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, MARCH 4, 2016
9:00 AM

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

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

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

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

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

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

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

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

8A. APPROVE SUMMARY FROM FEBRUARY 5, 2016 VCTC MEETING – PG.5
Recommended Action:
Approve
Responsible Staff: Donna Cole

8B. MONTHLY BUDGET REPORT – PG. 9
Recommended Action:
Receive and File
Responsible Staff: Sally DeGeorge

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

8D. EVALUATION CRITERIA FOR FY 16/17 TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 BICYCLE/PEDESTRIAN APPLICATIONS AND ARTICLE 3 FUNDS FOR BIKE PATH MAINTENANCE- PG. 21
Recommended Action:

- *Allocate $165,444 (25%) of FY 15/16 TDA Article 3 funds for Class 1 bicycle path maintenance based upon the number of Class I pathway miles within each jurisdiction (Attachment 1)*
- *Allocate 25% of FY 16/17 TDA Article 3 funds (estimated to be $162,023) for Class 1 bicycle path maintenance.*
- *Approve the evaluation criteria for FY 16/17 Transportation Development Act (TDA) Article 3 Bicycle/Pedestrian Project Applications (Attachment 2)*

Responsible Staff: Judy Jonduff

8E. PROPOSITION 1B TRANSIT CAPITAL AGREEMENT AND BUDGET AMENDMENT– PG.25

Recommended Action:

- *Approve attached agreement with the City of Simi Valley to provide $1,550,000 in Proposition 1B Transit Capital (PTMISEA) funds for three replacement fixed route compressed natural gas fixed route buses.*
- *Amend VCTC Fiscal Year (FY) 2015/16 budget to increase Transit Grant Administration Pass-Through Grant expenditures by $1,550,000, and increase the Proposition 1B Transit Capital program revenue by $1,550,000.*

Responsible Staff: Peter De Haan

8F. REVISION TO PROPOSITION 1B TRANSIT CAPITAL PROGRAM – PG.33

Recommended Action:

Approve reprogramming Proposition 1B Transit Capital Program funds as follows:

- *Reprogram an estimated $10,000 in accrued interest from the City of Moorpark 2013 CNG Replacement Bus Purchase Project to the City of Moorpark Metrolink North Parking Lot Project.*
- *Reprogram City of Simi Valley project balances and accumulated interest, estimated at $78,513, from the Metrolink Station Parking Lot Rehabilitation and ADA Upgrade Project to the 2014 CNG Replacement Paratransit Van Project.*
- *Reprogram project balances and accumulated interest from the City of Simi Valley 2015 Five Replacement Paratransit Van Project to purchase a sixth vehicle and use the remaining balance for the 2014 CNG Replacement Paratransit Van Project.*
- *Reprogram project balances and accumulated interest from the 2014 Gold Coast Transit Fixed Route Replacement Bus Project to purchase two additional buses.*

Approve the Attached Sub-recipient Agreement Amendments with the Cities of Moorpark (Attachment 1) and Simi Valley (Attachments 2 and 3) and Gold Coast Transit (Attachment 4).

Responsible Staff: Judy Jonduff

8G. FISCAL YEAR 2015/16 CAP-AND-TRADE FUNDING RESOLUTION – PG. 43

Recommended Action:

- *Program $17,463 of VCTC's FY 2015/16 Cap-and-Trade operations apportionment to the SCRRA Metrolink Locomotive Procurement project and $2,904 to the Oxnard/Camarillo VCTC Intercity Bus Service Project.*
- *Adopt Resolution 2016-03 in Attachment A authorizing the Executive Director to execute all required documents to receive VCTC's FY 2015/16 Cap-and-Trade apportionment.*

Responsible Staff: Judy Jonduff

8H. REGIONAL GOVERNMENT SERVICES AUTHORITY CONTRACT APPROVAL – PG. 45

Recommended Action:

- *Approve agreement with Regional Government Services Authority for human resources management and administrative services not to exceed $100,000 for the time period of March 1, 2016 – June 30, 2017.*
- *Approve amendment to FY 2015/16 Budget increasing revenues and expenditures for Indirect Professional Services in the amount of $20,000. Revenue source is LTF Fund Balance.*

Responsible Staff: Darren Kettle

8I. METROLINK CLAIMS FOR ARMONDO VIZCONDE, RAYMOND SY, FEDERICO GUERRERO, STEPHEN C. COHEN, AND DARRELL ANDERSON – PG. 59
Recommended Action:
Reject five (5) separate claims submitted on behalf of the following individual claimants: Armondo Vizconde, Raymond Sy, Federico Guerrero, Stephen C. Cohen, Darrell Anderson
Responsible Staff: Steve Mattas

9. LEGISLATIVE REPORT AND POSITIONS ON BILLS – PG. 61
Recommended Action:

- *Adopt the following positions:*
  - *Support AB 2034 (Salas) – Federal environmental approval delegation*
  - *Support AB 2090 (Alejo) – Cap-and-trade transit operations funds expanded eligibility*
  - *Support AV 2170 (Frazier) – National freight program funds distribution*
  - *Support and Seek amendment for SB 824 (Beal) – Cap-and-trade transit operations funds carryover*

Responsible Staff: Peter De Haan

10. BICYCLE WAYFINDING PROJECT UPDATE– PG.85
Recommended Action:
Receive and File
Responsible Staff: Richard Holzer

11. FAIRBANKS, MASLIN, MAULIN, METZ AND ASSOCIATES (FM3) VOTER RESEARCH – PG.87
Recommended Action:
Approve increase of fiscal year expenditure authority in excess of the Executive Director's signature authority in the amount of $8,500 to a total not to exceed amount of $58,500 with FM3 to conduct voter research.
Responsible Staff: Darren Kettle

12. VCTC GENERAL COUNSEL'S REPORT

13. AGENCY REPORTS

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

15. ADJOURN to 9:00 a.m. Friday, April 1, 2016

Item #8A

Meeting Summary

VENTURA COUNTY TRANSPORTATION COMMISSION

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

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, FEBRUARY 5, 2016
9:00 AM

MEMBERS PRESENT:

Peter Foy, County of Ventura, Chair
Keith Millhouse, City of Moorpark, Vice Chair
Steve Bennett, County of Ventura (arrived 9:25)
Claudia Bill-de la Peña, City of Thousand Oaks
Manuel Minjares, City of Fillmore
Betsy Clapp, City of Ojai
Ginger Gherardi, City of Santa Paula
Brian Humphrey, Citizen Rep. Cities
Bill Little, City of Camarillo
Kathy Long, County of Ventura
Bryan MacDonald, City of Oxnard
Carl Morehouse City of San Buenaventura
Steve Sojka, City of Simi Valley
Jim White, Citizen Rep., County
John Zaragoza, County of Ventura
Shirley Choate, Caltrans District 7

ABSENT:

Douglas Breeze, City of Port Hueneme
Linda Parks, County of Ventura

CALL TO ORDER

PLEDGE OF ALLGIANCE

ROLL CALL

ELECTION OF VICE CHAIR
Commissioner Foy nominated Commissioner MacDonald. The nomination was seconded by Commissioner Sojka and accepted by Commissioner MacDonald.

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

CALTRANS REPORT
- *More than 100 people have attended scoping meetings in Santa Paula and Fillmore for the 126 Safety Enhancement Project.*
- *The 101/23 project is on schedule to be completed by Winter, 2017*
- *There is no significant new damage to report as a result of El Nino.*
- *CTC adopted revised STIP funding cuts of $3/4 billion. There is no new capacity available in the upcoming STIP*

EXECUTIVE DIRECTOR REPORT –

State Funding Status – The Governor's proposed budget estimates that due to the continued drop in fuel prices, under the provisions of the state's "gas tax swap" the gasoline tax rate levied in lieu of the Proposition 42 sales tax amount will be dropped from 12 cents per gallon to 9.8 cents per gallon. (It's important to recall that a few years ago this tax was at 18 cents per gallon.) Based on this development, the California Transportation Commission has adopted a revised Fund Estimate which goes from having a zero-dollar STIP to having a STIP which is $754 million in the hole, meaning that the regional agencies must de-program one-third of the previously-committed program.

VCTC's share of the $754 million shortfall is $12.4 million, but since VCTC had earlier decided to use its Surface Transportation Program funds to advance $17 million for the highway improvement environmental document preparation, VCTC will not be expected to cut anything further from the STIP. However, the loss of $12.4 million from VCTC's STIP share will further delay the ability to fund construction of our planned highway improvements. Also, the drop in fuel prices will result in another significant cut in gas tax subventions to local governments for street and road maintenance.

The California Transportation Commission has sent a letter to the Legislature warning them of the $754 million STIP reduction and providing a list of the currently-programmed projects that can be considered for cuts. The proposed transportation revenue packages offered by the Governor and the Legislative leadership all include a provision to move the price-based gasoline tax rate back to 18 cents per gallon, but this change would require a two-thirds vote of the Legislature.

On the positive side, it is likely that for the time being the "self-help" counties will be able to use their local sales tax revenues to move forward with implementing their ready-to-go projects, so some projects in the state will still happen.

ADDITIONS/REVISIONS – ***None***

CONSENT CALENDAR –
Commissioner Gherardi made a motion to approve all items as recommended. The motion was seconded by Commissioner Sojka and passed by the following roll call vote:

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

9A. APPROVE SUMMARY FROM JANUARY 8, 2016 VCTC MEETING – *Approve*

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

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

9D. BICYCLE WAYFINDING PROJECT UPDATE - *Receive and File*

9E. TRANSPORTATON DEVELOMENT ACT (TDA) AUDITS FOR FISCAL YEAR 2014/2015 –
Receive and File

9F. 2017 FEDERAL TRANSPORTATION IMPROVEMENT PLAN (FTIP) FINANCIAL RESOLUTION -
Adopt Resolution 2016-02 certifying that there are sufficient financial resources to fund projects in the 2017 Federal Transportation Improvement Program (FTIP).

9G. SUBRECIPEINT AGREEMENTS FOR FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDS -
Approve agreements with the (1) Ventura Transit System, Inc. to receive $220,000 in FTA Section 5310 funds for purchase of accessible taxicabs; and (2) California Vanpool Authority (CalVans) to receive $25,000 in Section 5307 Jobs Access and Reverse Commute (JARC) funds.

9H. LEGISLATIVE UPDATE- *Receive and File*

10. <u>TRANSPORTATION DEVELOPMENT ACT (TDA), LOCAL TRANSPORTATION FUND (LTF), DRAFT APPORTIONMENT FOR FISCAL YEAR 2016/2017</u>
Commissioner MacDonald made a motion to approve the Local Transportation Fund Draft Apportionment for Fiscal Year 2016/2017 apportioning $34.1 million as shown in Attachment 1. The moiton was seconded by Commissioner Morehouse and passed by the following rollcall vote:

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

11. <u>SCAG PRESENTATION – RTP/SCS</u>
Commissioner Long made a motion to receive a presentation from the Southern California Association of Governments (SCAG) on the 2016 - 2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The motion was seconded by Commissioner Gherardi and passed unanimously.

12. VCTC GENERAL COUNSEL'S REPORT

13. AGENCY REPORTS - ***None***

14. CLOSED SESSION – ***Nothing to Report***
CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9

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

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Item # 8B

March 4, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for January 2016

BACKGROUND:

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

The January 31,2016 budget reports indicate that revenues were approximately 39.0% of the adopted budget while expenditures were approximately 41.59% of the adopted budget. The revenues and expenditures are as expected. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on a percentage or monthly basis. Furthermore, revenues are often billed and reimbursed in arrears.

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

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

Due to calendar yearend time constraints, the January reimbursement revenue billing was delayed and will be reflected in the February financial statements brought to the Commission in April. Furthermore, the Valley Express invoices and revenue information for the month of January were not available and are not reflected within the Heritage Valley Budget line item. This information will be provided with the February budget report brought to the Commission in April.

VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF JANUARY 2016

ASSETS

Assets:	
Cash and Investments - Wells Fargo Bank	$ 4,400,004
Cash and Investments - County Treasury	20,628,238
Petty Cash	130
Receivables/Due from other funds	2,094,125
Prepaid Expenditures	296,556
Deposits	15,064
Capital Assets, undepreciated	25,938,653
Capital Assets, depreciated, net	33,505,489
Total Assets:	**$86,878,259**

LIABILITIES AND FUND BALANCE

Liabilities:	
Accrued Expenses/Due to other funds	$ 2,504,171
Deferred Revenue	2,332,156
Deposits	400
Total Liabilities:	**$ 4,836,727**
Net Position:	
Invested in Capital Assets	$59,444,142
Fund Balance	22,597,390
Total Net Position	**$82,041,532**
Total Liabilities and Fund Balance:	**$86,878,259**

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

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Revenues								
Federal Revenues	$ 2,664,558	$ 0	$ 0	$ 0	$ 2,664,558	$ 11,823,199	(9,158,641)	22.54
State Revenues	1,859,198	14,650,408	933,370	315,330	17,758,306	43,881,543	(26,123,237)	40.47
Local Revenues	2,984,334	0	0	558	2,984,892	4,296,142	(1,311,250)	69.48
Other Revenues	3,756	0	0	0	3,756	0	3,756	0.00
Interest	192	4,684	9,882	3,886	18,644	82,000	(63,356)	22.74
Total Revenues	**7,512,038**	**14,655,092**	**943,252**	**319,774**	**23,430,156**	**60,082,884**	**(36,652,728)**	**39.00**
Expenditures								
Administration								
Personnel Expenditures	1,336,189	0	0	0	1,336,189	3,110,900	(1,774,711)	42.95
Legal Services	8,878	0	0	0	8,878	25,000	(16,122)	35.51
Professional Services	83,969	0	0	0	83,969	133,000	(49,031)	63.13
Office Leases	88,367	0	0	0	88,367	152,200	(63,833)	58.06
Office Expenditures	262,511	0	0	0	262,511	443,000	(180,489)	59.26
Total Administration	**1,779,914**	**0**	**0**	**0**	**1,779,914**	**3,864,100**	**(2,084,186)**	**46.06**
Programs and Projects								
Transit & Transportation Program								
Senior-Disabled Transportation	88,016	0	0	0	88,016	219,000	(130,984)	40.19
Fare Collection APC Systems	244,123	0	0	0	244,123	729,872	(485,749)	33.45
VCTC Interciy Bus Service	4,922,637	0	0	0	4,922,637	8,231,049	(3,308,412)	59.81
HVT Bus Contract Services	1,143,673	0	0	0	1,143,673	2,292,840	(1,149,167)	49.88
Nextbus	7,610	0	0	0	7,610	305,400	(297,790)	2.49
Transit Grant Administration	1,809,085	0	0	0	1,809,085	7,450,028	(5,640,943)	24.28
Total Transit & Transportation	**8,215,144**	**0**	**0**	**0**	**8,215,144**	**19,228,189**	**(11,013,045)**	**42.72**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Highway Program								
Motorist Aid Call Box System	0	0	0	577,890	577,890	993,000	(415,110)	58.20
Highway Project Management	143	0	0	0	143	852,300	(852,157)	0.02
SpeedInfo Highway Speed Sensor	0	0	0	67,000	67,000	144,000	(77,000)	46.53
Total Highway	**143**	**0**	**0**	**644,890**	**645,033**	**1,989,300**	**(1,344,267)**	**32.43**
Rail Program								
Metrolink & Commuter Rail	2,618,428	0	0	0	2,618,428	5,739,467	(3,121,039)	45.62
LOSSAN & Coastal Rail	783	0	0	0	783	3,300	(2,517)	23.73
Santa Paula Branch Line	279,608	0	0	0	279,608	1,113,090	(833,482)	25.12
Total Rail	**2,898,819**	**0**	**0**	**0**	**2,898,819**	**6,855,857**	**(3,957,038)**	**42.28**
Commuter Assistance Program								
Transit Information Center	1,201	0	0	0	1,201	5,500	(4,299)	21.84
Rideshare Programs	10,372	0	0	0	10,372	83,100	(72,728)	12.48
Total Commuter Assistance	**11,573**	**0**	**0**	**0**	**11,573**	**88,600**	**(77,027)**	**13.06**
Planning & Programming								
Transportation Development Act	169,549	13,878,067	0	0	14,047,616	30,716,006	(16,668,390)	45.73
Transportation Improvement Program	17,823	0	0	0	17,823	58,350	(40,527)	30.54
Regional Transportation Planning	67,839	0	0	0	67,839	894,800	(826,961)	7.58
Airport Land Use Commission	49,176	0	0	0	49,176	100,580	(51,404)	48.89
Regional Transit Planning	5,725	0	0	0	5,725	104,700	(98,975)	5.47
Freight Movement	140	0	0	0	140	12,500	(12,360)	1.12
Total Planning & Programming	**310,252**	**13,878,067**	**0**	**0**	**14,188,319**	**31,886,936**	**(17,698,617)**	**44.50**
General Government								
Community Outreach & Marketing	434,191	0	0	0	434,191	590,800	(156,609)	73.49
State & Federal Relations	59,905	0	0	0	59,905	98,600	(38,695)	60.76
Management & Administration	19,028	0	0	0	19,028	71,500	(52,472)	26.61
Office Building Purchase	113,896	0	0	0	113,896	3,522,000	(3,408,104)	3.23
Total General Government	**627,020**	**0**	**0**	**0**	**627,020**	**4,282,900**	**(3,655,880)**	**14.64**
Total Expenditures	**13,842,865**	**13,878,067**	**0**	**644,890**	**28,365,822**	**68,195,882**	**(39,830,060)**	**41.59**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)
Revenues over (under) expenditures	**(6,330,827)**	**777,025**	**943,252**	**(325,116)**	**(4,935,666)**	**(8,112,998)**	**3,177,332**
Other Financing Sources							
Transfers Into GF from LTF	2,526,863	0	0	0	2,526,863	4,473,180	(1,946,317)
Transfers Into GF from STA	3,538,249	0	0	0	3,538,249	9,450,951	(5,912,702)
Transfers Into GF from SAFE	1,348	0	0	0	1,348	21,500	(20,152)
Transfers Out LTF Art 3	0	(2,526,863)	0	0	(2,526,863)	(4,473,180)	1,946,317
Transfers Out of STA into GF	0	0	(3,538,249)	0	(3,538,249)	(9,450,951)	5,912,702
Transfers Out of SAFE into GF	0	0	0	(1,348)	(1,348)	(21,500)	20,152
Total Other Financing Sources	**6,066,460**	**(2,526,863)**	**(3,538,249)**	**(1,348)**	**0**	**0**	**0**
Net Change in Fund Balances	**(264,367)**	**(1,749,838)**	**(2,594,997)**	**(326,464)**	**(4,935,666)**	**(8,112,998)**	**3,177,332**
Beginning Fund Balance	**3,537,313**	**8,009,206**	**11,902,365**	**4,084,172**	**27,533,056**	**23,834,920**	**3,698,136**
Ending Fund Balance	**$ 3,272,946**	**$6,259,368**	**$9,307,368**	**$3,757,708**	**$22,597,390**	**$15,721,922**	**$ 6,875,468**

For Management Reporting Purposes Only

VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF JANUARY 31, 2016

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

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo – Checking	Government Checking	N/A	$358.73	0.01%	$ 4,400,003.94
County of Ventura	Treasury Pool	N/A	$18,432.85	0.42%	$20,642,239.34
Total			**$18,791.58**		**$25,042,243.28**

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

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

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

For Management Reporting Purposes Only

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Item #8C

March 4, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: ELLEN TALBO, TRANSIT PLANNING MANAGER

SUBJECT: PASSENGER RAIL UPDATE

RECOMMENDATION:

- Receive and file.

