VENTURA COUNTY TRANSPORTATION COMMISSION

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

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AGENDA*

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

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, MAY 11, 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 APRIL 6, 2018 VCTC MEETING – PG.7
Recommended Action:
Approve
Responsible Staff: Donna Cole

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

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

8D. COOPERATIVE FUNDING AGREEMENT FOR AUTOMATIC VEHICLE LOCATION AND PASSENGER INFORMATION SYSTEM -PG. 21
Recommended Action:
- *Approve the Cooperative Funding Agreement between VCTC and the City of Ojai for the Automatic Vehicle Location and Passenger Information System project and authorize the Executive Director to execute the agreement.*
- *Approve the Cooperative Funding Agreement between VCTC and the City of Simi Valley for the Automatic Vehicle Location and Passenger Information System project and authorize the Executive Director to execute the agreement.*
- *Approve amendment to the Transit Stop Enhancements program budget by: adding revenue line-items, Local Contribution-City of Ojai, in the amount of $24,150, and, Local Contribution–Simi Valley, in the amount of $66,500; and by increasing the expenditures line-item of Professional Services by a commensurate total amount of $90,650.*

Responsible Staff: Aaron Bonfilio

8E. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS TRANSIT MOU- PG. 47
Recommended Action:
Authorize Executive Director to execute the attached Metropolitan Planning Agreement between SCAG, VCTC and Ventura County Transit Operators
Responsible Staff: Claire Grasty

8F. EXTENSION OF VCTC PUBLIC OUTREACH CONTRACT- PG. 49
Recommended Action:
Approve a One Year extension of the current Public Outreach contract with Celtis Ventures at a cost not to exceed $565,000.
Responsible Staff: Donna Cole

8G. CSUCI COOPERATIVE AGREEMENT FISCAL YEAR 2018-2019 EXTENSION- PG 53
Recommended Action:
Approve the FY 2018-2019 Cooperative Agreement for bus service to California State University Channel Islands (CSUCI) and CSUCI providing $543,000 for the service in FY 2018-2019.
Responsible Staff: Aaron Bonfilio

8H. REPROGRAM FY14/15 AND FY16/17 TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS TO THE RICE ROAD PROJECT -PG.63
Recommended Action:
- *Approve reprogramming $190,856 of TDA Article 3 funds from the City of Camarillo Pleasant Valley Fields Bicycle/Pedestrian Trail Project to the County of Ventura Rice Road Bike Lanes Project.*
- *Amend the FY 2017/18 TDA budget to increase Local Transportation Fund (LTF) Transfer Revenues and Article 3 Bicycle/Pedestrian expenses by $190,856.*

Responsible Staff: Judith Johnduff

8I. DISBURSEMENT OF RESERVED STATE TRANSIT ASSISTANCE SECTION 99314 FUNDS - PG. 67
Recommended Action:
- *Distribute $104,943 State Transit Assistance Section 99314 funds placed in reserve as presented in Option 1.*
- *Amend the TDA Administration budget to increase both the STA Fund Transfer revenues and Pass-Through PUC 99314 expenditures by $104,943.*

Responsible Staff: Sally DeGeorge

8J. LEGISLATIVE UPDATE AND POSITION ON BILLS- PG. 71
Recommended Action:
Receive and File
Responsible Staff: Peter De Haan

8K. ADDITIONAL FUNDING FOR THE VENTURA COUNTY COLLEGE EASY RIDE FARE PROMOTION PILOT PROJECT-PG. 85
Recommended Action:
- *Approve programming an additional $23,109 of FY 17/18 Low-Carbon Transit Operations Program (LCTOP) funds for the College Easy Ride Fare Promotion Pilot Project for a total of $524,984.*
- *Authorize the Executive Director to execute all grant documents and cooperative agreements to implement the projects.*

Responsible Staff: Judith Johnduff

8L. SENATE BILL (SB) 1 STATUS OF DISCRETIONARY GRANT APPLICATIONS – PG. 87
Recommended Action:
Receive and file.
Responsible Staff: Peter De Haan

8M. AMENDMENT TO THE VCTC INTERCITY TRANSIT SERVICES PROGRAM BUDGET TO ADDRESS FAREBOX SHORTFALL- PG. 89

Recommended Action:

- *Approve the following amendment to the VCTC Intercity Transit Services Budget:*
  - *Reduction of Farebox Revenues line-item by $65,000 from $1,032,400 to $967,400*
  - *Correspondingly increase the STA Fund Transfer Revenues line-item by $65,000, from $2,849,281.00 to $2,914,281; and,*
- *Amend the VCTC STA budget, by increasing the STA Fund Transfer expenditures by $65,000.*

Responsible Staff: Aaron Bonfilio

9. VCTC INTERCITY TRANSIT SERVICES CONTRACTOR ACQUISITION UPDATE - PG. 91

Recommended Action:

Approve the attached Letter Agreement between Ventura County Transportation Commission and Roadrunner Management Services, Inc. (Roadrunner), with approval contingent on the successful closing of RATP Dev North America's (RATP Dev) Stock Purchase Agreement with Roadrunner

Responsible Staff:

10. FISCAL YEAR 2018/2019 TRANSPORTATION DEVELOPMENT ACT (TDA) UNMET TRANSIT NEEDS FINDINGS - PG. 99

Recommended Action:

- *Review and Approve the Fiscal Year (FY) 2018/2019 Unmet Transit Needs Findings*
- *Adopt Resolution No. 2018-06 (Attachment A)*

Responsible Staff: Claire Grasty

11. TITLE VI FARE EQUITY SURVEY RESULTS - PG. 105

Recommended Action:

- *Receive a presentation on Title VI Fare Equity Survey results from Moore & Associates.*
- *Provide direction to staff to initiate the process for a fare increase, develop analysis of revenue and ridership impacts of a fare increase, and return to the Commission in June with alternatives*.

Responsible Staff: Martin Erickson

12. VCTC BUS ADVERTISING REVENUE PROGRAM - PG. 107

Recommended Action:

- *Receive a presentation on VCTC a Bus Advertisement Revenue Program.*
- *Direct staff to develop a VCTC Bus Advertisement Revenue Program, including recommended advertising policies, products, and rates*.

Responsible Staff: Martin Erickson

13. APPROVE LOAN OF $21.5 MILLION FROM REGIONAL SURFACE TRANSPORTATION PROGRAM TO ORANGE COUNTY TRANSPORTATION AUTHORITY- PG. 111

Recommended Action:

Approve loan of $21.5 million from the Ventura County Regional Surface Transportation Program apportionment balance, to the Orange County Transportation Authority (OCTA), with the repayment to occur in Fiscal Year (FY) 2021/22.

Responsible Staff: Peter De Haan

14. VCTC GENERAL COUNSEL'S REPORT

15. AGENCY REPORTS

16. CLOSED SESSION –
Conference with Labor Negotiator
(Pursuant to Government Code Section 54957.6)
Agency Designated Representative: Steve Mattas
Unrepresented Employee: Executive Director

17. ADJOURN to 9:00 a.m. Friday, June 1, 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, APRIL 6, 2018
9:00 AM

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

ABSENT: Steve Bennett, County of Ventura
Brian Humphrey, Citizen Rep., Cities

CALL TO ORDER

PLEDGE OF ALLGIANCE

ROLL CALL

PUBLIC COMMENTS FOR THOSE ITEMS NOT LISTED ON THIS AGENDA
Scott Spaulding SBCAG, discussed the recently launched LOSSAN service for commuters to Santa Barbara. Over 1,400 riders signed up for free passes. SBCAG is looking forward to partnering with LOSSAN and VCTC to help make the service a success.

CALTRANS REPORT -
During Earth Week, several locations will be cleaned up by local elected and Caltrans officials. The Ventura County location will be Northbound on and off ramps at Carmen Drive in Camarillo.

On March 22 CTC adopted the 2018 SHOPP. Total funding for projects in the system is $18 Billion, including $6.4 Billion in programming from SB1 for Ventura County.

COMMISSIONERS REPORTS
Commissioner Gherardi *reported on March 30 she met with VCTC and Metrolink staff regarding improving Ventura County ridership and promoting the line. She also mentioned the Annual Railfest is April 28-29 in Fillmore.*

Commissioner Simons *reported Moorpark's New City Manager, Troy Brown, has assumed his position.*

EXECUTIVE DIRECTOR REPORT –
For the 9th consecutive year VCTC has received a Certificate of Excellence for Financial Reporting. Darren Kettle recognized accounting staff members Jay Elliot and Thao Le for their efforts in helping the Finance Director accomplish this.

