designated as the Ventura County Local Transportation Authority (hereinafter called the "Authority") by the Ventura County Board of Supervisors.

C. Pursuant to California Public Utilities Code Section 180206, a countywide transportation expenditure plan, referred to as the Ventura County Transportation Investment/Expenditure Plan (hereinafter called the "Plan"), dated July 8, 2016, has been adopted and will be administered and implemented by the Authority.

D. The Plan provides for needed countywide transportation facility, service and related improvements funded, in whole or in part, by a transactions and use tax of one-half of one percent for a period of thirty (30) years. The Plan is incorporated herein by this reference as though fully set forth herein, and as that Plan may be amended from time to time pursuant to applicable law and as provided for in the Plan and this ordinance.

Section 2. TITLE. This ordinance shall be known as the Ventura County Transportation Commission Transactions and Use Tax Ordinance, and may also be referenced herein as the "ordinance." This ordinance shall be applicable in the incorporated and unincorporated territory of the County of Ventura, which shall be referred to herein as "District."

Section 3. OPERATIVE DATE. "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below.

Section 4. PURPOSE. This ordinance is adopted to permit implementation of the Plan and achieve the following, among other purposes. It directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 180000 et. seq. of the Public Utilities Code which authorizes the Authority to adopt this tax ordinance which shall be operative if the legally required number of electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

Section 5. CONTRACT WITH STATE. Prior to the operative date, the Authority shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the Authority shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

Section 6. TRANSACTIONS TAX RATE. For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated and unincorporated territory of the District at the rate of one-half of one percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

Section 7. PLACE OF SALE. For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

Section 8. USE TAX RATE. An excise tax is hereby imposed on the storage, use or other consumption in the District of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one-half of one percent of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

Section 9. ADOPTION OF PROVISIONS OF STATE LAW. Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

Section 10. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES. In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this Authority shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, Victim Compensation & Government Control Board, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this Authority or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this ordinance.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property, which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "District" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

Section 11. PERMIT NOT REQUIRED. If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

Section 12. EXEMPTIONS AND EXCLUSIONS.

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the County in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the District which is shipped to a point outside the District, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the District shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-District address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-District and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this District of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease, which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the District shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the District or participates within the District in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the district or through any representative, agent, canvasser, solicitor, subsidiary, or person in the District under the authority of the retailer.

7. "A retailer engaged in business in the District" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the District.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

Section 13. AMENDMENTS. All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

Section 14. USE OF PROCEEDS. The proceeds of the transaction and use tax imposed by this Ordinance shall be used solely for the projects, programs and purposes set forth in the Ventura County Transportation Investment/Expenditure Plan, as it may be amended from time to time, and for the administration thereof.

Section 15. MAINTENANCE OF EFFORT. It is the intent of the Legislature and the Authority that proceeds from the transaction and use tax be used to supplement, not replace, existing funds being used for transportation improvements and services. Maintenance of Effort standards are established in the Plan. Under no circumstances shall proceeds from the transaction and use tax be used to substitute or replace obligations that new development may incur for mitigating impacts on infrastructure or the environment.

Section 16. BONDING AUTHORITY. "Pay as you go" is the preferred method of financing transportation improvements and services under the Plan. However, the Authority may and is authorized to use bond financing as an alternative method if the scope and timing of planned expenditures makes

“pay as you go” infeasible. Following approval by the electors of the ballot proposition authorizing imposition of the transactions and use tax, bonds may be issued by the Authority pursuant to Division 19 of the Public Utilities Code, at any time after imposition of taxes, and from time to time, payable from the proceeds of the tax and secured by a pledge of revenues from the proceeds of the tax, in order to finance and refinance improvements authorized by the ordinance. The maximum bonded indebtedness which may be outstanding at any one time shall be an amount equal to the sum of the principal of, and interest on, the bonds, but shall not exceed the estimated proceeds of the transaction and use tax, as determined by the Plan.

Section 17. APPROPRIATIONS LIMIT. For purposes of Public Utilities Code section 180202, the appropriations limit for the Authority for fiscal year 2017-18 shall be \$495,000,000 and thereafter that amount should be amended pursuant to applicable law. All expenditures of the transaction and use tax authorized herein shall be subject to the appropriations limit of the Authority.

Section 18. ADMINISTRATION AND SPENDING LIMIT. The Authority shall allocate revenues from the transaction and use tax to fund facilities, services and projects as specified in the Plan and shall administer the ordinance and the Plan consistent with the authority cited. Revenues from the tax may be expended by the Authority for salaries, wages, benefits, and overhead for those services, including contractual services, necessary to carry out its responsibilities; however, in no case shall the tax revenues expended for salaries and benefits of the Authority administrative staff exceed more than one percent (1%) of the funds generated by the tax in any year. The Authority may, as the law permits, contract with any public agency or private firm for services necessary to carry out the purposes of the ordinance and the Plan.