BACKGROUND:

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

DISCUSSION:

Ridership & On-Time Performance (OTP)

During the month of January, ridership on the Metrolink Ventura County Line averaged 3,378 total boardings per weekday (inbound and outbound) resulting in a year over year decrease of 6.4% on the line. Systemwide ridership experienced a year over year decrease of 1.7%. Monthly ridership statistics for the month of January 2016 are provided in the attachment for reference. On-time performance data (which denotes trains arriving within five minutes of scheduled time) for the month of January was 91.2% indicating a 5% decrease from the previous month. During January Metrolink experienced Positive Train Control issues and the effects of El Nino storms, as well as various trespasser incidents systemwide which led to an increase in the number of delays. Gas prices in the Ventura County region generally fluctuated between approximately $2.74 and $3.12 between early December and to date, reflecting a continued trend of declining gas prices which may be contributing to the declining ridership trends.

Board & TAC Updates

Metrolink

In February, Metrolink staff continued to implement mobile ticketing pilot testing on the Inland Empire Orange County line so that the pilot is in effect by March 1st. Technical delays associated with getting the mobile ticketing app published to the Google/Apple app store impacted the pilot schedule, however the overall schedule target to launch mobile ticketing system wide by September 2016 is still on track.

Metrolink continues to move forward on the production and delivery schedule of the Tier 4 F125 locomotives. The locomotive manufacturer is subject to federal design requirements therefore the first three locomotives off the assembly line has been given “prototype” status until a final design is agreed upon, and a considerable amount of testing is required to identify and correct any deficiencies identified before production of units can begin. This process has delayed the arrival of the first prototype to the Authority and delayed the second and third prototypes to be committed to testing. Metrolink staff anticipates that the prototype design will meet federal testing compliance by December 2017 and from there on, production of the units and complete delivery to SCRRA is expected by the November 2017 scheduled date.

VCTC staff began to work with Metrolink at the end of February on the FY 16-17 budget. Metrolink staff continues to inform the member agencies about potential changes to the all share formula, however the changes discussed have been minor and continuing discussion among member agencies has not reached any point of consensus that would require any member agency or Board action at this time.

LOSSAN

The LOSSAN Board met in February to approve a contract with a web development firm to design a new Pacific Surfliner website. In addition, the LOSSAN Board authorized an agreement with Amtrak to implement minor capital and safety/security projects, and directed staff to continue to negotiate a Rail 2 Rail Program agreement with Metrolink, and to begin taking steps to suspend the Rail 2 Rail Program if an agreement cannot be reached by February 29, 2016, consistent with the signing of an operating agreement with Amtrak for the Pacific Surfliner service.

January 2016 Metrolink Ridership

AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)
JANUARY 2016 vs. DECEMBER 2015 (MONTH OVER MONTH)

MO/YR	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA (weekday)
16-Jan	3,378	39,354	163
15-Dec	3,289	37,879	138
Change	*2.71%*	*3.89%*	*18.12%*

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

MO/YR	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA (weekday)
16-Jan	3,378	39,354	163
15-Jan	3,609	40,069	195
Change	*-6.40%*	*-1.78%*	*-16.41%*

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

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Average Daily Metrolink Monthly Passholders on Amtrak (weekday)
16-Jan	3,378	1,629	39,354	163
15-Jan	3,609	1,896	40,069	195
14-Jan	3,535	1,637	40,872	152
13-Jan	3,895	1,920	42,148	188
12-Jan	3,969	1,917	42,121	210

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Item #8D

March 4, 2016

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **JUDITH JOHNDUFF, PROGRAM ANALYST**

SUBJECT: **EVALUATION CRITERIA FOR FY 16/17 TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 BICYCLE/PEDESTRIAN APPLICATIONS AND ARTICLE 3 FUNDS FOR BIKE PATH MAINTENANCE**

RECOMMENDATION:

- Allocate $165,444 (25%) of FY 15/16 TDA Article 3 funds for Class 1 bicycle path maintenance based upon the number of Class I pathway miles within each jurisdiction (Attachment 1)
- Allocate 25% of FY 16/17 TDA Article 3 funds (estimated to be $162,023) for Class 1 bicycle path maintenance.
- Approve the evaluation criteria for FY 16/17 Transportation Development Act (TDA) Article 3 Bicycle/Pedestrian Project Applications (Attachment 2)

DISCUSSION:

Pursuant to California PUC Section 99233.3, two percent (2%) of Transportation Development Act (TDA) Local Transportation Funds are set aside for planning, construction and maintenance of bicycle and pedestrian facilities. It is estimated that approximately $880,000 will be available in FY 16/17 for these purposes. In Ventura County a portion of TDA Article 3 funds are set aside for maintenance with the remainder of the funding allocated on a competitive basis for projects that foster an increase in bicycling and walking and provide improved connectivity.

Funding for Maintenance

In January of 2001, VCTC adopted a policy to utilize 25% of TDA Article 3 funds for the maintenance of Class I bike paths. These maintenance funds are distributed on a formula basis to the county and every city and special district that has responsibility for maintaining paved Class I bicycle paths. The formula is based upon the number of Class I pathway miles within each jurisdiction. Although in recent years VCTC has used a lower percentage maintenance set aside, staff recommends the Commission return to following the originally-adopted policy which will help address concerns expressed by local agencies that recent maintenance allocations have been too small to be worthwhile. Additionally, it is recommended that the Commission approve allocating $165,444 (25%) of FY 15/16 Article 3 funds for Class I bicycle path maintenance as shown in Attachment 1.

Funding for New Planning and Construction Projects

The annual allocation of Article 3 funds for new planning and construction projects in Ventura County is a competitive process with the intent of encouraging more innovative projects or projects that might involve more than one city or just the County. VCTC as the program administrator issues the call for projects and the Citizens Transportation Advisory Committee (CTAC) reviews and ranks the projects based upon evaluation criteria adopted by the Commission. The CTAC recommendation is then forwarded to the Commission for final action.

In December, staff presented the evaluation criteria to the CTAC for review and input. CTAC decided not to recommend any changes to the criteria until after the Regional Wayfinding Plan has been drafted. It is anticipated that the Bicycle Wayfinding Study will help inform changes to the evaluation criteria to focus the funds on a limited number of high-priority projects. Therefore, staff recommends approval of the Project Evaluation Criteria as presented in Attachment 2.

Next steps: If approved, VCTC will issue the call for projects in March and schedule the initial project review on the CTAC April Agenda. Project review and rankings will be scheduled for the May CTAC Agenda. Final project selection is anticipated at the June Commission meeting.

Attachment 1

FY 15/16 TDA Article 3 Allocation for Maintenance

City	Existing Class I Mileage	Existing Class I Miles (percentage proportion)	Class I Maintenance Allocation
Simi Valley	12.00	15.4%	$25,407
Oxnard	2.54	3.3%	$5,378
Ojai	0.40	0.5%	$847
San Buenaventura	32.20	41.2%	$68,176
Thousand Oaks	3.00	3.8%	$6,352
County	13.00	16.6%	$27,525
Port Hueneme	5.10	6.5%	$10,798
Camarillo	2.50	3.2%	$5,293
Santa Paula	3.00	3.8%	$6,352
Fillmore	3.60	4.6%	$7,622
Moorpark	0.80	1.0%	$1,694
TOTAL	78.14	100.0%	$165,444

Attachment 2

TDA ARTICLE 3 GRANT EVALUATION CRITERIA

1. Matching Funds (Yes or No)		**2. Safety (30 points possible)**	
This criterion evaluates local support for the proposed project in terms of financial partnership. It is highly recommended that there be a minimum 50/50 match of the request. **Is the City/County willing to match its request at 50 % or greater? Yes or No?**		This criterion evaluates how the proposed project will effect safety at existing facilities or improve safety by building new facilities. When describing the project conditions include any accident statistics and how the project will improve or correct the situation. **Will the proposed project improve safety or correct an existing safety problem including providing secure parking for bicycles?**	
3. Project Readiness (15 points possible)		**4. Special Considerations (15 points possible)**	
This criterion evaluates deliverability of a proposed project. Please note that, funds not used within two years must be returned for redistribution the following year or a City and/or County may request that the project readiness be reevaluated so that the City and/or County may retain their allocation. **Is this a new or continuing project and is the proposed project ready for construction in the fiscal year of allocation? Have past allocations been fully spent; please report on past allocations.**		This criterion is designed to add flexibility and allows cities and/or agencies to be creative and discuss any other ways in which the proposed project will benefit City/County residents, for example, improving air quality, reducing VMT, serving older areas without recent improvements, making major improvements to accessibility and/or to serve lower income residents. When discussing this criterion please be specific! **Does the proposed project provide a benefit to City/County residents that has not been discussed elsewhere?**	
5. Maintenance of Facility (10 points possible)		**6. Connectivity (5 points possible)**	
This criterion evaluates whether a proposed project will be maintained at an appropriate level after the project is completed. Please discuss whether the proposed project has a long range maintenance plan associated with it. **How will the proposed project be maintained?**		This criterion evaluates the proposed project's relationship to regional and/or local planned pathway systems. When discussing this criterion please include an 8 1/2 " x 11" map illustrating the existing plan and the proposed project. **Will the proposed project close a missing link in an existing local or regional bike or pedestrian plan?**	
7. Involvement of Other Agencies (10 points possible)		**8. Traffic Generators (5 points possible)**	
This criterion evaluates whether the proposed project has local and/or regional significance. When discussing this issue please list all other agencies and/or special districts involved and their roles. **Are any other agencies outside the applicant's jurisdiction involved in planning or constructing any phase of this proposed project?**		This criterion evaluates the proposed project's usefulness in serving major traffic generators. **Will the proposed project serve major bicycle or pedestrian traffic generators such as schools, libraries, work sites, downtown areas, retail centers, transit nodes?**	
9. Expected Utilization Rate (5 points possible)		**10. Multi-Modal Interface (5 points possible)**	
This criterion evaluates the proposed project's usage. The project should be discussed in terms of the usage as a percentage of the applicant's population or as a percentage of the population the project affects.		This criterion evaluates the proposed project's connectivity to transit modes and other forms of transportation. **How will the project encourage multi-modal travel?**	

Item # 8E

March 4, 2016

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **JUDITH JOHNDUFF, PROGRAM ANALYST**

SUBJECT: **PROPOSITION 1B TRANSIT CAPITAL AGREEMENT AND BUDGET AMENDMENT**

RECOMMENDATION:

- Approve attached agreement with the City of Simi Valley to provide $1,550,000 in Proposition 1B Transit Capital (PTMISEA) funds for three replacement fixed route compressed natural gas fixed route buses.
- Amend VCTC Fiscal Year (FY) 2015/16 budget to increase Transit Grant Administration Pass-Through Grant expenditures by $1,550,000, and increase the Proposition 1B Transit Capital program revenue by $1,550,000.

BACKGROUND:

At the April 3, 2015 meeting, VCTC approved $1,550,000 in Proposition 1B Transit Capital grant funds for the City of Simi Valley to purchase three replacement compressed natural gas fixed route buses. This project has received Caltrans approval and VCTC has received the funds from the State Controller. To proceed with this project, staff recommends that VCTC approve the attached Proposition 1B Transit Capital program subrecipient funding agreement, which provides that VCTC is not liable for any costs beyond what it has received in Proposition 1B payment from the State. The Commission will also need to amend the FY 2015/16 VCTC budget to include this project as part of Pass-Through Grant Administration.

ATTACHMENT

COOPERATIVE AGREEMENT

BETWEEN

VENTURA COUNTY TRANSPORTATION COMMISSION

AND

THE CITY OF SIMI VALLEY

THIS AGREEMENT is entered into this 4th day of March, 2016, between Ventura County Transportation Commission (VCTC) and the City of Simi Valley (City) regarding the administration of funds from the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA).

WHEREAS, California voters in November, 2006, approved the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B), which authorizes state general obligation bonds for transportation infrastructure, including grants for transit system safety, security, and disaster response projects; and,

WHEREAS Senate Bill 88 of the 2007 Statutes appropriates funds from Proposition 1B to the PTMISEA program, administered by the Department of Transportation (Caltrans); and,

WHEREAS, at its April 3, 2015 meeting VCTC programmed $1,550,000 in PTMISEA grant funds for the Three Replacement Fixed Route CNG Bus Purchase Project as fully described in the PTMISEA grant submittal dated April 7, 2015 which is attached as Exhibit A to this Cooperative Agreement; and,

WHEREAS, VCTC has received the requested payment of the $1,550,000 for the project from the State Controller; and,

WHEREAS, it is the intention of VCTC to enter into this Cooperative Agreement with the City regarding the administration of PTMISEA funds prior to the disbursement of funds to the City.

NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:

I. FUNDING/PROGRAM MANAGEMENT

1. Assignments of Participants: VCTC hereby agrees to engage the City and the City hereby agrees to carry out the work hereinafter described in connection with the administration of PTMISEA funds. The City will be responsible for assuring that the City meets all grant requirements placed on PTMISEA fund recipients.

2. Scope of Services:

   a. Grant Administration: VCTC shall be responsible to reserve, apply for and receive PTMISEA funds and to be responsible for assuring that VCTC and the City meet all requirements placed on PTMISEA fund recipients.

   b. Project Implementation: The City shall implement the Project, as described in the grant submittal (Exhibit A).

3. Duration of Agreement and Authorization to Proceed: The term of this Agreement shall become effective upon execution, and continue until the earlier of the following events: (1) all work on the Project is completed and accepted, all contracts to construct the Project are closed, and VCTC has approved and paid the final invoice, or (2) the Agreement is terminated by either party after thirty (30) days written notice. Section III of this Agreement will remain in effect while the Project equipment is in the possession or control of the City.

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

5. Method of Payment: VCTC, as the grant applicant shall upon the execution of this agreement transfer the $1,550,000 of PTMISEA funds approved by Caltrans for the Project, plus accumulated interest, to the City. The City must keep the unexpended funds in a separate interest-bearing account. Any interest that is accrued must be accounted for and used for the Project. Any Project funds received in excess of the final Project cost, or those found to be owed back to VCTC as a result of a final review or audit, must be refunded to VCTC within twenty (20) days of VCTC invoicing the City.

6. Costs: Under no circumstances will VCTC be responsible for funding the Project in excess of the grant funds and the interest earned thereon.

II. CALTRANS REQUIREMENTS

The City shall note the following provisions apply to PTMISEA grants, and must take all necessary action to ensure its compliance as though it was the grantee directly.

1. Reports: Semi-annual performance reports must be prepared and submitted to VCTC no later than January 31st and July 31st, for the duration of the project performance period, or until all activities are completed and the Project is formally closed. VCTC will then forward the reports to Caltrans in time for the Caltrans deadline. The semi-annual reporting cycle will start with the June 2016 reporting cycle, and must be submitted on or before July 31, 2016. Failure to submit performance reports could result in the reduction of Project funds, termination, or suspension.

Within five (5) months of the Project becoming operable, the City shall provide to VCTC a report on actual project performance to projected project performance. Within (11) months of the Project becoming operable, the City shall provide to VCTC a report regarding the long-term benefits of the project.

