



VENTURA COUNTY TRANSPORTATION COMMISSION
AIRPORT LAND USE COMMISSION
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
CONSOLIDATED TRANSPORTATION SERVICE AGENCY
CONGESTION MANAGEMENT AGENCY
www.goventura.org

AGENDA*

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

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA

FRIDAY, MARCH 2, 2018
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 2, 2018 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.15

Recommended Action:

Receive and File

Responsible Staff: Claire Grasty

8D. LEGISLATION - PG. 21

Recommended Action:

Receive and File

Responsible Staff: Peter De Haan

8E. SECTION 13(c) LABOR AGREEMENT - PG.33

Recommended Action:

Approve the attached agreement with the Service Employees International Union (SEIU), Local 721, as required for VCTC's Fiscal Year 2017/18 federal transit grant applications with the Federal Transit Administration.

Responsible Staff Peter De Haan

9. **FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5310 LARGE URBANIZED AREA (SENIORS AND DISABLED) FUNDS AND SECTION 5307 JOBS ACCESS/REVERSE COMMUTE (JARC) FUNDS - FY16/17 AND 17/18 PROJECT SELECTION AND PUBLIC HEARING- PG.47**
Recommended Action:
- Open the Public Hearing to receive Comment,
 - Program \$903,600 in Federal Transit Administration (FTA) Section 5310 Large Urbanized Area funds (Seniors and Disabled) and \$210,000 in Jobs Access/Reverse Commute (JARC) funds for a total of \$1,113,600 for projects listed in Attachment A, and
 - Adopt the JARC/5310 Fiscal Year 2017/18 Program of Projects in Attachment B.
- Responsible Staff: Judith Johnduff**

10. **U.S. 101 HOV WIDENING, PROJECT APPROVAL/ENVIRONMENTAL DOCUMENT (PA&ED) FUNDING- PG.55**
Recommended Action:
- Authorize the Executive Director to enter into an agreement with WSP to conduct the U.S. 101 HOV Lane Project, Project Approval and Environmental Document Phase (PA&ED) for an amount not to exceed \$15.2 million funded with Surface Transportation Program (STP) funds.
 - Authorize the Executive Director to amend the Cooperative Agreement with Caltrans providing \$2.2 million of Surface Transportation Program (STP) funds for Caltrans' project engineering responsibilities.
- Responsible Staff: Steve DeGeorge**

11. **CALTRANS SUSTAINABLE TRANSPORTATION PLANNING GRANT PROGRAM- PG.57**
Recommended Action:
Ratify Caltrans grant applications and authorize the use of up to \$32,542.50 in State Transit Assistance Funds (STA) and up to \$50,000 in Local Transportation Funds (LTF) as matching funds should grants be awarded by Caltrans.
Responsible Staff: Steve DeGeorge

12. VCTC GENERAL COUNSEL'S REPORT

13. AGENCY REPORTS

14. CLOSED SESSION

Public Employee Performance Evaluation
(Pursuant to Government Code Section 54957)
Title: Executive Director

15. ADJOURN to 9:00 a.m. Friday, April 6, 2018

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Item # 8A

Meeting Summary

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

**CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, FEBRUARY 2, 2018
9:00 AM**

MEMBERS PRESENT: Bryan MacDonald, City of Oxnard, Chair
Linda Parks, County of Ventura, Vice Chair
Jan McDonald, City of Camarillo
Manuel Minjares, City of Fillmore
Ken Simons, City of Moorpark
Will Berg, City of Port Hueneme
Ginger Gherardi, City of Santa Paula
Mike Judge, City of Simi Valley
Claudia Bill-de la Peña, City of Thousand Oaks
Steve Bennett, County of Ventura
Peter Foy, County of Ventura
John Zaragoza, County of Ventura
Brian Humphrey, Citizen Rep., Cities
Jim White, Citizen Rep., County
Carrie Bowen, Caltrans District 7

MEMBERS ABSENT: Randy Haney, City of Ojai
Neal Andrews, City of San Buenaventura
Kelly Long, County of Ventura

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ELECTION OF VICE CHAIR

Commissioner Zaragoza nominated Commissioner Minjares to serve as Vice Chair. Commissioner Minjares accepted the nomination, which was approved by a unanimous vote. Vice Chair Parks has assumed the position of Chair.

PUBLIC COMMENTS (See Item #10 FISCAL YEAR 2018/2019 TRANSPORTATION DEVELOPMENT ACT (TDA) UNMET TRANSIT NEEDS PUBLIC HEARING)

CALTRANS REPORT -

Carrie Bowen reported that extreme storm damage has closed a portion of Route 33. It is anticipated that the road will reopen with 1-way traffic in 3 locations the second week in February.

Chair Parks presented to Caltrans a plaque of appreciation for their responsiveness and efforts during the Thomas Fire and Mudslides.

COMMISSIONERS REPORTS

Commissioner Zaragoza thanked Martin Erickson for making a last minute presentation he requested.

Commissioner MacDonald announced he is now the Chair of LOSSAN.

EXECUTIVE DIRECTOR REPORT -

During the 101 closure from the Montecito Mudslide VCTC, Roadrunner, SBMTD and CHP worked together to provide Bus Service from Ventura to Santa Barbara for 4-500 essential personnel. VCTC provided 10 buses and MTD provided 3 buses, which departed daily at 5:30 am, escorted by CHP with 6:30 pm return.

ADDITIONS/REVISIONS- None

9. CONSENT CALENDAR

Commissioner MacDonald made a motion to approve all items as recommended on the Consent Calendar:

9A. APPROVE SUMMARY FROM JANUARY 12, 2018 VCTC MEETING – Approve

9B. MONTHLY BUDGET REPORT – Receive and File

9C. PASSENGER RAIL UPDATE – Receive and File

9D. LEGISLATION - Receive and File

9E. REVISION TO PROPOSITION 1B CALIFORNIA TRANSIT SECURITY GRANT PROGRAM (CTSGP) AND THE PROPOSITION 1 B TRANSIT CAPITAL PROGRAM -

Approve reprogramming Proposition 1B project balances totaling \$318,127 (listed below) along with accrued interest from the Ventura County Sealed Corridor Crossing Improvement Project to fund improvements at Metrolink's East Ventura and Moorpark layover facilities:

- \$178,246 of Proposition 1B California Transit Security Program (CTSGP) funds and,
- \$139,881 of Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement (PTMISEA) funds.

March 2, 2018
Item #8A
Page #3

9F. 2017 (FY 2018/19 – FY 2023/24) FEDERAL TRANSPORTATION PROGRAM (FTIP) FINANCIAL RESOLUTION-

Adopt resolution 2018-02 certifying that there are sufficient financial resources to fund projects in the 2019 Federal Transportation Improvement Program (2019 FTIP).

9G. TRANSFER OF NORTH METROLINK PARKING LOT AT MOORPARK STATION-

Approve transfer of the North Metrolink Parking Lot (APN 512-0-090-120) back to the Ventura County Transportation Commission, and authorize the Executive Director to sign the Grant Deed and all documents required to facilitate the return of the property.

9H. TRANSPORTATION DEVELOPMENT ACT (TDA), LOCAL TRANSPORTATION FUND (LTF), DRAFT APPORTIONMENT FOR FISCAL YEAR 2018/2019

Approve the Local Transportation Fund Draft Apportionment for Fiscal Year 2018/2019 apportioning \$35.2 million as shown in Attachment 1.

9I. U.S. 101 HOV WIDENING, PROJECT APPROVAL/ENVIRONMENTAL DOCUMENT (PAED) FUNDING

Authorize the Executive Director to amend the Fund Summary in the Route 101 Widening Project Cooperative Agreement with Caltrans and submit a revised Finance Letter, adding \$3 million of Surface Transportation Program (STP) programmed funds.

9J. REGIONAL TRANSPORTATION PLANNING BUDGET AMENDMENT

Amend the Fiscal Year 2017/2018 Regional Transportation Planning Budget increasing Local Transportation Funds (LTF) from the LTF General Fund Balance to the LTF Fund Transfer Revenue Line item by \$90,000 and correspondingly increasing the expenses line items by the amount indicated, Salaries \$37,000, Fringe and Tax Allocation \$18,000, Indirect Cost Allocation \$35,000.

9K. SANTA PAULA BRANCH LINE, AMENDMENT 1 TO CITY OF FILLMORE LEASE

Authorize the Executive Director to enter into an agreement with the City of Fillmore amending the June 6, 2001 lease agreement for use of the Santa Paula Branch Line.

The motion was seconded by Commissioner McDonald, and passed unanimously.

10. FISCAL YEAR 2018/2019 TRANSPORTATION DEVELOPMENT ACT (TDA) UNMET TRANSIT NEEDS PUBLIC HEARING

Public Comments:

Audrey Fayloga- Transit Rider

When she uses transit going through the Camarillo Metrolink Station there are no restrooms. In order to use a restroom riders must cross Lewis Road. It is very difficult for a handicapped individual to cross Lewis and businesses will only let customers use their facilities. Please provide restrooms for those who are unable to cross the road safely..

Sandra Aldana, Member of the State Disability Board and VCTC At-Large Member on CTAC/SSTAC

Please ensure that the comment period is not influenced by other public agencies and all information is accepted and considered. She asked how the state council can facilitate minority groups and those who cannot communicate so they can fully participate.

Lori Moore, Camarillo Springs Resident

Recently moved to Camarillo Springs and lives alone and is having trouble trying to find transportation if her car isn't working. She saw the ad in the newspaper for today's hearing. Her computer is not working so she cannot complete the online survey. (Staff will work directly with Ms. Moore to provide transit information.)

Commissioner Bill-de la Peña would like paper surveys on the bus.

11. FIRST AMENDMENT TO VCTC INTERCITY SERVICE CONTRACT AMENDMENT, APPROVAL OF RATP DEV USA, LLC AS AN ACCEPTABLE BUYER AND CANCEL RFP #17-90164-FR -

Commissioner Foy made a motion to:

- *Approve the First Amendment to the VCTC Intercity Transit Services Agreement.*
- *Approve RATP Dev USA, LLC as an acceptable buyer of Roadrunner Management Services, Inc.*
- *Authorize the Executive Director to cancel the Request for Proposals for VCTC Intercity Transit Services (RFP #17-90164-FR).*

The motion was seconded by Commissioner Simons and passed by a unanimous roll call vote.

12. VCTC GENERAL COUNSEL'S REPORT – No Report

13. AGENCY REPORTS

Chair Parks reported that Mayor Eric Garcetti will be a speaker at the SCAG Regional Council. She also mentioned the UCLA study on public transit which revealed a significant drop in transit ridership. There has been a massive increase in the purchase of cars by low income families and immigrants who are going from transit riders to car drivers.

Commissioner Judge added that most of decline is also because of drivers licenses now being issued to undocumented immigrants,

14. CLOSED SESSION – No Closed Session

15. ADJOURN to 9:00 a.m. Friday, March 2, 2018



Item # 8B

March 2, 2018

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 2018

DISCUSSION:

The monthly budget report is presented in a comprehensive agency-wide format on a modified accrual basis. The reports include a combined Balance Sheet, a Statement of Revenues, Expenditures and Changes in Fund Balance detailed by fund and an Investment Report by institution. There are six funds presented consisting of the General Fund, the Local Transportation Fund (LTF), the State Transit Assistance Fund (STA), the Service Authority for Freeway Emergencies (SAFE) fund, the VCTC Intercity fund and the Valley Express fund. The Statement of Revenues, Expenditures and Changes in Fund Balance also includes the annual budgeted numbers that 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, 2018 budget reports indicate that revenues were approximately 39.59% of the adopted budget while expenditures were approximately 38.68% of the adopted budget. The revenues and expenditures are as expected. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on a percentage or monthly basis. Furthermore, revenues are often billed and reimbursed in arrears.

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

March 2, 2018
Item #8B
Page #2

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 adjusted annually at year-end.

The Commission's deferred outflows, deferred inflows and pension liability are presented on the Balance Sheet. These accounts represent the accrual information for pension accruals with the implementation of the Government Accounting Standards Board (GASB) Statement 68. This information is based on actuarial information that is provided once a year. The deferred outflows, deferred inflows and pension liability are adjusted annually at year-end.

The Commission's liability for employee vacation accrual is presented on the Balance Sheet. The vacation accrual is adjusted annually at year-end.

**VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF JANUARY 31, 2018**

Assets and Deferred Outflows

Cash and Investments - Wells Fargo Bank	\$ 8,542,022
Cash and Investments - County Treasury	16,118,734
Petty Cash	130
Receivables/Due from other funds	1,318,102
Prepaid Expenditures	30,931
Deposits	17,134
Capital Assets, undepreciated	26,236,268
Capital Assets, depreciated, net	32,286,943
Deferred Outflows for pension	488,680
Total Assets and Deferred Outflows	<u><u>\$ 85,038,944</u></u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:

Accrued Expenses/Due to other funds	\$ 1,130,170
Deferred Revenue	4,192,203
Deposits	400
Accrued Vacation	159,661
Pension Liability	1,716,672
Deferred Inflows	351,041
Total Liabilities and Deferred Inflows:	<u><u>\$ 7,550,147</u></u>

Net Position:

Invested in Capital Assets	\$ 58,523,211
Fund Balance	18,965,586
Total Net Position	<u><u>\$ 77,488,797</u></u>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE SEVEN MONTHS ENDING JANUARY 31, 2018**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Actual	Budgeted Actual	Variance Actual	% Year Actual
Revenues										
Federal Revenues	\$ 2,312,234	\$ 0	\$ 0	\$ 0	\$ 2,296,486	\$ 343,832	\$ 4,952,552	\$ 15,993,241	(11,040,689)	30.97
State Revenues	247,536	15,021,659	895,191	329,259	413,945	186,691	17,094,281	42,568,061	(25,473,780)	40.16
Local Revenues	523,791	0	0	1,038	1,301,793	1,161,799	2,988,421	4,780,223	(1,791,802)	62.52
Other Revenues	1,265	0	0	0	0	0	1,265	0	1,265	0.00
Interest	1,759	21,924	36,692	21,955	705	217	83,252	105,000	(21,748)	79.29
Total Revenues	3,086,585	15,043,583	931,883	352,252	4,012,929	1,692,539	25,119,771	63,446,525	(38,326,754)	39.59
Expenditures										
Administration										
Personnel Expenditures	1,351,168	0	0	0	113,735	34,982	1,499,885	3,000,950	(1,501,065)	49.98
Legal Services	7,831	0	0	0	0	0	7,831	25,000	(17,169)	31.32
Professional Services	66,041	0	0	0	0	0	66,041	121,200	(55,159)	54.49
Office Leases	91,421	0	0	0	0	0	91,421	158,000	(66,579)	57.86
Office Expenditures	182,871	0	0	0	72,131	22,186	277,188	579,350	(302,162)	47.84
Total Administration	1,699,332	0	0	0	185,866	57,168	1,942,366	3,884,500	(1,942,134)	50.00
Programs and Projects										
Transit & Transportation Program										
Senior-Disabled Transportation	124,969	0	0	0	0	0	124,969	263,500	(138,531)	47.43
Fare Collection APC Systems	9,610	0	0	0	0	0	9,610	511,600	(501,990)	1.88
VCTC Intercity Bus Services	0	0	0	0	4,925,561	0	4,925,561	8,587,800	(3,662,239)	57.36
Valley Express Bus Services	0	0	0	0	0	1,027,847	1,027,847	2,027,500	(999,653)	50.70
Transit Stop Enhancement	476,729	0	0	0	0	0	476,729	2,458,650	(1,981,921)	19.39
Transit Grant Administration	958,220	0	0	0	0	0	958,220	7,105,300	(6,147,080)	13.49
Total Transit & Transportation	1,569,528	0	0	0	4,925,561	1,027,847	7,522,936	20,954,350	(13,431,414)	35.90
Highway Program										
Motorist Aid Call Box System	0	0	0	114,923	0	0	114,923	695,000	(580,077)	16.54
Highway Project Management	4,352	0	0	0	0	0	4,352	697,800	(693,448)	0.62
SpeedInfo Highway Speed Sensor	0	0	0	41,600	0	0	41,600	144,000	(102,400)	28.89
Total Highway	4,352	0	0	156,523	0	0	160,875	1,536,800	(1,375,925)	10.47
Rail Program										
Metrolink & Commuter Rail	2,577,771	0	0	0	0	0	2,577,771	5,040,032	(2,462,261)	51.15
LOSSAN & Coastal Rail	116	0	0	0	0	0	116	4,700	(4,584)	2.47
Santa Paula Branch Line	366,380	0	0	0	0	0	366,380	966,652	(600,272)	37.90
Total Rail	2,944,267	0	0	0	0	0	2,944,267	6,011,384	(3,067,117)	48.98

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Actual	Budgeted Actual	Variance Actual	% Year Actual
Commuter Assistance Program										
Transit Information Center	11,920	0	0	0	0	0	11,920	30,400	(18,480)	39.21
Rideshare Programs	55,063	0	0	0	0	0	55,063	179,200	(124,137)	30.73
Total Commuter Assistance	66,983	0	0	0	0	0	66,983	209,600	(142,617)	31.96
Planning & Programming										
Transportation Development Act	148,963	13,263,348	0	0	0	0	13,412,311	30,204,232	(16,791,921)	44.41
Transportation Improvement Program	6,310	0	0	0	0	0	6,310	58,900	(52,590)	10.71
Regional Transportation Planning	81,977	0	0	0	0	0	81,977	378,500	(296,523)	21.66
Airport Land Use Commission	26	0	0	0	0	0	26	9,000	(8,974)	0.29
Regional Transit Planning	74,435	0	0	0	0	0	74,435	531,100	(456,665)	14.02
Freight Movement	9,804	0	0	0	0	0	9,804	21,800	(11,996)	44.97
Total Planning & Programming	321,515	13,263,348	0	0	0	0	13,584,863	31,203,532	(17,618,669)	43.54
General Government										
Community Outreach & Marketing	108,131	0	0	0	0	0	108,131	229,400	(121,269)	47.14
State & Federal Relations	61,809	0	0	0	0	0	61,809	108,100	(46,291)	57.18
Management & Administration	29,802	0	0	0	0	0	29,802	74,900	(45,098)	39.79
Office Building Purchase	14,422	0	0	0	0	0	14,422	4,135,801	(4,121,379)	0.35
Total General Government	214,164	0	0	0	0	0	214,164	4,548,201	(4,334,037)	4.71
Total Expenditures	6,820,141	13,263,348	0	156,523	5,111,427	1,085,015	26,436,454	68,348,367	(41,911,913)	38.68
Revenues over (under) expenditures	(3,733,556)	1,780,235	931,883	195,729	(1,098,498)	607,524	(1,316,683)	(4,901,842)	3,585,159	26.86
Other Financing Sources										
Transfers Into GF from LTF	4,506,731	0	0	0	0	0	4,506,731	4,506,731	0	100.00
Transfers Into GF from STA	225,365	0	0	0	0	0	225,365	4,433,585	(4,208,220)	5.08
Transfers Into GF from SAFE	1,243	0	0	0	0	0	1,243	28,300	(27,057)	4.39
Transfers Into VI from STA	0	0	0	0	2,732,525	0	2,732,525	3,320,144	(587,619)	82.30
Transfers Out of LTF into GF	0	(4,506,731)	0	0	0	0	(4,506,731)	(4,506,731)	0	100.00
Transfers Out of STA into GF	0	0	(825,365)	0	0	0	(825,365)	(4,433,585)	3,608,220	18.62
Transfers Out of SAFE into GF	0	0	0	(1,243)	0	0	(1,243)	(28,300)	27,057	4.39
Transfers Out of STA into VI	0	0	(2,132,525)	0	0	0	(2,132,525)	(3,320,144)	1,187,619	64.23
Total Other Financing Sources	4,733,339	(4,506,731)	(2,957,890)	(1,243)	2,732,525	0	0	0	0	0.00
Net Change in Fund Balances	999,783	(2,726,496)	(2,026,007)	194,486	1,634,027	607,524	(1,316,683)	(4,901,842)	3,585,159	26.86
Beginning Fund Balance	1,464,395	7,651,852	8,338,130	4,406,925	-	-	21,861,302	17,255,238	4,606,064	127
Long-term Pension Liability adjustment*	(1,491,286)	-	-	-	(87,747)	-	(1,579,033)	-	(1,579,033)	0
Ending Fund Balance	\$ 972,892	\$ 4,925,356	\$ 6,312,123	\$ 4,601,411	\$ 1,546,280	\$ 607,524	\$ 18,965,586	\$ 12,353,396	6,612,190	154

*Government Accounting Standards Board (GASB), Statement 68, *Accounting Reporting and Financials for Pensions*, requires the full pension liability be accrued on financial statements. For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF JANUARY 31, 2018**

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 bond documents, if applicable.

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo – Checking	Government Checking	N/A	\$2,817.34	0.08%	\$ 8,542,022.05
County of Ventura	Treasury Pool	N/A	80,434.89	1.15%	16,114,616.52
Total			\$83,252.23		\$24,656,638.57

Because VCTC receives a large portion of their state and federal funding on a reimbursement basis, the Commission must keep sufficient funds liquid to meet changing cash flow requirements. For this reason, VCTC maintains checking accounts at Wells Fargo Bank. A small portion of interest earned in the Wells Fargo accounts is for unearned revenues and the interest is not recognized until the revenues are recognized.

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

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

For Management Reporting Purposes Only



Item #8C

March 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: CLAIRE GRASTY, PROGRAM MANAGER – REGIONAL PLANNING
HEATHER MILLER, TRANSIT PLANNER**

SUBJECT: PASSENGER RAIL UPDATE

RECOMMENDATION:

- Receive and file.

BACKGROUND:

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

DISCUSSION:

Metrolink Commuter Rail

Ridership and On-Time Performance

Based on data provided by Metrolink, system-wide ridership on commuter rail remained relatively consistent with last year's average in the same month with 37,695 Daily Passengers for the month of January. The Ventura County Line, which includes both Ventura County and Los Angeles County Stations, averaged 3,284 daily passenger trips for January; this represents a 3% decline from the previous year's average during the same month but a 14.5% increase from December's average of 2,868. The increase on the Ventura County Line from December is likely due to a combination of a post-holiday rebound and "back to normal" commuter travel patterns following the Thomas Fire disruptions. A "10-Year Snapshot" of ridership trends is provided in Attachment A.

Metrolink ridership originating from Ventura County Stations on the Ventura County Line for the month of January averaged 732 total boardings per weekday. This represents a decrease of 6% compared to the same month in the previous year, but a 16% increase from last month's boardings. Again, the increase can likely be attributed to an after-holiday rebound and recovery from the Thomas Fires. Ventura County boardings represented approximately 22% of all boardings on the Ventura County Line. This proportion

continues to decline from the historical average of 25%. Staff will continue to work with Metrolink in exploring ways to promote the Ventura County Line in an effort to boost ridership in the area. Station boardings for the month of January are shown in Attachment B.

Metrolink on-time performance (OTP), which denotes trains arriving within five minutes of scheduled time, averaged 96% "On Time" arrival on the Ventura County Line for the month of January, a significant increase in performance from the OTP of 92% recorded in December. "On Time" performance on the Ventura County Line also performed above the system-wide average of 95% in January. Staff will continue to monitor the OTP of local trains to determine causes and trends moving forward. In an effort to reduce potential delays along VCTC owned ROW, VCTC staff has actively partnered with local jurisdictions to remove homeless encampments along the rail line.

LOSSAN Intercity Rail Corridor (Amtrak Pacific Surfliner)

New Peak Hour Passenger Rail Service connecting Ventura and Santa Barbara Counties approved unanimously by the LOSSAN Board of Directors

LOSSAN staff has worked with California State Transportation (CalSTA) and the Santa Barbara County Association of Governments (SBCAG) to develop a plan to provide peak-period service for passengers commuting from Ventura County to Santa Barbara County. The retiming effort requires a Pacific Surfliner train to depart from Union Station in Los Angeles at an earlier time in order to serve commuters in the Ventura County region. On February 21, the LOSSAN Board of Directors voted unanimously to approve a draft schedule that implements this peak-period service as part of the regular April schedule change, and authorize the Managing Director to negotiate and execute an agreement with SBCAG for a \$2.5M cost sharing of the service. The new early morning commuter-friendly train to Santa Barbara is expected to launch on April 2, 2018. The expected schedule of the Northbound and Southbound train during commuter is listed below:

Northbound (AM) #759	
Camarillo	5:46
Oxnard	5:58
Ventura	6:12
Carpinteria	6:34
Santa Barbara	6:47
Goleta	7:16

Southbound (PM) #792	
Goleta	4:25
Santa Barbara	4:40
Carpinteria	4:55
Ventura	5:26
Oxnard	5:40
Camarillo	5:56

"California Everyday Discounts"

On November 8, 2017, Amtrak notified LOSSAN of plans to reduce or eliminate existing Amtrak national passenger discount programs effective January 9, 2018. The nationwide changes included reducing the discount for seniors and disabled passengers from 15% to 10%, as well as increasing the age of eligibility for the senior discount from 62 to 65 years. In addition, Amtrak announced plans to discontinue the student discount program entirely. Another adjustment was the elimination of the 10% discount offered to American Automobile Association (AAA) members. LOSSAN's position was in opposition to these changes expressing the concern that such changes would adversely impact seniors, students and the disabled, riders who may be on a fixed or limited income, or have limited choices in their methods of transportation. In addition, the AAA discount provides an incentive to get travelers out of their cars and onto trains, relieving highways of congestion at peak travel times during winter holidays and summer vacations. Nevertheless, the changes were adopted. In response, LOSSAN, in coordination with the state's two other intercity rail services (San Joaquin and Capital Corridor), developed the "California Everyday Discounts" program. The California Everyday Discounts program offers year-round savings on train travel for seniors, students, and passengers with disabilities on select Amtrak routes serving Southern California, Central Valley, and Northern California, including the Pacific Surfliner. The California Discounts program restores many of the discounts eliminated nationally and include:

- Seniors Save 15%: Travelers ages 62 and older receive a 15% discount on the regular adult fare.
- Passengers with Disabilities save 15% on the regular adult fare.
- Students Save 15%: Students ages 13-25 with a valid student ID are eligible for 15% off the regular adult fare.
- Kids Ride 50% Off: One child (ages 2-12) ride half-price with a paid adult. Ages 2 and younger ride free.

LOSSAN staff is currently working with the Capital Corridor and San Joaquin to get a new California AAA discount in place, anticipated to take effect in March, 2018.

