



**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 7, 2017  
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 2, 2017 VCTC MEETING – PG.5**

**Recommended Action:**

*Receive and File*

**Responsible Staff: Donna Cole**

**8B. MONTHLY BUDGET REPORT – PG. 11**

**Recommended Action:**

*Receive and File*

**Responsible Staff: Sally DeGeorge**

**8C. PASSENGER RAIL UPDATE – PG. 19**

**Recommended Action:**

*Receive and File*

**Responsible Staff: Heather Miller**

**8D. LEGISLATIVE UPDATE - PG. 23**

**Recommended Action:**

- *Adopt “Oppose” position on SB 268 (Mendoza) to revise the Board composition of the Los Angeles County Metropolitan Transportation Authority (METRO).*
- *Adopt “Oppose” position on AB 805 (Gonzalez Fletcher) to revise the Board composition of the San Diego Association of Governments (SANDAG).*
- *Receive and file Legislative Update.*

**Responsible Staff: Peter De Haan**

**8E. REQUEST FOR PROPOSAL FOR INSURANCE BROKERAGE SERVICES - PG.43**

**Recommended Action:**

*Issue Request for Proposals for Insurance Brokerage Services.*

**Responsible Staff: Sally DeGeorge**

**8F. CASH MANAGEMENT FOR VALLEY EXPRESS EXPENDITURES - PG. 45**

**Recommended Action:**

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

**Responsible Staff: Sally DeGeorge**

**8G. RATIFICATION OF STATE REQUIRED TRANSPORTATION DEVELOPMENT ACT (TDA) TRIENNIAL PERFORMANCE AUDITS FOR VENTURA COUNTY TDA CLAIMANT- PG. 47**

**Recommended Action:**

- *Receive and file the State required Transportation Development Act (TDA) triennial performance audits of TDA recipients in Ventura County.*
- *Ratify submittal of triennial performance audits to Caltrans.*

**Responsible Staff: Aaron Bonfilio**

**8H. APPROVE REVISED FUND SUMMARY IN ROUTE 101 WIDENING PROJECT COOPERATIVE AGREEMENT - PG. 59**

**Recommended Action:**

*Authorize the Executive Director to amend the Fund Summary in the Route 101 Widening Project Cooperative Agreement with Caltrans, to add \$496,750 in repurposed federal earmark funds.*

**Responsible Staff: Peter De Haan**

**9. PRESENTATION BY JENNIFER BERGENER REGARDING LOSSAN SERVICE UPDATE -PG.61**

**Recommended Action:**

*Receive and file.*

**Responsible Staff: Martin Erickson**

**10. SURFACE TRANSPORTATION PROGRAM (STP) LOAN OF \$6 MILLION TO SAN JOAQUIN COUNCIL OF GOVERNMENTS -PG.63**

**Recommended Action:**

*Approve \$6 million loan of Regional Surface Transportation Program apportionments to the San Joaquin Council of Governments (SJCOG), with \$3 million to be repaid at the start of Federal Fiscal Year (FFY) 2017/18, and the remaining \$3 million to be repaid at the start of FFY 2018/19.*

**Responsible Staff: Peter De Haan**

**11. U.S. 101 PA/ED REQUEST FOR PROPOSAL (RFP) - PG.65**

**Recommended Action:**

*Issue a Request for Proposal (RFP) for the U.S. 101 Project Approval and Environmental Document (PAED) phase.*

**Responsible Staff: Steve DeGeorge**

**12. VCTC GENERAL COUNSEL'S REPORT**

**13. AGENCY REPORTS**

**14. CLOSED SESSION**

Conference with Legal Counsel – Existing Litigation  
(Pursuant to Government Code Section 54956.9(d)(1))  
*Fillmore & Western v. VCTC*, Case No. 56-2016-00482491  
*VCTC v. Fillmore & Western*, Case No. 56-2014-00449769

**15. ADJOURN to 9:00 a.m. Friday, September 8, 2017**

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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 2, 2017**  
**9:00 AM**

**MEMBERS PRESENT:**

Bryan MacDonald, City of Oxnard, Chair  
Linda Parks, County of Ventura, Vice Chair  
Jan McDonald, City of Camarillo  
Manuel Minjares, City of Fillmore  
Ken Simons, City of Moorpark  
Randy Haney, City of Ojai  
Will Berg, City of Port Hueneme  
Neal Andrews, City of San Buenaventura  
Ginger Gherardi, City of Santa Paula  
Mike Judge, City of Simi Valley  
Claudia Bill-de la Peña, City of Thousand Oaks  
Steve Bennett, County of Ventura  
Peter Foy, County of Ventura  
Kelly Long, County of Ventura  
John Zaragoza, County of Ventura  
Brian Humphrey, Citizen Representative, Cities  
Jim White, Citizen Representative, County  
Shirley Choate, Caltrans District 7

**ABSENT:**

None

**CALL TO ORDER**

**PLEDGE OF ALLGIANCE**

**ROLL CALL**

**PUBLIC COMMENTS FOR THOSE ITEMS NOT LISTED ON THIS AGENDA**

**Daniel Chavez, Jr.** - Last month VC Star ran an article about bus service cuts due to declining ridership. This is a national problem which is also affecting Los Angeles and other major cities. He would like to create a study session to discuss ways to improve transit systems. The biggest problem is the long headway times and that there are too many different systems operating in Ventura County. Reliable and efficient transportation is essential to those who are transit dependent. The ideal situation would be to merge systems and create 2 systems, an east and west county service. This will provide much better connectivity.

**Frank Barajas** – Professor and Chair of Chicano Studies at CSUCI, has been a VCTC passenger since 2005. Roadrunner has done a great job running the service since 2012.

**Linda Boicourt** – Student at the Braille Institute in Santa Barbara. She rides the bus to get to class 4 times a week. Stops are not announced on the buses, which is very inconvenient for the sight impaired. The 8:07 am bus from Ventura Transit Center's last stop is at Chapala and Figueroa. An earlier bus stops at Cottage Hospital, which is only 2 blocks from the Braille Institute Campus, however it arrives 2 hours before classes. Many students are only able to walk 2 blocks. As the schedule now stands it takes her 3 buses to get to a 3 hour class. Please extend the other bus routes to Cottage Hospital for those who attend the Braille Institute.

**Connie Romero** - Santa Paula resident. Ms. Romero also takes classes at the Braille Institute. She supports adding the extra stop to Cottage Hospital. She is unable to walk from Figueroa.

**Yolanda Ybarra**, Oxnard resident, takes 4 buses to get to the Braille Institute. On the city bus she can't hear stop announcements. When she boards she has to tell the driver where she needs to get off.

**Pat Stafford** – Port Hueneme resident and facilitator for the Oxnard low vision support group. She helps members get transportation to Braille Institute classes, but spends more time riding on the bus than in class. Please add an extra stop at Cottage Hospital.

**CALTRANS REPORT -**

*Shirley Choate reported that there are currently 9 projects in planning on the 2018 SHOPP Cycle that will advance. Additionally, there are \$285 million of Projects in Design, which does not include the 101 and 118 widening projects.*

*Currently Projects Under Construction total \$207 million, including the Hwy 118 Somis wildlife crossing. This project includes 10 ft fencing along creeks and rip-rap and concrete ramps to facilitate entry for wildlife to culverts.*

**COMMISSIONERS REPORTS**

*Commissioner Judge reported that SCAG and the UCLA Institute of Transportation Studies and Department of Urban Planning are working together to examine recent declines in transit ridership affecting most all of the transit operators in the SCAG region. The effort involves examining changes in transit supply, demand, and finance in the region, changes in the population of the likely transit users, and changes in rider demographics. By shedding some light on potential causes, the study will help SCAG and the region's transit operators identify effective strategies and solutions. The study is expected to conclude in fall 2017.*

*Commissioner McDonald requested that local transit systems look at how we meet transit needs on an individual or group basis and possibly provide assistance with vanpools or schedule coordination.*

**EXECUTIVE DIRECTOR REPORT –**

Ellen Talbo has accepted a new position with the County of Santa Clara and her last day with VCTC will be June 9. In her new position, Ellen will be doing long term planning and project development for County owned road corridors, with a focus on developing a network of complete streets. We wish her well in this next professional adventure.

**ADDITIONS/REVISIONS –** *Commissioner Zaragoza will need to leave the meeting at 10:00 and requested to move Item #12 and Item #13 to be taken after the Consent Calendar. Commissioner Gherardi made a motion to move up the two items. Commissioner Judge seconded the motion, which passed unanimously.*

**8. CONSENT CALENDAR –**

*Commissioner Parks requested that Item #8C and Item #8G be removed from the Consent Calendar for discussion.*

*Commissioner Gherardi made a motion to approve all remaining items as recommended on the Consent Calendar:*

**8A. APPROVE SUMMARY FROM MAY 12, 2017 VCTC MEETING –** *Receive and File*

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

**8D. FEDERAL TRANSIT ADMINISTRATION GRANT AUTHORIZATION RESOLUTION -** *Adopt Resolution No. 2017-05 authorizing the Executive Director to file required grant documents with the Federal Transit Administration.*

**8E. CSUCI COOPERATIVE AGREEMENT FISCAL YEAR 2017/2018 EXTENSION -** *Approve the FY 2017-2018 Cooperative Agreement for bus service to California State University Channel Islands (CSUCI) and with CSUCI providing \$460,000 for the service in FY 2017-2018 and authorize the Chairperson to sign the agreement.*

**8F. MEMORANDUM OF UNDERSTANDING BETWEEN VENTURA COUNTY TRANSPORTATION COMMISSION AND SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS-** *Approve Coastal Express Memorandum of Understanding between VCTC and SBCAG.*

**8H. SANTA PAULA BRANCH LINE BUDGET AMENDMENT -** *Amend the Fiscal Year 2016/2017 Santa Paula Branch Line Budget increasing the Local Fee Permits Revenue Line Item by \$100,000 and correspondingly increasing the following expense line items by the amount indicated: Salaries \$13,900, Legal \$37,000, Consultant Services \$49,000 and Postage \$100.*

**8I. RESOLUTION FOR VCTC TO CLAIM FISCAL YEAR 2017/2018 TRANSPORTATION DEVELOPMENT ACT (TDA) LOCAL TRANSPORTATION FUNDS (LTF) AND STATE TRANSIT ASSISTANCE (STA) FUNDS -** *Approve the attached Resolution #2017-06 authorizing VCTC's claim for Fiscal Year 2017/2018 Transportation Development Act (TDA) Local Transportation Funds (LTF) and State Transit Assistance (STA) funds for transit, planning and administrative expenditures.*

**8J. AGREEMENT WITH THE SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY TO IMPLEMENT PROPOSITION 1B CALIFORNIA TRANSIT SECURITY GRANT PROGRAM FUNDED PROJECTS –**

- *Authorize the Executive Director to execute the attached agreements(Attachment A and Attachment B) including any subsequent technical changes, with the Southern California Regional Rail Authority (SCRRA) to implement Proposition 1B funded improvements.*
- *Amend the FY 2016/17 VCTC budget to increase Metrolink Commuter Rail revenue by \$1,567,635 in Proposition 1B funds and increase Metrolink Equipment/Sealed Corridor/Crossings expenditures by \$1,567,635.*

**8K. EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT THIRD AMENDMENT-**

***General Counsel read into the record the recommended action to adopt a resolution to approve the Third Amendment to the Executive Director’s Employment Agreement.***

*The motion to approve the above Consent Calendar items was seconded by Commissioner Judge and passed by the following unanimous roll call vote:*

**Yes:** *Commissioners McDonald, Judge, Long, Parks, Gherardi, Zaragoza, Berg, Bill-de la Peña, White, Minjares, Andrews, Foy, Bennett, Haney, Simons, Humphrey, and MacDonald*

**No:** *None*

**Abstain:** *None*

**Absent:** *None*

**8C. PASSENGER RAIL UPDATE –**

*Commissioner Parks would like to know the Metrolink cost per passenger. Commissioner Long would like to know plans for increasing ridership. Darren Kettle responded that these issues will be addressed at our October meeting, by an SCRRA representative.*

*Commissioner Gherardi made a motion to receive and file the report. The motion was seconded by Commissioner Parks, and passed by a unanimous roll call vote.*

**8G. HARVEST AT LIMONEIRA TEMPORARY CROSSING AGREEMENT –**

*Commissioner Parks requested a modification to the agreement’s liability section to protect VCTC from pedestrian lawsuits. She then made a motion to Modify and Approve the Padre Lane Temporary Crossing Agreement to allow emergency vehicle access to the Harvest at Limoneira Development and accept the \$66,659 cash deposit to be held as security for the removal of the temporary crossing. The motion was seconded by Commissioner Long and passed by the following roll call vote:\*

**Yes:** *Commissioners McDonald, Judge, Long, Parks, Gherardi, Zaragoza, Berg, Bill-de la Peña, White, Minjares, Andrews, Foy, Haney, Simons, Humphrey, and MacDonald*

**No:** *None*

**Abstain:** *None*

**Absent:** *Commissioner Bennett*

**13. LEGISLATIVE UPDATE AND POSITION ON BILLS –**

*Commissioner Gherardi made a motion to adopt “Support” position on SCA 6 (Wiener), to place before the voters a measure to lower the transportation measure supermajority requirement to 55%. The motion was seconded by Commissioner Zaragoza and passed by the following roll call vote:*



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**Yes:** Commissioners Gherardi, Zaragoza, Berg, White, Minjares, Andrews, Bennett, Haney, Simons, and Humphrey

**No:** Commissioners McDonald, Judge, Long, Parks, Bill-de la Peña, Foy and MacDonald

**Abstain:** None

**Absent:** None

Commissioner Gherardi made a motion to adopt "Support" position on AB 1218 (Oberholte), to expand the categorical exemption under the California Environmental Quality Act (CEQA) for bicycle facilities.