2. Other Provisions: The City is subject to all policies and provisions as set forth by Caltrans with regard to the PTMISEA.

3. Grant Performance Period: Funds allocated under this grant shall be expended by July 30, 2018. Funds remaining unexpended thereafter shall revert to Caltrans.

III. OTHER PROVISIONS

1. Indemnification: The City shall protect, defend, indemnify, and hold harmless VCTC, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of the City or its officers, agents, or servants as a result of any act or omission by the City in its performance pursuant to this Agreement.

   VCTC shall protect, defend, indemnify, and hold harmless the City, its officers, agents, servants, and employees, from any and all liability arising out of, or caused by, any act or omission of VCTC or its officers, agents, or servants as a result of any act or omission by VCTC in its performance pursuant to this Agreement.

   The obligations of the City and VCTC in these indemnity provisions survive the expiration or earlier termination of this agreement.

CITY OF SIMI VALLEY	VENTURA COUNTY TRANSPORTATION COMMISSION
______________________	______________________
Robert O. Huber Mayor	**Keith Millhouse** Chairman
Approved as to Form	Approved as to Form
______________________	______________________
Eric J. Levitt City Manager	Darren M. Kettle Executive Director
______________________	______________________
Lonnie J. Eldridge City Attorney	Steven T. Mattas General Counsel

Public Transportation Modernization, Improvement and Service Enhancement Program (PTMISEA)
PROJECT DESCRIPTION AND ALLOCATION REQUEST

	Regional Entity: VCTC
Project Lead*: Ventura County Transportation Commission	**County:** Ventura County
Project Title: Simi Valley: Purchase of 3 Replacement Compressed Natural Gas Fixed Route Buses	

I certify the scope, cost, schedule, and benefits as identified in the attached Project Description and Allocation Request (Request) and attachments are true and accurate and demonstrate a fully funded operable project. I understand the Request is subject to any additional restrictions, limitations or conditions that may be enacted by the State Legislature, including the State's budgetary process, which may effect the amount of bond proceeds received by the project sponsor now and in the future. Project sponsors may need to consider alternative funding sources if bond proceeds are not available. In the event the project cannot be completed as originally scoped, scheduled and estimated, or the project is terminated prior to completion, project sponsor shall, at its own expense, ensure that the project is in a safe and operable condition for the public. I understand this project will be monitored by the California Department of Transportation -- Division of Mass Transportation.

Name: Darren M. Kettle

Signature: [see signed cover letter]

Title: Executive Director

Agency: Ventura County Transportation Commission

Date:

*If this project includes funding from more than one project sponsor, the project sponsor above becomes the "recipient agency" and the additional contributing project sponsor(s) must also sign and state the amount and type of PTMISEA funds (GC Section 8879.55(a)(2) and/or Section 8879.55(a)(3)) contribution. Sign below or **attach a separate officially signed letter providing that information.**

Name:

Signature:

Title:

Agency:

Date: **Amount:**

PTMISEA PROJECT DESCRIPTION AND ALLOCATION REQUEST

	14/15	15/16	16/17	17/18
Request Amount per GC 8879.55(a)(2)/PUC 99313:	$1,550,000	$0	$0	$0
Request Amount per GC 8879.55(a)(3)/PUC 99314:	$0	$0	$0	$0
Total Project Allocation Request:	$1,550,000	$0	$0	$0

Project Title: Simi Valley: 3 Replacement Compressed Natural Gas Fixed Route Buses

Project Location/Address: 490 West Los Angeles Ave, Simi Valley CA

Table 1: Project Lead/Recipient Agency Information

Project Lead/ Recipient Agency:	Ventura County Transportation Commission	**Legislative District Numbers** Assembly:	38
Contact:	Stephanie Young	Senate:	27
Contact Phone #:	805-642-1591 x108	Congressional:	25
Email Address:	syoung@goventura.org	Amount:	Fund Type:
Address:	950 County Square Dr, Ste 207	$ 534120	99313
	Ventura, CA 93003	$	

Table 2: Contributing PTMISEA-Eligible Project Sponsor Information

PTMISEA Contributors:	City of Simi Valley/Transit	Amount :	Fund Type:
Contact:	Eric Levitt	$	
Contact Phone #:	805/583.6701	$	
Email Address:	elevitt@simivalley.org		
Address:	2929 Tapo Canyon Road		
	Simi Valley, CA 93063		
Other PTMISEA Contributors	(Attach sheet with contact info)	Amount:	Fund Type:
		$	
		$	
		$	
TOTAL		$1,550,000	99313

(*Contributing project sponsors attach signed letters of verification as to amount and eligibility or sign cover page)

Table 3: Project Category

Check **only 1** box that best fits the description of the project being funded.

- [ ] **Rehabilitation, Safety or Modernization Improvement**
- [ ] **Capital Service Enhancement or Expansion**
- [ ] **New Capital Project**
- [ ] **Bus Rapid Transit**
- [x] **Rolling Stock Procurement:**
  - ___ **Expansion**
  - ___ **Rehabilitation**
  - ✓ **Replacement**

Table 4: Project Summary

a) Describe the project (or minimum operable segment) for which you are applying for funds. Attach additional sheets if necessary. If the application is for the purchase of vehicles or rolling stock, please include information on number of vehicles, size, passenger count, accessibility, and fuel type:

FTA Rolling Stock Service Life Policy requires any FTA funded Transit bus to remain in transit service for a minimum service life of at least 12-years or an accumulation of at least 500,000 miles. In accordance with FTA policy, by the time of replacement, each of the buses will have exceeded the 12-year useful life or the 500,000 mileage requirement. Replacement of these buses will ensure continued reliability of service while reducing maintenance costs.

b) Useful Life of the Project: 12 years

Table 5: Description of Major Benefits/Outcomes

a) Please check appropriate Benefit/Outcome:

_____	Increase Ridership	by _____ %
✔	Reduce Operating/Maintenance Cost	by 50 %
_____	Reduce Emissions	by _____ %
✔	Increase System Reliability	by 50 %

b) Please summarize and describe any other benefits:

Table 6: Project Schedule

	Date
Begin Project Approval & Environmental Document Phase	N/A
CEQA/ Environmental Compliance	N/A
End Project Approval & Environmental Document Phase	N/A
Begin Plans, Specifications & Estimates Phase	N/A
End Plans, Specifications & Estimates Phase	N/A
Begin Right of Way Phase	N/A
End Right of Way Phase	N/A
Begin Construction Phase **(Contract Award)**	N/A
End Construction Phase **(Contract Acceptance)**	N/A
Begin Vehicle/Equipment Order **(Contract Award)**	7/1/2016
End Vehicle/Equipment Order **(Contract Acceptance)**	2/28/2017
Begin Closeout Phase	3/1/2017
End Closeout Phase	4/30/2017

Table 7: Tax Compliance Information

Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State?

☐ YES
☑ NO

If yes, please describe the source of the money and provide an estimate of the amount: Estimate: $ ______

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Item #8F

March 4, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)

FROM: JUDITH JOHNDUFF, PROGRAM ANALYST

SUBJECT: REVISION TO PROPOSITION 1B TRANSIT CAPITAL PROGRAM

RECOMMENDATION:

1. Approve reprogramming Proposition 1B Transit Capital Program funds as follows:
   - Reprogram an estimated $10,000 in accrued interest from the City of Moorpark 2013 CNG Replacement Bus Purchase Project to the City of Moorpark Metrolink North Parking Lot Project.
   - Reprogram City of Simi Valley project balances and accumulated interest, estimated at $78,513, from the Metrolink Station Parking Lot Rehabilitation and ADA Upgrade Project to the 2014 CNG Replacement Paratransit Van Project.
   - Reprogram project balances and accumulated interest from the City of Simi Valley 2015 Five Replacement Paratransit Van Project to purchase a sixth vehicle and use the remaining balance for the 2014 CNG Replacement Paratransit Van Project.
   - Reprogram project balances and accumulated interest from the 2014 Gold Coast Transit Fixed Route Replacement Bus Project to purchase two additional buses.
2. Approve the Attached Sub-recipient Agreement Amendments with the Cities of Moorpark (Attachment 1) and Simi Valley (Attachments 2 and 3) and Gold Coast Transit (Attachment 4).

DISCUSSION:

The City of Moorpark has an estimated $10,000 of remaining interest from the 2013 CNG Replacement Bus Purchase Project and would like to use these funds along with any additional accrued interest for the Metrolink Station North Parking Lot Project which requires additional funding to complete.

The City of Simi Valley recently completed the construction of the Metrolink Station Parking Lot Rehabilitation and ADA Upgrade Project which received $550,000 in PTMISEA Transit Capital Grant Funds. The project came in under budget and has a balance of $78,513 and accumulated interest to date. The City would like to apply the remaining balance and any accrued interest to the 2014 CNG Paratransit Replacement Van Project to purchase a total of three vehicles. Additionally, the City of Simi Valley would like to use cost savings from the 2015 Proposition 1B Five Replacement Paratransit Van Project to purchase a sixth vehicle and use the remaining balance and accumulated interest for the 2014 CNG Paratransit Replacement Van Project.

Vehicle costs for Gold Coast Transit District's (GCTD) Proposition 1B 2014 project to purchase 11 replacement fixed route CNG buses were less than anticipated. Gold Coast Transit has estimated that they would be able to purchase two expansion buses with the project savings. Therefore, GCTD would like to use the remaining funds and any accrued interest to purchase two additional buses.

The Transit Operators Advisory Committee (TRANSCOM) reviewed the reprogramming requests at their February 17th meeting and recommend the Commission approve reprogramming Proposition 1B Transit Capital Funds as requested by the City of Moorpark, City of Simi Valley and Gold Coast Transit. If approved by VCTC, these recommended program changes will be submitted to Caltrans for review and approval. The attached Amendments to the Sub-recipient Cooperative Agreements must be executed before proceeding with these projects.

ATTACHMENT 1

AMENDMENT TO THE COOPERATIVE AGREEMENT

BETWEEN

THE VENTURA COUNTY TRANSPORTATION COMMISSION

AND

THE CITY OF MOORPARK

WHEREAS, the Ventura County Transportation Commission (VCTC) and the City of Moorpark (City) entered into an agreement on September 6, 2013 (the "Agreement") regarding the administration of funds from the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA); and,

WHEREAS, the Agreement includes $317,000 in for the expansion of the Moorpark Metrolink North Parking Lot and $774,000 for the purchase of two replacement CNG buses; and,

WHEREAS, the Replacement CNG Bus Purchase Project has been completed and has remaining accrued interest, and

WHEREAS, the Moorpark Metrolink North Parking Lot project is in need of additional funding, and

WHEREAS, VCTC approved reprogramming City of Moorpark Proposition 1B Transit Capital Fund balances along with any accrued interest from the Replacement CNG Bus Purchase Project to the Moorpark Metrolink North Parking Lot project.

NOW THEREFORE, the Agreement dated September 6, 2013 is hereby amended as follows:

1) The City of Moorpark Proposition 1B Transit Capital Fund accrued interest is transferred from the Replacement CNG Bus Purchase Project to the Moorpark Metrolink North Parking Lot project.

2) This amendment is dated March 4, 2016 and shall become effective when VCTC notifies the City that it has received Caltrans approval of its request to reprogram PTMISEA funds as described herein.

3) Except as modified hereby, the Agreement remains in full force and effect.

CITY OF MOORPARK	VENTURA COUNTY TRANSPORTATION COMMISSION
______________________	______________________
Janice S. Parvin, Mayor Mayor	**Keith Millhouse** Chairman

ATTEST:

Maureen Benson, City Clerk	Donna Cole, Clerk of the Board

APPROVED AS TO FORM:

Steven Kueny City Manager	Darren M. Kettle Executive Director
Kevin Ennis City Attorney	Steven T. Mattas General Counsel

ATTACHMENT 2

AMENDMENT TO THE COOPERATIVE AGREEMENT

BETWEEN

THE VENTURA COUNTY TRANSPORTATION COMMISSION

AND

THE CITY OF SIMI VALLEY

WHEREAS, the Ventura County Transportation Commission (VCTC) and the City of Simi Valley (City) entered into agreements on July 12, 2013,and March 7, 2014 (the "Agreement") for the administration of funds from the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA); and,

WHEREAS, the July 12, 2013 Agreement includes $550,000 PTMISEA for the Simi Valley Metrolink Station Parking Lot Rehabilitation and ADA Upgrade Project; and,

WHEREAS, the Metrolink Station Parking Lot Rehabilitation and ADA Upgrade Project has been completed with a remaining balance of $78,513 and accrued interest; and,

WHEREAS, the March 7, 2014 Agreement, includes $354,120 for the purchase of CNG replacement paratransit vans; and,

WHEREAS, the vehicle costs for the replacement CNG paratransit vans are higher than anticipated; and,

WHEREAS, VCTC approved reprogramming City of Simi Valley Proposition 1B Transit Capital Fund balances along with any accrued interest from the Metrolink Station Parking Lot Rehabilitation and ADA Upgrade Project to the Replacement CNG Paratransit Van Project,

NOW THEREFORE, the Agreements dated July 12, 2013 and March 7, 2014 are hereby amended as follows:

1) The remaining balance plus any accrued interest from the Metrolink Station Parking Lot Rehabiliation and ADA Upgrade Project will be transferred to the CNG Paratransit Replacement Van Project.
2) This amendment is dated March 4, 2016 and shall become effective when VCTC notifies the City that it has received Caltrans approval of its request to reprogram PTMISEA funds as described herein.
3) Except as modified hereby, the Agreement remains in full force and effect.

CITY OF SIMI VALLEY	VENTURA COUNTY TRANSPORTATION COMMISSION
______________________________	______________________________________
Bob Huber	**Keith Millhouse**
Mayor	Chairman

ATTEST:

Ky Spangler, City Clerk	Donna Cole, Clerk of the Board

APPROVED AS TO FORM:

Eric Levitt City Manager	Darren M. Kettle Executive Director
Lonnie Eldridge City Attorney	Steven T. Mattas General Counsel

ATTACHMENT 3

AMENDMENT TO THE COOPERATIVE AGREEMENT

BETWEEN

THE VENTURA COUNTY TRANSPORTATION COMMISSION

AND

THE CITY OF SIMI VALLEY

WHEREAS, the Ventura County Transportation Commission (VCTC) and the City of Simi Valley (City) entered into an agreement on September 11, 2015 and on March 7, 2014 (the “Agreement”) for the administration of funds from the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA); and,

WHEREAS, the September 11, 2014 Agreement includes $1,250,000 for the Simi Valley Transit Replacement Paratransit Van (5) Project; and,

WHEREAS, the March 7, 2014 Agreement, includes $354,120 for the purchase of CNG replacement paratransit vans; and,

WHEREAS, vehicle costs for the replacement vans is lower than anticipated allowing the City to purchase an additional vehicle; and,

WHEREAS, the vehicle costs for the replacement CNG paratransit vans are higher than anticipated; and,

WHEREAS, VCTC approved reprogramming project balances and accumulated interest from the Paratransit Replacement Van Project to purchase a sixth vehicle and use the remaining balance and accumulated interest for the 2014 Para-Transit Replacement Van Project.

NOW THEREFORE, the Agreements dated September 11, 2015 and March 7, 2014 are hereby amended as follows:

1) The project scope for the Paratransit Replacement Van Project will be revised to include the purchase of six vehicles and the balance of the funds will be used for the 2014 Para-Transit Replacement Van Project to allow for the exhaustion of the allocated funds.

2) This amendment is dated March 4, 2016 and shall become effective when VCTC notifies the City that it has received Caltrans approval of its request to reprogram PTMISEA funds as described herein.

3) Except as modified hereby, the Agreement remains in full force and effect.

CITY OF SIMI VALLEY	VENTURA COUNTY TRANSPORTATION COMMISSION
________________________ Bob Huber Mayor	________________________ **Keith Millhouse** Chairman
ATTEST:	
________________________ Ky Spangler, City Clerk	________________________ Donna Cole, Clerk of the Board
APPROVED AS TO FORM:	
________________________ Eric Levitt City Manager	________________________ Darren M. Kettle Executive Director
________________________ Lonnie Eldridge City Attorney	________________________ Steven T. Mattas General Counsel

ATTACHMENT 4

AMENDMENT TO THE COOPERATIVE AGREEMENT

BETWEEN

THE VENTURA COUNTY TRANSPORTATION COMMISSION

AND

GOLD COAST TRANSIT

WHEREAS, the Ventura County Transportation Commission (VCTC) and the Gold Coast Transit entered into an agreement on March 7, 2014 (the "Agreement") for the administration of funds from the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA); and,

WHEREAS, the March 7, 2014 Agreement includes $3,560,000 to purchase Replacement Buses and,

WHEREAS, vehicle costs for the replacement buses is lower than anticipated allowing Gold Coast Transit to purchase two additional vehicles, and

WHEREAS, VCTC approved reprogramming project balances and accumulated interest to purchase two additional vehicles.

NOW THEREFORE, the Agreement dated March 7, 2014 is hereby amended as follows:

1. The project scope for the Replacement Bus Purchase Project will be revised to purchase two additional vehicles to allow for the exhaustion of the allocated funds.
2. This amendment is dated March 4, 2016 and shall become effective when VCTC notifies the Transit District that it has received Caltrans approval of its request to reprogram PTMISEA funds as described herein.
3. Except as modified hereby, the Agreement remains in full force and effect.