Attachment A

METROLINK RIDERSHIP

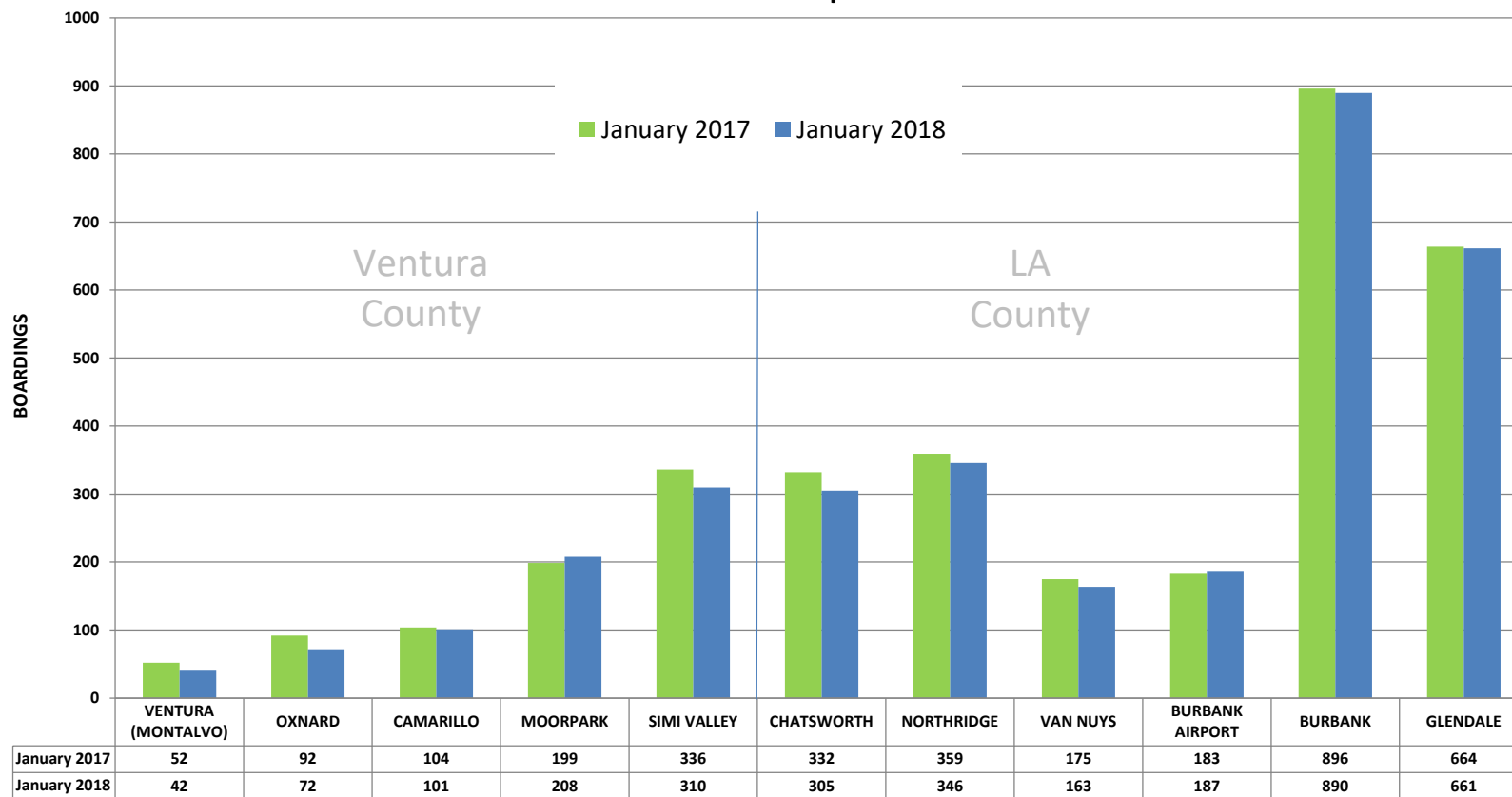
10 Year Snapshot of Monthly
Year over Year Change in Average Weekday Ridership

Month Year	Ventura County Station Boardings*	% Change Ventura County Station Boardings	Ventura County Line Passenger Trips	% Change Ventura County Line	Metrolink System Passengers Grand Total	% Change Metrolink System Grand Total
January 2018	732	-6%	3,284	-3%	37,695	-1%
January 2017	782	-5%	3,391	0%	38,069	-3%
January 2016	824	-7%	3,378	-6%	39,354	-2%
January 2015	882	-1%	3,609	2%	40,069	-2%
January 2014	889	-7%	3,535	-9%	40,872	-3%
January 2013	955	-1%	3,895	-2%	42,148	0%
January 2012	967	9%	3,969	14%	42,121	6%
January 2011	889	-5%	3,481	-6%	39,631	-3%
January 2010	936	-7%	3,694	-14%	40,765	-7%
January 2009	1,011	-3%	4,307	3%	43,988	2%

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

Attachment B

Ventura County Line
Average Daily Station Boardings
Year over Year Comparison



Source: SCRRRA TAC Reporting Portal.

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Item #8D

March 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: LEGISLATIVE UPDATE

RECOMMENDATION:

- Receive and file Legislative Update.

DISCUSSION

Federal Issues

As the Commission is aware there has been a bipartisan budget agreement to set the stage for two years of federal budgets. The first step in implementing this agreement was adoption on February 9th of another Continuing Resolution that extends funding at prior levels through March 23rd.

The Continuing Resolution included numerous provisions in addition to the six week appropriation. One provision of particular interest to Ventura County transit operators was restoration of the alternate fuel tax credit, retroactively for 2017 only. This tax credit was one of the issues that had been raised in the Southern California transportation agencies' joint letter regarding the tax reform bill, but that bill did not restore the credit.

The Administration has now released its recommendation for the \$1.5 trillion infrastructure package, increased from the original \$1 trillion. The previous outline of the proposal would use \$200 billion in federal funds to leverage \$800 billion in non-federal funds. This more detailed proposal leaves the \$200 billion federal funding figure unchanged, so the amount of leveraging is substantially increased to achieve the \$1.5 trillion total figure.

The following is the more detailed breakdown of the infrastructure program's various components:

- \$100 billion for a competitive incentive program to match financing from state and local governments. There would be a minimum match of four local dollars required for every federal dollar, but the project selection criteria would give priority to projects providing even more.
- \$50 billion for block grants to states for rural projects.
- \$20 billion for "transformative programs" to implement projects with innovative project delivery.
- \$20 billion to expand use of loans and private activity bonds.
- \$10 billion for a revolving loan fund for purchase of real estate.
- Streamlining the federal permit process down to two years.

March 2, 2018
Item #8D
Page #2

Although the recommendation for the infrastructure program does not suggest a source for the \$200 billion in federal funds, the Administration has indicated much of this money could come from the \$168 billion in reductions to transportation programs over ten years identified in its proposed 2018/19 federal budget. That budget recommends the elimination of the Transportation Investments Generating Economic Recovery (TIGER) program of competitive grants for transportation projects; a large reduction in the transit Capital Investment Grant program that primarily funds large-scale transit projects such as the Metro rail system in Los Angeles; and a significant reduction for Amtrak.

State Issues

Attached is the monthly report of Delaney Hunter, the Commission's state lobbyist. The report includes an update on transportation-related bills in currently in the Legislature.



CALIFORNIA ADVISORS, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION
MONTHLY STATE ADVOCACY REPORT
FEBRUARY 2018

Governor Brown's ZEV Executive Order and GGRF Spending Plan

The Governor also recently released an Executive Order on Zero-Emission Vehicles (ZEVs). The Executive Order aims to get new 5 million zero-emission vehicles on California roads by 2030. In addition, Governor Brown is proposing a new eight-year initiative to continue the state's clean vehicle rebates and spur more infrastructure investments. This \$2.5 billion initiative will help bring 250,000 vehicle charging stations and 200 hydrogen fueling stations to California by 2025.

In addition to the Executive Order, Governor Brown released his 2018 plan for expenditure of Greenhouse Gas Reduction Fund (GGRF). The \$1.25 billion plan calls for investments in affordable housing, renewable energy, zero-emission public transportation, zero-emission vehicles, environmental restoration, and more sustainable agriculture and recycling. The plan specifically calls for \$160 million for "Clean Trucks, Buses & Off-Road Freight Equipment." The expenditure plan represents funding available for appropriation after the 60 percent continuously appropriated to transit, affordable housing, and high-speed rail.

Audit of High Speed Rail Authority

The Joint Legislative Audit Committee approved a request by Senate Transportation Committee Chair Jim Beall and Assemblymembers Jim Patterson and Joaquin Arambula to audit the High Speed Rail Authority. The request asked for a review of contract costs, change orders, economic effect to communities, the use of small businesses and environmental outcomes that result from the project's "green construction practices."

Assembly Constitutional Amendment 5

Assembly Constitutional Amendment 5 has been assigned its proposition number by the Secretary of State. The measure will appear as Proposition 69 on the June statewide ballot. ACA 5 was a measure passed last year that calls for the dedication of Senate Bill 1 funds to transportation.

Upcoming Bill Deadlines

March 22-April 2 – Spring Recess

April 27 – Policy Committee Deadline

Below is a list of VCTC tracked newly introduced bills:

AB 1756 (Brough R) Transportation funding.

Introduced: 1/4/2018

Status: 1/16/2018 – Referred to Committee on Transportation

Summary: Would repeal the Road Repair and Accountability Act of 2017. This bill contains other related provisions.

AB 1759 (McCarthy D) General plans: housing element: production report: withholding of transportation funds.

Introduced: 1/4/2018

Status: 2/12/2018-Referred to Committees on Transportation and Housing and Community Development

Summary: Would require the Department of Housing and Community Development, on or before June 30, 2022, and on or before June 30 every year thereafter and until June 30, 2051, to review each production report submitted by a city or county in accordance with the provisions as specified to determine whether that city or county has met the applicable minimum production goal for that reporting period. The bill would provide that, if the department determines that a city or county has met its applicable minimum production goal for that reporting period, the department shall, no later than June 30 of that year, submit a certification of that result to the Controller.

AB 1866 (Fong R) Transportation funding.

Introduced: 1/12/2018

Status: 1/29/2018-Referred to Committee on Transportation

Summary: Would create the Traffic Relief and Road Improvement Program to address traffic congestion and deferred maintenance on the state highway system and the local street and road system. The bill would provide for the deposit of various existing sources of revenue in the Traffic Relief and Road Improvement Account, which the bill would create in the State Transportation Fund, including revenues attributable to the sales and use tax on motor vehicles, revenues attributable to automobile and motor vehicle insurance policies from the insurer gross premiums tax, revenues from certain diesel fuel sales and use taxes, revenues from certain vehicle registration fees, and certain miscellaneous State Highway Account revenues.

AB 1969 (Salas D) Transportation funds: transit operators: fare revenues.

Introduced: 1/31/2018

Status: 2/1/2018-From printer. May be heard in committee March 3.

Summary: Current law provides various sources of funding to public transit operators. Under the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act, certain revenues are available, among other things, for allocation by the transportation planning agency to transit operators, subject to certain financial requirements for an operator to meet in order to be eligible to receive the moneys. Current law sets forth alternative ways an operator may qualify for funding. This bill would provide that it is the

intent of the Legislature to enact legislation relating to the ratio of fare revenues to operating costs under the Transportation Development Act.

AB 1970 (Garcia, Eduardo D) California Toll Bridge Authority Act.

Introduced: 1/31/2018

Status: 2/1/2018-From printer. May be heard in committee March 3.

Summary: The California Toll Bridge Authority Act abolished the California Toll Bridge Authority and vested the California Transportation Commission with the authority's duties, powers, purposes, responsibilities, and jurisdiction. The act provides that the California Transportation Commission has the possession and control of all licenses, permits, leases, agreements, contracts, orders, claims, judgments, records, papers, equipment, supplies, bonds, moneys, funds, appropriations, buildings, land, and other property held for the benefit, use, or obligation of the California Toll Bridge Authority. This bill would make a nonsubstantive change to these provisions.

AB 2017 (Chiu D) Public employers: employee organizations.

Introduced: 2/5/2018

Status: 2/12/2018-Referred to Committee on Public Employees, Retirement, and Social Security

Summary: Would prohibit a public employer from deterring or discouraging prospective public employees from becoming or remaining members of an employee organization.

AB 2034 (Kalra D) Human trafficking: notice.

Introduced: 2/6/2018

Status: 2/16/2018-Referred to Committee on Judiciary

Summary: Would require a business or other establishment that operates an intercity passenger rail, light rail, or bus station, on or before January 1, 2020, to train its new and existing employees who are likely to interact with, or to come into contact with, a victim of human trafficking or who are likely to receive a report from another employee about suspected human trafficking, in recognizing the signs of human trafficking and how to report those signs to the appropriate law enforcement agency, as specified.

AB 2061 (Frazier D) Near-zero-emission and zero-emission vehicles.

Introduced: 2/7/2018

Status: 2/16/2018-Referred to Committee on Transportation

Summary: Current law sets specified limits on the total gross weight imposed on the highway by a vehicle with any group of 2 or more consecutive axles. This bill would authorize a near-zero-emission vehicle or a zero-emission vehicle, as defined, to exceed axle, tandem, gross, or bridge formula weight limits, up to a 2,000 pound maximum, by an amount equal to the difference between the weight of the vehicle attributable to the fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system.

AB 2062 (Maienschein R) State highways: landscaping.

Introduced: 2/7/2018

Status: 2/16/2018-Referred to Committee on Transportation

Summary: Would require highway planting projects undertaken or approved by the Department of Transportation to include, when appropriate, California native wildflowers as an integral and permanent part of the planting design, with priority given to those species of wildflower that will help rebuild pollinator populations.

AB 2065 (Ting D) Local agencies: surplus land.

Introduced: 2/7/2018

Status: 2/8/2018-From printer. May be heard in committee March 10.

Summary: Current law prescribes requirements for the disposal of surplus land by a local agency. Current law defines "local agency" for these purposes as every city, county, city and county, and district, including school districts of any kind or class, empowered to acquire and hold real property. This bill would expand the definition of "local agency" to include sewer, water, utility, and local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state and any instrumentality thereof that is empowered to acquire and hold real property, thereby requiring these entities to comply with these requirements for the disposal of surplus land.

AB 2127 (Ting D) electric vehicle infrastructure: assessment and roadmap.

Introduced: 2/8/2018

Status: 2/9/2018-From printer. May be heard in committee March 11.

Summary: Would require the Energy Commission, in consultation with the State Air Resources Board and the PUC, to create a statewide assessment of electric vehicle charging infrastructure needed to support the levels of electric vehicle adoption needed for the state to reduce emissions of greenhouse gases to 40% below 1990 levels by 2030.

AB 2225 (Limón D) Public agencies: data protection: standards.

Introduced: 2/13/2018

Status: 2/14/2018-From printer. May be heard in committee March 16.

Summary: Would state the intent of the Legislature to enact legislation that would require public agencies to meet increased data protection standards by enhancing password protection requirements and annually assessing cybersecurity responses.

AB 2249 (Cooley D) Public contracts: local agencies: alternative procedure.

Introduced: 2/13/2018

Status: 2/14/2018-From printer. May be heard in committee March 16.

Summary: Would authorize public projects of \$60,000 or less to be performed by the employees of a public agency, authorize public projects of \$200,000 or less to be let to contract by informal procedures, and require public projects of more than \$200,000 to be let to contract by formal bidding procedures.

AB 2304 (Holden D) Transit pass programs: status report.

Introduced: 2/13/2018

Status: 2/14/2018-From printer. May be heard in committee March 16.

Summary: Current law declares that the fostering, continuance, and development of public transportation systems are a matter of statewide concern. Current law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. This bill would require the department to submit a report to specified committees of the Legislature on or before January 1, 2022, on the status of transit pass programs statewide, as specified.