CONSENT CALENDAR –
Item #8D, COOPERATIVE FUNDING AFREEMENT FOR AUTOMATIC VEHICLE LOCATION AND PASSENGER INFORMATION SYSTEM, will be removed from this agenda and brought back to the May meeting.

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

8A. APPROVE SUMMARY FROM MARCH 2, 2018 VCTC MEETING – *Approve*

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

8C. PASSENGER RAIL UPDATE – *Receive and File*

8E. SECTION 5310 FUNDED VAN PURCHASE FOR THE ARC OF VENTURA COUNTY
- *Approve agreement with the Arc of Ventura County to provide a paratransit van using $36,000 of Federal Transit Administration (FTA) Section 5310 funds with match provided by the Arc*
- *Authorize Executive Director to place order with A-Z Bus Sales to purchase, on behalf of the Arc, a D Braun Entervan low-floor paratransit vehicle through the California Association for Community Transportation (CalACT) purchasing schedule, at a total cost of $48,509.27, contingent the receipt of $10,509.27 in match from the Arc.*

- *Amend Transit Grant Administration Budget to add $10,600 in Private Revenues; to reduce Pass Through Expenditures* by $36,000; and to add Equipment Expenditures of $48,600.

8F. TRANSPORTATION DEVELOPMENT ACT (TDA) AUDITS FOR FISCAL YEAR 2016/2017
Receive and file the Transportation Development Act (TDA) Audits for Fiscal Year 2016/17.

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

9 FISCAL YEAR 2018/2019 DRAFT BUDGET – PUBLIC HEARING- ***There were no speakers for the public hearing.***
Commissioner MacDonald made a motion to:

- *Conduct Public Hearing to receive testimony on the Draft Fiscal Year 2018/2019 Budget.*
- *Receive the Fiscal Year 2018/2019 Draft Budget.*

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

10. LEGISLATIVE UPDATE & POSITIONS ON BILLS -
Commissioner Zaragoza made a motion to

- *Adopt "Support" position on Proposition 69, to constitutionally ensure that any funds collected under SB 1 can only be spent on transportation.*
- *Adopt "Support" position on AB 1905 (Grayson), to streamline the California Environmental Quality Act (CEQA) as it applies to transportation projects that are in a regionally-adopted Sustainable Communities Strategy (SCS).*
- *Adopt "Support" position on SB 1119 (Newman), to clarify the requirements under the Low Carbon Transit Operations Program (LCTOP) for service to disadvantaged communities.*

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

Item #15 was moved up on the agenda because some members will need to leave the meeting.

15 RESCIND PRIOR CONTINGENT APPROVAL OF THE FIRST AMENDMENT TO TRANSIT SERVICES AGREEMENT BETWEEN VCTC AND ROADRUNNER MANAGEMENT SERVICES, INC. AND AUTHORIZE RE-ISSUANCE OF THE REQUEST FOR PROPOSALS FOR VCTC INTERCITY TRANSIT SERVICES (RFP#18-90164-FR-
After a lengthy discussion, Commissioner McDonald made a motion to table this item to the May meeting. The motion was seconded by Commissioner MacDonald and passed by a unanimous roll call vote.

(Commissioner Foy left the meeting).

11. DRAFT VCTC 2018 TITLE VI PROGRAM UPDATE- PUBLIC HEARING – ***There were no speakers for the public hearing.***
Commissioner Gherardi made a motion to

- *Hold a public hearing for the VCTC 2018 Title VI Program Update*
- *Adopt Resolution 2018-05 approving the 2018 Title VI Program Update, including the Public Participation Plan and Language Assistance Plan.*

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

Yes: Commissioners McDonald, Judge, MacDonald, Minjares, Gherardi, Berg, White, Simons, Bill- de la Peña, Long, Andrews, Haney, Parks
No: None
Abstain: None
Absent: Commissioners Zaragoza, Foy,Bennett, and Humphrey

12. FY 2017/18 LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) ALLOCATION-
Commissioner Long made a motion to:

- *Program Ventura County Transportation Commission's (VCTC) FY 2017/18 Low Carbon Transit Operations Program (LCTOP) apportionment as follows:*
  - *$550,000 for the Oxnard/Camarillo Employment Connector Service Project*
  - *$501,875 for the College Easy Ride Transit Fare Pilot Promotion*
- *Adopt Resolution 2018-04 in Attachment A, Authorizing the Executive Director to execute all required documents including the Certifications and Assurances (Exhibit's 1 and 2 Attached) to receive VCTC's FY 2017/18 Low Carbon Transit Operations Program funds.*
- *Approve programming $108,562, Southern California Regional Rail Authority's (SCRRA) LCTOP revenue formula amount for the portion of the service within Ventura County, for the SCRRA's Free Fare Media Program.*

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

(Commissioner Bill-de la Peña left the meeting.)