The motion was seconded by Commissioner Bill-de la Peña and passed by the following roll call vote:

**Yes:** Commissioners McDonald, Judge, Long, Parks, Gherardi, Zaragoza, Berg, Bill-de la Peña, White, Minjares, Foy, Bennett, Haney, Simons, Humphrey, and MacDonald

**No:** Commissioner Andrews

**Abstain:** None

**Absent:** None

## **12. OXNARD SENIOR CENTER- PUBLIC HEARING**

### **Speakers**

**Ken Rozelle City Attorney for City of Oxnard**, disagrees that the Senior Center is not consistent with the Airport Land Use Plan. The center will have average 50-150 users spread out between 9-4, with the largest concentration of approximately 50-60 at lunchtime. The use is consistent with park use, which has been approved

**Commissioner Zaragoza left the meeting.**

**Allison Ayers O'Neill** – The Oxnard recreation center for adults and seniors is needed in this area. The Wilson Center facility is unable to handle the demand. In the event of a tsunami this area is where residents are instructed to congregate, so a senior center should be allowed.

**Kay Brainard** – In 2012 the City of Oxnard approved a study and plan for a new senior center because there is not enough room at the Wilson Center. There needs to be a center in this area that is not being served. In 2016 a committee was formed to finance the center and many sites were considered. The conclusion is that this site is the ideal location.

**Daniel Chavez, Jr.** - Doesn't agree with having the center in this location, but he did not want any of the other buildings and parks that have been approved there either. The Oxnard City Council did not address their liability if the VCTC's decision is overridden. He suggested that possibly the airport should be shut down if more buildings are added in the area. He wants the center even though it would be at risk. It is very much needed.

Commissioner Andrews made a motion for the Ventura County Airport Land Use Commission (ALUC) to find that the proposed Oxnard Senior Center located at 2500 West 5<sup>th</sup> Street is not consistent with the adopted Airport Comprehensive Land Use Plan and authorize the Executive Director to transmit the ALUC's findings to the City of Oxnard. The motion was seconded by Commissioner Zaragoza and passed by the following roll call vote:

**Yes:** Commissioners McDonald, Judge, Long, Parks, Gherardi, Berg, Bill-de la Peña, White, Minjares, Andrews, Foy, Bennett, Haney, Simons, and Humphrey

**No:** Commissioner MacDonald

**Abstain:** None

**Absent:** Commissioner Zaragoza

**9. APPROVE FISCAL YEAR 2017/18 TRANSIT PROGRAM OF PROJECTS(PUBLIC HEARING)-**

***There were no speakers for the Public Hearing.***

Commissioner Bill-de la Peña made a motion to approve the Program of Projects (POP) for federal transit operating, planning and capital assistance for FY 2017/18. The motion was seconded by Commissioner Berg and passed by the following roll call vote:

**Yes:** Commissioners McDonald, Judge, Long, Parks, Gherardi, Berg, Bill-de la Peña, White, Minjares, Andrews, Foy, Bennett, Simons, Humphrey, and MacDonald

**No:** None

**Abstain:** None

**Absent:** Commissioners Zaragoza and Haney

**10. TRANSPORTATION DEVELOPMENT ACT (TDA), LOCAL TRANSPORTATION FUND (LTF), APPORTIONMENT FOR FISCAL YEAR 2017/2018 -**

Commissioner Gherardi made a motion to approve the Local Transportation Fund Apportionment for Fiscal Year 2017/2018 apportioning \$34.1 million as shown in Attachment 1. The motion was seconded by Commissioner Berg and passed by the following roll call vote:

**Yes:** Commissioners McDonald, Judge, Long, Parks, Gherardi, Berg, Bill-de la Peña, White, Minjares, Andrews, Foy, Bennett, Simons, Humphrey, and MacDonald

**No:** None

**Abstain:** None

**Absent:** Commissioner Zaragoza and Haney

**11. FISCAL YEAR 2017/18 BUDGET – PUBLIC HEARING – Nno speakers for the Public Hearing.**

Commissioner Gherardi made a motion to:

- Conduct Public Hearing to receive testimony on the Fiscal Year 2017/2018 Budget.
- Approve a three percent cost-of-living-adjustment effective July 1, 2017.
- Adopt the Fiscal Year 2017/2018 salary schedule (Attachment 1 of this item and Attachment C in the Fiscal Year 2017/2018 Budget) effective July 1, 2017.
- Adopt, by resolution 2017-07, the proposed Fiscal Year 2017/2018 Budget

The motion was seconded by Commissioner Bill-de la Peña, and passed by the following roll call vote:

**Yes:** Commissioners McDonald, Judge, Long, Parks, Gherardi, Berg, Bill-de la Peña, White, Minjares, Andrews, Foy, Bennett, Haney, Simons, Humphrey, and MacDonald

**No:** None

**Abstain:** None

**Absent:** Commissioner Zaragoza

**14. VCTC GENERAL COUNSEL'S REPORT - None**

**15. AGENCY REPORTS - None**

**16. CLOSED SESSION – Nothing to Report**

Conference with Legal Counsel – Existing Litigation  
(Pursuant to Government Code Section 54956.9(d)(1))  
Fillmore & Western v. VCTC, Case No. 56-2016-00482491  
VCTC v. Fillmore & Western, Case No. 56-2014-00449769

**17. ADJOURN to 9:00 a.m. Friday, July 7, 2017**



**Item # 8B**

**July 7, 2017**

**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 2017

**DISCUSSION:**

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, 2017 budget reports indicate that revenues were approximately 72.45% of the adopted budget while expenditures were approximately 67.97% 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, the Ventura County Transportation Commission (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.

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VCTC funds a large portion of its transit activities with Federal Transit Administration (FTA) funds. The grant approval process is long; therefore, VCTC requests (or preprograms) the FTA funds a year before expected use, so that funds will be available when expenditures are made. The grants intended to fund this fiscal year's activities have been delayed due to a number of issues. Due to these unexpected grant delays, the Commission approved a temporary cash-flow loan from the State Transit Assistance (STA) fund to the General Fund, VCTC Intercity Service fund and the Valley Express fund not to exceed \$4,391,000. Through May 2017, the cash-flow STA loan (net of repayments) totals \$368,482. This amount is reflected as a reserved fund balance on the balance sheet. One FTA grant remains unapproved and one Proposition 1B grant has been approved but the funds have not arrived. VCTC staff continues to emphasize to FTA the need for expedited processing and work with FTA to resolve all issues.

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 year-end.

**VENTURA COUNTY TRANSPORTATION COMMISSION  
BALANCE SHEET  
AS OF MAY 31, 2017**

**ASSETS**

<b>Assets:</b>	
Cash and Investments - Wells Fargo Bank	\$ 6,402,788
Cash and Investments - County Treasury	20,472,138
Petty Cash	130
Receivables/Due from other funds	3,485,952
Prepaid Expenditures	150,447
Deposits	15,896
Capital Assets, undepreciated	26,153,437
Capital Assets, depreciated, net	<u>32,991,740</u>
<b>Total Assets:</b>	<b><u>\$89,672,528</u></b>

**LIABILITIES AND FUND BALANCE**

<b>Liabilities:</b>	
Accrued Expenses/Due to other funds	\$ 3,382,842
Deferred Revenue	3,260,431
Deposits	<u>400</u>
<b>Total Liabilities:</b>	<b><u>\$6,643,673</u></b>
<b>Net Position:</b>	
Invested in Capital Assets	\$59,145,177
Fund Balance Reserved for STA/FTA Loan	368,482
Fund Balance	<u>23,515,196</u>
<b>Total Net Position</b>	<b><u>\$83,028,855</u></b>
<b>Total Liabilities and Fund Balance:</b>	<b><u>\$89,672,528</u></b>

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, 2017**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Annual to Date	Variance Actual	% Year Actual
<b>Revenues</b>										
Federal Revenues	\$ 4,803,705	\$ 0	\$ 0	\$ 0	\$ 4,074,781	\$ 502,541	\$ 9,381,027	\$14,899,257	(5,518,230)	62.96
State Revenues	374,511	26,537,578	2,384,553	592,901	485,203	0	30,374,746	41,205,958	(10,831,212)	73.71
Local Revenues	409,188	0	0	627	2,361,438	1,228,387	3,999,640	4,311,459	(311,819)	92.77
Other Revenues	242	0	0	0	0	0	242	15,300	(15,058)	1.58
Interest	1,002	25,161	47,826	21,738	337	153	96,217	95,000	1,217	101.28
<b>Total Revenues</b>	<b>5,588,648</b>	<b>26,562,739</b>	<b>2,432,379</b>	<b>615,266</b>	<b>6,921,759</b>	<b>1,731,081</b>	<b>43,851,872</b>	<b>60,526,974</b>	<b>(16,675,102)</b>	<b>72.45</b>
<b>Expenditures</b>										
<b>Administration</b>										
Personnel Expenditures	2,118,155	0	0	0	159,401	53,022	2,330,578	2,966,900	(636,322)	78.55
Legal Services	17,657	0	0	0	0	0	17,657	24,000	(6,343)	73.57
Professional Services	95,805	0	0	0	0	0	95,805	121,500	(25,695)	78.85
Office Leases	138,236	0	0	0	0	0	138,236	155,300	(17,064)	89.01
Office Expenditures	177,664	0	0	0	87,304	29,040	294,008	432,300	(138,292)	68.01
<b>Total Administration</b>	<b>2,547,517</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>246,705</b>	<b>82,062</b>	<b>2,876,284</b>	<b>3,700,000</b>	<b>(823,716)</b>	<b>77.74</b>
<b>Programs and Projects</b>										
<b>Transit &amp; Transportation Program</b>										
Senior-Disabled Transportation	173,855	0	0	0	0	0	173,855	257,600	(83,745)	67.49
Fare Collection APC Systems	19,909	0	0	0	0	0	19,909	348,800	(328,891)	5.71
VCTC Intercity Bus Services	0	0	0	0	9,525,712	0	9,525,712	10,900,442	(1,374,730)	87.39
Valley Express Bus Services	0	0	0	0	0	1,337,332	1,337,332	1,969,700	(632,368)	67.90
Transit Stop Enhancement	9,422	0	0	0	0	0	9,422	266,675	(257,253)	3.53
Transit Grant Administration	3,005,971	0	0	0	0	0	3,005,971	6,514,600	(3,508,629)	46.14
<b>Total Transit &amp; Transportation</b>	<b>3,209,157</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>9,525,712</b>	<b>1,337,332</b>	<b>14,072,201</b>	<b>20,257,817</b>	<b>(6,185,616)</b>	<b>69.47</b>
<b>Highway Program</b>										
Motorist Aid Call Box System	0	0	0	233,121	0	0	233,121	724,000	(490,879)	32.20
Highway Project Management	845	0	0	0	0	0	845	502,500	(501,655)	0.17
SpeedInfo Highway Speed Sensor	0	0	0	103,400	0	0	103,400	144,000	(40,600)	71.81
<b>Total Highway</b>	<b>845</b>	<b>0</b>	<b>0</b>	<b>336,521</b>	<b>0</b>	<b>0</b>	<b>337,366</b>	<b>1,370,500</b>	<b>(1,033,134)</b>	<b>24.62</b>

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Annual to Date	Variance Actual	% Year Actual
<b>Rail Program</b>										
Metrolink & Commuter Rail	3,429,291	0	0	0	0	0	3,429,291	4,582,170	(1,152,879)	74.84
LOSSAN & Coastal Rail	1,765	0	0	0	0	0	1,765	6,100	(4,335)	28.93
Santa Paula Branch Line	297,481	0	0	0	0	0	297,481	700,500	(403,019)	42.47
<b>Total Rail</b>	<b>3,728,537</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,728,537</b>	<b>5,288,770</b>	<b>(1,560,233)</b>	<b>70.50</b>
<b>Commuter Assistance Program</b>										
Transit Information Center	22,547	0	0	0	0	0	22,547	44,000	(21,453)	51.24
Rideshare Programs	37,150	0	0	0	0	0	37,150	67,600	(30,450)	54.96
<b>Total Commuter Assistance</b>	<b>59,697</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>59,697</b>	<b>111,600</b>	<b>(51,903)</b>	<b>53.49</b>
<b>Planning &amp; Programming</b>										
Transportation Development Act	127,879	22,965,613	0	0	0	0	23,093,492	30,453,618	(7,360,126)	75.83
Transportation Improvement Program	8,762	0	0	0	0	0	8,762	47,300	(38,538)	18.52
Regional Transportation Planning	190,560	0	0	0	0	0	190,560	684,300	(493,740)	27.85
Airport Land Use Commission	56	0	0	0	0	0	56	9,000	(8,944)	0.62
Regional Transit Planning	221,463	0	0	0	0	0	221,463	609,100	(387,637)	36.36
Freight Movement	117	0	0	0	0	0	117	11,800	(11,683)	0.99
<b>Total Planning &amp; Programming</b>	<b>548,837</b>	<b>22,965,613</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>23,514,450</b>	<b>31,815,118</b>	<b>(8,300,668)</b>	<b>73.91</b>
<b>General Government</b>										
Community Outreach & Marketing	508,978	0	0	0	0	0	508,978	536,900	(27,922)	94.80
State & Federal Relations	66,825	0	0	0	0	0	66,825	106,900	(40,075)	62.51
Management & Administration	30,150	0	0	0	0	0	30,150	81,000	(50,850)	37.22
Office Building Purchase	65,500	0	0	0	0	0	65,500	3,317,001	(3,251,501)	1.97
<b>Total General Government</b>	<b>671,453</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>671,453</b>	<b>4,041,801</b>	<b>(3,370,348)</b>	<b>16.61</b>
<b>Total Expenditures</b>	<b>10,766,043</b>	<b>22,965,613</b>	<b>0</b>	<b>336,521</b>	<b>9,772,417</b>	<b>1,419,394</b>	<b>45,259,988</b>	<b>66,585,606</b>	<b>(21,325,618)</b>	<b>67.97</b>

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Annual to Date	Variance Actual
<b>Revenues over (under) expenditures</b>	<b>(5,177,395)</b>	<b>3,597,126</b>	<b>2,432,379</b>	<b>278,745</b>	<b>(2,850,658)</b>	<b>311,687</b>	<b>(1,408,116)</b>	<b>(6,058,632)</b>	<b>4,650,516</b>
<b>Other Financing Sources</b>									
Transfers Into GF from LTF	4,307,713	0	0	0	0	0	4,307,713	4,307,713	0
Transfers Into GF from STA	165,429	0	0	0	2,850,872	0	3,016,301	7,948,230	(4,931,929)
Transfers Into GF from SAFE	13,579	0	0	0	0	0	13,579	15,000	(1,421)
Transfers Out LTF into GF	0	(4,307,713)	0	0	0	0	(4,307,713)	(4,307,713)	0
Transfers Out of STA into GF	0	0	(3,016,301)	0	0	0	(3,016,301)	(7,948,230)	4,931,929
Transfers Out of SAFE into GF	0	0	0	(13,579)	0	0	(13,579)	(15,000)	1,421
<b>Total Other Financing Sources</b>	<b>4,486,721</b>	<b>(4,307,713)</b>	<b>(3,016,301)</b>	<b>(13,579)</b>	<b>2,850,872</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Change in Fund Balances</b>	<b>(690,674)</b>	<b>(710,587)</b>	<b>(583,922)</b>	<b>265,166</b>	<b>214</b>	<b>311,687</b>	<b>(1,408,116)</b>	<b>(6,058,632)</b>	<b>4,650,516</b>
<b>Beginning Fund Balance</b>	<b>2,469,487</b>	<b>8,108,784</b>	<b>10,656,447</b>	<b>4,048,076</b>	<b>0</b>	<b>9,000</b>	<b>25,291,794</b>	<b>17,224,142</b>	<b>8,067,652</b>
<b>Ending Fund Balance</b>	<b><u>\$1,778,813</u></b>	<b><u>\$7,398,197</u></b>	<b><u>\$10,072,525</u></b>	<b><u>\$4,313,242</u></b>	<b><u>\$214</u></b>	<b><u>\$320,687</u></b>	<b><u>\$23,883,678</u></b>	<b><u>\$11,165,510</u></b>	<b><u>\$12,718,168</u></b>

Note: The STA ending fund balance of \$10,072,525 includes \$368,482 loaned to other funds until grant funding is received. The STA fund balance available for expenditures is \$9,704,043.