AB 2307 (Frazier D) High-speed rail.

Introduced: 2/13/2018

Status: 2/14/2018-From printer. May be heard in committee March 16.

Summary: The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Current law requires the authority to establish an independent peer review group for the purpose of reviewing the planning, engineering, financing, and other elements of the authority's plans and issuing an analysis of the appropriateness and accuracy of the authority's assumptions and an analysis of the viability of the authority's funding plan for each corridor. This bill would correct an inaccurate cross-reference and make a nonsubstantive change in these provisions

AB 2317 (Eggman D) Whistleblower protection: state and local independent contractors.

Introduced: 2/13/2018

Status: 2/14/2018-From printer. May be heard in committee March 16.

Summary: Current law prohibits an employer, as defined, or any person acting on behalf of the employer, as defined, from, among other things, preventing an employee from, or retaliating against an employee for, providing information to, or testifying before, any public body conducting an investigation, hearing, or inquiry, if the employee has reasonable cause to believe that the information discloses a violation of a law, regardless of whether disclosing the information is part of the employee's job duties. This bill would extend the protections afforded to employees under these provisions to independent contractors working for state and local government who are tasked with monitoring, and receiving complaints from, facilities, services, and programs operated by state and local government.

AB 2353 (Frazier D) Construction defects: actions: statute of limitations.

Introduced: 2/13/2018

Status: 2/14/2018-From printer. May be heard in committee March 16.

Summary: Current law specifies the requirements for actions for construction defects. Current law includes a statute of limitations that, except as specified, prohibits an action from being brought to recover under these provisions more than 10 years after substantial completion of the improvement but no later than the date the notice of completion is recorded. This bill would shorten the 10-year period to 5 years.

AB 2473 (Bonta D) Highway Users Tax Account.

Introduced: 2/14/2018

Status: 2/15/2018-From printer. May be heard in committee March 17.

Summary: Current law authorizes the Controller to use the funds in the Highway Users Tax Account in the Transportation Tax Fund for cashflow loans to the General Fund. This bill would make nonsubstantive changes to these provisions.

AB 2530 (Melendez R) Bonds: transportation.

Introduced: 2/14/2018

Status: 2/15/2018-From printer. May be heard in committee March 17.

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, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase I 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 2543 (Eggman D) State agencies: infrastructure project budget and schedule: report.

Introduced: 2/15/2018

Status: 2/16/2018-From printer. May be heard in committee March 18.

Summary: Would require each state agency or department authorized to undertake large and complex infrastructure projects to develop and implement a policy for publicly reporting any significant change in the cost or schedule of a large and complex infrastructure project that would result in the project exceeding its projected budget by 10 percent or more or being delayed by 12 months or longer. The bill would require that the report include documentation and an explanation justifying a decision to proceed with the large and complex infrastructure project.

AB 2553 (Friedman D) Housing opportunity zones.

Introduced: 2/15/2018

Status: 2/16/2018-From printer. May be heard in committee March 18.

Summary: Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance, including, but not limited to, the acquisition, construction, or rehabilitation of housing for persons of low and moderate income for rent or purchase. This bill would express the intent of the Legislature to enact legislation that would authorize the creation of housing opportunity zones to encourage infill development within high transit areas

AB 2615 (Carrillo D) Department of Transportation: powers and duties: memoranda of understanding.

Introduced: 2/15/2018

Status: 2/16/2018-From printer. May be heard in committee March 18.

Summary: Would require the Department of Transportation to enter into memoranda of understanding with all appropriate public agencies, including the Department of Parks and Recreation and any local public entity, for purposes of providing maximum and safe pedestrian access to state and local parks.

AB 2629 (Eggman D) Department of Transportation: state highways.

Introduced: 2/15/2018

Status: 2/16/2018-From printer. May be heard in committee March 18.

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 nonsubstantive changes to these provisions.

AB 2650 (Lackey R) Public transit buses: illuminated signs.

Introduced: 2/15/2018

Status: 2/16/2018-From printer. May be heard in committee March 18.

Summary: Current law requires the illuminated signs on buses operated by a publicly owned transit system to adhere to certain specifications, including, among others, being limited in size to a display of not greater than 720 square inches, and requiring the illuminated signs to display information directly related to public transit service, including, but not limited to, route number, destination description, run number, and public service announcements. This bill would revise those conditions, to increase the maximum display area of an illuminated sign to 4,320 inches and to allow paid advertising to be displayed on the illuminated sign.

AB 2712 (Allen, Travis R) Bonds: Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.

Introduced: 2/15/2018

Status: 2/16/2018-From printer. May be heard in committee March 18.

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, except 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 2734 (Frazier D) California Transportation Commission.

Introduced: 2/15/2018

Status: 2/16/2018-From printer. May be heard in committee March 18.

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.

SB 957 (Lara D) Vehicles: high-occupancy vehicle lanes.

Introduced: 1/30/2018

Status: 2/8/2018-Referred to Committee on Transportation and Housing

Summary: Current law makes identifiers for ULEVs valid until January 1, 2019, and makes identifiers for SULEVs, enhanced AT PEZEVs, and TZEVs valid until January 1, 2019, January 1, 2022, or January 1 of the 4th year after the year in which they were issued, as specified. Current law, except as specified, prohibits a vehicle from being issued an identifier more than once. This bill would authorize an identifier to be issued to SULEVs, enhanced AT PEZEVs, and TZEVs for a vehicle that had previously been issued an identifier and would make that identifier valid until January 1 of the 4th year after the year in which the identifier was issued if the applicant for the identifier has a household income at or below 80% of the statewide median income, or at or below a specified threshold designated as low income.

SB 963 (Allen D) State highways: relinquishment.

Introduced: 1/31/2018

Status: 2/8/2018-Referred to Committee on Rules

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 and establishes a process for adoption of a highway on an authorized route by the California Transportation Commission. Current law also provides for the commission to relinquish to local agencies state highway segments that

have been deleted from the state highway system by legislative enactment, and in certain other cases. This bill would make nonsubstantive changes to these provisions.

SB 980 (Cannella R) High-occupancy vehicle lanes.

Introduced: 2/1/2018

Status: 2/14/2018-Referred to Com. on RLS.

Summary: Under current law, the Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, may authorize or permit exclusive or preferential use of highway lanes for high-occupancy vehicles, as specified, and are required to place and maintain signs and other traffic control devices to designate those exclusive or preferential lanes, the applicable vehicle occupancy levels, and the hours of high-occupancy vehicle use, as specified. This bill would make technical, nonsubstantive changes to those provisions.

SB 993 (Hertzberg D) Sales tax: services.

Introduced: 2/5/2018

Status: 2/14/2018-Referred to Committee on Governance and Finance

Summary: Would, on and after January 1, 2019, expand the Sales and Use Tax Law to impose a tax on the purchase of services by businesses in California at a specified percentage of the sales price of the service. The bill would require the tax to be collected and remitted by the seller of the purchased services. The bill would exempt certain types of services, including health care services, from the tax and would exempt from the tax a business with gross receipts of less than \$100,000 in the previous 4 quarters.

SB 1000 (Lara D) Charging stations: zero-emission vehicles.

Introduced: 2/5/2018

Status: 2/14/2018-Referred to Committee on Rules

Summary: Current law provides that it is the policy of the state to promote and encourage the use of electric vehicle charging stations and to limit obstacles to their use. This bill would state the intent of the Legislature to enact legislation to promote neutrality and interoperability in charging stations and zero-emission vehicles.

SB 1037 (Cannella R) State government finance: Road Maintenance and Rehabilitation Program.

Introduced: 2/8/2018

Status: 2/9/2018-From printer. May be acted upon on or after March 11.

Summary: Prior to receiving an apportionment of funds under the Road Maintenance and Rehabilitation Program from the Controller in a fiscal year, current law requires a city or county to submit to the California Transportation Commission a list of projects proposed to be funded with these funds. Current law requires the commission to report to the Controller the cities and counties that have submitted a list of projects and requires the Controller, upon receipt of an initial or subsequent report, to apportion funds to cities and counties included in the report, as specified. This bill would make nonsubstantive changes to the provisions requiring the commission to submit the specified reports to the Controller.

SB 1049 (Moorlach R) Public contracts: local public entities: project labor agreements.

Introduced: 2/8/2018

Status: 2/9/2018-From printer. May be acted upon on or after March 11.

Summary: Current law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities and requires a project labor agreement for a construction project used or entered into by a public entity, or required of contractors by the public entity, to include specified provisions. This bill would delete all of the specified prohibitions. This bill contains other current laws.

SB 1077 (Wilk R) Construction contracts: wrap-up insurance and indemnification.

Introduced: 2/12/2018

Status: 2/13/2018-From printer. May be acted upon on or after March 15.

Summary: Current law regulates the use of wrap-up insurance or other consolidated insurance programs in connection with specified construction projects. Current law distinguishes, in this regard, between residential construction projects, private residential works of improvement, as specified, and public works and other projects that are not residential, as specified. This bill would recast the wrap-up insurance or other consolidated insurance program requirements, as specified, into a single provision regulating all contracts for public and private works of improvement, entered into or amended on and after January 1, 2019, for which a wrap-up insurance policy or consolidated insurance program is applicable. The bill would provide that, notwithstanding any other law, any waiver of its provisions is contrary to public policy and void.

SB 1117 (Beall D) Department of Transportation: highway engineers.

Introduced: 2/13/2018

Status: 2/14/2018-From printer. May be acted upon on or after March 16.

Summary: Current law provides that the Department of Transportation has full possession and control of the state highway system. Current law specifies certain powers and duties of the department relative to the recruitment and retention of highway engineers, including participation by the department in student loan repayment, offering of salaries above the lowest salary step, and various other provisions. This bill would make a nonsubstantive change to these provisions.

SB 1119 (Newman D) Low Carbon Transit Operations Program.

Introduced: 2/13/2018

Status: 2/14/2018-From printer. May be acted upon on or after March 16.

Summary: Current law requires, for recipient transit agencies whose service areas include disadvantaged communities, as specified, that those recipient transit agencies expend at least 50% of the total moneys they received as part of the Low Carbon Transit Operations Program on projects or services that meet specified requirements and benefit those disadvantaged communities. This bill would authorize a recipient transit agency to satisfy the above-stated requirement by expending at least 50% of program funds received on transit fare subsidies, specified transit connections, or technology improvements that reduce emissions of greenhouse gases.

SB 1153 (Stern D) Local initiatives: review.

Introduced: 2/14/2018

Status: 2/15/2018-From printer. May be acted upon on or after March 17.

Summary: Would require the county counsel for county initiative measures and the city attorney for municipal initiative measures to initiate a public review process for a period of 30 days by (1) posting the text of the proposed initiative measure on its Internet Web site and (2) inviting, and providing for the submission of, written public comments on the proposed initiative measure. By imposing new duties on local county counsels and city attorneys, the bill would impose a state-mandated local program.

SB 1167 (Anderson R) Eminent domain: final offer of compensation.

Introduced: 2/14/2018

Status: 2/15/2018-From printer. May be acted upon on or after March 17.

Summary: Would provide that if a court finds, on motion of the defendant, that the offer of the plaintiff was lower than 85% of the compensation awarded in the proceeding, then the court would be required to include the defendant's litigation costs in the costs allowed. If the court finds that the offer of the plaintiff was at least 85% and less than 100% of the compensation awarded in the proceeding, the court would be authorized to include the defendant's litigation costs in the costs allowed.

SB 1172 (Beall D) High-Speed Rail Authority.

Introduced: 2/14/2018

Status: 2/15/2018-From printer. May be acted upon on or after March 17.

Summary: Current law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed train system in the state, with specified powers and duties. Current law authorizes the authority, among other things, to keep the public informed of its activities. This bill would revise that provision to instead authorize the authority to keep the public informed through activities, including, but not limited to, community outreach events, public information workshops, and newsletters posted on the authority's Internet Web site.

Below is a list of VCTC tracked 2 year bills:

AB 1395 (Chu D) State highways: uniform financial plan.

Introduced: 2/17/2017

Status: 1/29/2018-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Summary: Would require the Department of Transportation, on or before January 1, 2019, to develop a uniform financial plan to remediate debris to maintain and preserve the state highway and freeway systems. The bill would require the uniform financial plan to include recommendations that allow a municipality to carry out obligations specified in the plan with reimbursement provided by the state. By imposing new duties on local municipalities, the bill would impose a state-mandated local program.

SB 760 (Wiener D) Transportation funding: active transportation: complete streets.

Introduced: 2/17/2017

Status: 1/30/2018-In Assembly. Read first time. Held at Desk.

Summary: Would establish a Division of Active Transportation within the Department of Transportation and require that an undersecretary of the Transportation Agency be assigned to give attention to active transportation program matters to guide progress toward meeting the department's active transportation program goals and objectives. The bill would require the California Transportation Commission to give high priority to increasing safety for pedestrians and bicyclists and to the implementation of bicycle and pedestrian facilities.



Item #8E

March 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: SECTION 13(c) LABOR AGREEMENT

RECOMMENDATION

- Approve the attached agreement with the Service Employees International Union (SEIU), Local 721, as required for VCTC's Fiscal Year 2017/18 federal transit grant applications with the Federal Transit Administration.

BACKGROUND

VCTC staff will be filing grant applications with the Federal Transit Administration (FTA) to fund VCTC's FY 2017/18 federal transit projects and other local agency projects. As with all federal transit grant applications, we are required to enter into a U.S. Department of Labor certified agreement, commonly referred to as Section 13(c), with the SEIU which represents both Gold Coast Transit and Simi Valley Transit employees. Federal law requires that VCTC protect the jobs of union represented public transit workers and ensure that transit employees be compensated if jobs are lost as a direct result of proposed projects. Specifically, the federal government requires that the protective arrangements include:

- Preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements;
- Continuation of collective bargaining rights;
- Protection of individual employees against worsening of their positions with respect to their employment;
- Assurances of employment and priority of re-employment;
- Paid training or re-training programs.

These protective arrangements are included in the proposed Agreement (attached). The Agreement is identical to the Agreement approved by the Commission for all previous grant applications over the past years.