GOLD COAST TRANSIT	VENTURA COUNTY TRANSPORTATION COMMISSION
______________________	______________________
Doug Breeze Chair	**Keith Millhouse** Chairman

ATTEST:

____
Donna Cole, Clerk of the Board

APPROVED AS TO FORM:

______________________	______________________
Steven Brown General Manager	Darren M. Kettle Executive Director
______________________	______________________
Nancy Kierstyn Schreiner General Counsel	Steven T. Mattas General Counsel

Item #8G

March 4, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: JUDITH JOHNDUFF, PROGRAMMING ANALYST

SUBJECT: ALLOCATION OF FISCAL YEAR (FY) 2015/16 CAP-AND-TRADE FUNDING RESOLUTION 2016-03

RECOMMENDATION:

- Program $17,463 of VCTC's FY 2015/16 Cap-and-Trade operations apportionment to the SCRRA Metrolink Locomotive Procurement project and $2,904 to the Oxnard/Camarillo VCTC Intercity Bus Service Project.
- Adopt Resolution 2016-03 in Attachment A authorizing the Executive Director to execute all required documents to receive VCTC's FY 2015/16 Cap-and-Trade apportionment.

BACKGROUND:

The Low Carbon Transit Operations Program (LCTOP) is one of several programs funded through the California Air Resource Board's (ARB) Cap-and-Trade Program. The Program receives 5% of the annual proceeds from the Greenhouse Gas Reduction Fund. Funding levels are set by the State Controller and are based on the State Transit Assistance formula. Within Ventura County the Ventura County Transportation Commission (VCTC) receives PUC Section 99313 (population) LCTOP funds and the Southern California Regional Rail Authority (SCRRA) and Gold Coast Transit receive PUC Section 99314 (operator) LCTOP funds directly.

DISCUSSION:

On January 8, 2016, the Commission programmed $801,097 of VCTC's FY 2015/16 cap-and-trade transit operations apportionment for the bus purchase and operation of the new Oxnard - Camarillo Commuter Bus Service. Additionally, the Commission reserved the remainder FY 2015/16 LCTOP Funds for a SCRRA project to be determined at a later date. The reserved funds include $20,367 of VCTC's FY 2015/16 apportionment to payback SCRRA's FY 14/15 Section 99314 funds which were combined with VCTC's FY 14/15 apportionment for the Oxnard-Camarillo Commuter Bus Project (bus purchase).

At their January 15th meeting, SCRRA agreed to purchase a third expansion Tier 4 locomotive using LCTOP program funds and have subsequently requested repayment of the FY14/15 funds in the amount of $17,463. Therefore, it is recommended that VCTC approve programming $17,436 of VCTC's FY 2015/16 Cap-and-Trade apportionment for the SCRRA Locomotive Procurement project and program the remaining funds ($2,904) for the Oxnard/Camarillo VCTC Intercity Bus Service Project. It is further recommended that VCTC adopt Resolution 2016-03 in Attachment A authorizing the Executive Director to execute all required documents to receive VCTC's FY 2015/16 Cap-and-Trade apportionment.

ATTACHMENT A

RESOLUTION NO. 2016-03

AUTHORIZATION FOR THE EXECUTION OF CERTIFICATIONS AND ASSURANCES FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) AND APPROPRIATION OF FUNDS FOR SCRRA LOCOMOTIVE PROJECT AND OXNARD/CAMARILLO VCTC INTERCITY BUS SERVICE PROJECT

WHEREAS, the Ventura County Transportation Commission is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) now or sometime in the future for transit projects; and

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

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

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

WHEREAS, the Ventura County Transportation Commission wishes to delegate authorization to execute these documents and any amendments thereto to the Executive Director.

NOW, THEREFORE, BE IT RESOLVED by the Ventura County Transportation Commission that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

BE IT FURTHER RESOLVED that the Executive Director be authorized to execute all required documents of the LCTOP program and any Amendments thereto with the California Department of Transportation.

BE IT FURTHER RESOLVED that the Commission hereby appropriates $17,436 of VCTC's FY 2015/16 Cap-and-Trade allocations to the SCRRA new locomotive project and $2,904 to the Oxnard/Camarillo VCTC Intercity Bus Service Project

PASSED AND ADOPTED by the VCTC at its regular meeting this 4th day of March 2016.

____
Keith Millhouse, Chair

ATTEST:

____
Donna Cole, Clerk

APPROVED AS TO FORM:

____
Steven Mattas, General Counsel

Item #8H

February 23, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN M. KETTLE, EXECUTIVE DIRECTOR

SUBJECT: REGIONAL GOVERNMENT SERVICES AUTHORITY CONTRACT APPROVAL

RECOMMENDATION:

- Approve agreement with Regional Government Services Authority for human resources management and administrative services not to exceed $100,000 for the time period of March 1, 2016 – June 30, 2017.
- Approve amendment to FY 2015/16 Budget increasing revenues and expenditures for Indirect Professional Services in the amount of $20,000. Revenue source is LTF Fund Balance.

DISCUSSION:

In July 2009, VCTC entered into a professional services contract with Regional Government Services (RGS) Authority for human resources assistance. Prior to the RGS staff assistance the agency's human resources functions were divided between the Finance Director, the Executive Director, and at times with outside legal counsel. Since that time, having the professional consulting assistance has allowed this agency to remain in compliance with the myriad of labor laws and restrictions and has greatly modernized our policies and procedures to stay current with the law, and our labor market.

The contract's not to exceed amount has remained constant at $50,000 per fiscal year since 2009. The RGS consulting staff has been able to balance our agency's needs and demands within the contract limit even though VCTC's workload has grown over the years. At this time VCTC is requiring significantly more human resources assistance in the area of recruitment as our staff changes due to new position allocations, retirements, and general turnover. Utilizing RGS for the recruitment efforts is considerably more effective and efficient than utilizing an outside staffing or consulting firm for many reasons: RGS staff know our business and our employees; RGS' bill rate to VCTC is below typical for profit consulting firms; RGS staff are professional public-sector employees who understand public sector issues. Staff is requesting a contract modification. Note that the amount of recruitment activity and the significantly increased level of advertising has greatly impacted the budget.

Prior year agreements with RGS were within the limits of the Executive Director's authority for contracts without Commission approval. However, with the new contract proposal staff is providing this report to the Commission along with the attached copy of the agreement and is requesting that the Commission approve the agreement with Regional Government Services Authority for human resources management and administrative services not to exceed $100,000 for the time period of 16 months of March 1, 2016 – June 30, 2017.

RGS

Preamble: The agreement for services described below is also an agreement to engage in a relationship between organizations – agency partners. In order to establish a mutually respectful relationship as well as a productive one, RGS has adopted the following values and business methods.

Our Values

- Expert Services: RGS serves exclusively public sector agencies with its team of public-sector experts.
- Innovation: RGS encourages and develops innovative and sustainable services to help each agency meet its challenges through new modes of service provision.
- Customer Driven: RGS customizes solutions to achieve the right level and right kind of service at the right time for each agency's unique organizational needs.
- Perseverance: Sometimes the best solutions are not immediately apparent. RGS listens, works with you, and sticks with it until a good fit with your needs is found.
- Open Source Sharing: RGS tracks emerging best practices and shares them, learning openly from each other's hard won experience.
- Commitment: Government agencies are the public's only choice for many services. Public trust is earned and must be used wisely. And RGS will do its part. Each agency should and will know how RGS sets its rates. RGS' pledge to you is that we will act with honesty, openness, and full transparency.

How RGS Does Business

When you work with RGS you can expect:

- RGS will strive to be explicit up front and put our understandings in writing. Before making assumptions, we hope to talk directly to prevent any misunderstandings.
- Ongoing interaction throughout our relationship to ensure that your needs are being met, and that projects progress appropriately and agreed-upon timelines are met.
- RGS is committed to honest interaction.
- When RGS employees are on your site, we expect them to treat people respectfully and be treated respectfully. If problems arise, we want to communicate early, accurately, and thoroughly to ensure that we find mutually acceptable solutions.
- As a public agency, partnering is valued. We look out for each agency's interests consistent with maintaining the public trust.
- To keep expectations realistic, it is important to understand that RGS is a governmental, joint powers authority evolving to meet changing local government needs. RGS has carefully constructed policies and procedures to allow maximum flexibility to meet your needs.

RGS provides quality, innovative, cost-effective services exclusively to public agencies.
Main 650.587.7300 Fax 650.587.7311 P.O. Box 1350 Carmel Valley, CA 93924
www.rgs.ca.gov

Agreement for Management and Administrative Services

This Agreement for Management Services ("Agreement") is made and entered into as of the 1st day of March 2016, by and between Ventura County Transportation Commission (VCTC), a municipal agency ("Agency"), and **Regional Government Services Authority** (RGS), a joint powers authority, (each individually a "Party" and, collectively, the "Parties").

RECITALS

THIS AGREEMENT is entered into with reference to the following facts and circumstances:

A. That Agency desires to engage RGS to render certain services to it;

B. That RGS is a management and administrative services provider and is qualified to provide such services to the Agency; and

C. That the Agency has elected to engage the services of RGS upon the terms and conditions as hereinafter set forth.

TERMS AND CONDITIONS

Section 1. **Services**. The services to be performed by RGS under this Agreement shall include those services set forth in the attached **Exhibits**, which are incorporated by this reference incorporated herein and made a part hereof as though it were fully set forth herein.

Where in conflict, the terms of this Agreement supersede and prevail over any terms set forth in the **Exhibits**.

1.1 **Standard of Performance**. RGS shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which RGS is engaged in the geographical area in which RGS practices its profession. RGS shall prepare all work products required by this Agreement in a substantial, first-class manner and shall conform to the standards of quality normally observed by a person practicing in RGS's profession.

1.2 **Assignment of Personnel**. In the event that Agency, at any time during the term of this Agreement, desires the reassignment of personnel, Agency shall make a request to RGS and RGS shall meet and confer in good faith to consider reassigning such person or persons. RGS shall assign only competent personnel to perform services pursuant to this Agreement.

1.3 **Time**. RGS shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in above and to satisfy RGS's obligations hereunder in the Exhibits.

Section 2. **Term of Agreement and Termination**. Services shall commence on or about the date specified in the Exhibits and shall continue until the date anticipated in the Exhibits to terminate, at which time services may continue on a month-to-month basis until one party terminates the Agreement. This Agreement may be terminated by either Party, with or without cause, upon 30 days written notice. Agency has the sole discretion to determine if the services performed by RGS are satisfactory to the Agency which determination shall be made in good faith. If the Agency determines that the services performed by RGS are not satisfactory, the Agency may terminate this Agreement by giving written notice to RGS. Upon receipt of notice of termination by either Party, RGS shall cease performing duties on behalf of Agency on the termination date specified and the compensation payable to RGS shall include only the period for which services have been performed by RGS.

Section 3. **Compensation**. Payment under this Agreement shall be as provided in the Exhibits.

Section 4. **Effective Date**. This Agreement shall become effective on the date first herein above written.

Section 5. **Relationship of Parties**.

5.1 It is understood that the relationship of RGS to the Agency is that of an independent contractor and all persons working for or under the direction of RGS are its agents or employees and not agents or employees of Agency. The Agency and RGS shall, at all times, treat all persons working for or under the direction of RGS as agents and employees of RGS, and not as agents or employees of the Agency. Agency shall have the right to control RGS only insofar as the results of RGS's services rendered pursuant to this Agreement and assignment of personnel pursuant to Section 1.

5.2 RGS shall provide services under this Agreement through one or more employees of RGS qualified to perform services contracted for by Agency. Key RGS staff who will coordinate services to the Agency are indicated in the Exhibits. The Executive Director will not reassign any of the staff indicated in the Exhibits without first consulting with the Agency. The Executive Director or assigned staff will consult with Agency on an as-needed basis to assure that the services to be performed are being provided in a professional manner and meet the objectives of Agency.

5.3 Agency shall not have the ability to direct how services are to be performed, specify the location where services are to be performed, or establish set hours or days for performance of services, except as set forth in the Exhibits.

5.4 Agency shall not have any right to discharge any employee of RGS from employment.

5.5 RGS shall, at its sole expense, supply for its employees providing services to Agency pursuant to this Agreement any and all benefits, such as worker's compensation, disability insurance, vacation pay, sick pay, or retirement benefits; obtain and maintain all licenses and permits usual or necessary for performing the services; pay any and all taxes incurred as a result of the employee(s) compensation, including employment or other taxes; and provide Agency with proof of payment of taxes on demand.

Section 6. **Insurance Requirements.** Before beginning any work under this Agreement, RGS, at its own cost and expense, shall procure insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by RGS and its agents, representatives, employees, and subcontractors.

6.1 **Workers' Compensation.** RGS shall, at its sole cost and expense, maintain statutory Workers' Compensation Insurance and Employer's Liability Insurance with limits of not less than ONE MILLION DOLLARS ($1,000,000.00) per accident.

6.2 **Commercial General and Automobile Liability Insurance.**

6.2.1 **General requirements.** RGS, at its own cost and expense, shall maintain commercial general and automobile liability insurance for the term of this Agreement in an amount not less than ONE MILLION DOLLARS ($1,000,000.00) per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. RGS shall additionally maintain commercial general liability in an amount not less than ONE MILLION DOLLARS ($1,000,000) aggregated for bodily injury, personal injury, and property damage. If a Commercial General Liability Insurance or an Automobile Liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit.

6.2.2 **Minimum scope of coverage.** Coverage shall be at least as broad as the latest version of the following: (A) *General Liability:* Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001); and (B) *Automobile Liability:* Insurance Services Office Business Auto Coverage form number CA 001, code 1 (any auto).

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

a. Agency and its officers, employees, agents, and volunteers shall be covered as insureds with respect to each of the following: liability arising out of activities performed by or on behalf of RGS including the insured's general supervision of RGS; products and completed operations; premises owned, occupied, or used by RGS; and automobiles owned, leased, or used by RGS. The coverage shall contain no special limitations on the scope of protection afforded to Agency or its officers, employees, agents, or volunteers.

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

c. An endorsement must state that coverage is primary insurance with respect to the Agency and its officers, officials, employees and volunteers, and that no insurance or self-insurance maintained by the Agency shall be called upon to contribute to a loss under the coverage.

6.3 **Professional Liability Insurance.** RGS, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than ONE MILLION DOLLARS ($1,000,000) covering the licensed professionals' errors and omissions.

6.3.1 Claims Made Policies. The following provisions shall apply if the professional liability coverages are written on a claims-made form:

a. The retroactive date of the policy must be shown and must be before the date of the Agreement.

b. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.

c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, RGS must provide extended reporting coverage for a minimum of 5 years after completion of the Agreement or the work. The Agency shall have the right to exercise, at RGS's sole cost and expense, any extended reporting provisions of the policy, if RGS cancels or does not renew the coverage.

d. A copy of the claim reporting requirements must be submitted to the Agency prior to the commencement of any work under this Agreement.

6.4 All Policies Requirements.

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

6.4.2 Verification of coverage. Prior to beginning any work under this Agreement, RGS shall furnish Agency with notifications of coverage and with original endorsements effecting coverage required herein. The notifications and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The Agency reserves the right to require complete, certified copies of all required insurance policies, at any time.

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

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

6.4.5 Deductibles and Self-Insured Retentions. RGS shall disclose to Agency self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement.

6.4.6 Insurance Policies. The insurance policies shall be maintained throughout the term of this Agreement and proof of insurance shall be available for inspection by Agency upon request.

6.4.7 **Notice of Cancellation or Reduction in Coverage.** In the event that any coverage required by this section is reduced, limited, or materially affected in any other manner, RGS shall provide written notice to Agency at RGS's earliest possible opportunity and in no case later than five days after RGS is notified of the change in coverage.

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

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

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

c. Terminate this Agreement.

Section 7. Legal Requirements.

7.1 **Governing Law.** The laws of the State of California shall govern this Agreement.

7.2 **Compliance with Applicable Laws.** RGS and any subcontractors shall comply with all laws applicable to the performance of the work hereunder.

7.3 **Reporting Requirements.** If there is a statutory or other legal requirement for RGS to report information to another government entity, RGS shall be responsible for complying with such requirements.

7.4 **Other Governmental Regulations.** To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, RGS and any subcontractors shall comply with all applicable rules and regulations to which Agency is bound by the terms of such fiscal assistance program.

7.5 **Licenses and Permits.** RGS represents and warrants to Agency that RGS and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions and that RGS is authorized by law to provide the services contemplated by this Agreement. RGS represents and warrants to Agency that RGS and its employees, agents, and subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions.

7.6 **Nondiscrimination and Equal Opportunity.** RGS shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided under this Agreement. RGS shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement.

Section 8. Keeping and Status of Records.

8.1 Records Created as Part of RGS's Performance. All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that RGS prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the Agency. RGS hereby agrees to deliver those documents to the Agency upon termination of the Agreement. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the Agency and are not necessarily suitable for any future or other use.

8.2 Confidential Information. RGS shall hold any confidential information received from Agency in the course of performing this Agreement in trust and confidence and will not reveal such confidential information to any person or entity, either during the term of the Agreement or at any time thereafter. Upon expiration of this Agreement, or termination as provided herein, RGS shall return materials which contain any confidential information to Agency. For purposes of this paragraph, confidential information is defined as all information disclosed to RGS which relates to Agency past, present, and future activities, as well as activities under this Agreement, which information is not otherwise of public record under California law. Agency shall notify RGS what information and documents are confidential and thus subject to this section 8.2.