For Management Reporting Purposes Only



**VENTURA COUNTY TRANSPORTATION COMMISSION  
INVESTMENT REPORT  
AS OF MAY 31, 2017**

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.

<b>Institution</b>	<b>Investment Type</b>	<b>Maturity Date</b>	<b>Interest to Date</b>	<b>Rate</b>	<b>Balance</b>
Wells Fargo – Checking	Government Checking	N/A	\$ 1,553.07	0.08%	\$ 6,402,787.95
County of Ventura	Treasury Pool	N/A	94,662.51	0.80%	20,448,037.66
<b>Total</b>			<b>\$96,215.58</b>		<b>\$26,850,825.61</b>

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. A small portion of interest earned in the Wells Fargo accounts is for unearned revenues and the interest is not recognized until the revenues are recognized.

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.

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Item #8C

July 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: HEATHER MILLER, TRANSIT PLANNER**

**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 Commuter Rail**

*Ridership and On-Time Performance*

Based on data provided by Metrolink, system-wide ridership on commuter rail experienced a year over year decrease of 1%, with 39,159 Daily Passengers for the month of May. The Ventura County Line, which includes both Ventura County and Los Angeles County Stations, averaged 3,556 daily passenger trips for May; this remains consistent with the previous year's average during the same month and represents a 4% increase from April's average. A 10-Year Snapshot of ridership trends is provided in Attachment A.

Metrolink ridership originating from Ventura County Stations on the Ventura County Line for the month of May averaged 786 total boardings per weekday. This represents a decrease of 2% compared to the same month in the previous year. Ventura County boardings represent approximately 23% of all boardings on the Ventura County Line. Station boardings for the month of May are provided in Attachment B.

Metrolink on-time performance, which denotes trains arriving within five minutes of scheduled time, averaged 98% "On Time" arrival on the Ventura County Line for the month of May, reflecting an improvement from the previous monthly average. "On Time" performance on the Ventura County Line continues to perform above the system-wide average which averaged 94% in May.

**July 7, 2017**  
**Item #8C**  
**Page #2**

### **LOSSAN Intercity Rail Corridor (Amtrak Pacific Surfliner)**

Under Item #9 of the Agenda, Jennifer Bergener, Managing Director of LOSSAN, will present to the commission an update regarding recent developments with the LOSSAN Rail Corridor.

A LOSSAN Member Agency Briefing was held on June 1 to review items to be brought to the Board of Directors meeting on June 19. The following discussion highlights some of these items.

#### *Release Request for Proposals for Legislative Support*

LOSSAN staff will be seeking Board approval on June 19 to release a request for proposal for Legislative Support services. These services would provide a legislative presence in Sacramento to raise awareness of the Los Angeles - San Diego - San Luis Obispo (LOSSAN) Rail Corridor Agency and the Pacific Surfliner intercity passenger rail service. The 351-mile LOSSAN Rail Corridor travels through a six county coastal region and is the second busiest intercity passenger rail corridor in the United States.

#### *Continuance of the Administrative Support Agreement with OCTA*

When Senate Bill (SB) 1225 was signed into law in September 2012, authorizing the LOSSAN Rail Corridor Agency to assume administrative responsibility for the state-supported Pacific Surfliner intercity passenger rail service, the Orange County Transportation Authority (OCTA) was selected to serve as the Managing Agency. The LOSSAN agency entered into an Administrative Support Agreement (ASA) in 2013 with OCTA to provide administrative services and daily management of the Pacific Surfliner rail system. That agreement will expire on June 30, 2018. LOSSAN Agency staff will be seeking Board direction to negotiate a new agreement with OCTA to continue to provide current scope of services for an initial term of three years, with the option of two additional three-year terms.

#### *Evaluating Peak Hour Rail Service Alternatives in Ventura and Santa Barbara Counties*

Santa Barbara County Association of Government (SBCAG) hosted a kick-off meeting on May 24 to discuss peak hour rail service between Ventura and Santa Barbara Counties, inviting LOSSAN staff, VCTC, CalSTA and other key stakeholders. SBCAG has commissioned WSP | Parsons Brinckerhoff to develop and evaluate up to three alternatives for peak hour rail service between Ventura and Santa Barbara counties including modifications to existing Pacific Surfliner service levels north of Los Angeles, additional service, or implementation of traditional commuter rail service (including DMU service).

The LOSSAN Agency has also been working to determine the feasibility of providing weekday peak-hour service between Ventura and Santa Barbara by rescheduling existing trains north of Los Angeles. The LOSSAN Business Plan for fiscal year 2018-19 includes implementation of a 13th complete round trip between San Diego and Los Angeles and extending into the Santa Barbara and Goleta area. Amtrak currently operates 24 daily Pacific Surfliner trains between Los Angeles and San Diego, with 10 trains extending to Santa Barbara and Goleta and four to San Luis Obispo.

## Metrolink Ridership

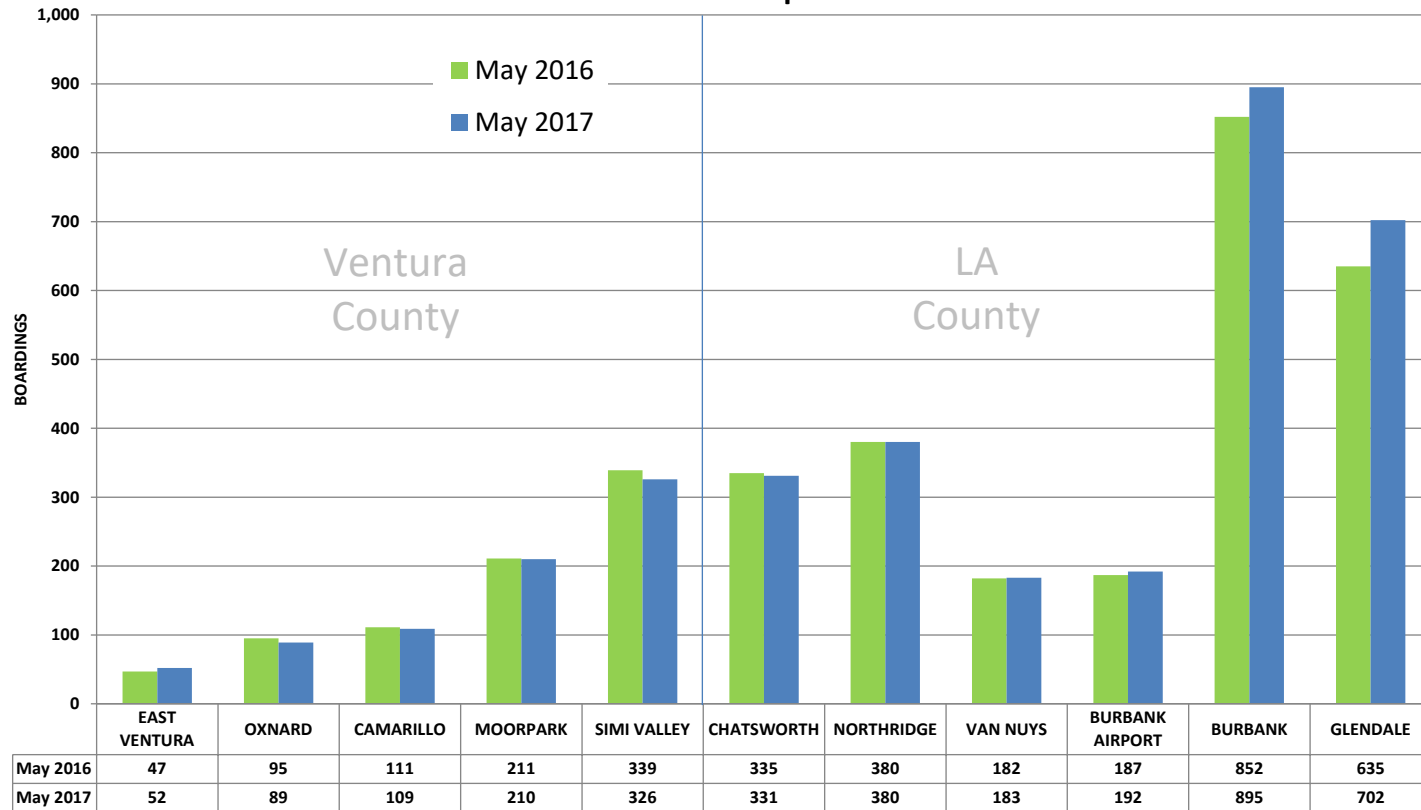
### 10 Year Snapshot of Monthly

### Year over Year Change in Average Weekday Ridership

Month Year	Ventura County Station Boardings*	% Change Ventura County Station Boardings	Ventura County Line Passenger Trips	% Change Ventura County Line	Metrolink System Passengers Grand Total	% Change Metrolink System Grand Total	Metrolink Monthly Passholders on Amtrak (Rail-2-Rail program)
May 2017	786	-7%	3,556	0%	39,159	-1%	172
May 2016	847	-5%	3,557	-2%	39,678	-7%	161
May 2015	892	-2%	3,617	-1%	42,437	1%	219
May 2014	909	-11%	3,671	-10%	42,133	-3%	148
May 2013	1,020	5%	4,076	2%	43,380	-1%	264
May 2012	975	4%	4,008	4%	44,037	4%	210
May 2011	940	-2%	3,842	2%	42,318	4%	237
May 2010	956	-3%	3,755	-9%	40,688	-3%	325
May 2009	989	-5%	4,134	-1%	41,803	-8%	337
May 2008	1,040	-1%	4,159	-1%	45,443	5%	315

\* East Ventura, Oxnard, Camarillo, Moorpark and Simi Valley.

### Ventura County Line Average Daily Station Boardings Year over Year Comparison



Source: SCRRA TAC Reporting Portal.



Item #8D

July 7, 2017

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

**RECOMMENDATION:**

- Adopt "Oppose" position on SB 268 (Mendoza) to revise the Board composition of the Los Angeles County Metropolitan Transportation Authority (METRO).
- Adopt "Oppose" position on AB 805 (Gonzalez Fletcher) to revise the Board composition of the San Diego Association of Governments (SANDAG).
- Receive and file Legislative Update.

**DISCUSSION**

**State Issues**

Attachment A provides the monthly report of Delaney Hunter, the Commission's state lobbyist. The report includes information on the passage of the Fiscal Year 2017/18 state budget, which includes \$2.8 billion for the partial year of revenue from SB 1, which becomes effective November 1<sup>st</sup>.

Attachments B provides a fact sheet from METRO on SB 268, and Attachment C provide a staff analysis from SANDAG regarding AB 805. These two agencies oppose these respective bills, that would change the composition of their Boards, and both agencies have requested that VCTC support them by opposing these bills as well. Staff recommends VCTC adopt an "Oppose" position on both bills, SB 268 and AB 805, on grounds that these bills change a regional agency's board over despite its opposition.

Attachment D provides the status of bills being tracked by VCTC. One bill tracked by VCTC, AB 278 (Steinorth) regarding CEQA exemption for bicycle facilities, did not make it out of the policy committee by the required deadline and has been removed from the bill tracking matrix. The remaining bills being tracked by VCTC have all made it out of the house of origin by the required June 2<sup>nd</sup> deadline, with the exception of SCA 6 (Weiner) which as a constitutional amendment does not have that deadline. One bill supported by VCTC, AB 17 (Holden), was amended to appropriate \$20 million for the student pass program and change the program from a formula based distribution to a competitive grant program.



**VENTURA COUNTY TRANSPORTATION COMMISSION**

**MONTHLY STATE ADVOCACY REPORT**

**JUNE 2017**

**Legislative Update**

With the exception of a few policy committee hearings, much of June has focused on budget negotiations. Specifically, the first two weeks of the month involved lengthy budget conference committee meetings for the Legislature to work out the remaining issues that were not previously settled by the respective Assembly and Senate budget subcommittees. The conferees continued to work through the discrepancies and ultimately sent a full budget to the floor right before the June 15<sup>th</sup> deadline. The main budget bill (AB 97) – along with a number of additional trailer bills – then passed off the Floor of both houses late in the evening. Ultimately, the 2017-18 budget package totaled \$125 billion in General Fund revenue and is now on the Governor’s desk, where it must be signed by June 30<sup>th</sup>. In addition to the budget, there were a few policy committee hearings of items that had moved over into the second house prior to the house of origin deadline. However, now that budget negotiations have ceased, the last few weeks of June will again be focused on policy committee hearings for the remainder of the session. All bills that are not tagged fiscal must be heard before the upcoming July 12<sup>th</sup> deadline, so there will be lengthy committee hearings leading up to that point. After this first deadline, the Legislature must then hold all Appropriations Committee hearings by September 1<sup>st</sup>. However, Members will convene a month-long summer recess (July 21<sup>st</sup> to August 21<sup>st</sup>) before tackling the final two weeks of the legislative session. GQHC will continue to keep VCTC updated on relevant legislation and important committee hearings as bills advance through the second house.