VCTC staff's analysis indicates that none of the projects to be included in the grant application pose a risk to either Gold Coast Transit or Simi Valley Transit employees. All projects to be included in the grant applications are in VCTC's approved FY 2016/17 Program of Projects (POP).

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AGREEMENT PURSUANT TO SECTION 13 (C) OF THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED

WHEREAS, the Ventura County Transportation Commission ("Public Body"), has filed applications under the Urban Mass Transportation Act of 1964, as amended ("Act"), to contract for new public transportation services on a demonstration basis, as more fully described in the project applications ("Project"); and

WHEREAS, the Public Body's Project services will operate in the vicinity and service area of the regular mass transit route carriers named in Appendix "A" attached hereto, whose potentially affected employees are employed by Gold Coast Transit and the City of Simi Valley, and represented by the Service Employees International Union, AFL-CIO, CLC, Local 721 ("Union"); and

WHEREAS, Sections 3(a), (4), 9(e)(1) and 13 (c) of the Act require, as a condition of any such assistance, that suitable fair and equitable arrangements be made to protect urban mass transportation industry employees affected by such assistance and

WHEREAS, the parties have agreed upon the following arrangements as fair and equitable;

NOW, THEREFORE, it is agreed that the following terms and conditions shall apply and shall be specified in any contract governing such federal assistance to the Public Body;

(1) The Project shall be carried out in such a manner and upon such terms and conditions as will not adversely affect the employees represented by the Union. It shall be an obligation of the Public Body and any other legally responsible party designated by the Public Body to ensure that any and all transportation services assisted by the Project are contracted for and operated in such a manner that they do not impair the rights and interests of the employees represented by the Union. The term "Project", as used in this Agreement, shall not be limited to the particular facility, service, or operation assisted by federal funds, but shall include any changes, whether organizational, operational, technological, or otherwise, which are a result of the assistance provided. The phrase "as a result of the Project" shall, when used in this Agreement, include events occurring in anticipation of, during, and subsequent to the Project including any project which follows this project and any program of efficiencies or economies related thereto or traceable to the assistance provided and shall also include requirements relative to the federal program of assistance under the Act generally which are or may be imposed by or on behalf of the United States Government or any department or agency thereof; provided, however, that the volume rises and falls of business, or changes in volume or character of employment brought about solely by causes other than the Project (including any economies or efficiencies unrelated to the Project) are not within the purview of this Agreement.

The parties agree that the first two sentences of the preceding paragraph shall be interpreted in accordance with the U.S. Department of Labor's Rural Transportation Employees Protection Guidebook, pp. 5-6 (1979), which reads as follows:

The first two sentences of this section express the general requirement that employee rights and interest be protected from effects of a Project. Initially, this means that Recipients and any other legally responsible party in designing and implementing a Project must consider the effects a project may have on employees and attempt to minimize any adverse effects. If objectives can be met without adversely affecting employees it is expected that adverse effects will be avoided. In the context of particular Project events, this paragraph is to be read in conjunction with other provisions or the Warranty. It thereby serves to emphasize the specific statutory requirements that employees be protected against a worsening of their employment conditions, and receive offsetting benefits to make them "whole" when unavoidable impacts occur.

(2)(a) The Public Body or legally responsible party shall provide to the unions representing the employees affected thereby sixty (60) days' notice of intended actions which may result in displacements or dismissals or rearrangement of the working forces. Such notice shall be provided by certified mail to the Union representatives of such employees. The notice shall contain a full and adequate statement of the proposed changes, and the number and classifications of any jobs in the Public Body's employment or the employment of Gold Coast Transit or the City of Simi Valley, or otherwise within its member jurisdictions and/or control, available to be filled by such affected employees.

(2)(b) At the request of either the Public Body or the representatives of such employees, negotiations for the purposes of reaching agreement with respect to the application of the terms and conditions of this Agreement shall commence immediately. If no agreement is reached within twenty (20) days from the commencement of negotiations, any party to the dispute may submit the matter to dispute settlement procedures in accordance with paragraph (4) of this Agreement. The foregoing procedures shall be complied with and carried out prior to the institution of the intended action.

(3) For the purpose of providing the statutory required protection, including those specifically mandated by Section 13(c) of the Act¹, the Public Body agrees to be bound by this Agreement, including those terms and conditions of Appendix C-1 which are attached hereto as Appendix "B."

(4)(a) Any dispute or controversy arising regarding the Application, interpretation, or enforcement of any of the provisions of this Agreement which cannot be settled by and between the parties at interest within thirty (30) days after the dispute or controversy first arises, may be submitted at the written request of the Public Body, or other party at interest, or the Union to a board of arbitration to be selected as hereinafter provided. One arbitrator is to be chosen by each interested party, and the arbitrators thus selected shall endeavor to select a neutral arbitrator who shall serve as chairman. Each party shall appoint its arbitrator within five (5) days after notice of submission to arbitration has been given. Should the arbitrators selected by the parties be unable to agree upon the selection of the neutral arbitrator within ten (10) days after notice of submission to arbitration has been given, then the arbitrator selected by any party may request the American Arbitration Association to furnish, from among members of the National Academy of Arbitrators who are then available to serve, five (5) arbitrators from which the neutral arbitrator shall be selected. The arbitrators appointed by the parties shall, within five (5) days after the receipt of such list, determine by lot the order of elimination and thereafter each shall, in that order, alternately eliminate one name until only one name remains. The remaining person on the list shall be the neutral arbitrator. If any party fails to select its arbitrator within the prescribed time limit, the highest officer of the Union or of the Public Body, or other party at interest, or their nominees, as the case may be, shall be deemed to be the selected arbitrator, and the board of arbitration shall then function and its decision shall have the same force and effect as though all parties had selected their arbitrators. The board of arbitration shall meet within fifteen (15) days after the selection or appointment of the neutral arbitrator and shall render its decision within forty-five (45) days after the hearing of the dispute has been concluded and the record closed. Awards made pursuant to said arbitration may include full back pay and allowances to employee-claimants and such other remedies as may be deemed appropriate and equitable. In a two-party arbitration, the decision by majority vote of the arbitration board shall be final and binding as the decision of the arbitration board, otherwise, in arbitrations of more than two parties at interest, the decision shall be

¹ Such protective arrangement shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements or otherwise; (2) the continuation of collective bargaining rights; (3) the protection of individual employees against a worsening of their positions with respect to their employment; (4) assurances of employment to employees of acquired mass transportation systems and priority of reemployment of employees terminated or laid off; and (5) paid training and retraining programs. Such arrangement shall include provisions protecting individual employees against a worsening of their positions with respect to their employment which shall in no event provide benefits less than those established pursuant to Section 5(2) (f) of the Act of February 4, 1987 (24 Stat. 379), as amended, currently codified at Title 49 U.S.C. §11326 (formerly codified at 49 U.S.C. §11347).

that of the impartial arbitrator. The salaries and expenses for the impartial arbitrator shall be borne equally by the parties to the proceedings, and other expenses shall be paid by the party incurring them. All conditions of the Agreement shall continue to be effective during the arbitration proceedings.

(4)(b) In the event of any dispute as to whether or not a particular employee was negatively affected by the Project, it shall be the employee's obligation to identify the Project and specify the pertinent facts of the Project relied upon. It shall then be the burden of the Public Body, or other party legally responsible for the application of these conditions, to prove that factors other than the Project affected the employee. The claiming employee shall prevail if it is established that the Project had an effect upon the employee even if other factors may also have affected the employee (Hodson's Affidavit in Civil Action No. 825-71). amended, currently codified at 49 U.S.C. §11326 (formerly codified at 49 U.S.C. § 11347).

(5) The Public Body, or other legally responsible party designated by the public Body, will be financially responsible for the application of these conditions and will make the necessary arrangements so that any employee covered by these arrangements, or the union representative of such employees, may file a claim alleging a violation of these arrangements with the Public Body within sixty (60) days of the date the employee is terminated or laid off as a result of the Project, or within eighteen (18) months of the date the employee's position with respect to his or her employment is otherwise worsened as a result of the Project. In the latter case, if the events giving rise to the claim have occurred over an extended period, the 18-month limitations shall be measured from the last such event. No benefits shall be payable for any period prior to six (6) months from the date of the filing of any claim.

(6) Nothing in this Agreement shall be construed as depriving any employee of any rights or benefits which such employee may have under existing employment or collective bargaining agreements, nor shall this Agreement be deemed a waiver of any rights of any union or of any represented employee derived from any other agreement or provision of federal, state or local law, nor shall anything in this Agreement be construed as preventing the continuation of collective bargaining rights..

(7) In the event any employee covered by these arrangements is terminated or laid off as a result of the Project, the employee shall be granted priority of employment or reemployment to fill any vacant position within the jurisdictions and/or control of the Public Body for which the employee is, or by training or retraining within a reasonable period can become, qualified. In the event training or retraining is required by such employment or reemployment, the Public Body, or other legally responsible party designated by the Public Body, shall provide for such training or retraining at no cost to the employee.

(8) In the event that the Public Body acquires any public transportation system in connection with the Project, any employee of such acquired transportation system shall be assured employment.

(9) This Agreement shall be binding upon the successors and assigns of the parties hereto, and no provisions, terms, or obligations herein contained shall be affected, modified, altered or changed in any respect whatsoever by reason of the arrangements made by or for the Public Body to manage and operate the system or administer the contract for that purpose.

Any person, enterprise, body, or agency, whether publicly or privately owned, which shall undertake the management, provision and/or operation of the system, or any part or portion thereof, or any mass transportation in the urbanized area of the Project under contractual arrangements of any form with the Public Body, its successors or assigns, shall agree, and as a condition precedent to such contractual arrangements, the Public Body, its successors or assigns, shall require such person, enterprise, body, or agency to agree to abide by the terms of this Agreement.

(10) Any other union which is the collective bargaining representative of urban mass transportation employees in the service area of the Public Body who may be affected by the assistance to the Public Body within the meaning of 49 U.S.C. §1609(c) other than those employed by a service contractor of the Public Body and working on the system, may become a party to this Agreement, by serving written notice

of its desire to do so upon the other union representatives of the employees affected by the Project, the Public Body, and the Secretary of Labor. In the event of any disagreement that such labor organizations should become a party of this Agreement, then the dispute as to whether such labor organization shall participate shall be determined by the Secretary of Labor.

(11) In the event the Project is approved for assistance under the Act, the foregoing terms and conditions shall be made part of the contract of assistance between the federal government and the Public Body or Recipient of federal funds; provided, however, that the arrangement shall not merge into the contract of assistance, but shall be independently binding and enforceable by and upon the parties thereto, and by any covered employee or the employee's representative, in accordance with its terms, nor shall any other employee protective agreement or collective bargaining agreement merge into this arrangement, but each shall be independently binding and enforceable by and upon the parties thereto, in accordance with its terms.

(12) This protective agreement/arrangement shall be effective and in full force according to its terms from year to year during the period of the Federal Contract of Assistance and/or thereafter, for as long as necessary to satisfy its intended purpose to protect potentially affected employees from the impact of Federal assistance.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their duly authorized representatives this _____ day of _____, 2018.

VENTURA COUNTY TRANSPORTATION COMMISSION

By _____ Date: _____
Linda Parks, Chair

APPROVED AS TO FORM:

By _____ Date: _____
Steven T. Mattas, General Counsel

**SERVICE EMPLOYEES INTERNATIONAL UNION,
AFL-CIO, CLC LOCAL 721**

By _____ Date: _____
Danny Carrillo

APPENDIX "A"

Carrier

**Gold Coast Transit
City of Simi Valley**

Union

**SEIU Local 721
SEIU Local 721**

Appendix "B"

EMPLOYEE PROTECTIONS DIGEST

APPENDIX C-1

The scope and purpose of this Appendix are to provide, pursuant to section 405 of the Act, for fair and equitable arrangements to protect the interests of employees of Railroads affected by discontinuances of Intercity Rail Passenger Service subject to section 405 of the Act; therefore, fluctuations and changes in volume or character of employment brought about by other causes are not within the purview of this Appendix.

ARTICLE I

1. **DEFINITIONS** – The definitions in Article I of the Agreement and in the Act apply in this Appendix and in the event of conflict in definitions, those in the Act shall be controlling. In addition, whenever used in this Appendix, unless its context requires otherwise:
 - (a) "Transaction" means a discontinuance of Intercity Rail Passenger Service pursuant to the provisions of the Act.
 - (b) "Displaced employee" means an employee of Railroad who, as a result of a transaction is placed in a worse position with respect to his compensation and rules governing his working conditions, unless changed by future collective bargaining agreements or applicable statutes.
 - (c) "Dismissed employee" means an employee of Railroad who, as a result of a transaction is deprived of employment with Railroad because of the abolition of his position or the loss thereof as the result of the exercise of seniority rights by an employee whose position is abolished as a result of a transaction.
 - (d) "Protective period" means that period of time during which a displaced or dismissed employee is to be provided protection hereunder and extends from the date on which an employee is displaced or dismissed to the expiration of 6 years therefrom, provided, however, that the protective period for any particular employee shall not continue for a longer period following the date he was displaced or dismissed than the period during which such employee was in the employ of Railroad prior to the date of his displacement or his dismissal. For purposes of this Appendix, an employee's length of service shall be determined in accordance with the provisions of section 7 (b) of the Washington Job Protection Agreement of May, 1936.
2. The rates of pay, rules, working conditions and all collective bargaining and other rights, privileges and benefits (including continuation of pension rights and benefits) of Railroad's employees under applicable laws and/or existing collective bargaining agreements or otherwise shall be preserved unless changed by future collective bargaining agreements or applicable statutes.
3. Nothing in this Appendix shall be construed as depriving any employee of any rights or benefits or eliminating any obligations which such employee may have under any existing job security or other protective conditions or arrangements; provided, that there shall be no duplication or pyramiding of benefits to any employees, and, provided further, that the

benefits under this Appendix, or any other arrangement, shall be construed to include the conditions, responsibilities and obligations accompanying such benefits.