13. VENTURA COUNTY TRAFFIC MODEL (VCTM) UPDATE- *Received and filed.*

14. REVISION TO PROPOSITION 1B TRANSIT SECURITY CAPITAL PROGRAM -
Commissioner Gherardi made a motion to:

- *Approve reprogramming $280,000 from the Ventura County Transportation Commission (VCTC) Office Building Security Project to the following projects:*
  - *$195,000 to provide safety and security improvements at the new Gold Coast Transit Operations Center and,*
  - *$85,000 to install new security cameras at the Camarillo Moorpark Metrolink Stations.*
- *Amend the FY 17/18 VCTC budget to transfer $280,000 of Proposition 1B revenue and expenditures from the VCTC Office Building line item to the Transit Grant Administration Pass through line item.*
- *Authorize the Executive Director to execute all grant documents and cooperative agreements to implement the projects.*

The motion as seconded by Commissioner Zaragoza and passed by a unanimous roll call vote.

16. VCTC GENERAL COUNSEL'S REPORT

17. AGENCY REPORTS

18. CLOSED SESSION – *No Announcement*

Conference with Labor Negotiator
(Pursuant to Government Code Section 54759.6)
Agency Designated Representative: Darren Kettle
Unrepresented Employees: All positions other than Executive Director

19. ADJOURN to 9:00 a.m. Friday, May 11, 2018

Item # 8B

May 11, 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 March 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 March 31, 2018 budget reports indicate that revenues were approximately 54.77% of the adopted budget while expenditures were approximately 50.93% 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.

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 MARCH 31, 2018

Assets and Deferred Outflows	
Cash and Investments - Wells Fargo Bank	$ 7,944,759
Cash and Investments - County Treasury	19,117,911
Petty Cash	130
Receivables/Due from other funds	591,919
Prepaid Expenditures	31,641
Deposits	16,475
Capital Assets, undepreciated	26,236,268
Capital Assets, depreciated, net	32,286,943
Deferred Outflows for pension	488,680
Total Assets and Deferred Outflows	**$ 86,714,726**

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:	
Accrued Expenses/Due to other funds	$ 1,447,091
Deferred Revenue	4,078,708
Deposits	400
Accrued Vacation	159,661
Pension Liability	1,716,672
Deferred Inflows	351,041
Total Liabilities and Deferred Inflows:	**$ 7,753,573**
Net Position:	
Invested in Capital Assets	$ 58,523,211
Fund Balance	20,437,942
Total Net Position	**$ 78,961,153**