**Budget Update**

After the May Revise was released, the budget subcommittees continued to meet to negotiate the remaining items. After a number of late night and weekend meetings, the conference committee finalized the 2017-18 budget package, which totaled \$125 billion in General Fund revenue. This included the standard main budget bill (AB 97) as well as over a dozen trailer bills that addressed a range of policy issues, including transportation (AB 115). Another transportation related trailer bill (AB 118/SB 103) was introduced relating to advanced mitigation and the trade corridor improvement fund. However, these bills had not yet been in print for 72 hours, so they were not acted upon with the other budget items. In general, the budget reflects the Legislature’s commitment to increasing higher education funding, reducing pension costs, and expanding the earned income tax credit. However, uncertainties about the state’s continued economic recovery have continued, so the budget that was passed also augments the Rainy Day Fund by \$1.8 billion.



In regards to transportation, the budget also includes the first partial year of revenues that will be coming from SB 1. While SB 1 will raise an average of \$5.2 billion per year in new transportation funding at full implementation, only \$2.8 billion is expected in 2017-18 because the first tax increases start in November and the improvement fee will not take effect until January of 2018. There will be an even split of the funding coming from the Road Maintenance and Rehabilitation Account (RMRA). Specifically, in 2017-18, \$445 million will be allocated to cities and counties by formula and equal amounts will be allocated to state highways. The funding will begin flowing to local governments by February of 2018. However, these new local RMRA funds are accompanied by additional reporting and eligibility requirements.

### Important Legislation

Now that bills have moved to the second house, GQHC has continued to advocate VCTC's support on a few important bills that are continuing to move through the legislative process. First, **AB 17 (Holden)** establishes the Transit Pass Program, and the funds for the program would be allocated by the Controller to support transit pass programs that provide free or reduced-fare transit passes to students. The bill first passed out of the Assembly Transportation Committee on an 11 to 3 vote, and GQHC registered the Commission's support. It was then held in the Appropriations Committee, where it advanced out when the lengthy suspense file hearing was held. GQHC has continued to work with the author's office to ensure that the bill includes workable Transportation Development Act provisions to ensure maximum success and efficiency of the program. AB 17 has been referred to the Senate Transportation Committee, but no hearing date has been set yet.

**AB 1113 (Bloom)** is another VCTC supported bill that has continued to advance with relative ease. Specifically, the bill makes a number of changes to the State Transit Assistance formula distributed by the State Controller's Office. AB 1113 moved through the Assembly Transportation Committee, Assembly Appropriations Committee, Assembly Floor, and the Senate Transportation Committee with zero "no" votes. The bill is now set to be heard in the Senate Appropriations Committee on June 26<sup>th</sup>, so the GQHC team will advocate VCTC's support at the hearing.

Lastly, **AB 1218 (Oberholte)** would extend the sunset on existing California Environmental Quality Act exemptions for bicycle transportation plans and bicycle lanes an additional three years – from 2018 to 2021. VCTC recently adopted a support position on this measure, and it has taken a similar path to AB 1113 – while also moving through the Assembly Natural Resources Committee. Currently, the bill is set to be heard in the Senate Environmental Quality Committee on June 21<sup>st</sup>, and GQHC will work to share the Commission's support with committee members/consultants and our legislative delegation.

### Upcoming Bill Deadlines and Newly Introduced Legislation

**June 2** Last day to pass bills out of house of origin

**June 15** Budget Bill must be passed by midnight

**July 14** Last day for policy committees to hear and report fiscal bills for referral to fiscal committees

**July 21** Last day for policy committees to hear and report bills. Summer Recess begins upon adjournment

**Aug. 21** Legislature reconvenes from Summer Recess

**Sept. 1** Last day for fiscal committees to meet and report bills to the Floor

#### **AB 1 (Frazier D) Transportation funding.**

**Introduced:** 12/5/2016

**Status:** 1/19/2017-Referred to Coms. on TRANS. and NAT. RES.

**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, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. 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.

**AB 17 (Holden D) Transit Pass Pilot Program: free or reduced-fare transit passes.**

**Introduced:** 12/5/2016

**Status:** 6/14/2017-Referred to Com. on T. & H.

**Summary:** Would create the Transit Pass Pilot Program to be administered by the Department of Transportation to provide free or reduced-fare transit passes to specified pupils and students by supporting new, or expanding existing, transit pass programs. The bill would require the department to develop guidelines that describe the application process and selection criteria for awarding the moneys made available for the program, and would exempt the development of those guidelines from the Administrative Procedure Act.

**AB 28 (Frazier D) Department of Transportation: environmental review process: federal pilot program.**

**Introduced:** 12/5/2016

**Status:** 3/29/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 4, Statutes of 2017.

**Summary:** Current federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, under which the participating states assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Current law, until January 1, 2017, provided that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the pilot program. This bill would reinstate the operation of the latter provision. The bill would repeal that provision on January 1, 2020. This bill would declare that it is to take effect immediately as an urgency statute.

**AB 91 (Cervantes D) High-occupancy vehicle lanes.**

**Introduced:** 1/9/2017

**Status:** 6/14/2017-Referred to Com. on T. & H.

**Summary:** Would prohibit, commencing July 1, 2018, a high-occupancy vehicle lane from being established in the County of Riverside, unless that lane is established as a high-occupancy vehicle lane only during the hours of heavy commuter traffic, as determined by the Department of Transportation. The bill would require any existing high-occupancy vehicle lane in the County of Riverside that is not a toll lane to be modified to operate as a high-occupancy lane under those same conditions.

**AB 115 (Committee on Budget) Transportation.**

**Introduced:** 1/10/2017

**Status:** 6/15/2017-Read third time. Passed. Ordered to the Assembly. (Ayes 28. Noes 10.). In Assembly. Concurrence in Senate amendments pending. May be considered on or after June 17 pursuant to Assembly Rule 77. Assembly Rule 77 suspended. Assembly Rule 63 suspended. Senate amendments concurred in. To Engrossing and Enrolling.

**Summary:** Current law requires that a patrol member of the Public Employees' Retirement System (PERS) who is subject to specified benefit formulas be retired in the calendar month succeeding that in which he or she attains 60 years of age. Current law, until January 1, 2018, exempts from this requirement a Commissioner of the California Highway Patrol, as specified, who was appointed on or after January 1, 2008. This bill would continue this exemption until April 1, 2019.

**AB 174 (Bigelow R) California Transportation Commission: membership.**

**Introduced:** 1/17/2017

**Status:** 5/24/2017-Referred to Com. on T. & H.

**Summary:** Current law provides that the California Transportation Commission consists of 13 members, 11 voting members, of which 9 are appointed by the Governor subject to Senate confirmation, 1 is appointed by the Senate Committee on Rules, and 1 is appointed by the Speaker of the Assembly, and 2 Members of the Legislature who are appointed as nonvoting ex officio members. This bill would require that at least one voting member reside in a rural county with a population of less than 100,000 individuals.

**AB 179 (Cervantes D) California Transportation Commission.**

**Introduced:** 1/18/2017

**Status:** 6/8/2017-Referred to Com. on T. & H. 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 provides that the California Transportation Commission consists of 13 members: 11 voting members, of which 9 are appointed by the Governor subject to Senate confirmation, one is appointed by the Senate Committee on Rules, and one is appointed by the Speaker of the Assembly, and 2 Members of the Legislature who are appointed as nonvoting ex officio members. This bill would require that one of those voting members have worked directly with those communities in the state that are most significantly burdened by, and vulnerable to, high levels of pollution, including, but not limited to, those communities with racially and ethnically diverse populations or with low-income populations.

**AB 262 (Bonta D) Public contracts: bid specifications: Buy Clean California Act.**

**Introduced:** 1/31/2017

**Status:** 6/14/2017-Referred to Coms. on G.O. and EQ.

**Summary:** The State Contract Act governs the bidding and award of public works contracts by specific state departments and requires an awarding department, before entering into any contract for a project, to prepare full, complete, and accurate plans and specifications and estimates of cost. This bill, the Buy Clean California Act, would, by January 1, 2019, require the Department of General Services to establish, and publish in the State Contracting Manual, a maximum acceptable global warming potential for each category of eligible materials, in accordance with requirements set out in the bill.

**AB 344 (Melendez R) Toll evasion violations.**

**Introduced:** 2/7/2017

**Status:** 5/10/2017-Referred to Com. on T. & H.

**Summary:** Would not require a person contesting a notice of toll evasion violation or notice of delinquent toll evasion from being required to pay the toll evasion penalty until after the processing agency or issuing agency finds as a result of an investigation, or the processing agency finds as a result of an administrative review, or a court finds as a result of a hearing, that the contestant did commit a toll evasion violation, whichever occurs later. This bill contains other existing laws.

**AB 467 (Mullin D) Local transportation authorities: transactions and use taxes.**

**Introduced:** 2/13/2017

**Status:** 6/1/2017-Referred to Coms. on T. & H. and E. & C.A.

**Summary:** Current law provides for a local transportation authority to adopt a transportation expenditure plan for the proceeds of the retail transactions and use tax, and requires the entire adopted transportation expenditure plan to be included in the voter information guide sent to voters. This bill, upon the request of an authority, would exempt a county elections official from including the entire adopted transportation expenditure plan in the voter information guide, if the authority posts the plan on its Internet Web site, and the sample ballot and the voter information guide sent to voters include information on viewing an electronic version of the plan on the Internet Web site and for obtaining a printed copy of the plan by calling the county elections office.

**AB 468 (Santiago D) Transit districts: prohibition orders.**

**Introduced:** 2/13/2017

**Status:** 5/24/2017-Referred to Com. on T. & H.

**Summary:** Current law authorizes the Sacramento Regional Transit District, the Fresno Area Express, and, until January 1, 2018, the San Francisco Bay Area Rapid Transit District to issue a prohibition order to any person cited for committing one or more of certain prohibited acts in specified transit facilities. Current law prohibits a person subject to the prohibition order from entering the property, facilities, or vehicles of the transit district for specified periods of time. Current law establishes notice requirements in that regard and provides for initial and administrative review of the order. This bill would apply these provisions to the Los Angeles County Metropolitan Transportation Authority.

**AB 503 (Lackey R) Vehicles: parking violations: registration or driver's license renewal.**

**Introduced:** 2/13/2017

**Status:** 6/14/2017-Referred to Com. on T. & H.

**Summary:** Current law, with specified exceptions, requires an agency that processes notices of parking violations and notices of delinquent parking violations to proceed under only one of 3 specified options in order to collect an unpaid parking penalty, including filing an itemization of unpaid parking penalties and service fees with the Department of Motor Vehicles for collection with the registration of the vehicle. This bill would instead authorize a processing agency to proceed under one of those 3 specified options.

**AB 515 (Frazier D) State Highway System Management Plan.**

**Introduced:** 2/13/2017

**Status:** 6/1/2017-Referred to Com. on T. & H.

**Summary:** Would require the Department of Transportation to prepare a State Highway System Management Plan, which would consist both of the 10-year state highway rehabilitation plan and the 5-year maintenance plan. The bill would require the department to make a draft of its proposed State Highway System Management Plan available to regional transportation agencies for review and comment, and would require the department to include and address any comments in its submittal of the plan to the commission by January 15 of each odd-numbered year.

**AB 544 (Bloom D) Vehicles: high-occupancy vehicle lanes.**

**Introduced:** 2/13/2017

**Status:** 6/14/2017-Referred to Com. on T. & H.

**Summary:** Current federal law authorizes, until September 30, 2019, a state to allow low emission and energy-efficient vehicles, as specified, to use lanes designated for high-occupancy vehicles (HOVs). Current federal law also authorizes, until September 30, 2025, a state to allow alternative fuel vehicles, as defined, and new qualified plug-in electric drive motor vehicles, as defined, to use those HOV lanes. This bill would extend the authority of drivers of 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 636 (Irwin D) Local streets and roads: expenditure reports.**

**Introduced:** 2/14/2017

**Status:** 5/10/2017-Referred to Com. on RLS.

**Summary:** Current law, with limited exceptions, requires each city and county to submit to the Controller a complete report of expenditures for street and road purposes by October 1 of each year relative to the preceding fiscal year ending on June 30. This bill would instead require the report to be submitted to the Controller within 7 months after the close of the fiscal year adopted by a county, city, or city and county. The bill would make other conforming changes.

**AB 673 (Chu D) Public transit operators: bus procurement: safety considerations.**

**Introduced:** 2/15/2017

**Status:** 6/13/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 3.) (June 13). Re-referred to Com. on APPR.

**Summary:** Would require a public transit operator, before the procurement of a new bus to be used in revenue operations, to take into consideration recommendations of, and best practices standards developed by, the exclusive representative of the recognized organization representing bus operators of the transit operator for specified purposes, including, among other purposes, reducing the risk of assault on bus operators. By creating new duties for public transit operators, this bill would impose a state-mandated local program.

**AB 697(Fong R) Tolls: exemption for privately owned emergency ambulances**

**Introduced:** 2/15/2017

**Status:** 6/12/2017-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 provides for the exemption of authorized emergency vehicles, as defined, from the payment of a toll or charge on a vehicular crossing, toll highway, or high-occupancy toll (HOT) lane and any related fines, when the authorized emergency vehicle is being driven under specified conditions,

including, among others, the vehicle is displaying public agency identification and driven while responding to or returning from an urgent or emergency call. Current law prohibits a person from operating a privately owned emergency ambulance unless licensed by the Department of the California Highway Patrol. This bill would generally modify the exemption to apply to the use of a toll facility, as defined, and would expand the exemption, dispute resolution procedures, and agreement provisions to include a privately owned emergency ambulance licensed by the Department of the California Highway Patrol.