4. When Railroad contemplates a transaction after May 1, 1971, it shall give at least twenty (20) days written notice of such intended transaction by posting a notice on bulletin boards convenient to the interested employees of Railroad (including terminal companies and other enterprises covered by Article III of this Appendix) and by sending registered mail notice to the representatives of such interested employees; if Railroad contemplates a transaction on May 1, 1971 it shall give the notice as soon as possible after the signing of this Agreement, prior to May 1, 1971. Such notice shall contain a full and adequate statement of the proposed changes to be effected by such transaction, including an estimate of the number of employees of each class affected by the intended changes.

At the request of either Railroad or representatives of such interested employees, negotiations for the purpose of reaching agreement with respect to application of the terms and conditions of this Appendix shall commence immediately and continue for not more than twenty (20) days from the date of notice. Each transaction which will result in a dismissal or displacement of employees or rearrangement of forces, shall provide for the selection of forces from all employees involved on basis accepted as appropriate for application in the particular case and any assignment of employees made necessary by the transaction shall be made on the basis of an agreement or decision under this section 4. If at the end of the twenty (20) day period there is a failure to agree, the negotiations shall terminate and either party to the dispute may submit it for adjustment in accordance with the following procedures:

- (a) Within five (5) days from the termination of negotiations, the parties shall select a neutral referee and in the event they are unable to agree within said five (5) days upon the selection of said referee, then the National Mediation Board shall immediately appoint a referee.
- (b) No later than twenty (20) days after a referee has been designated a hearing on the dispute shall commence.
- (c) The decision of the referee shall be final, binding, and conclusive and shall be rendered within thirty (30) days from the commencement of the hearing of the dispute.
- (d) The salary and expenses of the referee shall be borne equally by the parties to the proceeding; all other expenses shall be paid by the party incurring them.

Notwithstanding any of the foregoing provisions of this section, at the completion of the twenty (20) day notice period or on May 1, 1971, as the case may be, Railroad may proceed with the transaction, provided that all employees affected (displaced, dismissed, rearranged, etc.) shall be provided with all the rights and benefits of this Appendix from the time they are affected through to expiration of the seventy-fifth (75th) day following the date of notice of the intended transaction. This protection shall be in addition to the protection period defined in Article I, Paragraph (d). If the above proceeding results in displacement, dismissal, rearrangement, etc. other than as provided by Railroad at the time of the transaction pending the outcome of such proceedings, all employees affected by the transaction during the pendency of such proceedings shall be made whole.

5. DISPLACEMENT ALLOWANCES – (a) So long after a displaced employee's displacement as he is unable, in the normal exercise of his seniority rights under existing agreements, rules and practices, to obtain a position producing compensation equal to or exceeding the compensation he received in the position from which he was displaced, he shall, during his protective period, be paid a monthly displacement allowance equal to the difference between

the monthly compensation received by him in the position in which he is retained and the average monthly compensation received by him in the position from which he was displaced.

Each displaced employee's displacement allowance shall be determined by dividing separately by 12 the total compensation received by the employee and the total time for which he was paid during the last 12 months in which he performed services immediately preceding the date of this displacement as a result of the transaction (thereby producing average monthly compensation and average monthly time paid for in the test period). Both the above "total compensation" and the "total time for which he was paid" shall be adjusted to reflect the reduction on an annual basis, if any, which would have occurred during the specified twelve month period had Public Law 91-169, amending the Hours of Service Act of 1907, been in effect throughout such period (i.e., 14 hours limit for any allowance paid during the period between December 26, 1970 and December 25, 1972 and 12 hours limit for any allowances paid thereafter); provided further, that such allowance shall also be adjusted to reflect subsequent general wage increases.

If a displaced employee's compensation in his retained position in any month is less in any month in which he performs work than the aforesaid average compensation (adjusted to reflect subsequent general wage increases) to which he would have been entitled, he shall be paid the difference, less compensation for time lost on account of his voluntary absences to the extent that he is not available for service equivalent to his average monthly time during the test period but if in his retained position he works in any month in excess of the aforesaid average monthly time paid for during the test period he shall be additionally compensated for such excess time at the rate of pay of the retained position.

(b) If a displaced employee fails to exercise his seniority rights to secure another position available to him which does not require a change in his place of residence, to which he is entitled under the working agreement and which carries a rate of pay and compensation exceeding those of the position which he elects to retain, he shall thereafter be treated for the purposes of this section as occupying the position he elects to decline.

(c) The displacement allowance shall cease prior to the expiration of the protective period in the event of the displaced employee's resignation, death, retirement or dismissal for justifiable cause.

6. DISMISSAL ALLOWANCES – (a) A dismissed employee shall be paid a monthly dismissal allowance, from the date he is deprived of employment and continuing during his protective period, equivalent to one-twelfth of the compensation received by him in the last 12 months of his employment in which he earned compensation prior to the date he is first deprived of employment as a result of the transaction. Such allowance shall be adjusted to reflect on an annual basis the reduction, if any, which would have occurred during the specified twelve month period had Public Law 91-169, amending Hours of Service Act of 1907 been in effect throughout such period (i.e., 14 hours limit for any allowance paid during the period between December 1970 and December 25, 1972 and 12 hours limit for any allowances paid thereafter); provided further that such allowance shall also be adjusted to reflect subsequent general wage increases.

(b) The dismissal allowance of any dismissed employee who returns to service with Railroad shall cease while he is so reemployed. During the time of such reemployment, he shall be entitled to protection in accordance with the provisions of Section 5.

(c) The dismissal allowance of any dismissed employee who is otherwise employed shall be reduced to the extent that his combined monthly earnings in such other employment, any benefits received under any unemployment insurance law, and his dismissal allowance

exceed the amount upon which his dismissal allowance is based. Such employee, or his representative, and Railroad shall agree upon a procedure by which Railroad shall be currently informed of the earnings of such employee in employment other than with Railroad, and the benefit received.

(d) The dismissal allowance shall cease prior to the expiration of the protective period in the event of the employee's resignation, death, retirement, dismissal for justifiable cause under existing agreements, failure to return to service after being notified in accordance with the working agreement, or failure without good cause to accept a comparable position which does not require a change in his place of residence for which he is qualified and eligible with the Railroad from which he was dismissed after being notified, or with the National Railroad Passenger Corporation after appropriate notification, if his return does not infringe upon employment rights of other employees under a working agreement.

7. SEPARATION ALLOWANCE – A dismissed employee entitled to protection under this Appendix, may, at his option within 7 days of his dismissal, resign and (in lieu of all other benefits and protections provided in this Appendix) accept a lump sum payment computed in accordance with Section 9 of the Washington Job Protection Agreement of May, 1936.
8. FRINGE BENEFITS – No employee of Railroad who is affected by a transaction shall be deprived during his protective period of benefits attached to his previous employment, such as free transportation, hospitalization, pensions, relief, et cetera, under the same conditions and so long as such benefits continue to be accorded to other employees of Railroad, in active service or on furlough as the case may be, to the extent that such benefits can be so maintained under present authority of law or corporate action or through future authorization which may be obtained.
9. MOVING EXPENSES – Any employee retained in the service of Railroad or who is later restored to service after being entitled to receive a dismissal allowance, and who is required to change the point of his employment as a result of the transaction, and who within his protective period is required to move his place of residence, shall be reimbursed for all expenses of moving his household and other personal effects, for the traveling expenses of himself and members of his family, including living expenses for himself and his family and for his own actual wage loss, not to exceed three working days, the exact extent of the responsibility of Railroad during the time necessary for such transfer and for a reasonable time thereafter and the ways and means of transportation to be agreed upon in advance by Railroad and the affected employee or his representatives; provided, however, that changes in place of residence which are not a result of the transaction, which are made subsequent to the initial change or which grow out of the normal exercise of seniority rights, shall not be considered to be within the purview of this Section; provided further, that the Railroad shall, to the same extent provided above, assume the expenses, etc. for any employee furloughed within three (3) years after changing his point of employment as a result of a transaction, who elects to move his place of residence back to his original point of employment. No claim for reimbursement shall be paid under the provisions of this Section unless such claim is presented to Railroad within 90 days after the date on which the expenses were incurred.
10. Should Railroad rearrange or adjust its forces in anticipation of a transaction with the purpose or effect of depriving an employee of benefits to which he otherwise would have become entitled under this Appendix, this Appendix will apply to such employee.
11. ARBITRATION OF DISPUTES – (a) In the event Railroad and its employees or their authorized representatives cannot settle any dispute or controversy with respect to the interpretation, application or enforcement of any provision of this Appendix, except Section 4 and 12 of this Article I, within 20 days after the dispute arises, it may be referred by either

party to an arbitration committee. Upon notice in writing served by one party to refer a dispute or controversy to an arbitration committee, each party shall, within 10 days, select one member of the committee and the members thus chosen shall select a neutral member who shall serve as chairman. If any party fails to select its member of the arbitration committee within the prescribed time limit, the general chairman of the involved labor organization or the highest officer designated by Railroad, as the case may be, shall be deemed the selected member, and the committee shall then function and its decision shall have the same force and effect as though all parties had selected their members. Should the members be unable to agree upon the appointment of the neutral member within 10 days, the parties shall then within an additional 10 days endeavor to agree to a method by which a neutral member shall be appointed, and, failing such agreement, either party may request the National Mediation Board to designate within 10 days the neutral member whose designation will be binding upon the parties.

(b) In the event a dispute involves more than one labor organization, each will be entitled to a representative on the arbitration committee, in which event Railroad will be entitled to appoint additional representatives so as to equal the number of labor organization representatives.

(c) The decision, by majority vote, of the arbitration committee shall be final, binding, and conclusive and shall be rendered within 45 days after the hearing of the dispute or controversy has been concluded and the record closed.

(d) The salaries and expenses of the neutral member shall be borne equally by the parties to the proceeding and all other expenses shall be paid by the party incurring them.

(e) In the event of any dispute as to whether or not a particular employee was affected by a transaction, it shall be his obligation to identify the transaction and specify the pertinent facts of that transaction relied upon. It shall then be the Railroad's burden to prove that factors other than a transaction affected the employee.

12. LOSSES FROM HOME REMOVAL – (a) the following conditions shall apply to the extent they are applicable in each instance to any employee who is retained in the service of Railroad (or who is later restored to service after being entitled to receive a dismissal allowance) who is required to change the point of his employment within his protective period as a result of the transaction and is therefore required to move his place of residence:

- (i) If the employee owns his own home in the locality from which he is required to move, he shall at his option be reimbursed by Railroad for any loss suffered in the sale of his home for less than its fair value. In each case the fair value of the move in question shall be determined as of a date sufficiently prior to the date of the transaction so as to be unaffected thereby. Railroad shall in each instance be afforded an opportunity to purchase the home at such fair value before it is sold by the employee to any other person.
- (ii) If the employee is under a contract to purchase his home, Railroad shall protect him against loss to the extent of the fair value of any equity he may have in the home and in addition shall relieve him from any further obligation under his contract.
- (iii) If the employee holds an unexpired lease of a dwelling occupied by him at his home, Railroad shall protect him from all loss and cost in securing the cancellation of said lease.

(b) Changes in place of residence which are made subsequent to the initial changes caused by the transaction and which grow out of the normal exercise of seniority rights, shall not be considered to be within the purview of this Section.

(c) No claim for loss shall be paid under the provisions of this Section unless such claim is presented to Railroad within 1 year after the date the employee is required to move.

(d) Should a controversy arise in respect to the value of the home, the loss sustained in its sale, the loss under a contract for purchase, loss and cost in securing termination of a lease, or any other question in connection with these matters, it shall be decided through joint conference between the employees, or their representatives and Railroad. In the event they are unable to agree, the dispute or controversy may be referred by either party to a board of competent real estate appraisers, selected in the following manner: One to be selected by the representatives of the employees and one by Railroad, and these two, if unable to agree within 30 days upon a valuation, shall endeavor by agreement within 10 days thereafter to select a third appraiser shall be selected, and, failing such agreement, either party may request the National Mediation Board to designate within 10 days a third appraiser whose designation will be binding upon the parties. A decision of a majority of the appraisers shall be required and said decision shall be final and conclusive. The salary and expenses of the third or neutral appraiser, including the expenses of the appraisal board, shall be borne equally by the parties to the proceedings. All other expenses shall be paid by the party incurring them, including the compensation of the appraiser selected by such party.

ARTICLE II

1. Any employee who is terminated or furloughed as a result of a transaction shall, if he so requests, be granted priority of employment or reemployment to fill a position comparable to that which he held when terminated or furloughed, even though in a different craft or class, on Railroad which he is, or by training or retraining physically and mentally can become, qualified, not however, in contravention of collective bargaining agreements relating thereto.
2. In the event such training or retraining is requested by such employee, Railroad shall provide for such training or retraining at no cost to the employee.
3. If such a terminated or furloughed employee who has made a request under sections 1 or 2 of this Article II fails without good cause within 10 calendar days to accept an offer of a position comparable to that which he held when terminated or furloughed for which he is qualified, or for which he has satisfactorily completed such training, he shall, effective at the expiration of such 10 day training, forfeit all rights and benefits under this Appendix.

ARTICLE III

Subject to this Appendix, as if employees of Railroad, shall be employees, if affected by a transaction, of separately incorporated terminal companies which are owned (in whole or in part) or used by Railroad and employees of any other enterprise within the definition of common carrier by railroad in Section 1(3) of Part I of the Interstate Commerce Act, as amended, in which Railroad has an interest, to which Railroad provided facilities, or with which Railroad contracts for use of facilities, or the facilities of which Railroad otherwise uses; except that the provisions of this Appendix shall be suspended with respect to each such employee until and unless he applies for employment with each owning carrier and each using carrier and to the National Railroad Passenger Corporation; provided that said carriers and the National Railroad Passenger Corporation shall establish one convenient central location for each terminal or other enterprise for receipt of one such application which will be effective as to all said carriers and the Corporation and Railroad shall notify such employees of this requirement and of the location for receipt of

the application. Such employees shall not be entitled to any of the benefits of this Appendix in the case of failure, without good cause, to accept comparable employment, which does not require a change in place of residence, under the same conditions as apply to other employees under this Appendix, with the National Railroad Passenger Corporation or any carrier for which application for employment has been made in accordance with this section.