For Management Reporting Purposes Only

VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE NINE MONTHS ENDING MARCH 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	$ 3,174,149	$ 0	$ 0	$ 0	$ 2,657,949	$ 447,374	$ 6,279,472	$ 16,464,104	(10,184,632)	38.14
State Revenues	322,297	21,515,813	2,449,444	457,820	492,195	186,691	25,424,260	42,568,061	(17,143,801)	59.73
Local Revenues	537,285	0	0	2,907	1,479,538	1,200,942	3,220,672	4,780,223	(1,559,551)	67.37
Other Revenues	1,273	0	0	0	0	0	1,273	0	1,273	0.00
Interest	1,944	21,924	36,692	22,001	876	310	83,747	105,000	(21,253)	79.76
Total Revenues	**4,036,948**	**21,537,737**	**2,486,136**	**482,728**	**4,630,558**	**1,835,317**	**35,009,424**	**63,917,388**	**(28,907,964)**	**54.77**
Expenditures										
Administration										
Personnel Expenditures	1,740,246	0	0	0	154,068	47,645	1,941,959	3,055,950	(1,113,991)	63.55
Legal Services	12,825	0	0	0	0	0	12,825	25,000	(12,175)	51.30
Professional Services	78,696	0	0	0	0	0	78,696	121,200	(42,504)	64.93
Office Leases	114,371	0	0	0	0	0	114,371	158,000	(43,629)	72.39
Office Expenditures	160,207	0	0	0	97,710	30,217	288,134	614,350	(326,216)	46.90
Total Administration	**2,106,345**	**0**	**0**	**0**	**251,778**	**77,862**	**2,435,985**	**3,974,500**	**(1,538,515)**	**61.29**
Programs and Projects										
Transit & Transportation Program										
Senior-Disabled Transportation	160,030	0	0	0	0	0	160,030	263,500	(103,470)	60.73
Fare Collection APC Systems	14,716	0	0	0	0	0	14,716	511,600	(496,884)	2.88
VCTC Intercity Bus Services	0	0	0	0	6,396,656	0	6,396,656	8,587,800	(2,191,144)	74.49
Valley Express Bus Services	0	0	0	0	0	1,253,597	1,253,597	2,027,500	(773,903)	61.83
Transit Stop Enhancement	483,180	0	0	0	0	0	483,180	2,458,650	(1,975,470)	19.65
Transit Grant Administration	1,555,453	0	0	0	0	0	1,555,453	7,105,300	(5,549,847)	21.89
Total Transit & Transportation	**2,213,379**	**0**	**0**	**0**	**6,396,656**	**1,253,597**	**9,863,632**	**20,954,350**	**(11,090,718)**	**47.07**
Highway Program										
Motorist Aid Call Box System	0	0	0	180,260	0	0	180,260	695,000	(514,740)	25.94
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	70,252	0	0	70,252	144,000	(73,748)	48.79
Total Highway	**4,352**	**0**	**0**	**250,512**	**0**	**0**	**254,864**	**1,536,800**	**(1,281,936)**	**16.58**
Rail Program										
Metrolink & Commuter Rail	2,582,237	0	0	0	0	0	2,582,237	5,040,032	(2,457,795)	51.23
LOSSAN & Coastal Rail	691	0	0	0	0	0	691	4,700	(4,009)	14.70
Santa Paula Branch Line	450,899	0	0	0	0	0	450,899	966,652	(515,753)	46.65
Total Rail	**3,033,827**	**0**	**0**	**0**	**0**	**0**	**3,033,827**	**6,011,384**	**(2,977,557)**	**50.47**

	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	12,586	0	0	0	0	0	12,586	30,400	(17,814)	41.40
Rideshare Programs	74,397	0	0	0	0	0	74,397	179,200	(104,803)	41.52
Total Commuter Assistance	**86,983**	**0**	**0**	**0**	**0**	**0**	**86,983**	**209,600**	**(122,617)**	**41.50**
Planning & Programming										
Transportation Development Act	207,425	18,471,630	0	0	0	0	18,679,055	30,204,232	(11,525,177)	61.84
Transportation Improvement Program	12,966	0	0	0	0	0	12,966	58,900	(45,934)	22.01
Regional Transportation Planning	102,717	0	0	0	0	0	102,717	378,500	(275,783)	27.14
Airport Land Use Commission	26	0	0	0	0	0	26	9,000	(8,974)	0.29
Regional Transit Planning	90,511	0	0	0	0	0	90,511	531,100	(440,589)	17.04
Freight Movement	9,804	0	0	0	0	0	9,804	21,800	(11,996)	44.97
Total Planning & Programming	**423,449**	**18,471,630**	**0**	**0**	**0**	**0**	**18,895,079**	**31,203,532**	**(12,308,453)**	**60.55**
General Government										
Community Outreach & Marketing	157,457	0	0	0	0	0	157,457	229,400	(71,943)	68.64
State & Federal Relations	77,113	0	0	0	0	0	77,113	108,100	(30,987)	71.33
Management & Administration	34,389	0	0	0	0	0	34,389	74,900	(40,511)	45.91
Office Building Purchase	14,422	0	0	0	0	0	14,422	4,135,801	(4,121,379)	0.35
Total General Government	**283,381**	**0**	**0**	**0**	**0**	**0**	**283,381**	**4,548,201**	**(4,264,820)**	**6.23**
Total Expenditures	**8,151,716**	**18,471,630**	**0**	**250,512**	**6,648,434**	**1,331,459**	**34,853,751**	**68,438,367**	**(33,584,616)**	**50.93**
Revenues over (under) expenditures	**(4,114,768)**	**3,066,107**	**2,486,136**	**232,216**	**(2,017,876)**	**503,858**	**155,673**	**(4,520,979)**	**4,676,652**	**(3.44)**
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	285,481	0	0	0	0	0	285,481	4,433,585	(4,148,104)	6.44
Transfers Into GF from SAFE	2,825	0	0	0	0	0	2,825	28,300	(25,475)	9.98
Transfers Into VI from STA	0	0	0	0	2,732,525	0	2,732,525	2,849,281	(116,756)	95.90
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	(285,481)	0	0	0	(285,481)	(4,433,585)	4,148,104	6.44
Transfers Out of SAFE into GF	0	0	0	(2,825)	0	0	(2,825)	(28,300)	25,475	9.98
Transfers Out of STA into VI	0	0	(2,732,525)	0	0	0	(2,732,525)	(3,320,144)	587,619	82.30
Total Other Financing Sources	**4,795,037**	**(4,506,731)**	**(3,018,006)**	**(2,825)**	**2,732,525**	**0**	**0**	**(470,863)**	**470,863**	**0.00**
Net Change in Fund Balances	**680,269**	**(1,440,624)**	**(531,870)**	**229,391**	**714,649**	**503,858**	**155,673**	**(4,991,842)**	**5,147,515**	**(3.12)**
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	**$ 653,378**	**$ 6,211,228**	**$ 7,806,260**	**$ 4,636,316**	**$ 626,902**	**$ 503,858**	**$ 20,437,942**	**$ 12,263,396**	**8,174,546**	**167**