**AB 739 (Chau D) State vehicle fleet: purchases.**

**Introduced:** 2/15/2017

**Status:** 6/14/2017-Referred to Com. on G.O.

**Summary:** Current law requires the Secretary of the Government Operations Agency, in consultation with the department and other state agencies, to develop and implement a plan to improve the overall state fleet's use of alternative fuels, synthetic lubricants, and fuel-efficient vehicles by reducing or displacing the consumption of petroleum products by the state fleet. This bill would, except as provided, require, by December 31, 2025, at least 15% of vehicles with a gross vehicle weight rating of 19,000 pounds or more purchased by the department and other state entities for the state fleet to be zero-emission and by December 31, 2030, at least 30% to be zero-emission.

**AB 1094 (Choi R) Vehicles: automated traffic enforcement systems.**

**Introduced:** 2/17/2017

**Status:** 5/24/2017-Referred to Com. on T. & H.

**Summary:** Current law defines an "official traffic control signal" as any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and proceed and which is erected by authority of a public body or official having jurisdiction. This bill would also require a stop to be made at an official traffic control signal erected and maintained at a freeway or highway on ramp. The bill would also make technical, nonsubstantive changes to that provision.

**AB 1113 (Bloom D) State Transit Assistance Program.**

**Introduced:** 2/17/2017

**Status:** 6/6/2017-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 13. Noes 0.) (June 6). Re-referred to Com. on APPR.

**Summary:** Current law requires funds in the Public Transportation Account to be allocated to various public transportation and transportation planning purposes, with specified revenues in the account to be allocated by the Controller to specified local transportation agencies for public transportation purposes, pursuant to the State Transit Assistance (STA) Program. Current requires STA funds to be allocated by formulas based 50% on population and 50% on transit operator revenues. This bill would revise and recast the provisions governing the STA program. The bill would provide that only STA-eligible operators, as defined, are eligible to receive an allocation from the portion of program funds based on transit operator revenues.

**AB 1218 (Oberholte R) California Environmental Quality Act: exemption: bicycle transportation plans.**

**Introduced:** 2/17/2017

**Status:** 5/10/2017-Referred to Com. on EQ.

**Summary:** CEQA, until January 1, 2018, exempts from its requirements bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles under certain conditions. CEQA, until January 1, 2018, also exempts from its requirements projects consisting of restriping of streets and highways for bicycle lanes in an urbanized area that are consistent with a bicycle transportation plan under certain conditions. This bill would extend those 2 exemptions until January 1, 2021.

**AB 1282 (Mullin D) Transportation Permitting Taskforce.**

**Introduced:** 2/17/2017

**Status:** 6/14/2017-Referred to Com. on T. & H.

**Summary:** Would require, by April 1, 2018, the Secretary of Transportation, in consultation with the Secretary of the Natural Resources Agency, to establish a Transportation Permitting Taskforce consisting of representatives from specified state entities to develop a process for early engagement for all parties in the development of transportation projects, establish reasonable deadlines for permit approvals, and provide for greater certainty of permit approval requirements.

**AB 1436 (Levine D) County highways.**

**Introduced:** 2/17/2017

**Status:** 6/1/2017-Referred to Com. on GOV. & F.

**Summary:** Current law authorizes the board of supervisors of a county, by resolution adopted by a 4/5 vote of its members, to determine that specified activities relating to streets are of general county interest and that county aid shall be extended therefore. This bill would instead authorize the board of supervisors of a county to adopt this resolution by a 3/5 vote of its members and would make nonsubstantive changes to this law.

**ACA 4 (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.**

**Introduced:** 2/17/2017

**Status:** 4/24/2017-Referred to Coms. on L. GOV. and APPR.

**Summary:** Local government financing: affordable housing and public infrastructure: voter approval.

**ACA 5 (Frazier D) Motor vehicle fees and taxes: restriction on expenditures: appropriations limit.**

**Introduced:** 2/17/2017

**Status:** 4/6/2017-Chaptered by Secretary of State- Chapter 30, Statutes of 2017

**Summary:** Would add Article XIX to the California Constitution to require revenues derived from vehicle fees imposed under a specified chapter of the Vehicle License Fee Law to be used solely for transportation purposes, as defined. The measure would prohibit these revenues from being used for the payment of principal and interest on state transportation general obligation bonds that were authorized by the voters on or before November 8, 2016. The measure would prohibit the revenues from being used for the payment of principal and interest on state transportation general obligation bonds issued after that date unless the bond act submitted to the voters expressly authorizes that use.

**SB 1 (Beall D) Transportation funding.**

**Introduced:** 12/5/2016

**Status:** 4/28/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 5, Statutes of 2017.

**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, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program.

**SB 4 (Mendoza D) Goods Movement and Clean Trucks Bond Act.**

**Introduced:** 12/5/2016

**Status:** 6/1/2017-Read third time. Passed. (Ayes 27. Noes 13.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

**Summary:** Would, subject to voter approval at the June 5, 2018, statewide primary election, enact the Goods Movement and Clean Trucks Bond Act to authorize \$500,000,000 of state general obligation bonds as follows: \$200,000,000 to the State Air Resources Board for projects and programs consistent with the Goods Movement Emission Reduction Program; and \$300,000,000 to the State Air Resources Board for projects and programs to expand the use of zero- and near-zero-emission trucks in specified areas of the state.

**SB 150 (Allen D) Regional transportation plans.**

**Introduced:** 1/18/2017

**Status:** 6/8/2017-Referred to Coms. on TRANS. and NAT. RES.

**Summary:** Current law requires metropolitan planning organizations to adopt a sustainable communities strategy or alternative planning strategy, subject to specified requirements, as part of a regional transportation plan, which is to be designed to achieve certain targets for 2020 and 2035 established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. This bill would require the State Air Resources Board to update and revise the greenhouse gas emission reduction targets consistent with the scoping plan and an assessment of the portion of the state's overall climate targets that is anticipated to be met by reductions in vehicle miles traveled.

**SB 185 (Hertzberg D) Crimes: infractions.**

**Introduced:** 1/25/2017

**Status:** 6/15/2017-Referred to Coms. on TRANS. and PUB. S.

**Summary:** Existing law requires a court, in any case when a person appears before a traffic referee or judge of the superior court for adjudication of a violation of the Vehicle Code, upon request of the defendant, to consider the defendant's ability to pay, as specified. This bill would require the court, in any case involving an infraction filed with the court, to determine whether the defendant is indigent for purposes of determining what portion of the statutory amount of any associated fine, fee, assessment, or other financial penalties the person can afford to pay.

**SB 406 (Leyva D) Vehicles: high-occupancy vehicle lanes: exceptions.**

**Introduced:** 2/15/2017

**Status:** 6/12/2017-Referred to Com. on TRANS.

**Summary:** Current law authorizes the Department of Transportation and local authorities to designate certain highway lanes for the exclusive or preferential use of high-occupancy vehicles (HOVs), requires the department or local authorities to place signage advising motorists of the rules governing the use of those lanes, and prohibits the use of those lanes by motorists other than in conformity with the posted rules. Current law provides a limited exemption allowing motorcycles, mass transit vehicles, and paratransit vehicles to use HOV lanes. This bill would provide an exemption to allow for blood transport vehicles, as defined, to use HOV lanes, regardless of the number of occupants.

**SB 480 (Hueso D) Bridge safety projects: State Highway Account: funding.**

**Introduced:** 2/16/2017

**Status:** 6/12/2017-Referred to Com. on TRANS.

**Summary:** Would require the Controller, for the 2018–19 fiscal year, based on the prior year financial statement, to segregate 1% of that money from the State Highway Account to be expended by the Department of Transportation, upon appropriation by the Legislature, for feasibility, environmental, and engineering studies pertaining to bridge safety, with priority given to bridges that provide transportation links over state and local parks, and for other bridge safety projects in the state.

**SB 496 (Cannella R) Indemnity: design professionals.**

**Introduced:** 2/16/2017

**Status:** 4/28/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 8, Statutes of 2017. **Summary:** Current law provides, with respect to contracts and amendments to contracts entered into on or after January 1, 2011, with a public agency, as defined, for design professional services, that all provisions, clauses, covenants, and agreements contained in, collateral to, or affecting these contracts or amendments to contracts that purport to require the design professional to defend the public agency under an indemnity agreement, including the duty and the cost to defend, are unenforceable, except for claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. This bill would instead make these provisions applicable to all contracts for design professional services entered into on or after January 1, 2018.

**SB 614 (Hertzberg D) Public transportation agencies: administrative penalties.**

**Introduced:** 2/17/2017

**Status:** 6/5/2017-Referred to Com. on TRANS.

**Summary:** Current law makes it a crime, punishable as an infraction or misdemeanor, as applicable, for a person to commit certain acts on or in a facility or vehicle of a public transportation system. Current law authorizes a public transportation agency to adopt and enforce an ordinance to impose and enforce civil administrative penalties for and other passenger misconduct on or in a transit facility vehicle in lieu of the criminal penalties otherwise applicable. Current law requires these administrative penalties to be deposited in the general fund of the county in which the citation is administered. This bill would instead require the administrative penalties to be deposited with the public transportation agency that issued the citation.

**SCA 6 (Wiener D) Local transportation measures: special taxes: voter approval.**

**Introduced:** 2/13/2017

**Status:** 5/25/2017-May 25 hearing: Held in committee and under submission.

**Summary:** Would require that the imposition, extension, or increase by a local government of a special tax as may otherwise be authorized by law, whether a sales or transactions and use tax, parcel tax, or other tax for the purpose of providing funding for transportation purposes be submitted to the electorate by ordinance and approved by 55% of the voters voting on the proposition. The measure would authorize an ordinance submitted to the voters for approval under these provisions to provide, as otherwise authorized by law, for the issuance of bonds payable from the revenues from the special tax.




**Metro**

 Los Angeles County  
 Metropolitan Transportation Authority

 One Gateway Plaza  
 Los Angeles, CA 90012-2952

 213.922.2000 Tel  
 metro.net

## FACT SHEET

### OPPOSE SB 268 (MENDOZA) AS AMENDED MAY 25, 2017

SB 268 (Mendoza) was recently amended to include language that seeks to restructure the Metro Board of Directors. This is the fourth attempt by Senator Mendoza to restructure the Metro Board of Directors. As with all the other previous attempts this bill was not developed through and inclusive bottoms-up, is based on faulty assumptions, and only creates winners and losers.

#### ISSUES

- Mandating a Board structure without a local consensus, is never productive and will not further the agency's work of improving mobility for the 10 million residents of Los Angeles County.
- The bill side steps a local process to develop a Board governance structure that supports a countywide Long Range Transportation Plan that has a consensus, there is not a strong case that this proposal will maintain that consensus and achieve any greater balance.
- Current law already allows for one of the City of Los Angeles seats to be transferred to a corridor city should the population of the county change to ensure equilibrium and fair representation.
- Los Angeles County voters approved Measure M by over 71%: an overwhelming majority.
- This overwhelming approval was the result of an extensive, bottoms-up process to develop the measure.

#### FACTS

- SB 268 is predicated on the proposition that the supervisors only represent the unincorporated population of the county, rather than the broad interests of the 2 million people in each of their districts.
- The LA County Board of Supervisors represents 100 percent of Los Angeles County's population, which includes 88 cities and unincorporated areas.
- When Metro was organized, we chose for good reason to include all 5 supervisors, and the system has worked well for over 20 years.
- Under the current version of SB 268 large portions of the County could be left with no representation on the Metro Board of Directors.
- Furthermore, by arbitrarily allocating seats amongst the Board of Supervisors there could be citizens who live in the unincorporated areas that would, also, not be represented on the Board.

Metro urges that this legislation be held until local stakeholders can engage in a more appropriate process to resolve any issues with board governance. Please feel free to contact Michael Turner at (213) 922-2122 or [turnerm@metro.net](mailto:turnerm@metro.net) should you have any questions.



EXECUTIVE COMMITTEE

JUNE 9, 2017

AGENDA ITEM NO. 17-06-4

ACTION REQUESTED - **DISCUSSION/****POSSIBLE ACTION**

LEGISLATIVE STATUS REPORT

File Number 7300400

### **Introduction**

Monthly status reports on legislative activities are provided to the Executive Committee. Attachments 1 and 2 respectively include summaries from Ellison Wilson Advocacy, LLC on state legislative activity, and from Peyser Associates LLC on federal legislative activity related to SANDAG for the month of May. In addition, this report provides an update on Assembly Bill 805 (AB 805) by Assemblymember Lorena Gonzalez Fletcher (Attachment 3). The Executive Committee is asked to discuss AB 805 and provide direction on potential next steps.

### **Discussion**

AB 805 would make various changes to the governance and voting structures of SANDAG. It also would modify the membership of the San Diego Metropolitan Transit System (MTS) Board of Directors, alter the voting structure of the North County Transit District (NCTD), and provide MTS and NCTD with new taxing authority for public transit purposes.

On April 14, 2017, the Board of Directors voted to oppose AB 805 until and unless there are amendments, and to be open to discussions with the author of the bill. This report provides an update on the major provisions included in AB 805, including related amendments that have been made since its introduction.

### ***SANDAG Board of Directors Membership***

AB 805 initially required that the Mayor of each city and the Chair of the Board of Supervisors serve as the primary representative on the SANDAG Board of Directors. Other than for the County and City of San Diego<sup>1</sup>, the bill, as amended, provides for the primary representatives of the remaining local governments to be selected by their governing bodies, which is consistent with current practice.

<sup>1</sup> AB 805 would require that the Mayor and Council President serve as the primary and secondary representatives, respectively, for the City of San Diego; and that the Chair of the Board of Supervisors select that jurisdiction's representatives.

**Officers of the Board of Directors**

The SANDAG Chair and Vice Chair serve as the officers of the Board of Directors. The Board may create additional officers and elect members to those positions; however, no member may hold more than one office. Pursuant to current SANDAG statutory authority, the Board has established annual terms of office for the Chair and Vice Chair positions.

The proposal included in AB 805 would require that the Mayors of the largest city and the second-largest city alternate between serving as Chair and Vice Chair of the Board for four-year terms. (In terms of current population, the two largest cities in the region are the cities of San Diego and Chula Vista.) Additionally, the Board would be authorized to establish the term of office only for officers of the Board other than the Chair and Vice Chair.