8.3 RGS's Books and Records. RGS shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the Agency under this Agreement for a minimum of 3 years, or for any longer period required by law, from the date of final payment under this Agreement.

8.4 Inspection and Audit of Records. Any records or documents that Section 8.3 of this Agreement requires RGS to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the Agency. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds $10,000.00, the Agreement shall be subject to the examination and audit of the State Auditor, at the request of Agency or as part of any audit of the Agency, for a period of three years after final payment under the Agreement.

Section 9. Non-assignment. This Agreement is not assignable either in whole or in part without the written consent of the other party.

Section 10. Amendments. This Agreement may be amended or modified only by written Agreement signed by both Parties.

Section 11. Validity. The invalidity, in whole or in part, of any provisions of this Agreement shall not void or affect the validity of any other provisions of this Agreement.

Section 12. Governing Law/Attorneys' Fees. This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in Alameda County, California. In the event of litigation between the Parties hereto to enforce any provision of the Agreement, the prevailing Party shall be entitled to reasonable attorney's fees and costs of litigation.

Section 13. Mediation. Should any dispute arise out of this Agreement, the Parties shall meet in mediation and attempt to reach a resolution with the assistance of a mutually acceptable mediator. Neither Party shall be permitted to file legal action without first meeting in mediation and making a good faith attempt to reach a mediated resolution. The costs of the mediator, if any, shall be paid equally by the Parties. If a mediated settlement is reached, neither Party shall be deemed the prevailing party for purposes of the settlement and each Party shall bear its own legal costs.

Section 14. Employment Offers to Our Staff. Should the AGENCY desire to offer permanent or temporary employment to an RGS employee who is either currently providing RGS services to the AGENCY or has provided RGS services to the AGENCY within the previous six months, said AGENCY will be charged a fee equal to the full-time cost of the RGS employee for one month, using the most recent RGS bill rate for the RGS employee's services to the Agency. This fee is to recover RGS' expenses in recruiting the former and replacement RGS staff.

Section 15. Entire Agreement. This Agreement, including the Exhibits, comprises the entire Agreement.

Section 16. Indemnity.

16.1 RGS's indemnity obligations. Neither party will assume undue risk for the other party. RGS will defend and indemnify Agency, and hold it harmless, from any claim, demand or liability that is related to, or results from the manner in which RGS has performed this Agreement. Thus, RGS's indemnity obligations will arise when any claim or demand is made against Agency which premises Agency's liability, in whole or in part, upon any of the following:

a. the quality or character of the work of RGS's employees or subcontractors;
b. the negligent acts or omissions of RGS or its officers, directors, employees, or agents; or
c. the willful misconduct of RGS or its officers, directors, employees, or agents.

Further, RGS will defend and indemnify Agency, and hold it harmless, from any claim, demand or liability that is related to, or results from an assertion that as a result of providing services to Agency, an RGS employee or a person performing work pursuant to this Agreement is entitled to benefits from, or is covered by, the Social Security retirement system or the California Public Employee Retirement Systems. Notwithstanding the foregoing, however, RGS's obligation for any payments to such a claimant shall be limited to those payments which Agency may be required to pay.

16.2 **Agency's indemnity obligations**. Agency shall indemnify, defend and hold harmless RGS and its officers, directors, employees and agents from any and all claims and lawsuits where such persons are named in the lawsuit solely by virtue of the position they hold with Agency, or solely because of a duty any of them performs while in that position.

It is the intent of the parties here to define indemnity obligations that are related to or arise out of Agency's actions as a governmental entity. Thus, Agency shall be required to indemnify and defend only under circumstances where a cause of action is stated against RGS, its employees or agents:

a. which is unrelated to the skill they have used in the performance of the duties delegated to them under this Agreement;
b. when the allegations in such cause of action do not suggest the active fraud or other misconduct of RGS, its employees, or agents; or
c. where an Agency employee, if he had been acting in a like capacity, otherwise would be acting within the scope of that employment.

Whenever Agency owes a duty hereunder to indemnify RGS, its employees or agents, Agency further agrees to pay RGS a reasonable fee for all time spent by any RGS employee, or spent by any person who has performed work pursuant to this Agreement, for the purpose of preparing for or testifying in any suit, action, or legal proceeding in connection with the services the assigned employee has provided under this Agreement.

Section 17. Notices. All notices required by this Agreement shall be given to Agency and RGS in writing, by first class mail, postage prepaid, addressed as follows:

Agency:	Ventura County Transportation Commission 950 County Square Drive, Suite 207 Ventura, CA 93003
RGS:	Regional Government Services Authority P. O. Box 1350 Carmel Valley, CA 93924

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed on the date first written by their respective officers duly authorized on their behalf.

DATED: ____________, 2016 **Agency**

By: ____
Darren Kettle, Executive Director

APPROVED AS TO FORM:

DATED: ____________, 2016 By: ____
Steven T. Mattas, General Counsel

DATED: ____________, 2016 **Regional Government Services Authority**

By: ____
Richard H. Averett, Executive Director

Exhibit A

Compensation.

1. **Fees**. The Agency agrees to pay to RGS the full cost of compensation and support, as shown in Exhibit A, for the RGS employee(s) providing the services herein described. Compensation is shown on an hourly basis.

   RGS and Agency acknowledge and agree that compensation paid by Agency to RGS under this Agreement is based upon RGS's costs of providing the services required hereunder, including salaries and benefits of employees. The parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities for which RGS may be obligated for its employees or may otherwise be contractually obligated.

   Consequently, the parties agree that adjustments to the hourly rate shown below for "RGS Staff" will be made for changes to the salary and/or benefits costs provided by RGS to such employee. On July 1 of each year, RGS' hourly bill rates will be adjusted by the percentage change in the Employment Cost Index (total compensation - not seasonally adjusted) for state and local government workers ("ECI") from March of the prior year to March of the current year. Irrespective of the movement of the ECI, RGS will not adjust its hourly rates downward; nor will RGS adjust its hourly rates upward in excess of a two and one-half percentage (2.5%) change excepting instances where there was no increase in the prior year's hourly rates. In that event, RGS will adjust its hourly rates by the full percentage change in the ECI from March of the prior year to March of the current year.

2. **Reimbursement of RGS's Administrative Cost**. The Agency shall reimburse RGS for overhead as part of the hourly rate specified below, and direct external costs. Support overhead costs are those expenses necessary to administering this Agreement, and are included in the hourly rate. Direct external costs, including such expenses as travel or other costs incurred for the exclusive benefit of the Agency, will be invoiced to the Agency when received and without mark-up. These external costs will be due upon receipt.

3. **Terms of Payment**. RGS shall submit invoices monthly for the prior month's services. Invoices shall be sent approximately 10 days after the end of the month for which services were performed and are due and shall be delinquent if not paid within 30 days of receipt. Delinquent payments will be subject to a late payment carrying charge computed at a periodic rate of one-half of one percent per month, which is an annual percentage rate of six percent, which will be applied to any unpaid balance owed commencing 7 days after the payment due date. Additionally, in the event the Agency fails to pay any undisputed amounts due to RGS within 15 days after payment due date, then the Agency agrees that RGS shall have the right to consider said default a total breach of this Agreement and the duties of RGS under this Agreement may be terminated by RGS upon 5 working days advance written notice.

   Payment Address. All payments due RGS shall be paid to:
   Regional Government Services Authority
   PO Box 1350
   Carmel Valley, CA 93924

AGENCY CONTACTS

Agency Billing Contact. Invoices are sent electronically only. Please provide the contact person to whom invoices should be sent:

NAME	EMAIL
Darren Kettle	dkettle@goventura.org

Agency Insurance Contact. Please provide the contact person to whom the certificate of coverage should be sent:

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

RGS STAFF

RGS STAFF POSITION	HOURLY RATE*
Human Resources Advisor	$83.00

*The Hourly Rate does not include direct external costs which will be invoiced to the Agency with no markup.

The start date for the services to be performed is on or about March 1, 2016, and this Agreement is anticipated to remain in force through June 30, 2017.

Exhibit B

Scope of Services. RGS shall assign an RGS employee or employees to perform the functions as described below:

- Provide general Human Resources professional support as needed to VCTC Executive Director.
- Other Duties - As are consistent with the services described herein.
- Perform related work as required.
- Meet regularly and as often as necessary for the purpose of consulting about the scope of work performed.
- Be reasonably available to perform the services during the normal work week, as agreed upon.
- Such employee may perform services at the Agency offices available in Ventura or at other locations.
- Should additional work be recommended by RGS or requested by VCTC, such additional work will be approved by VCTC prior to initiation of the additional work.

The cost of all consultant services shall not exceed one hundred thousand dollars ($100,000).

Item # 8I

March 4, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: STEVE MATTAS, GENERAL COUNSEL

SUBJECT: METROLINK CLAIMS FOR ARMONDO VIZCONDE, RAYMOND SY, FEDERICO GUERRERO, STEPHEN C. COHEN, AND DARRELL ANDERSON

RECOMMENDATION:

1. It is recommended that the Ventura County Transportation Commission ("VCTC") reject five (5) separate claims submitted on behalf of the following individual claimants: Armondo Vizconde
2. Raymond Sy
3. Federico Guerrero
4. Stephen C. Cohen
5. Darrell Anderson

BACKGROUND:

On February 24, 2015, a Metrolink passenger train collided with a truck in Oxnard, California. VCTC received five (5) separate claims from the individuals named above for damages in connection with the collision. Pursuant to the Joint Exercise of Powers Agreement ("JPA") for the provision of Metrolink rail service, Metrolink is responsible for all obligations and liabilities associated with operation of the service. VCTC does not have any ownership of the tracks or roadway at issue. Thus, VCTC will submit tender letters to Metrolink in connection with each claim for processing. Therefore, it is recommended that VCTC reject the five (5) claims.

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Item #9

March 4, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: LEGISLATIVE UPDATE

RECOMMENDATION:

- Adopt the following positions:
  - Support AB 2034 (Salas) – Federal environmental approval delegation
  - Support AB 2090 (Alejo) – Cap-and-trade transit operations funds expanded eligibility
  - Support AV 2170 (Frazier) – National freight program funds distribution
  - Support and Seek amendment for SB 824 (Beal) – Cap-and-trade transit operations funds carryover

DISCUSSION

Federal Issues

Congresswoman Julia Brownley and the Federal Administration have announced the selection of the Rice Avenue Bridge project to receive $1.5 million in Federal Railroad Administration funds for final design. VCTC staff took the lead to prepare the application for the grant, working in conjunction with the City of Oxnard as the implementing agency and Caltrans as the entity required to submit the application and administer the funds should the project be selected. A total of $10 million was available nationwide to projects to improve rail crossing safety, under this program which was announced late last year as the Railroad Safety Grants for the Safe Transportation of Energy Products (STEP) by Rail Program. The Rice Avenue project was the only one chosen in California and received the largest dollar amount for any of the approved locations.

State Issues

Attachment A provides the monthly report of Delaney Hunter, the Commission's state lobbyist. Attachments B – E are the analyses for bills which staff recommends for Commission support, including the following:

AB 2034 (Salas) – Makes permanent the delegation to Caltrans of federal National Environmental Policy Act (NEPA) approvals. The Commission originally supported this delegation, and it has proven to be a successful project delivery streamlining measure.

AB 2090 (Alejo) and SB 824 (Beall) – Two proposals to increase flexibility in the Low Carbon Transit Operations Program which provides cap-and-trade funds to agencies by formula for transit purposes. For SB 824, staff believes an amendment would be appropriate to allow LCTOP funds to reimburse prior project expenditures, since recently Caltrans has interpreted the program to not allow reimbursement, and this interpretation has the potential to delay project delivery.

AB 2170 (Frazier) – The new federal Fixing America's Surface Transportation (FAST) reauthorization act established the National Freight Program which distributes funds to states by formula for freight projects. This bill provides that the funds within California would be distributed following the successful model of the Proposition 1B Trade Corridor Infrastructure Fund (TCIF).

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

ATTACHMENT A

VENTURA COUNTY TRANSPORTATION COMMISSION
MONTHLY STATE ADVOCACY REPORT
FEBRUARY 2016

Legislative Update

The primary goal of the Legislature in January was moving all two-year bills that were still in their house of origin into the second house. As a result, the first month back in session resulted in a number of policy and fiscal committee hearings to advance these bills. However, after the January 31st deadline, the focus in the Legislature shifted to newly introduced bills. The deadline to introduce bills for the 2016 legislative session was February 19th, so the weeks prior consisted mostly of initial groundwork and informational hearings to prepare the language and plan for these new bills. After being introduced, bills have to be in print for 30 days before being taken up in committee, so the policy committee process will commence in March and all of the new bills will begin to be scheduled for their first hearings. Finally, these bills will have to be out of the first house policy committee before Friday, April 22nd.

Special Session

While the regular session has resulted in over 2,000 Assembly bills and over 1,000 Senate bills being introduced, the Transportation and Infrastructure Special Session has not experience any recent developments. In the second special session, related to health care, a vote is expected to take place next week, so the transportation session could receive greater attention after the parallel extra session has moved on. It is also rumored that Senator Beall's proposal, SBX1-1, could receive amendments in the near future. This would be a preemptive measure, so that if a package ultimately came together, the bill would be ready to move forward. However, the Governor's $3.6 billion plan has been placed into his proposed budget, which provides another alternate path. Lastly, Assembly Member Frazier's bill, AB 1591, is in the regular legislative session. AB 1591 would generate over $7 billion for transportation and can be used by the Legislature, if the special session is unable to address the problem.

Legislation for Consideration

Listed below are newly introduced bills that may be of interest to the Commission (analyses attached separately).

AB 2034 by Assembly Member Salas repeals the January 1, 2017 sunset date and thereby extends indefinitely Caltrans' responsibility for the Federal Highway Administration's duties under the National Environmental Policy Act**.**

AB 2090 by Assemblyman Alejo would provide money from state cap-and-trade funds for ongoing transit operations for a transit agency that is experiencing a fiscal emergency. Specifically, the bill would authorize funds that are appropriated from the LCTOP program to be used for the operation of existing bus or rail services, if the governing board of the transit agency declares a fiscal emergency within 90 days.

AB 2170 by Assembly Member Frazier would require revenues allocated to the state from the National Highway Freight Program (created by the FAST Act) to be deposited in the Trade Corridors Improvement Fund (TCIF).

SB 824 by Senator Beall makes a number of changes in how transit agencies utilize their LCTOP formula shares. Specifically, the bill allows a public transit agency to reassign left-over funds to another project, transfer funds to higher-priority projects, bank formula shares, loan funds to another eligible recipient, use local funds to advance a project and get reimbursed later, among a few other adjustments.

Upcoming Bill Deadlines and Priority Legislation

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

AB 52 (Gray D) Public accommodations: construction-related accessibility claims.
Introduced: 12/1/2014
Status: 1/22/2016-Failed Deadline pursuant to Rule 61(b)(2). (Last location was 2 YEAR on 5/15/2015)
Summary: Would provide that a defendant's maximum liability for statutory damages in a construction-related accessibility claim against a place of public accommodation is $1,000 for each offense if the defendant has corrected all construction-related violations that are the basis of the claim within 180 days of being served with the complaint and the defendant demonstrates that the structure or area of the alleged violation was determined to meet standards or was subjected to an inspection, as specified.

AB 79 (Mathis R) State highway routes: route numbers.
Introduced: 1/5/2015
Status: 1/22/2016-Failed Deadline pursuant to Rule 61(b)(2). (Last location was 2 YEAR on 5/15/2015)
Summary: Current law gives the Department of Transportation full possession and control of all state highways. Current law describes the authorized routes in the state highway system by route numbers and provides that the route numbers are those given to the routes by the California Transportation Commission. This bill would make technical, nonsubstantive changes to these provisions.

AB 212 (Achadjian R) State highways.
Introduced: 2/2/2015
Status: 1/22/2016-Failed Deadline pursuant to Rule 61(b)(2). (Last location was 2 YEAR on 5/15/2015)
Summary: Current law establishes the Department of Transportation and the California Transportation Commission and provides that the department has full possession and control of all state highways and all property and rights in property acquired for state highway purposes and authorizes and directs the department to lay out and construct all state highways between the termini designated by law and on the locations as determined by the commission. This bill would make technical, nonsubstantive changes to these provisions.

AB 326 (Frazier D) Public works: prevailing wage rates: wage and penalty assessments.
Introduced: 2/13/2015
Status: 1/28/2016-Referred to Com. on L. & I.R.
Summary: Current law requires the Labor Commissioner to issue a civil wage and penalty assessment to a contractor or subcontractor, or both, if the Labor Commissioner determines, after investigation, that the contractor or subcontractor, or both, violated the laws regulating public works contracts, including the payment of prevailing wages. This bill would require the department to release the funds deposited in escrow plus interest earned to those persons and entities within 30 days following the conclusion of all administrative and judicial review. This bill contains other existing laws.