*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 MARCH 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	$3,864.42	0.08%	$ 7,944,758.83
County of Ventura	Treasury Pool	N/A	80,434.89	1.15%	19,113,794.53
Total			**$84,299.31**		**$27,058,553.36**

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

May 4, 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 declined 1% from last year's average in the same month, averaging 38,299 daily passengers for the month of March. The Ventura County Line, which includes both Ventura County and Los Angeles County Stations, averaged 3,205 daily passenger trips for March, representing a 7% decline from the previous year's average during the same month and a 2% decline from February's average of 3,285. A "10-Year Snapshot" of ridership trends is provided in Attachment A.

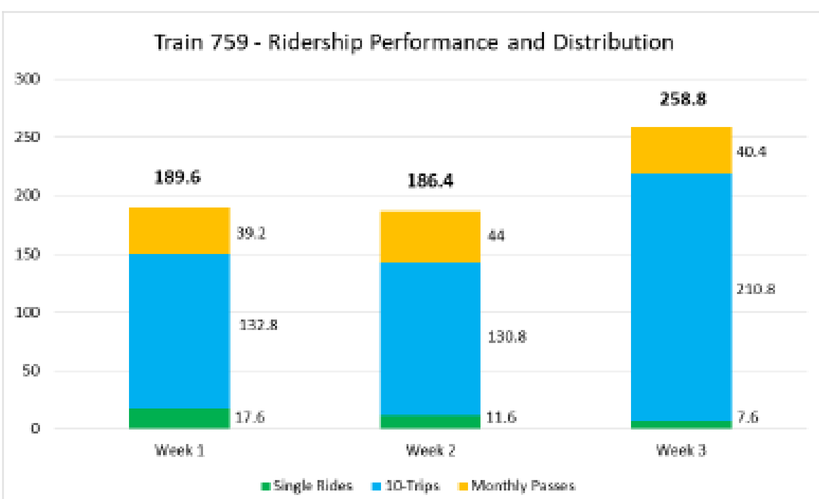
Metrolink ridership originating from Ventura County Stations on the Ventura County Line for the month of March averaged 706 total boardings per weekday. This represents a decrease of 10% compared to the same month in the previous year and a 2% decrease from last month's boardings. Ventura County boardings represented approximately 22% of all boardings on the Ventura County Line. This proportion continues to shrink from the historical average of 25%. Staff continues 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 March 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 March, no significant change in performance from the OTP recorded in February. "On Time" performance on the Ventura County Line performed above the system-wide average of 93% in March. Staff will continue to monitor the OTP of local trains to determine causes and trends moving forward. In an effort to improve safety and 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)
2018 Transit and Intercity Rail Capital Program (TIRCP) update
The LOSSAN Agency submitted three TIRCP applications on behalf of its member agencies to the California State Transportation Agency (CalSTA) on January 12, 2018. On April 26, 2018, the California State Transportation Agency (CalSTA) announced its recommendation to award $2.6 billion in grant funding through the 2018 TIRCP to 28 projects statewide. Of the three TIRCP applications submitted by LOSSAN, two were recommended for funding by CalSTA, including the "Building UP: LOSSAN North Improvement Program" awarded a funding amount of $147.9 million. The LOSSAN North program includes two projects located within Ventura County: the Camarillo Station Improvements project and the Leesdale Siding project. The Camarillo Station improvements will construct a pedestrian undercrossing and other station improvements to improve passenger access, enhance operational flexibility and reduce travel time. The Leesdale Siding project will extend the current 3,700 foot Leesdale siding by up to 3.3 miles to the west and 2.9 miles to the east to allow operational flexibility for both Pacific Surfliner and Metrolink trains.