**SANDAG Voting Structure**

With the exception of the Consent Agenda<sup>2</sup> and when otherwise required by statute, all items before the Board of Directors currently require a majority tally vote (one vote per member agency jurisdiction) as well as a majority of the weighted vote of the member agencies present. The weighted vote is proportional to each jurisdiction’s population as a percentage of the San Diego County region and is limited to a total of 100 votes. Each agency must have at least 1 vote, no agency may have more than 40 votes, and there are no fractional votes.

The governing bodies of the City of San Diego and County of San Diego are authorized to determine how to allocate their weighted votes between their primary and secondary representatives. Historically, the City and County have split these votes equally between their two members.

The weighted vote distribution is calculated based on the State Department of Finance estimates as of May 1 of each year. The current weighted vote distribution is as follows:

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Carlsbad	3	Encinitas	2	Poway	1
Chula Vista	8	Escondido	5	San Diego A	20
Coronado	1	Imperial Beach	1	San Diego B	20
County of San Diego A	8	La Mesa	2	San Marcos	3
County of San Diego B	8	Lemon Grove	1	Santee	2
Del Mar	1	National City	2	Solana Beach	1
El Cajon	3	Oceanside	5	Vista	3

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<sup>2</sup> Under current statute, consent items require a majority vote of the members present based on one vote per agency, otherwise known as a tally vote.

AB 805 initially removed the tally vote and would have required only a majority of the weighted vote of members present in order to act on any item. On May 31, 2017, the bill was amended to instead require a majority tally vote for action on any item. However, after a tally vote is taken, AB 805 now would allow a weighted vote to be called by the members of any two jurisdictions. If at least four jurisdictions representing a majority of the weighted vote support the action, the weighted vote would supersede the original action of the Board.

The bill also would mandate that the City of San Diego and County of San Diego allocate their weighted votes equally between their primary and secondary representatives, and would increase the 40 vote per agency cap to 50 votes per agency.<sup>3</sup>

It appears that the weighted vote distribution under AB 805 would be modified as follows:

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Carlsbad	3	Encinitas	2	Poway	1
Chula Vista	8	Escondido	<del>4</del> 5	San Diego A	<del>21</del> 20
Coronado	1	Imperial Beach	1	San Diego B	<del>21</del> 20
County of San Diego A	<del>7.5</del> 8	La Mesa	2	San Marcos	3
County of San Diego B	<del>7.5</del> 8	Lemon Grove	1	Santee	2
Del Mar	1	National City	2	Solana Beach	1
El Cajon	3	Oceanside	5	Vista	3

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### ***SANDAG Policy Advisory Committees***

SANDAG currently has five Policy Advisory Committees. Elected officials and designated representatives, as well as voting and advisory (non-voting) members, serve on of the Policy Advisory Committees. Except for the Executive Committee, voting members on the Policy Advisory Committees may be primary, secondary, or alternate members of the Board of Directors.

AB 805 would require that primary voting members on the Executive Committee and proposed new Audit Committee (described below) serve as the respective agency’s primary representative to the Board of Directors.

Among its other responsibilities, the Transportation Committee is statutorily-required to provide a strong focus and commitment to meeting the public transit needs of the San Diego region, set transit funding criteria and recommend transit funding levels, and undertake transit responsibilities resulting from consolidation, as delegated by the board.

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<sup>3</sup> The original version of AB 805 removed the 40 vote per agency cap in its entirety.

805 would add to those responsibilities by requiring the Transportation Committee to develop an annual report that specifies the funds spent explicitly on public transportation and outlines the public transit needs, transit funding criteria, recommended transit funding levels, and additional work on public transit, as delegated to the Transportation Committee by the Board of Directors. The Board would be required to submit this report to the Legislature by July 1 of each year.

### *Auditing Procedures*

As the consolidated agency, Public Utilities Code (PUC) Section 132354.1 requires that the SANDAG Board of Directors arrange for a post audit of the financial transactions and records of SANDAG to be made at least annually by a certified public accountant. Similarly, PUC Section 132104 states that SANDAG, as the San Diego County Regional Transportation Commission, shall cause a post-audit of the financial transactions and records of the Commission and of all revenues expended to be made at least annually by a certified public accountant.

The Executive Committee currently oversees the annual financial audit process for SANDAG and its three component units, which include the San Diego County Regional Transportation Commission, SourcePoint, and the Automated Regional Justice Information System. In accordance with this practice, the Director of Finance, utilizing an independent auditor, presents a Comprehensive Annual Financial Report to the Executive Committee and Board of Directors after the close of each fiscal year.

In addition, the *TransNet* Extension Ordinance created the *TransNet Independent Taxpayer Oversight Committee* (ITOC), which is composed of seven members of the public who have been selected to serve in specified areas of professional expertise. The ITOC is responsible for:

- Conducting an annual fiscal and compliance audit of all *TransNet*-funded activities using the services of an independent fiscal auditor to assure compliance with the voter-approved Ordinance and Expenditure Plan. This annual audit covers all recipients of *TransNet* funds during the fiscal year and evaluates compliance with the maintenance of effort requirement and any other applicable requirements.
- Preparing an annual report to the SANDAG Board of Directors presenting the results of the annual audit process. The report includes an assessment of the consistency of the expenditures of *TransNet* funds with the Ordinance and Expenditure Plan and any recommendations for improving the financial operation and integrity of the program for consideration by the Board of Directors.
- Conducting triennial performance audits of SANDAG and other agencies involved in the implementation of *TransNet*-funded projects and programs to review project delivery, cost control, schedule adherence and related activities.
- Participating in the ongoing refinement of the SANDAG transportation system performance measurement process and the project evaluation criteria used in development of the Regional Transportation Plan and in prioritizing projects for funding in the Regional Transportation Improvement Program.
- Reviewing ongoing SANDAG system performance evaluations.

Further, SANDAG employs a Principal Management Internal Auditor that performs various auditing activities in accordance with government auditing standards. The Principal Management Internal Auditor is responsible for the planning, supervision, and oversight of the administrative, financial, operational, and

management audits of SANDAG activities and programs; and provides recommendations for consideration in formulating policies and procedures establishing internal management controls, and improving operational and organizational performance. The Principal Management Internal Auditor has unrestricted access to all SANDAG operations, activities, records, and personnel relevant to the performance of audit activities. In addition, the Principal Management Internal Auditor has the authority to investigate any suspected fraud, waste, or abuse within SANDAG.

Language included in AB 805 would create a new Audit Committee, consisting of five voting members with two SANDAG Board members and three members of the public to be appointed by the Board of Directors. The proposed Audit Committee would make a recommendation to the Board of Directors on the contract of the firm conducting the annual financial statement audits; appoint an independent performance auditor, subject to Board approval; and approve an annual audit plan required under AB 805.

The legislation would require an independent performance auditor. This proposed auditor would conduct performance audits of all departments, offices, boards, activities, agencies, and programs of SANDAG; prepare annual audit plans; and investigate material claims of financial fraud, waste, or impropriety within SANDAG. The independent performance auditor would serve a term of five years and could only be removed for cause.

In addition, AB 805 would provide the independent performance auditor with “the power to appoint, employ, and remove assistants, employees, and personnel as deemed necessary for the efficient and effective administration of the affairs of the office and to prescribe their duties, scope of authority, and qualifications.” It is not clear whether this authority would be limited to the functions of the auditor or apply to SANDAG in its entirety.

Finally, AB 805 would authorize the independent performance auditor to summon any officer, agent, or employee of SANDAG and examine him or her upon oath or affirmation for certain investigatory purposes. If implemented as written, it appears that this provision could obligate SANDAG, under certain circumstances, to provide employees with legal representation.

### ***Metropolitan Transit System***

AB 805 would incorporate statutory changes to the MTS governance structure and authorize the MTS Board to levy up to a half-cent sales tax for “public transit purposes”<sup>4</sup> serving the MTS jurisdiction, if approved by a two-thirds vote of the public.

The bill was amended to remove the provision that the Mayors of the largest and second largest cities alternate between serving as the MTS chairperson and vice chairperson every four years. Under current language, the chairperson must be a member of the MTS Board, would be selected by a two-thirds vote of the Board, and would serve a four-year term.

AB 805 initially required that the Mayor of each city serve as the MTS Board member. It now has been amended so that, except for the City of San Diego and Chula Vista, Board members would be appointed individually by their respective city councils. The proposal provides Chula Vista with an additional Board member and has been amended to reinstate the cap on the City of San Diego’s weighted vote (currently 50 percent).

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<sup>4</sup> Under AB 805, “public transit purposes” includes the public transit responsibilities under the jurisdiction of the board as well as any bikeway, bicycle path, sidewalk, trail, pedestrian access, or pedestrian accessway.

In addition, AB 805 previously eliminated the tally vote at MTS and would have required an affirmative vote of the majority of the weighted vote of the members present for action on any item. The current version of AB 805 has been amended to reinstate the current MTS voting system, which requires a majority tally vote, with the option for a weighted vote to be called by at least two jurisdictions. If at least three jurisdictions representing a majority of the weighted vote support the action, the weighted vote supersedes the original tally vote.

### ***North County Transit District***

AB 805 would modify the NCTD voting system and authorize the NCTD Board to levy up to a half-cent sales tax for “public transit purposes”<sup>5</sup> serving the NCTD jurisdiction, if approved by a two-thirds vote of the public. AB 805 proposes the following changes to NCTD:

Similar to MTS, AB 805 previously eliminated the tally vote at NCTD and would have required an affirmative vote of the majority of the weighted vote of the members present. The legislation has been amended to instead require a majority tally vote for action on all items, with the option for a weighted vote to be called by at least two jurisdictions. If at least three jurisdictions representing a majority of the weighted vote support the action, the weighted vote would supersede the original tally vote.

In addition, AB 805 initially required that the Mayors of the respective cities serve on the NCTD Board of Directors, rather than representatives appointed by their governing bodies. This provision now has been removed so that there are no changes to the NCTD Board membership.

### **Next Steps**

AB 805 was passed out of the Assembly on May 31 (by a vote of 50-25) and is pending referral in the Senate. Staff will continue to keep the Executive Committee and the Board of Directors apprised on developments as the bill moves through the legislative process.

VICTORIA STACKWICK

Principal Legislative Analyst

- Attachments:
1. Report from Ellison Wilson Advocacy
  2. Report from Peyser and Associates
  3. Assembly Bill 805

Key Staff Contacts: Victoria Stackwick, (619) 699-6926, [victoria.stackwick@sandag.org](mailto:victoria.stackwick@sandag.org)

Robyn Wapner, (619) 699-1994, [robyn.wapner@sandag.org](mailto:robyn.wapner@sandag.org)

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<sup>5</sup> Under AB 805, “public transit purposes” includes the public transit responsibilities under the jurisdiction of the board as well as any bikeway, bicycle path, sidewalk, trail, pedestrian access, or pedestrian accessway.

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**VENTURA COUNTY TRANSPORTATION COMMISSION**

**STATE LEGISLATIVE MATRIX BILL SUMMARY**

June 23, 2017

BILL/AUTHOR	SUBJECT	POSITION	STATUS
AB 17 Holden	Provides funds to transit operators by formula in support of student bus pass programs. Amended to allocate \$20 million and switch from a formula to competitive grant program.	Support	Passed Assembly Appropriations Committee 12-5. Passed Assembly 52-24. In Senate Transportation & Housing Committee.
AB 467 Mullin	Allows transportation expenditure plans to be posted on line and available by mail, rather than printed in voter pamphlet.	Work with Author	Passed Assembly 52-23. Passed Senate Transportation & Housing Committee 10-2. In Elections & Constitutional Amendments Committee.
AB 805 Gonzalez Fletcher	Changes the SANDAG Board composition in a manner opposed by SANDAG.	<b>Oppose</b>	In Senate Transportation & Housing and Government & Finance Committees.
AB 1113 Bloom	Clarifies statutory ambiguity to regarding State Transit Assistance apportionment formula.	Support	Passed Senate Transportation & Housing Committee 13-0. In Appropriations Committee.

**VENTURA COUNTY TRANSPORTATION COMMISSION**

**STATE LEGISLATIVE MATRIX BILL SUMMARY**

June 23, 2017

<b>BILL/AUTHOR</b>	<b>SUBJECT</b>	<b>POSITION</b>	<b>STATUS</b>
AB 1218 Oberholte	Extends CEQA exemption category for certain bicycle facilities.	Support	Passed Senate Environmental Quality Committee 6-0. In Appropriations Committee.
SB 268 Mendoza	Changes the Los Angeles County METRO Board composition in a manner opposed by METRO.	<b>Oppose</b>	In Assembly Transportation and Local Government Committees.
SCA 6 Wiener	Places amendment before voters to lower to 55% the supermajority requirement for transportation measures.	Support	In Senate Appropriations Committee.

Staff-recommended Commission positions shown in **bold**.



Item #8E

JULY 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: DARREN KETTLE, EXECUTIVE DIRECTOR  
SALLY DEGEORGE, FINANCE DIRECTOR**

**SUBJECT: REQUEST FOR PROPOSAL FOR INSURANCE BROKERAGE SERVICES**

**RECOMMENDATION:**

- Issue Request for Proposals for Insurance Brokerage Services.

**DISCUSSION:**

In 2012, VCTC entered into a five year contract (expires November 2017) with Alliant Insurance Services, Inc., to act as VCTC's insurance broker for property, liability, crime, public entity errors and omissions/employment practices liability insurances. VCTC has been satisfied with the services provided by Alliant but feels it is prudent to issue a Request for Proposals (RFP) to compare and evaluate the insurance brokerage services available and associated costs. VCTC's insurances will be renewed in November and the policy renewal is being marketed and renewed with Alliant's assistance.

The RFP for Insurance Brokerage Services (Attachment 1) will be emailed to various insurance brokers and posted on VCTC's website. Funding for VCTC's insurance policies is included in the VCTC budget within the indirect costs.

Staff's recommendation is to have the Commission authorize the Executive Director to issue the RFP for Insurance Brokerage Services. Staff will bring back a recommendation and contract for an insurance brokerage agency at the October or November meeting.