AB 457 (Melendez R) High-occupancy toll lanes.
Introduced: 2/23/2015
Status: 1/15/2016-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/1/2015)
Summary: Current law authorizes a regional transportation agency, as defined, in cooperation with the Department of Transportation, to apply to the California Transportation Commission to develop and operate high-occupancy toll lanes. Current law requires the commission, in cooperation with the Legislative Analyst, to annually prepare a report on the progress of the development and operation of these facilities. This bill would instead require the commission, in cooperation with the Legislative Analyst, to prepare this report every two years.

AB 1087 (Grove R) Greenhouse Gas Reduction Fund: high-speed rail.
Introduced: 2/27/2015
Status: 1/15/2016-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/1/2015)
Summary: Would provide that the continuous appropriations from the Greenhouse Gas Reduction Fund to the High-Speed Rail Authority are for specified components of the initial operating segment and Phase I blended system, as described in the authority's 2012 business plan, of the high-speed train system that shall be constructed as specified.

AB 1115 (Salas D) School zones: state highways.
Introduced: 2/27/2015
Status: 2/4/2016-Referred to Com. on T. & H.
Summary: Current law generally provides that the Department of Transportation and local authorities have authority over the highways under their respective jurisdictions. This bill would designate a specified portion of State Highway Route 184 in the County of Kern as a school zone and require the zone to be identified with standard "SCHOOL" warning signs. The bill would provide that the specified referenced provisions governing prima facie speed limits in school zones apply in that zone. This bill contains other current laws.

AB 1265 (Perea D) Transportation projects: comprehensive development lease agreements.
Introduced: 2/27/2015
Status: 1/22/2016-Failed Deadline pursuant to Rule 61(b)(2). (Last location was 2 YEAR on 5/29/2015)
Summary: Current law authorizes the Department of Transportation and regional transportation agencies, as defined, to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees, subject to various terms and requirements. These arrangements are commonly known as public-private partnerships. This bill would provide that a lease agreement shall not be entered into under these provisions on or after January 1, 2030, and would delete obsolete cross-references and make technical changes to these provisions.

AB 1364 (Linder R) California Transportation Commission.
Introduced: 2/27/2015
Status: 2/4/2016-Referred to Coms. on T. & H. and G.O.
Summary: Current law vests the California Transportation Commission with specified powers, duties, and functions relative to transportation matters. Current law requires the commission to retain independent authority to perform the duties and functions prescribed to it under any provision of law. This bill would exclude the California Transportation Commission from the Transportation Agency and establish it as an entity in the state government. The bill would also make conforming changes.

AB 1550 (Gomez D) Greenhouse gases: investment plan: disadvantaged communities.
Introduced: 1/4/2016
Status: 2/1/2016-Referred to Com. on NAT. RES.
Summary: Current law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. This bill would require the investment plan to allocate a

minimum of 25% of the available moneys in the fund to projects located within disadvantaged communities and a separate and additional 25% to projects that benefit low-income households.

AB 1555 (Gomez D) Greenhouse Gas Reduction Fund.
Introduced: 1/4/2016
Status: 1/5/2016-From printer. May be heard in committee February 4.
Summary: Would state the intent of the Legislature to enact future legislation that would appropriate $1,700,000,000 from the Greenhouse Gas Reduction Fund for the 2015-16 fiscal year that would be allocated to different entities in amounts to be determined in the future legislation for purposes including low carbon transportation and infrastructure, clean energy communities, and community climate improvements, wetland and watershed restoration, and carbon sequestration.

AB 1569 (Steinorth R) California Environmental Quality Act: exemption: existing transportation infrastructure.
Introduced: 1/4/2016
Status: 2/1/2016-Referred to Coms. on NAT. RES. and TRANS.
Summary: Would exempt from the provisions of the California Environmental Quality Act a project, or the issuance of a permit for a project, that consists of the inspection, maintenance, repair, rehabilitation, replacement, or removal of, or the addition of an auxiliary lane or bikeway to, existing transportation infrastructure and that meets certain requirements. The bill would require the public agency carrying out the project to take certain actions.

AB 1591 (Frazier D) Transportation funding.
Introduced: 1/6/2016
Status: 2/1/2016-Referred to Coms. on TRANS. and REV. & TAX.
Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria to ensure efficient use of the funds available for the program. This bill contains other related provisions and other existing laws.

AB 1661 (McCarty D) Local government: sexual harassment training and education.
Introduced: 1/13/2016
Status: 2/4/2016-Referred to Com. on L. GOV.
Summary: Would require local agency officials, as defined, to receive sexual harassment training and education if the local agency provides any type of compensation, salary, or stipend to those officials, and would allow a local agency to require employees to receive sexual harassment training or information.

AB 1707 (Linder R) Public records: response to request.
Introduced: 1/25/2016
Status: 1/26/2016-From printer. May be heard in committee February 25.
Summary: The California Public Records Act requires state and local agencies to make public records available for inspection, unless an exemption from disclosure applies. The act requires a response to a written request for public records that includes a denial of the request, in whole or in part, to be in writing. This bill instead would require that response to be in writing regardless of whether the request was in writing. The bill would require that written response additionally to include a list that contains the title or other identification of each record requested but withheld due to an exemption and the specific exemption that applies to that record.

AB 1768 (Gallagher R) Bonds: transportation.
Introduced: 2/3/2016
Status: 2/18/2016-Referred to Com. on TRANS.
Summary: Would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, expect as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase 1 blended system. The bill, subject to the above exception, would require redirection of the unspent proceeds received from outstanding bonds issued and sold for other high-

speed rail purposes prior to the effective date of these provisions, upon appropriation, for use in retiring the debt incurred from the issuance and sale of those outstanding bonds.

AB 1780 (Medina D) Greenhouse Gas Reduction Fund: Sustainable Trade Corridors Program.
Introduced: 2/3/2016
Status: 2/18/2016-Referred to Com. on TRANS.
Summary: Would, beginning in the 2016-17 fiscal year, continuously appropriate 25% of the annual proceeds of the Greenhouse Gas Reduction Fund to the California Transportation Commission for the Sustainable Trade Corridors Program, which the bill would establish, thereby making an appropriation.

AB 1812 (Wagner R) Public employees' retirement.
Introduced: 2/8/2016
Status: 2/9/2016-From printer. May be heard in committee March 10.
Summary: Would prohibit the retirement benefit paid to a member of any public retirement system whose service is not included in the federal social security system from exceeding $100,000. The bill would prohibit the retirement benefit paid to a member of any public retirement system whose service is included in the federal social security system from exceeding $80,000. The bill would require that those amounts be adjusted annually by each public retirement system using the Consumer Price Index for All Urban Consumers. This bill contains other related provisions.

AB 1813 (Frazier D) High-Speed Rail Authority: membership.
Introduced: 2/8/2016
Status: 2/9/2016-From printer. May be heard in committee March 10.
Summary: Would provide for appointment of one Member of the Senate by the Senate Committee on Rules and one Member of the Assembly by the Speaker of the Assembly to serve as ex officio members of the High-Speed Rail Authority. The bill would provide that the ex officio members shall participate in the activities of the authority to the extent that participation is not incompatible with their positions as Members of the Legislature.

AB 1815 (Alejo D) California Global Warming Solutions Act of 2006: disadvantaged communities.
Introduced: 2/8/2016
Status: 2/9/2016-From printer. May be heard in committee March 10.
Summary: Current law requires the 3-year investment plan to allocate a minimum of 25% of the available moneys in the Greenhouse Gas Reduction Fund to projects that provide benefits to disadvantaged communities. This bill would require the State Air Resources Board to prepare and post on its Internet Web site a specified report on the projects funded to benefit disadvantaged communities. This bill contains other related provisions.

AB 1833 (Linder R) Transportation projects: environmental mitigation.
Introduced: 2/9/2016
Status: 2/10/2016-From printer. May be heard in committee March 11.
Summary: Would create the Advanced Mitigation Program in the Department of Transportation to implement environmental mitigation measures in advance of future transportation projects. This bill contains other related provisions and other existing laws.

AB 1841 (Irwin D) Office of Emergency Services: duties: cybersecurity.
Introduced: 2/9/2016
Status: 2/10/2016-From printer. May be heard in committee March 11.
Summary: Would require the Office of Emergency Services to develop and transmit to the Legislature a state-wide emergency services response plan for cybersecurity attacks on critical infrastructure systems, as defined. The bill would further require the office to develop a comprehensive cybersecurity strategy setting standards for state agencies, as defined, and private entities to prepare for cybersecurity attacks on critical infrastructure systems. The bill would require state agencies, and authorize private entities, to report its cybersecurity strategy to the office.

AB 1886 (McCarty D) California Environmental Quality Act: transit priority projects.
Introduced: 2/11/2016
Status: 2/12/2016-From printer. May be heard in committee March 13.
Summary: CEQA exempts from its requirements transit priority projects meeting certain requirements, including the requirement that the project be within 1/2 mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. CEQA specifies that a project is considered to be within 1/2 mile of a major transit stop or high-quality transit corridor if, among other things, all parcels within the project have no more than 25% of their area farther than 1/2 mile from the stop or corridor. This bill would increase that percentage to 50%.

AB 1889 (Mullin D) Transportation funding: CalTrain.
Introduced: 2/11/2016
Status: 2/12/2016-From printer. May be heard in committee March 13.
Summary: Current law provides for the creation of the Peninsula Corridor Joint Powers Board, which operates CalTrain as the commuter rail service along the San Francisco Peninsula commute corridor. This bill would declare the intent of the Legislature to enact legislation to provide the Peninsula Corridor Joint Powers Board with the necessary tools to explore options that will help CalTrain obtain a dedicated source of funding.

AB 1908 (Harper R) High-occupancy vehicle lanes.
Introduced: 2/11/2016
Status: 2/12/2016-From printer. May be heard in committee March 13.
Summary: Would prohibit, commencing July 1, 2017, a high-occupancy vehicle lane from being established on a state highway in southern California, 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 southern California to be modified to conform with those requirements.

AB 1910 (Harper R) Transportation: advisory question: election.
Introduced: 2/11/2016
Status: 2/12/2016-From printer. May be heard in committee March 13.
Summary: Would call a special election to be consolidated with the November 8, 2016, statewide general election. The bill would require the Secretary of State to submit to the voters at the November 8, 2016, consolidated election an advisory question asking whether the California Legislature should "disproportionately target low-income and middle class families with a regressive tax increase on gasoline and annual vehicle registrations to fund road maintenance and rehabilitation, rather than ending the diversion of existing transportation tax revenues for nontransportation purposes, investing surplus state revenue in transportation infrastructure, repaying funds borrowed from transportation accounts, prioritizing roads over high-speed rail, and eliminating waste at the Department of Transportation."

AB 1919 (Quirk D) Local transportation authorities: bonds.
Introduced: 2/11/2016
Status: 2/12/2016-From printer. May be heard in committee March 13.
Summary: The Local Transportation Authority and Improvement Act provides for the creation in any county of a local transportation authority and authorizes the imposition of a retail transactions and use tax by ordinance, subject to approval of the ordinance by 2/3 of the voters. Current law requires the bond proceeds to be placed in the treasury of the local transportation authority and to be used for allowable transportation purposes, except that accrued interest and premiums received on the sale of the bonds are required to be placed in a fund to be used for the payment of bond debt service. This bill would instead provide for accrued interest and premiums received on the sale of the bonds to be placed in the treasury of the local transportation authority to be used for allowable transportation purposes.

AB 1938 (Baker R) Toll facilities: Metropolitan Transportation Commission
Introduced: 2/12/2016
Status: 2/16/2016-From printer. May be heard in committee March 17.

Summary: Current law authorizes the Bay Area Toll Authority to make direct contributions to the Metropolitan Transportation Commission in furtherance of the exercise of the authority's powers, including contributions in the form of personnel services, office space, overhead, and other funding necessary to carry out the function of the authority, with those contributions not to exceed 1% of the gross annual bridge revenues. This bill would require this limitation to apply to any revenues derived from bridge tolls, fees, or taxes, regardless of classification.

AB 1943 (Linder R) Vehicles: parking: public grounds.
Introduced: 2/12/2016
Status: 2/16/2016-From printer. May be heard in committee March 17.
Summary: Current law prohibits a person from driving or parking a vehicle or animal upon the driveways, paths, parking facilities, or grounds of specified public entities, including a public transportation agency and a county transportation commission, except with the permission of, and subject to any condition or regulation that may be imposed by, the governing body of the specified public entity. Current law defines "public transportation agency" for these purposes. This bill would revise the definition of "public transportation agency" to include a county transportation commission.

AB 1964 (Bloom D) High-occupancy vehicle lanes: vehicle exceptions.
Introduced:
Status: 2/16/2016-From printer. May be heard in committee March 17.
Summary: 2/12/2016 Existing federal law 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 HOV lanes. This bill would extend the operation of the provisions allowing specified vehicles to use HOV lanes until January 1, 2029, or until the date federal authorization expires, or until the Secretary of State receives a specified notice, whichever occurs first.

AB 2034 (Salas D) Department of Transportation: environmental review process: federal program.
Introduced: 2/16/2016
Status: 2/17/2016-From printer. May be heard in committee March 18.
Summary: Current law, until January 1, 2017, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities the Department of Transportation assumed as a participant in the surface transportation project delivery program. Current law requires the department, no later than January 1, 2016, to submit a report to the Legislature that includes specified elements. This bill would require the department to instead submit that report to the Legislature commencing January 1, 2021, and every 5 years thereafter. The bill would also delete the January 1, 2017, repeal date and thereby extend these provisions indefinitely.

AB 2049 (Melendez R) Bonds: transportation.
Introduced: 2/17/2016
Status: 2/18/2016-From printer. May be heard in committee March 19.
Summary: Would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, expect as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase I blended system.

AB 2090 (Alejo D) Low Carbon Transit Operations Program.
Introduced: 2/17/2016
Status: 2/18/2016-From printer. May be heard in committee March 19.
Summary: Current law continuously appropriates specified portions of the annual proceeds in the Greenhouse Gas Reduction Fund to various programs, including 5% for the Low Carbon Transit Operations Program, which provides operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities. This bill would additionally authorize moneys appropriated to the program to be expended to support the operation of existing bus or rail service if the governing board of the requesting transit agency declares a

fiscal emergency and other criteria are met, thereby expanding the scope of an existing continuous appropriation.

AB 2126 (Mullin D) Public contracts: Construction Manager/General Contractor contracts.
Introduced: 2/17/2016
Status: 2/18/2016-From printer. May be heard in committee March 19.
Summary: Current law authorizes the Department of Transportation to use the Construction Manager/General Contractor method on no more than 6 projects, and requires 4 out of the 6 projects to use department employees or consultants under contract with the department to perform all project design and engineering services, as specified. This bill would authorize the department to use this method on 12 projects and would require 8 out of the 12 projects to use department employees or consultants under contract with the department to perform all project design and engineering services

AB 2170 (Frazier D) Trade Corridors Improvement Fund: federal funds.
Introduced: 2/18/2016
Status: 2/19/2016-From printer. May be heard in committee March 20.
Summary: Would require revenues apportioned to the state from the National Highway Freight Program established by the federal Fixing America's Surface Transportation Act to be deposited in the Trade Corridors Improvement Fund.

AB 2189 (Irwin D) Rim of the Valley Trail corridor: boundary revisions.
Introduced: 2/18/2016
Status: 2/19/2016-From printer. May be heard in committee March 20.
Summary: Current law authorizes the Santa Monica Mountains Conservancy to revise the boundaries of the Rim of the Valley Trail corridor in the vicinity of the City of Santa Clarita if it determines, based on relevant scientific information and land use planning studies and after holding at least one public hearing, that a boundary revision is necessary, and to prepare and file a revised map showing the revised boundaries, as prescribed. This bill would, pursuant to the same process and conditions, also authorize the conservancy to revise the boundaries of the Rim of the Valley Trail corridor in the vicinity of the City of Moorpark, and to prepare and file a revised map, as prescribed.

AB 2222 (Holden D) Transit passes.
Introduced: 2/18/2016
Status: 2/19/2016-From printer. May be heard in committee March 20.
Summary: Would continuously appropriate $50,000,000 annually from the Greenhouse Gas Reduction Fund for the Transit Pass Program, to be administered by the Department of Transportation. The bill would provide for moneys made available for the program to be allocated by the Controller, as directed by the department, to support transit pass programs of public agencies that provide free or reduced-fare transit passes to public school students and community college, California State University, and University of California students.

AB 2233 (Brown D) Highways: exit information signs.
Introduced: 2/18/2016
Status: 2/19/2016-From printer. May be heard in committee March 20.
Summary: Would require the Department of Transportation to adopt rules and regulations that allow the placement, near exits and off-ramps on freeways located in urban and rural areas, of information signs identifying the closest hospital owned and operated by a county that includes the full name of the hospital, if the county requests the sign or signs and agrees to pay for the cost. The bill would require the department to erect the sign or signs within 30 days of the receipt of payment from the county.

AB 2289 (Frazier D) Department of Transportation: capital improvement projects.
Introduced: 2/18/2016
Status: 2/19/2016-From printer. May be heard in committee March 20.
Summary: Current law requires the Department of Transportation to prepare a state highway operation and protection program for the expenditure of transportation funds for major capital improvements that are necessary to preserve and protect the state highway system and that include capital projects relative

to maintenance, safety, and rehabilitation of state highways and bridges that do not add a new traffic lane to the system. This bill would add to the program capital projects relative to the operation of those state highways and bridges.