Section 19. SAFEGUARDS ON USE OF TAX PROCEEDS. The following safeguards are hereby established to ensure strict adherence to limitations on the use of the proceeds from the transaction and use tax:

A. A transportation special revenue fund (the “Local Transportation Authority Special Revenue Fund”) shall be established to maintain all proceeds from the transaction and use tax.

B. Receipt, maintenance and expenditure of proceeds from the transaction and use tax by any entity shall be distinguishable in the entity’s accounting records from other funding sources and expenditures shall be distinguishable by program or project. Interest earned on funds allocated pursuant to the ordinance and the Plan shall be expended only for those purposes for which the funds were allocated.

C. No proceeds from the transaction and use tax shall be used by any entity for other than the purposes authorized by the ordinance and the Plan. Any entity that violates this provision must fully reimburse the Authority for the funds misspent, plus any accrued interest, and will have any further allocations withheld until all funds are reimbursed.

Section 20. ALLOCATION OF FUNDS TO LOCAL JURISDICTIONS. The allocation formula for funds provided to local jurisdictions for Local Streets, Roads and Transportation Priorities as shown in the Table on Page 2 of the Plan was established by a cooperative effort with all jurisdictions in the county represented. The formula is based on the percentages of total road miles and total lane miles provided to the Authority as of April 21, 2016 by the local jurisdictions. The formula provides the following:

A. The County of Ventura shall receive a percentage of the funds based upon the percentage of total road miles occurring within the unincorporated area. These funds shall come “off the top” of the total funds available for Local Streets, Roads, and Transportation Priorities in the Plan.

B. Each city shall receive a percentage of the remaining funds based upon the percentage of total lane miles occurring within the city relative to all incorporated lane miles for cities within the county.

C. If a city's lane miles are such that its annual allocation does not equal at least \$500,000, funds shall be deducted from the County of Ventura's share such that no city receives less than \$500,000 annually.

D. These formulas may be updated on an annual basis by local jurisdictions submitting evidence of new lane miles constructed within a city or new road miles constructed within the unincorporated area of the county at which time all local jurisdiction shares will be adjusted accordingly.

Section 21. ANNUAL REPORT. Annually the Authority shall publish a report on how all proceeds from the transaction and use tax have been spent and on progress in implementing the Plan, and shall publicly report on the findings.

Section 22. REQUEST FOR ELECTION. Pursuant to California Public Utilities Code Section 180201, the Authority hereby requests that the County of Ventura Board of Supervisors call a special election to be conducted by the County of Ventura on November 8, 2016 to place the following measure before the electors:

To help preserve Ventura County's quality of life by:
fixing potholes, repaving streets, repairing bridges;
improving traffic flow and safety on 101 and 118;
keeping senior, veteran, disabled, and student bus fares affordable;
increasing bicycle and pedestrian safety; protecting waterways and
beaches from polluted runoff and restoring watersheds;
Shall Ventura County's sales tax be increased by one half cent for thirty
years, raising \$70 million annually, with independent oversight and
audits, and with all funds benefiting local residents?

Section 23. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT. The Authority finds that this ordinance is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 *et seq.*, "CEQA," and 14 Cal. Code Reg. §§ 15000 *et seq.*, "CEQA Guidelines"). The transactions and use tax authorized by this ordinance is a special tax that can only be used to fund the projects, facilities, and services described in the Plan but does not approve any of the described projects or services. As such, under CEQA Guidelines section 15378(b)(4), the tax is not a project within the meaning of CEQA because it creates a government funding mechanism that does not involve any commitment to any specific project or service that may result in a potentially significant physical impact on the environment. If revenue from the tax were used for a purpose that would have such effect, the Authority or appropriate lead agency would undertake the required CEQA review for that particular project or service. Therefore, pursuant to CEQA Guidelines Section 15060, review of the ordinance under CEQA is not required. Prior to commencement of any project or service included in the Ventura County Investment/Expenditure Plan, any necessary environmental review required by CEQA shall be completed. The Authority or appropriate lead agency for any project funded by the revenue from the tax shall perform CEQA analysis for the project prior to approving the project or service, if the project or service requires analysis under CEQA.

Section 24. ENJOINING COLLECTION FORBIDDEN. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the Authority, or against any officer of the State or the Authority, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

Section 25. VALIDATION OF TAX AND BONDS. Any action or proceedings questioning, contesting, or denying the validity of the adoption of this transactions and use tax ordinance or issuance of any bonds thereunder or any proceeding related thereto shall be commenced within six months from the date of the election at which this ordinance is approved. Otherwise, the bonds and all proceedings related thereto, including the adoption and approval of this ordinance, shall be held valid and in every respect legal and incontestable.

Section 26. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 27. EFFECTIVE DATE. This ordinance relates to the levying and collecting of the District transactions and use taxes and shall take effect immediately.

Section 28. TERMINATION DATE. The authority to levy the tax imposed by this ordinance shall expire March 31, 2047.

PASSED AND ADOPTED by the Members of the Ventura County Transportation Commission, State of California, acting in its capacity as the Ventura County Transportation Authority, on July 8, 2016, by the following vote:

AYES:

NOES:

ABSENT:

Chairperson

Attest:

(Signature)

Clerk
(Title)