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Item # 8F

July 7, 2017

**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 #8G

July 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR  
AARON BONFILIO, PROGRAM MANAGER**

**SUBJECT: RATIFICATION OF STATE REQUIRED TRANSPORTATION DEVELOPMENT ACT  
(TDA) TRIENNIAL PERFORMANCE AUDITS FOR VENTURA COUNTY TDA  
CLAIMANTS**

**RECOMMENDATION:**

- Receive and file the State required Transportation Development Act (TDA) triennial performance audits of TDA recipients in Ventura County.
- Ratify submittal of triennial performance audits to Caltrans.

**DISCUSSION:**

Every three years, the State requires that VCTC, in its role as the County Transportation Commission and Transportation Planning Agency (RPTA) for Ventura County, undergo a performance audit to certify that agencies claiming Local Transportation Funds (LTF) are fully complying with the TDA legislative intent and regulations. Operators that receive funding under Article 4 of the TDA are required to have a performance audit. Between fiscal years (FY) 2013 and 2016, this includes VCTC Intercity, Gold Coast Transit District (GCTD), Thousand Oaks Transit, Simi Valley Transit, and Valley Express.

While claimants that receive funding under Article 4.5 and/or Article 8 are not statutorily required to have a performance audit, this cycle VCTC chose to conduct performance audits of all operators that are allocated funding under the TDA<sup>6</sup> to enable a comprehensive and objective review that serves the benefit of both the RPTA and the transit providers. This includes Camarillo Area Transit, Moorpark City Transit, Ojai Trolley, the "Valley Express" service (in the cities of Fillmore, and Santa Paula), and the VCTC Intercity services. In so doing, a "baseline" of comparison and evaluation of operators is achieved, which also contributes to and facilitates VCTC's preparation of its required annual SB 203 Report of transit operator's performance countywide.

In October 2016, VCTC released a Request for Proposal (RFP) for a consultant to perform the TDA audits for VCTC claimants (including non-Article 4 claimants). In January, 2017 VCTC awarded the contract to Moore & Associates to complete the Triennial Performance audits.

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<sup>6</sup> Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Entities (Caltrans, 2008)

**July 7, 2017**

**Item #8G**

**Page #2**

Public Utilities Code (PUC) Section 99246(d) states that the performance audit of an operator providing public transportation services shall include, but not limited to, a verification of the performance indicators defined in PUC Section 99247. These performance indicators include:

- Operating cost per passenger
- Operating cost per vehicle service hour
- Passengers per vehicle service hour
- Passengers per vehicle service mile
- Vehicle service hours per employee

At the June 8, 2017 meeting of the transit operator's committee (TRANSCOM), the committee unanimously approved that VCTC submit the TDA performance audits to the State by the June 30, 2017 deadline. This is a receive and file item for the Commission to ratify the submission of the performance audits. The attached Summary of Findings and Recommendations from Moore & Associates provides an overview of the TDA performance audits completed, and recommendations going forward. Each individual performance audit is also posted on the VCTC website, [www.goventura.org](http://www.goventura.org)

Attachment: Summary of Findings and Recommendations from Moore & Associates



This document provides a summary of the findings and recommendations arising from the Triennial Performance Audit of the RTPA and the transit operators covered by the project scope.

### **Background**

In 2017, the Ventura County Transportation Commission (VCTC) selected the consulting team of Moore & Associates, Inc./Ma and Associates to prepare Triennial Performance Audits of itself as the RTPA and the nine transit operators to which it allocates funding. As one of the six statutorily designated County Transportation Commissions in the SCAG region, VCTC also functions as the respective county RTPA.

The California Public Utilities Code requires all recipients of Transit Development Act (TDA) Article 4 funding to undergo an independent performance audit on a three-year cycle in order to maintain funding eligibility. Operators that do not receive TDA funding under Article 4 are not statutorily required to undergo a Triennial Performance Audit, nor have they traditionally been held to the requirements of TDA Article 4. However, VCTC requested all Ventura County operators be audited to enable a comprehensive and objective review to provide beneficial insights into program performance and to establish a baseline for future audits. This represents the first Triennial Performance Audit of all entities except for VCTC as the RTPA and Gold Coast Transit District.

The Triennial Performance Audit is designed to be an independent and objective evaluation of public transit operators, providing operator management with information on the economy, efficiency, and effectiveness of its programs across the prior three fiscal years. In addition to assuring legislative and governing bodies (as well as the public) that resources are being economically and efficiently utilized, the Triennial Performance Audit fulfills the requirement of PUC Section 99246(a) that the RTPA designate an entity other than itself to conduct a performance audit of the activities of each operator to whom it allocates funds.

In completing this Triennial Performance Audit, the audit team identified findings and recommendations based on compliance and functional elements of the review. Findings and recommendations were divided into two categories: TDA Program compliance findings and recommendations and functional findings and recommendations. TDA program compliance findings and recommendations identify compliance issues and are intended to assist in bringing the operator into compliance with the requirements and standards of the TDA. Functional findings and recommendations are intended to address issues identified during the TPA that are not specific to TDA compliance.

Each operator and the RTPA has been provided with the draft audit report. Audited entities may submit a response to any of the draft findings and/or recommendation, which will then be included within the final reports.

### **Trends Regarding Findings**

Of the ten entities (RTPA and nine operators), one had “no findings” reported. One additional operator had only compliance findings, while three had only functional findings (and were deemed to be fully in compliance with TDA). The remaining five operators had both compliance and functional findings. All operators that receive TDA Article 4 funds were deemed to be in compliance with respect to farebox recovery.

The most common compliance finding pertained to on-time submission of annual State Controller Reports (four of the nine operators). Functional findings focused on strategies for improving the farebox recovery ratio (four operators), more accurate reporting to the State Controller (four operators), and ensuring VCTC's "once TDA, always TDA" policy is adhered to. (While this policy went into effect after the current audit period, it has the potential to affect future compliance.) Findings regarding farebox recovery ratios were classified as functional rather than compliance findings for several reasons, including exemptions for new services, one-time grace year, not using TDA funds for transit, and operators being certified as compliant by the TDA fiscal auditor. Specific findings and recommendations are discussed in detail within each audit report.

### **Changes Regarding TDA Funding**

It should be noted that three changes specific to the TDA and TDA funding went into effect beginning July 1, 2016. The first was a policy approved by VCTC which mandated funding originally received through the TDA would be classified as TDA funding even after being passed through to another entity. This disallowed the use of TDA funds passed from one claimant to another agency to be used as local support in the calculation of the farebox recovery ratio.

The second change, which is discussed in its entirety within each of the operator audit reports, was an amendment to the Public Utilities Code specific to the definition of operating cost and what costs can be excluded. It should be noted that many of the exclusions pertain only to changes in certain costs, either over the prior year or beyond the change in the Consumer Price Index. They do not apply to all costs related to specified exclusion categories. Operators should be aware that the reporting forms for the State Controller may not be updated to reflect these exclusions for FY 2016/17. Until revised forms are made available, it is important for agencies to ensure any exclusions from operating cost are clearly itemized within TDA audits or other farebox revenue ratio calculations so that compliance can be clearly assessed.

The third change related to the type of funds that can be used to supplement farebox revenue. Prior to this bill, "local funds" was defined as "revenues derived from taxes imposed by the operator or by a county transportation commission." This expanded definition opens up new revenue sources that can be used to offset farebox shortfalls. Applicable revenues include funds received through advertising, interest income, sale of surplus vehicles, and other such sources. While these funds are no longer limited to those generated by local taxes, they cannot be state or federal funds.

### **Local Conditions**

Notable events affecting transit in Ventura County during the audit period (FY 2013/2014 through FY 2015/2016) included:

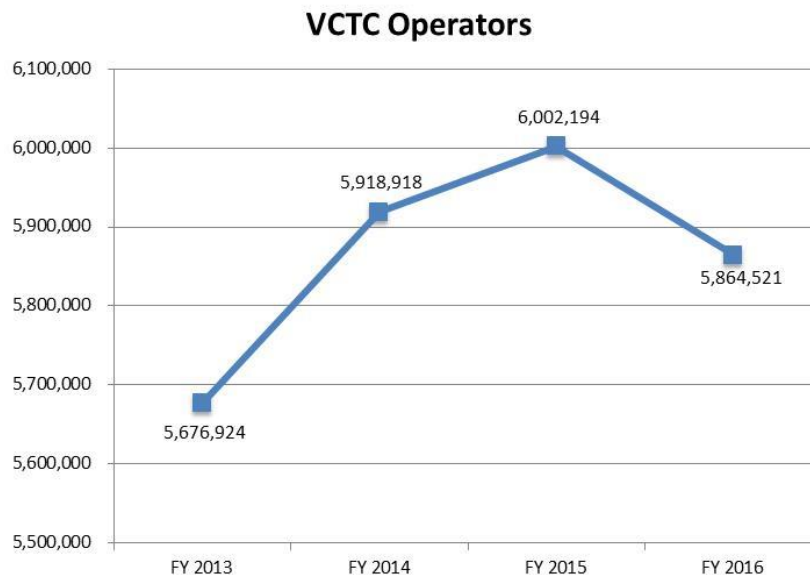
- VCTC finalized its Comprehensive Transportation Plan;
- SB 203 went into effect, allowing cities in Ventura County under 100,000 in population to use TDA funds for local streets and roads provided transit needs were addressed;
- SB 508 went into effect, redefining certain exemptions and local funds that could be applied to the farebox recovery ratio;
- VCTC rebranded its transit services from VISTA service to VCTC Intercity Bus;

- Gold Coast Transit completed its transition from a Joint Powers Authority to a transit district;
- Gold Coast Transit District unveiled new branding;
- Gold Coast Transit was named “Small Operator of the Year” for FY 2013/14 by California Transit Association;
- Valley Express service launched in March 2015;
- The East County Transit Alliance launched in 2015;
- Camarillo Area Transit launched a free trolley service to retail and dining destinations;
- Thousand Oaks Transit completed its Transit Master Plan, which includes significant adjustments to its transit services;
- The Kanan Shuttle Service implemented Saturday service in April 2015 and discontinued the Oak Park Dial-A-Ride service;
- Moorpark City Transit adjusted its schedules; and
- Simi Valley Transit and Thousand Oaks Transit began using TDA Article 4 funds for the first time.

While a dedicated transit tax measure was placed on the ballot in November 2016, it was defeated by county voters. This would have provided a dedicated source of transit funding within Ventura County.

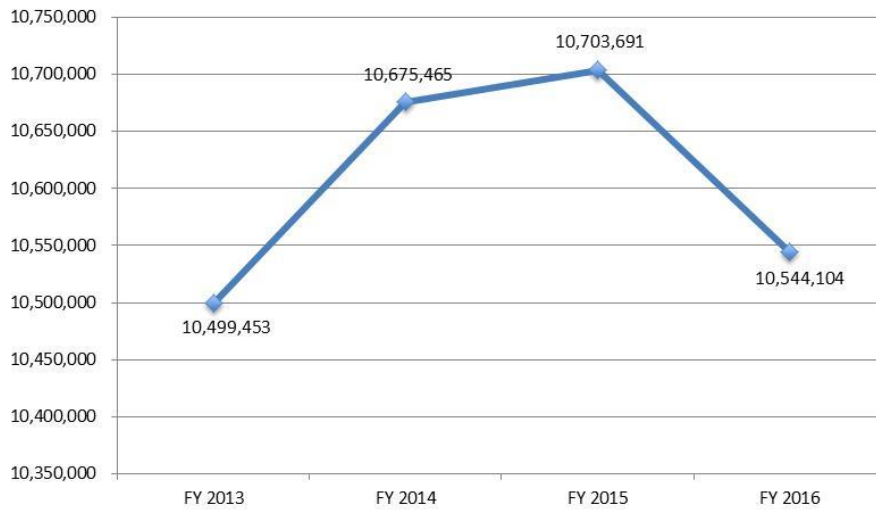
### Industry and Regional Trends

During the audit period, Ventura County transit operators saw an increase in ridership during FY 2013/14 and FY 2014/15, followed by a 2.3 percent drop in FY 2015/16. This is consistent with national trends, which saw the same pattern of increased and decreased ridership.<sup>7</sup>



<sup>7</sup> Sources: National Ridership – APTA Ridership Report Archive, [www.apta.com](http://www.apta.com); VCTC Operators – individual operator State Controller Reports (as provided by the operators).

### National Ridership (in 000s)



Another interesting trend pertains to Ventura-area gas prices as they compare with transit ridership. Gas prices peaked in FY 2014, then decreased by more than 30 percent across the next two years.<sup>8</sup> Transit ridership followed about a year behind, peaking in FY 2015 and decreasing in FY 2016, though not nearly as significantly as gas prices. This is not uncommon, as it often takes time for a declining trend in gas prices to impact transit rider behavior.

### Gas price per gallon (Ventura)



<sup>8</sup> [www.californiagasprices.com](http://www.californiagasprices.com), 2017.

### **Triennial Performance Audit Findings and Recommendations**

A summary of compliance and functional findings and recommendations for the RTPA and all nine transit operators is presented below. Several farebox recovery ratio-related issues were included as functional findings so that recommendations for remedying the underperforming farebox recovery could be included in the audits. Some operators received functional findings specific to farebox recovery ratio due to being exempt due to the exemption for new service (Valley Express, Kanan Shuttle) or a one-time grace year (Simi Valley); while these operators were technically in compliance, farebox recovery was an item of concern.

All operators were given the opportunity to demonstrate use of the TDA definition of full-time equivalent (FTE) employee as part of this audit. Those that did so were found to be in compliance with this requirement. During the next audit it will be important to ensure that this definition has been consistently used in reporting performance data to the State Controller.