AB 2293 (Garcia, Cristina D) Greenhouse Gas Reduction Fund: 3-year investment plan: technical assistance program.
Introduced: 2/18/2016
Status: 2/19/2016-From printer. May be heard in committee March 20.
Summary: Would require the State Air Resources Board to establish a technical assistance program, upon an appropriation of moneys from the Greenhouse Gas Reduction Fund, to assist small disadvantaged communities in applying for moneys from programs using moneys from the fund, as specified. The bill would also require the department to include in the 3-year investment plan an allocation to the state board for that technical assistance program.

AB 2332 (Garcia, Eduardo D) Transportation.
Introduced: 2/18/2016
Status: 2/19/2016-From printer. May be heard in committee March 20.
Summary: Would, by January 1, 2018, require the California Transportation Commission to establish a process whereby the department and local agencies receiving funding for highway capital improvements from the State Highway Operation and Protection Program or the State Transportation Improvement Program prioritize projects that provide meaningful benefits to the mobility and safety needs of disadvantaged community residents, as specified.

AB 2343 (Garcia, Cristina D) Greenhouse Gas Reduction Fund: 3-year investment plan: disadvantaged communities.
Introduced: 2/18/2016
Status: 2/19/2016-From printer. May be heard in committee March 20.
Summary: communities and requires the Department of Finance, in consultation Current law requires the California Environmental Protection Agency to identify disadvantaged with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Current law requires the 3-year investment plan to allocate a minimum of 10% of the available moneys in the fund to projects located within disadvantaged communities. This bill instead would require a minimum of 10% of the moneys in fund to be allocated to projects located in a city of an unspecified population within a disadvantaged community.

AB 2355 (Dababneh D) Intercity rail services: mitigation.
Introduced: 2/18/2016
Status: 2/19/2016-From printer. May be heard in committee March 20.
Summary: Would require the Department of Transportation to develop a program for the reasonable mitigation of noise and vibration levels in residential neighborhoods along railroad lines where the department contracts for state-funded intercity rail passenger service. The bill would require the department to determine what constitutes a reasonable level of mitigation. The bill would provide that funding for the mitigation program shall be made available from funds appropriated by the Legislature for this purpose.

AB 2374 (Chiu D) Construction Manager/General Contractor method: regional transportation agencies: ramps.
Introduced: 2/18/2016
Status: 2/19/2016-From printer. May be heard in committee March 20.
Summary: Current law authorizes regional transportation agencies to use the Construction Manager/General Contractor project delivery method, as specified, to design and construct certain expressways that are not on the state highway system if: (1) the expressways are developed in accordance with an expenditure plan approved by voters, (2) there is an evaluation of the traditional design-bid-build method of construction and of the Construction Manager/General Contractor method, and (3) the board of the regional transportation agency adopts the method in a public meeting. This bill

would authorize regional transportation agencies also to use this authority on ramps that are not on the state highway system, as specified.

AB 2382 (Lopez D) High-Speed Rail Authority: membership.
Introduced: 2/18/2016
Status: 2/19/2016-From printer. May be heard in committee March 20.
Summary: Current law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed rail system. The authority is comprised of 9 members, with 5 members appointed by the Governor and 4 members appointed by the Legislature. This bill would require at least one member appointed by the Governor to be a person who works directly with communities in the state that are most significantly burdened by, and vulnerable to, high levels of pollution.

AB 2411 (Frazier D) Transportation revenues.
Introduced: 2/19/2016
Status: 2/19/2016-Introduced. To print.
Summary: Current law requires certain miscellaneous revenues deposited in the State Highway Account that are not restricted as to expenditure by Article XIX of the California Constitution to be transferred to the Transportation Debt Service Fund in the State Transportation Fund, as specified, and requires the Controller to transfer from the fund to the General Fund an amount of those revenues necessary to offset the current year debt service made from the General Fund on general obligation transportation bonds issued pursuant to Proposition 116 of 1990. This bill would delete the transfer of these miscellaneous revenues to the Transportation Debt Service Fund, thereby eliminating the offsetting transfer to the General Fund for debt service on general obligation transportation bonds issued pursuant to Proposition 116 of 1990.

AB 2452 (Quirk D) California Environmental Quality Act: judicial remedies: emissions of greenhouse gases.
Introduced: 2/19/2016
Status: 2/19/2016-Introduced. To print.
Summary: CEQA authorizes a court, in an action or proceeding brought challenging the decision of a public agency on the ground of noncompliance with CEQA, to enter an order to suspend any specific project activity if the court finds that the activity will prejudice the consideration and implementation of particular mitigation measures or alternatives to the project. This bill would, in an action or proceeding under CEQA, prohibit a court from staying or enjoining transportation infrastructure projects, as defined, based solely on the project's potential contribution to the emissions of greenhouse gases.

AB 2796 (Low D) Active Transportation Program.
Introduced: 2/19/2016
Status: 2/19/2016-Introduced. To print.
Summary: Current law creates the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation. Current law requires the California Transportation Commission to award 50% and 10% of available funds to projects statewide and to projects in small urban and rural regions, respectively, with the remaining 40% of available funds to be awarded to projects by metropolitan planning organizations, with the funds available for distribution by each metropolitan planning organization based on its relative population. This bill would require a minimum of 5% of available funds in each of the 3 distribution categories to be awarded for planning and community engagement for active transportation in disadvantaged communities.

AB 2847 (Patterson R) State highways: transfer to local agencies: pilot program.
Introduced: 2/19/2016
Status: 2/19/2016-Introduced. To print.
Summary: Would require the Department of Transportation to participate in a pilot program over a 5-year period under which 3 counties, one in northern California, one in southern California, and one in the central valley, are selected to operate, maintain, and make improvements to all state highways, including freeways, in the affected county.

AB 2853 (Gatto D) Public records.
Introduced: 2/19/2016
Status: 2/19/2016-Introduced. To print.
Summary: The California Public Records Act defines the term "public record," for purposes of that act, to mean any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. This bill would express the intent of the Legislature to subsequently amend this bill to include provisions that would clarify that the term "public record," for purposes of that act, includes those writings kept on the private cellular phone or other electronic device of an elected official, official, or employee or a public agency if those records relate to the public's business.

ABX1 1 (Alejo D) Transportation funding.
Introduced: 6/23/2015
Status: 6/24/2015-From printer.
Summary: Current law provides for loans of revenues from various transportation funds and accounts to the General Fund, with various repayment dates specified. This bill, with respect to any loans made to the General Fund from specified transportation funds and accounts with a repayment date of January 1, 2019, or later, would require the loans to be repaid by December 31, 2018. This bill contains other related provisions and other current laws.
Position: Support

ACA 4 (Frazier D) Local government transportation projects: special taxes: voter approval.
Introduced: 2/27/2015
Status: 8/27/2015-In committee: Hearing postponed by committee.
Summary: Would provide that the imposition, extension, or increase of a sales and use tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or a transactions and use tax imposed in accordance with the Transactions and Use Tax Law by a county, city, city and county, or special district for the purpose of providing funding for local transportation projects, as defined, requires the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes.
Position: Support

SB 8 (Hertzberg D) Taxation.
Introduced: 12/1/2014
Status: 1/22/2016-Failed Deadline pursuant to Rule 61(b)(2). (Last location was 2 YEAR on 5/15/2015)
Summary: Would state legislative findings regarding the Upward Mobility Act, key provisions of which would expand the application of the Sales and Use Tax law by imposing a tax on specified services, would enhance the state's business climate, would incentivize entrepreneurship and business creation by evaluating the corporate tax, and would examine the impacts of a lower and simpler personal income tax. This bill contains other related provisions.

SB 16 (Beall D) Transportation funding.
Introduced: 12/1/2014
Status: 2/1/2016-Died on file pursuant to Joint Rule 56.
Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would provide for the program to be authorized every 5 years by the Legislature, and would provide that authorization for the 2015-16 through 2019-20 fiscal years. The bill would require the California Transportation Commission to identify the estimated funds to be available for the program and adopt performance criteria to ensure efficient use of the funds.
Position: Support

SB 321 (Beall D) Motor vehicle fuel taxes: rates: adjustments.
Introduced: 2/23/2015
Status: 9/11/2015-Ordered to inactive file on request of Senator Beall.

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

SB 391 (Huff R) Assault and battery: transit employees.
Introduced: 2/25/2015
Status: 1/15/2016-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/1/2015)
Summary: Would make an assault committed against a transit employee punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding $2,000, or by both that fine and imprisonment. By expanding the scope of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

SB 595 (Cannella R) Vehicles: prima facie speed limits: schools.
Introduced: 2/27/2015
Status: 1/22/2016-Failed Deadline pursuant to Rule 61(b)(2). (Last location was 2 YEAR on 5/15/2015)
Summary: Under current law, the prima facie speed limit when approaching or passing a school is 25 miles per hour. Current law authorizes a local authority to establish a lower prima facie speed limit within specified distances of a school. This bill would make technical, nonsubstantive changes to that provision.

SB 649 (Roth D) Vehicles: weight limits.
Introduced: 2/27/2015
Status: 1/22/2016-Failed Deadline pursuant to Rule 61(b)(2). (Last location was 2 YEAR on 5/15/2015)
Summary: Current law generally prohibits the total gross weight in pounds imposed on the highway by a group of 2 or more consecutive axles of a vehicle from exceeding a specified weight, depending on the distance in feet between the extremes of a group of 2 or more consecutive axles, and the number of axles. This bill would make technical, nonsubstantive changes to those provisions.

SB 698 (Cannella R) Active Transportation Program: school zone safety projects.
Introduced: 2/27/2015
Status: 1/15/2016-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 5/1/2015)
Summary: Would continuously appropriate an unspecified amount from the Greenhouse Gas Reduction Fund to the State Highway Account in the State Transportation Fund for purposes of funding school zone safety projects within the Active Transportation Program. This bill contains other existing laws.

SB 824 (Beall D) Low Carbon Transit Operations Program.
Introduced: 1/7/2016
Status: 1/28/2016-Referred to Com. on T. & H.
Summary: Would authorize a recipient transit agency that does not submit a project for funding under the Low Carbon Transit Operations Program in a particular fiscal year to retain its funding share for expenditure in a subsequent fiscal year. The bill would, in that regard, require the Department of Transportation to annually calculate a funding share for each eligible recipient transit agency. This bill contains other existing laws.

SB 901 (Bates R) Transportation projects: Advanced Mitigation Program.
Introduced: 1/21/2016
Status: 2/4/2016-Referred to Coms. on T. & H. and E.Q.
Summary: Would create the Advanced Mitigation Program in the Department of Transportation to implement environmental mitigation measures in advance of future transportation projects. The bill would require the department to set aside certain amounts of future appropriations for this purpose.

SB 902 (Cannella R) Department of Transportation: environmental review process: federal program.
Introduced: 1/21/2016
Status: 2/4/2016-Referred to Com. on T. & H.
Summary: Current law, until January 1, 2017, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities the Department of Transportation assumed as a participant in the surface transportation project delivery program. Current law requires the department, no later than January 1, 2016, to submit a report to the Legislature that includes specified elements. This bill would require the department to instead submit that report to the Legislature commencing January 1, 2021, and every 5 years thereafter.

SB 903 (Nguyen R) Transportation funds: loan repayment.
Introduced: 1/21/2016
Status: 2/4/2016-Referred to Com. on T. & H.
Summary: Would acknowledge, as of June 30, 2015, $879,000,000 in outstanding loans of certain transportation revenues, and would require this amount to be repaid from the General Fund by June 30, 2016, to the Traffic Congestion Relief Fund for allocation to the Traffic Congestion Relief Program, the Trade Corridors Improvement Fund, the Public Transportation Account, and the State Highway Account, as specified. The bill would thereby make an appropriation. This bill contains other related provisions and other existing laws.

SB 940 (Vidak R) High-Speed Rail Authority: eminent domain: right of first refusal.
Introduced: 2/3/2016
Status: 2/18/2016-Referred to Com. on RLS.
Summary: Would declare the intent of the Legislature to enact legislation that would establish a right of first refusal for landowners to reacquire land that was taken for high-speed rail through eminent domain, if the land is later determined to not be necessary for high-speed rail.

SB 1066 (Beall D) Transportation funds: fund estimates.
Introduced: 2/16/2016
Status: 2/17/2016-From printer. May be acted upon on or after March 18.
Summary: Current law requires the Department of Transportation to submit to the California Transportation Commission an estimate of state and federal funds reasonably expected to be available for future programming over the 5-year period in each state transportation improvement program, and requires the California Transportation Commission to adopt a fund estimate in that regard. This bill would require the fund estimates prepared by the department and the commission to identify and include federal funds derived from apportionments made to the state under the Fixing America's Surface Transportation Act of 2015.

SB 1197 (Cannella R) Intercity rail corridors: extensions.
Introduced: 2/18/2016
Status: 2/19/2016-From printer. May be acted upon on or after March 20.
Summary: Would require a proposed extension to first be recommended and justified in the business plan adopted by the joint powers board, and then would require the approval of the Secretary of Transportation.

SB 1320 (Runner R) California Transportation Commission.
Introduced: 2/19/2016
Status: 2/19/2016-Introduced. To Com. on RLS. for assignment. To print.
Summary: Would exclude the California Transportation Commission from the Transportation Agency, establish it as an entity in state government, and require it to act in an independent oversight role. The bill would also make conforming changes. This bill contains other related provisions and other existing laws.

SB 1397 (Huff R) Highway safety and information program.
Introduced: 2/19/2016
Status: 2/19/2016-Introduced. To Com. on RLS. for assignment. To print.

Summary: Would enact the Highway Safety and Information Act. The bill would authorize the Department of Transportation, subject to federal approval, to enter into an agreement pursuant to a best value procurement and competitive process for a project with a contractor to construct, upgrade or reconstruct, and operate a network of changeable message signs within the rights-of-way of the state highway system, as specified.

SB 1436 (Bates R) Local agency meetings: local agency executive compensation: discussion of final action taken.
Introduced: 2/19/2016
Status: 2/19/2016-Introduced. To Com. on RLS. for assignment. To print.
Summary: Would require the final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive to be made a separate discussion item and not placed on a consent calendar. The bill would define, for these purposes, "discussion item" as an item that is given time in a meeting for discussion separate from any other item and "consent calendar" as a list of 2 or more items that the legislative body has agreed to vote on as a group at once without a separate debate for each item. This bill contains other related provisions and other existing laws.

SB 1464 (De León D) California Global Warming Solutions Act of 2006: greenhouse gas emissions reduction.
Introduced: 2/19/2016
Status: 2/19/2016-Introduced. To Com. on RLS. for assignment. To print.
Summary: Current law requires the State Air Resources Board to consult with other states, the federal government, and other nations to identify the most effective strategies and methods to reduce greenhouse gases, manage greenhouse gas control programs, and facilitate the development of integrated and cost-effective regional, national, and international greenhouse gas reduction programs. This bill would require the state board to also consult with local agencies for these purposes.

SBX1 1 (Beall D) Transportation funding.
Introduced: 6/22/2015
Status: 9/1/2015-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.
Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system and for other specified purposes. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund.
Position: Support

SCA 7 (Huff R) Motor vehicle fees and taxes: restriction on expenditures.
Introduced: 4/9/2015
Status: 1/12/2016-Set for hearing January 19 in E. & C.A. pending receipt.
Summary: Would prohibit the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. The measure would also provide that none of those revenues may be pledged or used for the payment of principal and interest on bonds or other indebtedness.

SCA 8 (Mendoza D) Counties: board of supervisors: redistricting.
Introduced: 5/11/2015
Status: 9/11/2015-Ordered to inactive file on request of Senator Mitchell.
Summary: Would in a charter county that is found at a decennial United States census, beginning with the 2020 United States census, to have a population of more than 2,000,000, require, and deem the county charter to provide for, a governing body consisting of 7 or more members, not to be thereafter reduced to fewer than 7 members even if, in a future decennial United States census, the county is not a county with a population of more than 2,000,000. This bill contains other related provisions and other existing laws.

SCAX1 1 (Huff R) Motor vehicle fees and taxes: restriction on expenditures.
Introduced: 6/19/2015
Status: 9/9/2015-From committee: Be adopted and re-refer to Com. on APPR. (Ayes 13. Noes 0.) (September 8). Re-referred to Com. on APPR.
Summary: Would prohibit the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. The measure would also prohibit those revenues from being pledged or used for the payment of principal and interest on bonds or other indebtedness. This bill contains other related provisions and other existing laws.

ATTACHMENT B

AB 2034 (Salas)

Summary:

AB 2034 repeals the January 1, 2017 sunset date and thereby extends indefinitely Caltrans' responsibility for the Federal Highway Administration's duties under the National Environmental Policy Act.

Purpose:

Caltrans originally took part in the "Surface Transportation Project Delivery Pilot Program." During the five-year pilot, Caltrans was able to expedite and streamline the environmental review process for transportation projects by assuming responsibility for the approval of federal environmental documents for highway projects, such as Environmental Impact Statements, Environmental Assessments, and Categorical Exclusions. In the first six months of the pilot program, draft environmental documents were approved in 72 percent less time, and final environmental documents were approved in 67 percent less time.

The program also includes a number of requirements to ensure environmental protection, including FHWA annual audits, reporting to the Legislature, additional trainings, implanting various reporting and quality control standards, among others. Having Caltrans take on the FHWA role resulted in significant time savings on transportation projects. After the pilot project concluded, the FHWA allowed Caltrans to participate in the MAP-21 Surface Transportation Project Delivery Program through the NEPA MOU. The program took effect in 2012 and has continued to reduce project delivery times. AB 2034 would extend these responsibilities indefinitely.