ARTICLE IV

Employees of Railroad who are not represented by a labor organization shall be afforded substantially the same levels of protection as are afforded to members of labor organizations under these terms and conditions.

In the event any dispute or controversy arises between Railroad and an employee not represented by a labor organization with respect to the interpretation, application or enforcement of any provision hereof which cannot be settled by the parties within 30 days after the dispute arises, either party may refer the dispute to the Secretary of Labor for determination. The determination of the Secretary of Labor, or his designated representative, shall be final and binding on the parties.

ARTICLE V

1. It is the intent of this Appendix to provide employee protections which meet the requirements of Section 405 of the Act and are not less than the benefits established pursuant to Section 5(2)(f) of the Interstate Commerce Act. In so doing, changes in wording and organization from arrangements earlier developed under section 5(2)(f) have been necessary to make such benefits applicable to contemplated discontinuances of intercity rail passenger service affecting a great number of railroads throughout the nation. In making such changes it is not the intent of this Appendix to diminish such benefits. Thus, the terms of this Appendix are to be resolved in favor of this intent to provide employee protections and benefits no less than those established pursuant to Section 5(2)(f) of the Interstate Commerce Act.
2. In the event any provision of this Appendix is held to be invalid or otherwise unenforceable under applicable law, the remaining provisions of this Appendix shall not be affected, and such provision shall be renegotiated and resubmitted to the Secretary of Labor for certification pursuant to Section 405 of the Act.



Item #9

DATE: March 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: JUDITH JOHNDUFF, PROGRAM ANALYST

SUBJECT: FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5310 LARGE URBANIZED AREA (SENIORS AND DISABLED) FUNDS AND SECTION 5307 JOBS ACCESS/REVERSE COMMUTE (JARC) FUNDS - FY16/17 AND 17/18 PROJECT SELECTION AND PUBLIC HEARING

RECOMMENDATION:

- Open the Public Hearing to receive Comment,
- Program \$903,600 in Federal Transit Administration (FTA) Section 5310 Large Urbanized Area funds (Seniors and Disabled) and \$210,000 in Jobs Access/Reverse Commute (JARC) funds for a total of \$1,113,600 for projects listed in Attachment A, and
- Adopt the JARC/5310 Fiscal Year 2017/18 Program of Projects in Attachment B.

BACKGROUND:

The Federal Transit Administration's (FTA) Section 5310 Program is intended to enhance mobility for seniors and persons with disabilities by providing funds that support the special needs of seniors beyond traditional public transportation services and for those with disabilities beyond that required by the Americans with Disabilities Act (ADA). The goal of the JARC program is to improve access to employment and employment related activities for eligible low-income individuals and to transport residents of urbanized areas and non-urbanized areas to suburban employment opportunities. Both the FTA Section 5310 funds and JARC funds are the primary funding source to support projects and strategies identified in VCTC's Coordinated Public Transit-Human Services Plan.

Section 5310 funds are apportioned directly to large urbanized areas including Oxnard/Ventura and Thousand Oaks/Moorpark. VCTC serves as the Designated Recipient for these funds as well as JARC funds for these areas. Funds are allocated by VCTC on a competitive basis through a Call-for-Projects.

On September 8, 2017 the Ventura County Transportation Commission (VCTC) approved a Call-for-Projects for Federal Transit Administration (FTA) Section 5310 Large Urbanized Area (Seniors and Disabled) and Section 5307 Jobs Access/Reverse Commute (JARC) funds, based on the TRANSCOM recommendation approved on July 13th.

Funding Availability: Table 1 provides a breakdown of the \$1,424,000 of Section 5310 and JARC funds available for the two large urbanized areas in Ventura County for the two year period covering FY16/17 and 17/18. This amount includes prior year carryover of 5310 funds. Section 5310 allows 10% of the apportionment to be used for administration and this amount has been subtracted from the Section 5310 amounts shown below. In accordance with FTA rules, not less than fifty-five percent (55%) of the 5310 funds are required to be available for Traditional Section 5310 projects.

Table 1: 2017 Call-for-Projects - Available Funding (FY 16/17 and FY 17/18)			
Urbanized Area	JARC	FTA 5310 Traditional	FTA 5310 Non-Traditional
Oxnard/Ventura	\$422,000	\$307,000	\$267,000
T.O./Moorpark	\$104,000	\$245,000	\$79,000
TOTAL	\$526,000	\$552,000	\$346,000

DISCUSSION:

The Call-for-Projects was issued on September 13, 2017 and 21 applications were received requesting \$2,550,600 in funding. A list of the project applications is provided in Table 2 below.

Staff screened projects for eligibility. Criteria included: Project Eligibility, Planning Consistency and Financial Feasibility. The Ventura Transit System (VTS) Taxi Voucher Project and the Dispatching Equipment/Operations Project were determined to be ineligible. Both projects contained a significant low-income component which would normally be eligible for JARC funds; however as a private company VTS is not eligible for JARC funds. All of the remaining applications are eligible for funding.

Section 5307 Jobs Access/Reverse Commute (JARC): All four (4) project applications submitted under the JARC Program totaling \$185,000 are eligible for funding. At the February 8, 2018 TRANSCOM Meeting the Committee approved a motion to award a second year of funding (\$25,000) for the CalVans project, since the application only requested funds for one year of operations. Enough funds are available to fund all of the projects including the additional \$25,000 for the CalVans project, therefore all four projects are recommended for funding on Attachment A.

Section 5310 Large Urbanized Area – Traditional and Non-Traditional Programs: A subcommittee, appointed by TRANSCOM, including the Chair and Vice-Chair of TRANSCOM and VCTC staff reviewed the project applications utilizing the adopted criteria:

1. Goals and Objectives (20 points)
2. Project Implementation Plan (30 points)
3. Program Performance Indicators (20 points)
4. Communication and Outreach (20 points)
5. Emergency Planning and Preparedness (5 points)
6. Matching Funds (5 points)
7. Bonus Points for Non-Transit Operator Applicants (5 points)

Each project received a final score based upon the average of the subcommittee's individual scores. The projects were then ranked in accordance with two additional funding considerations:

- At least 55% of the FTA 5310 funds are required to be directed to Traditional projects, and
- The Apportionment for each Urbanized Area (Oxnard/Ventura Urbanized Area and Thousand Oaks/Moorpark Urbanized Area)

As a result of the varying demand for the funds in the two apportionment areas, some projects with lower scores in the Thousand Oaks/Moorpark area were recommended for funding while a few projects with higher scores serving the Oxnard/Ventura area were not recommended for funding.

A list of the applications and scores is provided in Table 2 below:

Table 2: 2017 Call-for-Projects Applications Received					
	AGENCY	PROJECT NAME	Requested Funding	Total Project Cost	SCORE
THOUSAND OAKS Urbanized Area	City of Moorpark	Free Senior/Disabled Fares on Moorpark City Transit (2 years)	\$ 20,400	\$ 25,500	82
	City of Thousand Oaks	Senior ECTA Dial-a-Ride Intercity Service for Thousand Oaks Residents (2 years)	\$ 40,000	\$ 60,000	62
	City of Thousand Oaks	Dial-a-ride Capital Vehicle Lease (1.4 years)	\$ 40,000	\$ 50,000	69
	City of Thousand Oaks	Saturday East County Transit Alliance Senior and ADA Dial-a-Ride Intercity Service (2 years)	\$ 40,000	\$ 50,000	72
	City of Thousand Oaks	Group Travel Training for Seniors and Disabled (2 years)	\$ 8,000	\$ 10,000	76
	City of Thousand Oaks	East County Transit Alliance Senior and ADA dial-a-Ride Intercity Service Vehicle Lease (2 years)	\$ 40,000	\$ 50,000	75
	City of Thousand Oaks	Employee rideshare Program (Operations) (2 years)	\$ 40,000	\$ 80,000	JARC PROJECT
	City of Thousand Oaks	Employee Rideshare Vans (Capital Vehicle Purchase)	\$ 60,000	\$ 90,000	JARC PROJECT
	City of Thousand Oaks	Free Bus Rides for ADA and DAR Cardholders (2 years)	\$ 40,000	\$ 50,000	70
A Urb	Gold Coast Transit	Direct Go Access Service between Camarillo and the Gold Coast Transit Service Area (3	\$ 243,200	\$ 304,000	85

Table 2: 2017 Call-for-Projects Applications Received					
	AGENCY	PROJECT NAME	Requested Funding	Total Project Cost	SCORE
		years)			
	Gold Coast Transit	Young Adult Mobility Education Training Program (3 years)	\$ 72,000	\$ 90,000	88
	Help of Ojai	Senior and disabled Transportation - Vehicle Acquisition	\$ 50,000	\$ 60,000	83
	Help of Ojai	Senior and disabled Transportation – Operations (1 year)	\$ 56,000	\$ 130,000	83
	Caregivers; Volunteers Helping the Elderly	Personalized Door-through-Door Volunteer Transportation Services	\$ 150,000	\$ 282,070	81
COUNTYWIDE PROJECTS	Area Agency on Aging	VCAAA's Elderhelp Transportation Program (2 years)	\$ 350,000	\$ 525,000	99
	California Vanpool Authority	Low-Income and Service Sector Transportation (1 year)	\$ 25,000	\$ 100,000	JARC PROJECT
	County of Ventura Human Services Agency	Rain TLC Work Reliability Transport Project (2 years)	\$ 60,000	\$ 72,000	JARC PROJECT
	Interface Children & Family Services/2-1-1 Ventura County	ONE CALL/ONE CLICK (1 year)	\$ 336,000	\$ 336,000	74
	Ventura Transit System	Purchase of Wheelchair Accessible Taxicabs (5 years)	\$ 480,000	\$ 600,000	67
	Ventura Transit System*	Taxi Voucher Program for Unmet needs of senior and Disabled, Job Related Rides and the Low Income Individuals (5 years)	\$ 200,000	\$ 250,000	ineligible
	Ventura Transit System*	Purchase Dispatch Center Equipment and Operating Expenses (5 years)	\$ 200,000	\$ 250,000	Ineligible

*Ineligible projects are shown in light gray.

Recommended Project List: On February 8, 2018, TRANSCOM approved the attached list (Attachment A) of recommended projects for FY16/17 and FY17/18 JARC and Section 5310 funds which includes the additional \$25,000 in JARC funds to support a second year of funding for CalVans. Therefore, staff recommends VCTC program \$903,600 in Federal Transit Administration (FTA) Section 5310 Large Urbanized Area funds (Seniors and Disabled) and \$210,000 in Jobs Access/Reverse Commute (JARC) funds for a total of \$1,113,600 for the projects listed in Attachment A,

It should be noted that although One-Call / One-Click was identified as a priority in the Coordinated Plan the one application VCTC received for this concept from Interface Children and Family Services (the operator of 211) did not score high enough to be funded. One of the concerns with the application was the proposed scope of services and ongoing operating cost of the service, which would require a significant on-going commitment of the County's annual 5310 apportionment. Staff contacted the consultant team that prepared the Coordinated Plan who has expertise in transit information programs and the One-Call / One-Click concept in particular. They, along with staff, will be assisting a sub-committee appointed by TRANSCOM to refine the scope of services desired in a One-Call/One Click program for Ventura County. Based on the subcommittee's recommendation, VCTC does have the option to fund Interface's application, or a modified version of it, with FY18/19 funds in advance of the next call for projects, effectively taking the funds "off the top" of the next call. Should that be the decision, it would even be possible to fund One-Call / One-Click in advance of 18/19, due to the cash flow requirements of the projects recommended for funding in the current call, since much of the money about to be programmed will not be needed until 18/19.

FY 2017/18 Program of Projects: Attached (Attachment B) for VCTC approval is a FY 2017/18 Section 5310/JARC Program of Projects which contains the first year of funds for the projects recommended for funding. The attached POP was approved at the February 8, 2018 TRANSCOM meeting. The public hearing notice was published in the Ventura County Star on February 20, 2018. In addition to the projects being selected for programming, the FY 2017/18 5310/JARC POP includes: (1) the VCTC 5310 administration funds under the provision whereby 10% of the apportionment can be used for program administration, and (2) a small additional amount for Area Agency on Aging to retroactively approve a small overpayment resulting from an amendment to a prior-year 5310 grant. Both of these items were not included in the 5310 funding identified for programming in this call for projects. The remaining funds programmed through this call for projects, along with the FY 2018/19 5310 administration funds, will be included in the FY 2018/19 Program of Projects to be submitted for approval in June.

Funds approved through this call for projects will not become available for reimbursement until after FTA approval of the grants which will likely occur this coming summer. Once the grants are approved, FTA regulations allow project sponsors to receive reimbursement of eligible costs dated back to the VCTC Commission approval of the program. However, although VCTC staff has made every effort to accurately evaluate project feasibility based on FTA's requirements, there can be no guarantee of FTA approval of these projects until FTA awards the grants.