Entity	Compliance Findings & Recommendations	Functional Findings & Recommendations
City of Camarillo	<p><b>The City could not demonstrate that its FY 2013/14 State Controller Report was submitted within the 110-day timeframe, and its FY 2015/16 report was submitted several days late.</b></p> <p>Work with City staff responsible for preparing State Controller Reports to ensure that deadlines are met and that reports and signature pages are filed where they can be easily accessed for the next Triennial Performance Audit.</p>	<p><b>The use of the TDA definition of full-time equivalent (FTE) for reporting to the State Controller could not be verified.</b> Demonstrate use of the TDA definition of full-time equivalent (FTE) and use that methodology when reporting Employees on the State Controller Report.</p> <p><b>The City did not achieve the 20-percent farebox recovery ratio stipulated by the TDA for transit operators in urbanized areas at any point during the audit period.</b> The City should consider and explore strategies for increasing the Farebox Recovery Ratio to 20 percent (as this is an industry standard and accepted metric).</p> <p><b>The City does not report data consistently among internal documents, State Controller Reports, and NTD reports.</b> Develop a process (which may involve investing in data management software) to support record-keeping regarding all performance data specific to National Transit Database, State Controller, and internal City reports.</p> <p><b>The City does not properly report its route guarantees to the State Controller.</b> Ensure that route guarantees (such as those from Leisure Village and CSUCI) are reported to the State Controller as Special Transit Fares, not Passenger Fares for Transit Service.</p>
City of Moorpark	<p><b>The City did not submit its FY 2014/15 and FY 2015/16 State Controller Reports within the stipulated 110-day timeframe.</b> All City staff responsible for preparing the State Controller Report for transit should be made aware of the specific deadline for each year (typically included in the annual letter from the State Controller).</p>	<p><b>The City should be reporting its demand-response service to the State Controller using the separate Specialized Services form.</b> Unless instructed otherwise by the State Controller’s Office, the City should file a separate Specialized Services Report for its Dial-A-Ride program, thereby segregating all operating costs as well as performance data and calculating farebox recovery ratio for that mode separately.</p>

Entity	Compliance Findings & Recommendations	Functional Findings & Recommendations
City of Ojai	<p><b>The City's FY 2015/16 State Controller Report was submitted several days late.</b> Work with City staff responsible for preparing State Controller Reports to ensure that deadlines are met.</p>	<p><b>The City must ensure it considers funds originally allocated as TDA funds in compliance with VCTC's "Once TDA, always TDA" guidance.</b> The City, VCTC, GCTD, and the TDA auditor must ensure compliance with VCTC's policy for TDA fund use.</p> <p><b>Excluding the disallowed pass-through TDA funds, the City did not achieve the 20 percent farebox recovery ratio stipulated by the TDA for transit operators in urbanized areas at any point during the audit period.</b> The City should identify strategies that can be used to increase its farebox recovery ratio to 20 percent.</p> <p><b>The City does not report data consistently among internal documents, State Controller Reports, and NTD reports.</b> Develop a process (which may involve investing in data management software) to support record-keeping regarding all performance data specific to National Transit Database, State Controller, and internal City reports.</p> <p><b>The City does not properly report its route guarantees to the State Controller.</b> Ensure that route guarantees (such as from Ojai Valley Inn) are reported to the State Controller as Special Transit Fares, not Passenger Fares for Transit Service.</p>
City of Simi Valley	None	<p><b>The farebox recovery ratio in the City's FY 2015/16 TDA Article 4 audit was miscalculated, resulting the City being determined to be in compliance when it actually fell short of the 20 percent threshold.</b> The TDA auditor should verify during the audit process that it is using the base operating cost (absent any exclusions) before subtracting exclusions in the calculation of farebox recovery ratio.</p> <p><b>Due to the error in the audit, the City did not achieve the 20 percent farebox recovery ratio stipulated by the TDA for transit operators in urbanized areas during FY 2016.</b> The City should identify strategies that can be used to increase the farebox recovery ratio for its fixed-route service to 20 percent.</p>

City of Thousand Oaks	<b>The City's FY 2015/16 State Controller Report was submitted several days late.</b> Work with City staff responsible for preparing State Controller Reports to ensure submittal deadlines are met.	<b>VCTC's TDA Fiscal Auditor does not clearly indicate what operating costs were included in its "unallowed costs" when calculating the farebox recovery ratio, nor can the revenues used in the calculation be reconciled with those reported elsewhere in the audit.</b> The TDA auditor should a) clearly identify what operating costs are being excluded or unallowed in developing the operating costs used in calculating farebox recovery ratios and b) ensure that farebox revenue used in the calculation is consistent with that reported elsewhere.
Entity	Compliance Findings & Recommendations	Functional Findings & Recommendations
County of Ventura	<i>None</i>	<b>The State Controller Report submitted by the County does not include any operating data, nor is it segregated by program or mode.</b> Consider reporting the Kanan Shuttle completely separately from the City of Thousand Oaks.
Gold Coast Transit District	<i>None</i>	<i>None</i>
Valley Express	<i>None</i>	<b>Valley Express did not achieve the 10 percent farebox recovery ratio stipulated by the TDA for transit operators in rural areas at any point during the audit period.</b> Valley Express should identify strategies that can be used to increase its farebox recovery ratio to 10 percent.
VCTC Intercity	<b>VCTC Intercity's TDA fiscal audit was submitted late in FY 2014/15.</b> Work with TDA fiscal auditors and finance staff to ensure audits are prepared and submitted within the designated timeframe.	<i>None</i>
VCTC RTPA	<b>VCTC Intercity's TDA fiscal audit was submitted late in FY 2014/15.</b> Work with TDA fiscal auditors and finance staff to ensure audits are prepared and submitted within the designated timeframe.	<b>VCTC has two recommendations from the prior TDA audit that remain relevant but have yet to be implemented.</b> VCTC should update rules and regulations for the evaluation of claims for TDA Article 4.5 funds as well as update the county's Congestion Management Program and upload to the GoVentura website. <b>ECTA is currently reported only as part of the operating entities, and aggregate data is not available to conduct a performance audit of the service as a whole.</b> We recommend VCTC work with ECTA partners to compile operating data on an annual basis so that a separate Triennial Performance Audit of ECTA can be completed during the next audit cycle. We do not recommend reporting ECTA as a separate service to the State Controller, or excluding services



		provided as ECTA from individual operator reporting.
		<b>The City of Ojai continues to struggle regarding the 20 percent farebox requirement given its urbanized designation and rural nature.</b> VCTC should consider developing a policy for transit operators serving rural and urbanized areas (such as Ojai) that could be used to establish a "blended" farebox recovery ratio goal for such areas throughout the county, or continue to consider alternative options such as Article 4.5 funding.

### Preparing for the Next Triennial Performance Audit

In addition to addressing any findings and recommendations presented in the current Triennial Performance Audit, it is important for each audited entity to look ahead to the next audit, which will take place in FY 2018/19. Addressing some of these items now can make the next audit go more smoothly.

1. Keep deadlines for State Controller Reports and fiscal audits in mind and make every effort to meet them. Generally, State Controller Reports filed electronically are due by October 18. This date may fluctuate slightly if October 18 falls on a weekend (pushing it to October 19 or 20), but the letter you receive from the State Controller will include the specific date for a given year.
2. Ensure that the signature pages for your State Controller Reports are saved somewhere they can be easily located and provided to the auditor.
3. When you calculate FTE for the State Controller Report, save your methodology and calculations somewhere so that a) compliance with the TDA definition can be easily verified and b) it can be calculated the same way each year.
4. Document the implementation status of any recommendations. These will be reviewed as part of the next Triennial Performance Audit. Any recommendations that have not been implemented but remain relevant will likely be carried forward into the next audit.
5. Be very clear about what operating costs you are excluding from the farebox recovery ratio calculation. This will also come up as part of the TDA fiscal audit later this year.
6. It is always a good strategy to prepare and file documents as if someone else will need to be able to locate them. Use clear file names and logical file storage so that if for some reason you are not the one to prepare for the next audit, any required documents can be located.



Item #8H

July 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR**  
**SUBJECT: APPROVE REVISED FUND SUMMARY IN ROUTE 101 WIDENING PROJECT COOPERATIVE AGREEMENT**

**RECOMMENDATION:**

- Authorize the Executive Director to amend the Fund Summary in the Route 101 Widening Project Cooperative Agreement with Caltrans, to add \$496,750 in repurposed federal earmark funds.

**BACKGROUND:**

The Fiscal Year 2016 federal budget appropriation act included language providing a one-time opportunity for unexpended earmarks approved by Congress in 2005 or earlier to be “repurposed” to different transportation projects. At the May 2016 meeting, the Commission approved the repurposing of old earmark funds for Ventura County, including shifting a \$496,750 earmark for Highway Monitoring Cameras in Ventura County, to be used instead for the Route 101 project. The Federal Highway Administration approved on April 7, 2017 the repurposing of earmarks as designated by the Commission.

The Fund Summary Table of the Route 101 project Cooperative Agreement between VCTC and Caltrans, approved by the Commission on December 4, 2015, must be revised for any change in project funding. Therefore, Commission authorization is required to add the \$496,750 repurposed earmark to the Cooperate Agreement Fund Summary.

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**Item #9**

**July 7, 2017**

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR  
HEATHER MILLER, TRANSIT PLANNER**

**SUBJECT: PRESENTATION BY JENNIFER BERGENER REGARDING LOSSAN SERVICE  
UPDATE**

**RECOMMENDATION:**

- Receive and file.

**BACKGROUND:**

The Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN) agency provides daily Amtrak Pacific Surfliner service through Ventura County. There has been a mutual interest among the Commission and the Santa Barbara County Association of Governments (SBCAG) to re-time a Pacific Surfliner train during the morning “commute-friendly” hours for northbound commuters. Jennifer Bergener, Chief Executive Officer at LOSSAN, will provide an update of the efforts to date.

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Item #10

July 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR**  
**SUBJECT: SURFACE TRANSPORTATION PROGRAM (STP) LOAN OF \$6 MILLION TO SAN JOAQUIN COUNCIL OF GOVERNMENTS**

**RECOMMENDATION:**

- Approve \$6 million loan of Regional Surface Transportation Program apportionments to the San Joaquin Council of Governments (SJCOG), with \$3 million to be repaid at the start of Federal Fiscal Year (FFY) 2017/18, and the remaining \$3 million to be repaid at the start of FFY 2018/19.

**DISCUSSION:**

The San Joaquin Council of Governments (SJCOG), the regional transportation planning entity for San Joaquin County, has identified the need to borrow \$6 million of Regional STP funds to help expedite one or more ready-to-go projects. There are no funds available to be loaned from other counties in the San Joaquin Valley and so SJCOG is looking elsewhere in the state for a possible source of the loan.

VCTC currently has a \$19.5 million STP balance which will eventually be needed for the 101 and 118 freeway improvement projects, which are VCTC's priorities for use of STP funds. However, for the next two years \$6 million of that balance will not be needed by these projects, so the \$6 million is available to loan for the purpose of expediting ready-to-go projects in San Joaquin County. There are also \$7 million of old city projects for which VCTC programmed STP funds but the projects have not yet been delivered, and the proposed loan will also not affect the VCTC's ability to provide funds for those projects when needed. Staff has confirmed that none of the counties in the SCAG region could benefit at this time from a loan of STP funds.

The proposed loan will also be to VCTC's advantage. AB 1012 stipulates that STP apportionments to each county will lapse if not used within three years of apportionment. VCTC can, however, loan its oldest funds to another county for immediate use and at a future date receive back "new" funds for which the three-year timeclock starts all over. Therefore, the proposed loan to SJCOG will help facilitate VCTC's goal of having a STP balance for use when needed for 101 and 118.

The scheduled repayments will occur be \$3 million per year at the start of the next two federal fiscal years which begin October 1<sup>st</sup>. The only risk to VCTC would be that in the event of a severe federal cutback the SJCOG's apportionments would be cut and then the repayment from SJCOG could be delayed.

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However, the Trump Administration's proposed budget for next year recommends the fully-authorized funding for the Surface Transportation Block Grant Program which is the source for the Regional STP apportionments.

TTAC considered this item at its June 15th meeting and approved the staff recommendation. The Committee also requested that in the coming months staff present a schedule showing anticipated STP fund obligations for the 101 and 118 projects.





Item #11

July 7, 2017

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: STEVE DEGEORGE, PLANNING AND TECHNOLOGY DIRECTOR**  
**SUBJECT: U.S. 101 PA/ED REQUEST FOR PROPOSAL (RFP)**

**RECOMMENDATION:**

- Issue a Request for Proposal (RFP) for the U.S. 101 Project Approval and Environmental Document (PAED) phase.

**Discussion:**

A Project Study Report (PSR) was completed by Caltrans in December of 2013 for the U.S. 101 widening project. The PSR considered four alternatives to widen the freeway and provide additional capacity and improved operations. The widening project limits are from State Route 23 in the east to State Route 33 in the west. The Commission then, in May of 2015, approved the programming of \$14 million in Surface Transportation Program (STP) funds to move the project through the Project Approval and Environmental Document (PAED) Phase of the work.

In late spring of this year, the Commission approved the partnership between Caltrans and VCTC in which Caltrans will provide project management while VCTC provides the contract management allowing this project to progress in partnership between the two agencies.

The Caltrans Project Manager, Ms. Sujaya Kalainesan, PhD, PE working with VCTC staff has developed the Draft Request for Proposal (RFP) provided under separate cover for the U.S. 101 PAED project. The RFP covers a very wide array of engineering and environmental work along with extensive public outreach in order to select the preferred project alternative that will ultimately shape the widening project. Once completed, the PAED will position the project to be built should funding become available for construction.

The consultant selection process is a qualifications based process and in accordance with Government Code 4525-4529, price is not considered as part of the selection criteria. A consultant selection panel will be convened comprised of staff members from Caltrans, VCTC, and the Cities/County along the 101 corridor. The Consultant Selection Committee will rank firms based on the specific needs of the project and region. Once ranked, VCTC will negotiate with the top ranked firm to determine a

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reasonable fee for the services provided. Staff will then bring the agreement back to the Commission for approval, subject to review by Caltrans Audits and Investigations. The anticipated RFP major milestone schedule is as follows:

- July 10, 2017 – Release RFP
- August 21, 2017 – Proposals due to VCTC
- September 11, 2017 – Consultant interviews
- September 18, 2017 – Consultant negotiation with top ranked firm begin
- November 3, 2017 – Anticipated contract award, dependent on Caltrans A&I

Staff is recommending that the Commission issue the RFP for the U.S. 101 Project Approval and Environmental Document phase. Staff will return to the Commission for contract approval at the conclusion of the consultant selection process.