Existing Law:

- Caltrans currently assumes FHWA responsibilities under NEPA (effective October 1, 2012), which dictates that Caltrans may use federal funds for attorneys' fees attributable to program activities and will perform revised auditing requirements. However, the program is renewable for a term of not more than five years and is set to expire in 2017.

- (e) (1) This section shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.
  (2) The state shall remain liable for any decisions made, or responsibilities assumed and exercised, prior to the repeal of this section under this subdivision, pursuant to applicable federal statutes of limitation for filing citizens' suits in federal court.

Related Legislation:

AB 892 (Carter) in 2011 extended the sunset date of Caltrans' NEPA delegation authority to January 1, 2017. The bill was supported by numerous local governments and transportation agencies and received no registered opposition.
AB 2650 (Carter) from 2008, which extended the sunset date from January 1, 2009 to January 1, 2012 to allow Caltrans to continue its assumption of NEPA responsibilities.

Support/Opposition:

Support: None received yet, as of February 22, 2016.
Opposition: None received yet, as of February 22, 2016.

AB 2170 (Frazier)

Summary:

AB 2170 would require revenues allocated to the state from the National Highway Freight Program (created by the FAST Act) to be deposited in the Trade Corridors Improvement Fund (TCIF).

Purpose:

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B) created the Trade Corridors Improvement Fund. The Proposition allocated $2 billion in bond funds for infrastructure improvements on highway and rail corridors specifically for freight movement. This $2 billion program within Proposition 1B is known as TCIF. The types of projects under TCIF include highway expansions, grade separations, rail capacity, and port access improvements. With a required match of at least 1:1 in non-state funds, the TCIF program has effectively leveraged approximately $1.8 billion in Proposition 1B funds to deliver nearly $6 billion in infrastructure projects statewide.

The $2 billion in TCIF funds helped garner a wide range of private, local, regional, and federal investments that ultimately resulted in the completion of 69 freight projects valued at $6.5 billion. Although the TCIF program is still in existence, all of the $2 billion Proposition 1B bond funds have been expended or are already dedicated for specific projects. AB 2170 would allocate additional funding to the TCIF program by requiring the money from the National Highway Freight Program be used for the program.

Existing Law:

2192. (a) The Trade Corridors Improvement Fund, created pursuant to subdivision (c) of Section 8879.23 of the Government Code, is hereby continued in existence to receive revenues from sources other than the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. This chapter shall govern expenditure of those other revenues.

(b) The moneys in the fund from those other sources shall be available upon appropriation for allocation by the California Transportation Commission for infrastructure improvements in this state on federally designated Trade Corridors of National and Regional Significance, on the Primary Freight Network, and along other corridors that have a high volume of freight movement, as determined by the commission…

Related Legislation:

SB 1228 (Hueso) from 2014 extended the existence of the TCIF and allowed the program to receive funding from sources other than the general obligation bonds that were originally authorized. The San Diego Regional Chamber of Commerce sponsored SB 1228, and a number of local ports and transportation agencies were in support. The Department of Finance was the only registered opposition.

Support/Opposition:

Support: Southern California Association of Governments
Opposition: None received yet, as of February 22, 2016.

ATTACHMENT D

AB 2090 (Alejo)

Summary:

AB 2090 by Assemblyman Alejo would provide money from state cap-and-trade funds for ongoing transit operations for a transit agency that is experiencing a fiscal emergency. Specifically, the bill would authorize funds that are appropriated from the LCTOP program to be used for the operation of existing bus or rail services, if the governing board of the transit agency declares a fiscal emergency within 90 days. The funds received under this purview would need to be used to support current bus-or rail-service operating costs, which can include labor, fueling, maintenance, and other costs to operate and maintain the services. Additionally, the funds must directly sustain transit service that would otherwise be reduced or eliminated in the upcoming year if the money was not received.

Purpose:

By allowing cap and trade funds to be used for ongoing transit operations, public transportation agencies are able to avoid implementing cuts to current public transit services that offer an alternative for people looking to get out of their cars. Potential cuts to these transit services could ultimately hinder greenhouse gas reduction, if people are obligated to return to their vehicles, so using LCTOP funds for ongoing transit operations could help alleviate the financial problems that can lead to operating reductions.

The California Transportation Commission reported a reduced estimate of projected funding available for the state's transportation program by $754 million over the next five years due to the declining gas excise tax prices. Since many transit agencies are now facing cuts in state funds (STA), AB 2090 avoids the state forcing transit agencies to have to cut service (due to STA cutbacks) while also having to add different service (as required by LCTOP).

Author Statement

Without this bill, some public transportation agencies will not be able to use vital State Cap-and-Trade funds – specifically intended to support transit – and, transit service cutbacks could then take place, thus forcing people out of transit and into less efficient modes of transportation. That could lead to an increase in harmful greenhouse gas emissions.

Existing Law:

- Annually 5% of the funding is allocated to LCTOP, which provides operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities.

- (c) Funding shall be allocated by the Controller consistent with the requirements of this part and with Section 39719 of the Health and Safety Code, upon a determination by the Department of Transportation that the expenditures proposed by a transit agency meet the requirements of this part and guidelines developed pursuant to subdivision (f), and the amount of funding requested that is currently available.

  (d) Moneys for the program shall be expended to provide transit operating or capital assistance that meets all of the following criteria:
  (1) Expenditures supporting new or expanded bus or rail services, or expanded intermodal transit facilities, and may include equipment acquisition, fueling, and maintenance, and other costs to operate those services or facilities.
  (2) The recipient transit agency demonstrates that each expenditure directly enhances or expands transit service to increase mode share.
  (3) The recipient transit agency demonstrates that each expenditure reduces greenhouse gas emissions.

- The “fiscal emergency” definition and process is also already spelled out in existing law: AB 2090 cross-references Public Resources Code section 21080.32, which is a part of CEQA. That section allows transit agencies experiencing fiscal emergencies to streamline some actions otherwise subject to a CEQA review. [In this case, “fiscal emergency” means that the agency is projected to have negative working capital within one year from the date that the agency makes the finding that there is a fiscal emergency pursuant to this section. Working capital shall be determined by adding together all unrestricted cash, unrestricted short-term investments, and unrestricted short-term accounts receivable and then subtracting unrestricted accounts payable. Employee retirement funds, health insurance reserves, bond payment reserves, workers’ compensation reserves, and insurance reserves, shall not be factored into the formula for working capital.]

Related Legislation:

SB 231 (Gaines) extended the use of LCTOP funding to include water-borne transit as an eligible project. This bill was chaptered in September of 2015, and had no opposition in its final form.

SB 824 (Beall), just recently introduced, makes a number of changes in how transit agencies utilize their LCTOP formula shares. Specifically, the bill allows a public transit agency to reassign left-over funds to another project, transfer funds to higher-priority projects, bank formula shares, loan funds to another eligible recipient, use local funds to advance a project and get reimbursed later, among a few other adjustments.

Support/Opposition:

Support: Santa Cruz Metro
Opposition: None received as of February 22, 2016.

ATTACHMENT E

SB 824 (Beall)

Summary:

SB 824 makes a number of changes in how transit agencies utilize their Low Carbon Transit Operations formula shares. Specifically, the bill:

1) Allows a public transit agency that completes an LCTOP-funded project under budget and, thus, achieves cost saving to reassign the "left-over" LCTOP dollars to another eligible project.
2) If a public transit agency designates a project for LCTOP funding and then decides at a later date that another project is of higher priority, allows the agency to move its LCTOP funds over to the higher-priority project.
3) Allows a public transit agency to "bank" its formula share in order to save up and accumulate a sufficient amount of money to use for a larger project at some later date.
4) Allows a public transit agency to loan or give away its LCTOP formula share to another eligible recipient, or pool its share with those of other eligible recipients.
5) Allows a public transit agency to obtain a Letter of No Prejudice (LONP), which allows the agency to advance its project using local dollars and then get reimbursed with LCTOP funds when they become available.
6) Changes the auditing process to ensuring that a public transit agency would not be subjected to a separate audit for its LCTOP expenditures; instead, LCTOP would be part of the agency's current Transportation Development Act audit.

Purpose:

SB 824 adds more tools and flexibility to allow public transit agencies to more effectively and efficiently manage and utilize their LCTOP formula shares, and includes several administrative streamlining provisions. The number of changes proposed in SB 824 grant greater flexibility to transit agencies to maximize their received funding. Specifically, the ability to loan shares will help ensure that funding gets expended for projects and services, rather than going to waste.

This would also allow a public transit agency that is not ready to move forward with its project to loan its LCTOP share to another eligible recipient that has a project it is trying to advance but cannot fully fund with its own formula share. The ability to give away funds is included in the bill to address issues that arose with Proposition 1B PTMISEA Program, where some agencies had shares that were so small, they could not use the money. As a result, the PTMISEA money went unclaimed. SB 824 would allow an agency to give away that money, if it determined that it was never going to use it. Pooling funds is another component of SB 824, which may be of value to smaller transit agencies who have formula shares that are too small to move forward with any one project. With this provision, smaller agencies could put their funds together to advance a project in one year, and then another agency could use the pooled funds the following year. Lastly, LONP would allow an agency to continue advancing a project with local funds, until the state money was available for use.

Author Statement:

Transportation funding available under the State's Low Carbon Transit Operations Program (LCTOP) should be invested in projects that maximize reductions in greenhouse gas (GHG) emissions to ensure that California meets it climate goals as set forth in AB 32 and by the Governor's Executive Orders. Such projects may be multi-year efforts, and may require a level of financial certainty to allow public transit agencies to plan, develop and deliver them. Therefore, LCTOP should provide a wide variety of tools and flexibility to help public transit agencies more effectively and efficiently manage and utilize their funding under the program to maximize GHG emissions reductions.

Existing Law:

- Existing law continuously appropriates 5% of annual cap-and-trade auction proceeds deposited in the Greenhouse Gas Reduction Fund to LCTOP. This formula-based program provides operating and capital assistance to public transit agencies to reduce GHG emissions, improve mobility, and enhance or expand service to increase mode share.

  Under LCTOP, funding flows to public transit agencies according to the State Transit Assistance Program formula. If a public transit agency's service area includes disadvantaged communities, current law requires that at least 50 percent of its funding be used for projects or services that benefit those communities. Caltrans is the grant administrator for LCTOP.

- The current LCTOP guidelines allow the accruing of funds, but there is a limit of three years. The guidelines also allow the giving away of funds, but it must be for a mutually beneficial project. The current guidelines do not allow for pooling or loaning of LCTOP formula shares or for LONP. Lastly, the current LCTOP guidelines allow for project savings and changing projects but SB 824 would codify these into statute.

- (c) Funding shall be allocated by the Controller consistent with the requirements of this part and with Section 39719 of the Health and Safety Code, upon a determination by the Department of Transportation that the expenditures proposed by a transit agency meet the requirements of this part and guidelines developed pursuant to subdivision (f), and the amount of funding requested that is currently available.

  (d) Moneys for the program shall be expended to provide transit operating or capital assistance that meets all of the following criteria:
  (1) Expenditures supporting new or expanded bus or rail services, new or expanded water-borne transit, or expanded intermodal transit facilities, and may include equipment acquisition, fueling, and maintenance, and other costs to operate those services or facilities.
  (2) The recipient transit agency demonstrates that each expenditure directly enhances or expands transit service to increase mode share.
  (3) The recipient transit agency demonstrates that each expenditure reduces greenhouse gas emissions.

Related Legislation:
SB 9 (Beall) from 2015 modified the Transit and Intercity Capital Rail Program (TIRCP) to put in place a multi-year programming and allocations process to accommodate large-scale projects to reduce GHG emissions.

Support/Opposition:
Support: Santa Clara Valley Transportation Authority, California Transportation Association
Opposition: None received, as of February 22, 2016

ATTACHMENT F

VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY February 19, 2016			
BILL/AUTHOR	**SUBJECT**	**POSITION**	**STATUS**
AB 1591 Frazier	Increases fuel taxes and vehicle fees to raise $7 million annually for transportation.	Support	In Assembly Transportation and Revenue & Taxation Committees.
AB 2034 Salas	Makes permanent the legal provisions allowing delegation of NEPA authority to Caltrans.	**Support**	Just introduced.
AB 2090 Alejo	Amends LCTOP program to allow use of funds to avoid transit cutting services that would otherwise be cut where cutting the service will increase greenhouse gas emissions.	**Support**	Just introduced.
AB 2170 Frazier	Provides that National Highway Freight Program funds be distributed within California through the Transportation Corridor Improvement Fund (TCIF) program.	**Support**	Just introduced.
ACA 4 Frazier	Places before the voters a Constitutional Amendment to reduce to 55% the approval threshold for local transportation funding measures.	Support	In Assembly Appropriations Committee.
AB X1-1 Alejo	Provides various transportation revenue enhancements including a prohibition on spending truck weight fees on transportation bond debt service.	Support	No action.
SB 824 Beall	Allows LCTOP recipients to carry over their apportionments.	**Support & Seek Amendment**	In Senate Transportation & Housing Committee
SB X1-1 Beall	Increases fuel taxes and vehicle fees to raise $6 million annually for transportation.	Support	In Senate Appropriations Committee.

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

Item # 10

March 4, 2016

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **RICHARD HOLZER, PLANNING ANALYST**

SUBJECT: **BIKE WAYFINDING PROJECT UPDATE**

RECOMMENDATION:

- Receive a presentation about the bike wayfinding project.

DISCUSSION:

Last fall, VCTC entered into a contract with Alta Planning + Design for consultant services to design bike routes and wayfinding infrastructure throughout the county. Public input will define where routes should travel and determine how their importance ranks in comparison to other routes. The plan will identify inter-city and inter-county routes to connect major destinations for use by cyclists of all skill levels for both recreational and commuting purposes. A Transportation Technical Advisory Committee (TTAC) subcommittee is overseeing the project.

VCTC began its public outreach campaign in December 2015 with launch of a survey and bike WikiMap, an interactive web map where the public could login and draw routes they frequent and points for major destinations. The outreach was highly successful with over 278 unique logins to the WikiMap and 686 different comments, including 185 potential routes drawn and 187 points of interest identified. Fifteen different GPS routes were uploaded and subsequently added to the map. Sixty-three participants took the survey. The public comment period ended January 31, 2016.

Alta has done preliminary data processing and will meet with the advisory subcommittee on February 24, 2016. Additional public outreach including bike rides with local bike groups will occur this month or early next month to "truth" the routes and ensure each route is safe and viable. With the guidance of the subcommittee and this additional outreach, Alta will prioritize the routes and a draft plan will be released later this spring. There will be additional meetings with the oversight committee, local jurisdictions, and TTAC to further refine the plan before preparing a final draft this summer.

Emily Duchon, Project Manager with Alta Planning + Design will present an overview of the input received from the public outreach campaign and discuss the next steps of the project in greater detail.

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Item #11

March 4, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN M. KETTLE, EXECUTIVE DIRECTOR

SUBJECT: FAIRBANKS, MASLIN, MAULIN, METZ AND ASSOCIATES (FM3) VOTER RESEARCH

RECOMMENDATION:

- Approve increase of fiscal year expenditure authority in excess of the Executive Director's signature authority in the amount of $8,500 to a total not to exceed amount of $58,500 with FM3 to conduct voter research.

BACKGROUND:

In July 2015, following an April 2015 telephone survey of 802 high-propensity Ventura County voters, the Commission received a report from the Dr. Richard Bernard, with the voter research firm of Fairbanks, Maslin, Maulin, Metz and Associates (FM3) of survey results related to pursuing a voter approved sales tax measure for transportation in Ventura County. In summary, while the polling results showed that voters were trending toward a two-thirds majority required for a special tax, should the Commission choose to pursue a November 2016 ballot measure, the numbers would still need to edge closer to the two-thirds majority required for such a Measure to be successful. The cost of the survey was a little over $46,000 and was included in the FY 2014/15 budget and authorized under the Executive Director's signature authority.

In Fall 2015 FM3 conducted a second poll to explore if a quarter set sales tax measure might be received in a supportive way by voters. That research led Dr. Bernard to conclude that there was statistically no difference in voter's minds between a ¼ cent and a ½ cent transportation sales tax measure. So, given the clear need for the revenues generated by a ½ cent measure to invest in local streets and roads, freeway congestion relieving projects on the 101 and 118, and public transit and active transportation projects, the ad hoc committee directed staff to proceed with developing a half cent sales tax measure for transportation and develop a funding distribution that would be publicized and encourage engagement by residents of Ventura County. The Fall 2015 survey was shorter in length and was a sample size of 601 high propensity voters. The cost for this effort was $28,500 and was budgeted in the FY 2015/16 and authorized under the Executive Director's signature authority.

The final survey exercise prior to the Commission making a determination about a November 2016 election is set for the end of March. FM3 has quoted a price in an amount not to exceed $30,000 to conduct a survey comparable to the one conducted in Fall 2015. While funds are budgeted in this fiscal to conduct this survey, the $30,000 takes the total cost to one vendor in a single fiscal year over the Executive Director's signature authority of $50,000. The recommended action authorizes expenditures over the Executive Director's signature authority in the amount of $8,500 on a "one-time" basis.