Attachment A
Recommended Funding List for the FY16/17 and FY17/18
JARC and 5310 Call for Projects

UZA	AGENCY	PROJECT NAME	5307 Program	5310 Program	Match	Total Project Cost
THOUSAND OAKS Urbanized Area	City of Moorpark	Free Senior/Disabled Fares on Moorpark City Transit		\$ 20,400	\$ 5,100	\$ 25,500
	City of Thousand Oaks	Saturday East County Transit Alliance Senior and ADA Dial-a-Ride Intercity Service		\$ 40,000	\$ 10,000	\$ 50,000
	City of Thousand Oaks	Group Travel Training for Seniors and Disabled		\$ 8,000	\$ 2,000	\$ 10,000
	City of Thousand Oaks	East County Transit Alliance Senior and ADA dial-a-Ride Intercity Service Vehicle Lease		\$ 40,000	\$ 10,000	\$ 50,000
	City of Thousand Oaks	Free Bus Rides for ADA and DAR Cardholders on Thousand Oaks Transit		\$ 40,000	\$ 10,000	\$ 50,000
	City of Thousand Oaks	Employee rideshare Program (Operations)	\$ 40,000		\$ 40,000	\$ 80,000
	City of Thousand Oaks	Employee Rideshare Vans (Capital Vehicle Purchase)	\$ 60,000		\$ 30,000	\$ 90,000
	City of Thousand Oaks	Dial-a-ride Capital Vehicle Lease		\$ 40,000	\$ 10,000	\$ 50,000
	OXNARD / VENTURA Urbanized Area	Gold Coast Transit	DIRECT GO ACCESS SERVICE TO AND FROM GOLD COAST TRANSIT SERVICE AREA		\$ 243,200	\$ 60,800
Gold Coast Transit		GOLD COAST TRANSIT DISTRICT YOUNG ADULT MOBILITY EDUCATION TRAINING PROGRAM		\$ 72,000	\$ 18,000	\$ 90,000
Help of Ojai		Senior and disabled Transportation - Vehicle Acquisition		\$ 50,000	\$ 10,000	\$ 60,000
COUNTYWIDE	Area Agency on Aging	VCAAA'S ELDERHELP TRANSPORTATION PROGRAM		\$ 350,000	\$ 175,000	\$ 525,000
	California Vanpool Authority	LOW-INCOME AND SERVICE SECTOR TRANSPORTATION	\$ 50,000		\$ 150,000	\$ 200,000
	County of Ventura Human Services Agency	Rain TLC Work Reliability Transport Project	\$ 60,000		\$ 12,000	\$ 72,000
TOTAL			\$ 210,000	\$ 903,600	\$ 542,900	\$1,656,500

Program of Projects				
<p>The Ventura County Transportation Commission (VCTC) will hold a public hearing on the Program of Projects (POP) for the Oxnard and Thousand Oaks Urbanized Areas (UAs) for projects to be funded with Federal Transit Administration Enhanced Mobility for Seniors and Individuals with Disabilities (5310) and Jobs Access Reverse Commute (JARC) funds in the 2017/18 Fiscal Year (FY 2018). The funds available in FY 2018 for 5310 are estimated to be \$630,000 for the Oxnard UA and \$358,000 for the Thousand Oaks UA. The JARC funds available in FY 2018 are estimated to be \$422,000 in the Oxnard UA and \$104,000 in the Thousand Oaks UA. The estimates are based on anticipated FY 2018 funds and prior year carry-over funds. The public hearing will be held at 9:00 a.m. on Friday, March 2, 2018, in the Camarillo City Council Chamber, 601 Carmen Drive, in Camarillo. The POP is available for public inspection at 950 County Square Drive, Suite 207, Ventura, CA 93003. Unless a subsequent notice is published, this project list will become the final 5310/JARC Program of Projects for inclusion in the Southern California Association of Governments Regional Transportation Improvement Program.</p>				
FY 2017/18 Section 5310/JARC Program of Projects				
		Total Cost	Federal Share	Local Share & Other
OXNARD/VENTURA URBANIZED AREA				
Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310)				
<u>Planning Assistance</u>				
Program Administration		\$ 27,882	\$ 27,882	\$ -
		\$ 27,882	\$ 27,882	\$ -
<u>Operating Assistance</u>				
Gold Coast Access Direct Service to Camarillo		\$ 101,333	\$ 81,066	\$ 20,267
Area Agency on Aging MediRide		\$ 157,500	\$ 105,000	\$ 52,500
		\$ 258,833	\$ 186,066	\$ 72,767
<u>Capital Assistance</u>				
One Vehicle for HELP of Ojai		\$ 60,000	\$ 50,000	\$ 10,000
Gold Coast Young Adult Mobility Education		\$ 30,000	\$ 24,000	\$ 6,000
		\$ 90,000	\$ 74,000	\$ 16,000
Total Enhanced Mobility		\$ 376,715	\$ 287,948	\$ 88,767
Jobs Access Reverse Commute (Section 5307)				
<u>Operating Assistance</u>				
CalVans Vanpool		\$ 100,000	\$ 25,000	\$ 75,000
County Human Services Agency Work Reliability Transport		\$ 37,500	\$ 30,000	\$ 7,500
County Human Services Agency Work Reliability Transport - Prior Overpayment		\$ 11,776	\$ 9,813	\$ 1,963
		\$ 137,500	\$ 55,000	\$ 82,500
Total JARC		\$ 137,500	\$ 55,000	\$ 82,500
THOUSAND OAKS/MOORPARK URBANIZED AREA				
Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310)				
<u>Planning Assistance</u>				
Program Administration		\$ 17,022	\$ 17,022	\$ -
		\$ 17,022	\$ 17,022	\$ -
<u>Operating Assistance</u>				
Moorpark Free Senior/Disabled Fares		\$ 12,750	\$ 10,200	\$ 2,550
ECTA Saturday Senior ADA Service		\$ 25,000	\$ 20,000	\$ 5,000
Thousand Oaks Free Rides ADA/DAR		\$ 25,000	\$ 20,000	\$ 5,000
Area Agency on Aging MediRide		\$ 105,000	\$ 70,000	\$ 35,000
		\$ 167,750	\$ 120,200	\$ 47,550
<u>Capital Assistance</u>				
Thousand Oaks Group Travel Training		\$ 10,000	\$ 8,000	\$ 2,000
Thousand Oaks DAR Capital Lease		\$ 50,000	\$ 40,000	\$ 10,000
ECTA Intercity Service Vehicle Lease		\$ 25,000	\$ 20,000	\$ 5,000
		\$ 85,000	\$ 68,000	\$ 17,000
Total Enhanced Mobility		\$ 269,772	\$ 205,222	\$ 64,550
Jobs Access Reverse Commute (Section 5307)				
<u>Operating Assistance</u>				
Thousand Oaks Employee Rideshare Program		\$ 80,000	\$ 40,000	\$ 40,000
		\$ 80,000	\$ 40,000	\$ 40,000
<u>Capital Assistance</u>				
Thousand Oaks Employee Rideshare Vans		\$ 90,000	\$ 60,000	\$ 30,000
		\$ 90,000	\$ 60,000	\$ 30,000
Total JARC		\$ 170,000	\$ 100,000	\$ 70,000

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Item #10

March 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR
SUBJECT: U.S. 101 HOV WIDENING, PROJECT APPROVAL/ENVIRONMENTAL DOCUMENT (PA&ED) FUNDING

RECOMMENDATION:

- Authorize the Executive Director to enter into an agreement with WSP to conduct the U.S. 101 HOV Lane Project, Project Approval and Environmental Document Phase (PA&ED) for an amount not to exceed \$15.2 million funded with Surface Transportation Program (STP) funds.
- Authorize the Executive Director to amend the Cooperative Agreement with Caltrans providing \$2.2 million of Surface Transportation Program (STP) funds for Caltrans' project engineering responsibilities.

BACKGROUND:

Based on past actions approving of the U.S. 101 Project Study Report (PSR) completed by Caltrans, prioritization of Surface Transportation Program (STP) funds for the U.S. 101 widening, and a project partnership with Caltrans, the Commission authorized the release of a Request for Proposal (RFP) for consultant services to conduct the U.S. 101 HOV Lane Project, Project Approval and Environmental Document Phase (PA&ED).

The project itself is highly complex and encompasses approximately 27 miles of U.S. 101 from State Route 23 in Thousand Oaks to State Route 33 in Ventura and is estimated to take 42 months to complete. At a high level, the project shall include sufficient engineering and public outreach to determine the best alternative for congestion relief along the highway and complete the environmental documentation for that and other alternatives. More specifically, the project will examine the addition of a High Occupancy Vehicle (HOV) lane in each direction, the addition of auxiliary lanes, modifications to ramps, intersections, structures including five bridges spanning waterways, utility relocations, right of way issues, hydrology as well as the impacts and mitigations of the proposed work.

Due to the federal funding of this project, the process of consultant selection and contract award follows strict guidelines and must be adhered to carefully. The steps include but are not limited to; developing a Disadvantage Business Enterprise (DBE) goal, development of an independent cost estimate, a documented consultant selection process based solely on qualifications, and certifications from Caltrans on all steps and costs prior to the award of a contract.

March 2, 2018
Item #10
Page #2

An RFP was published late in July of 2017 with proposals due Thursday September 28, 2017. VCTC received five responsive proposals by the submittal deadline, AECOM, Kimley Horn, Moffat Nichol, NV5, and WSP. A six member consultant selection panel was convened comprised of David Klotzle City of Camarillo, Cliff Finley City of Thousand Oaks, David Fleisch County of Ventura, Sujaya Kalainesan Caltrans, Susan Tse Caltrans, and Steve DeGeorge VCTC staff. After reviewing and scoring all written proposals, the consultant selection panel opted to interview three consultant teams, AECOM, Kimley Horn, and WSP.

Oral interviews were conducted on October 27, 2017 and hosted by the City of Thousand Oaks. The consultant selection panel ranked WSP the highest of the three firms interviewed. In accordance with the guidelines, cost proposals were delivered at the time of the interviews but only the top ranked firm's cost proposal was opened for review.

DISCUSSION:

WSP's initial cost proposal received was approximately \$16.2 million, nearly \$6.7 million over the independent cost estimates provided through VCTC's sister agencies, LA Metro, OCTA and Caltrans and \$2.2 million over the PSR estimates. VCTC staff working with Caltrans has been negotiating both the scope of work and the cost with WSP. Through negotiations a number of elements were identified that were not included in the estimates contributing to higher costs, and these are largely in the areas of hydrology, geometric design, advanced planning studies, outreach and project management.

The project team has negotiated cost reductions across the entire scope of the project but the costs remain higher than estimated at \$15.2 million. Staff and Caltrans believe that the scope of work now accurately reflects the required effort for the project and that the cost is commensurate with that work. Further, in reflecting on the full scope of work, Caltrans believes that it underestimated its own project management costs and has revised its cost estimate upwards by \$1 million to a total of \$2.2 million to provide project engineering services.

Although the negotiations have concluded, a considerable amount of administrative process work remains, largely consisting of Caltrans review of the consultant and sub consultant's costs and overhead rates and Caltrans audit of the procurement process. The agreement for services itself is largely dictated by the federal process and was distributed with the RFP when published. The RFP, the related addendums sample contract, and proposed scope of work have been provided under separate cover.

The Commission has previously taken action and approved sufficient federal Surface Transportation Program (STP) funds for this phase of the project. The budget for the current fiscal year contains STP funds for this activity so that the project can commence immediately upon execution of the agreement.

Staff is recommending that once the Caltrans review process is completed the Commission authorize the Executive Director to enter into an agreement with WSP to conduct the U.S. 101 HOV Lane Project, Project Approval and Environmental Document Phase (PA&ED) for an amount not to exceed 15.2 million. Staff is also recommending that the Commission authorize the Executive Director to amend the Caltrans Cooperative Agreement providing \$2.2 million for its engineering services.



Item #11

March 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR
SUBJECT: CALTRANS SUSTAINABLE TRANSPORTATION PLANNING GRANT PROGRAM

RECOMMENDATION:

- Ratify Caltrans grant applications and authorize the use of up to \$32,542.50 in State Transit Assistance Funds (STA) and up to \$50,000 in Local Transportation Funds (LTF) as matching funds should grants be awarded by Caltrans.

DISCUSSION:

The Caltrans Sustainable Transportation Planning Grant Program provides opportunities to obtain grant funds for a variety of planning efforts in the areas of Sustainable Communities, Strategic Partnerships, and Adaptation Planning. Although the grant program had a short window for submission with applications due February 23, 2018, staff believed that it should take advantage of this opportunity and has submitted applications for four separate grants. Each grant category within the program has its own area of emphasis and match requirements. VCTC transit and planning staff each submitted two applications in their area of responsibility. The grant descriptions, amounts, as well as the match requirements are outlined below.

Staff is recommending that the Commission ratify the grant applications and authorize the use of up to \$32,542.50 in State Transit Assistance Funds (STA) and up to \$50,000 in Local Transportation Funds (LTF) as matching funds should the grants be awarded by Caltrans.

Transit:

Adaptation Planning

Grant Funding would allow VCTC, in partnership with SBCAG and in coordination with bus operators of the two counties, to develop a Transportation Emergency Preparedness Plan. The plan will define roles and responsibilities, work with existing plans in the counties, outline communication strategies including internal and external communications, and create an implementation plan that will include preparedness plans for different types of emergencies, training, drills, evacuations and handling of service provision. This plan will help VCTC, SBCAG, the operators and the two counties be further prepared for disasters that affect our counties.

Grant Amount	\$221,325
Required Match - VCTC (STA)	\$14,337.50
SBCAG	\$14,337.50
Total Project Amount	\$250,000

Sustainable Communities

Grant funding would allow VCTC to undertake a Transportation Improvement Study that will look for ways transportation could better serve our community, looking primarily at microtransit options which have created a significant buzz in transit since coming on the scene. In Ventura County, there are many rural and less densely populated areas that cannot be easily served through traditional fixed route transit. Through this process, VCTC will thoroughly study the feasibility to serve parts of the community and whether it could be an effective and sustainable option. This study will also look at areas that could be streamlined and policies aligned as well as ways to better promote transit and the operators, including promoting the value that transit currently adds to our community.

Grant Amount	\$132,795
Required Match (STA)	\$17,205
Total Project Amount	\$150,000

Planning:

Strategic Partnerships

Grant Funding would allow VCTC, working with the Oxnard Harbor District, Caltrans and other jurisdictions to expand upon the 2000 Port Access Study and examine potential freight corridors beyond U.S. 101. Specifically the study would address the connections between state highways and U.S. 101 to improve freight movement and reduce impacts to disadvantaged communities. Especially critical are the connections from S.R. 126 westbound to U.S. 101 southbound and S.R. 118 Westbound to U.S. 101 north and southbound.

Grant Amount	\$100,000
Required Match (LTF)	25,000
Total Project Amount	\$125,000

Strategic Partnerships

Grant funding would allow VCTC working with Caltrans and corridor jurisdictions to conduct a multi-modal corridor study along U.S. 101 for the 28-mile segment between SR 23 (PM 3.11) and SR 33 (PM 30.91) . The study will address the critical need to reduce congestion, accidents, and VMT by developing a comprehensive multi-modal corridor plan of road, transit and active transportation infrastructure improvements consistent with the RTP/SCS. This study would augment the U.S. 101 PA&ED and assist in making the corridor eligible for Congested Corridor funds under SB 1.

Grant Amount	\$100,000
Required Match (LTF)	\$25,000
Total Project Amount	\$125,000