CalSTA also awarded Santa Barbara County Association of Governments (SBCAG) $9.6M for the Coastal Express/Pacific Surfliner Peak Hour Service Expansion and Integration Project. This project, in coordination with VCTC, complements rail service for commuters between Ventura and Santa Barbara Counties by enhancing bus service with the purchase of five (5) zero-emission coach buses.

Peak-Period Ventura County to Santa Barbara County Train Performance
The peak-period train service for passengers commuting from Ventura County to Santa Barbara County launched April 2, 2018 on the Pacific Surfliner. Daily ridership has shown improvement over the three week course of service and on-time performance continues to improve after experiencing some delays with the initial launch. A summary of ridership between Simi Valley and Goleta for Train 759 is shown in the table below:



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
March 2018	706	-10%	3,205	-7%	38,299	-1%
March 2017	787	-5%	3,438	-1%	38,682	-1%
March 2016	829	-5%	3,468	-9%	39,081	-6%
March 2015	876	-7%	3,803	1%	41,374	0%
March 2014	944	-3%	3,760	-5%	41,403	-4%
March 2013	971	2%	3,964	0%	43,066	0%
March 2012	949	-1%	3,968	4%	43,119	6%
March 2011	958	-1%	3,800	0%	40,781	0%
March 2010	966	-4%	3,811	-9%	40,629	-5%
March 2009	1,005	-5%	4,202	1%	42,890	-4%

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

Attachment B

	VENTURA (MONTALVO)	OXNARD	CAMARILLO	MOORPARK	SIMI VALLEY	CHATSWORTH	NORTHRIDGE	VAN NUYS	BURBANK AIRPORT	BURBANK	GLENDALE
March 2017	47	94	113	207	331	328	398	173	182	897	668
March 2018	40	80	98	198	303	306	363	174	175	839	630

Source: SCRRA TAC Reporting Portal.

Item # 8D

May 11, 2018

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **AARON BONFILIO, PROGRAM MANAGER – TRANSIT SERVICES**

SUBJECT: **COOPERATIVE FUNDING AGREEMENT FOR AUTOMATIC VEHICLE LOCATION AND PASSENGER INFORMATION SYSTEM**

RECOMMENDATION:

- Approve the Cooperative Funding Agreement between VCTC and the City of Ojai for the Automatic Vehicle Location and Passenger Information System project and authorize the Executive Director to execute the agreement.

- Approve the Cooperative Funding Agreement between VCTC and the City of Simi Valley for the Automatic Vehicle Location and Passenger Information System project and authorize the Executive Director to execute the agreement.

- Approve amendment to the Transit Stop Enhancements program budget by: adding revenue line-items, *Local Contribution-City of Ojai,* in the amount of $24,150, and, *Local Contribution–Simi Valley*, in the amount of $66,500; and by increasing the expenditures line-item of *Professional Services* by a commensurate total amount of $90,650.

BACKGROUND & DISCUSSION:

At its November 3, 2017 meeting, the Commission approved a contract with Syncromatics Corporation for an Automatic Vehicle Location and Passenger Information System (System). The System will replace the existing arrival information system provided by Nextbus, as well as, provide new ITS tools and functionalities.

The scope of work for the System included a contract option for *Automatic Voice Annunciators* (or AVAS). An AVAS provides electronic audio and visual announcements to passengers on-board and at bus stops. AVAS was identified as a contract option, as the cost for AVAS reflects a significant additional expense to the System replacement.[1] To the extent that any transit operator with available funding desired to exercise this particular option, VCTC drafted a Cooperative Funding Agreement (Cooperative Agreement)

[1] The average System cost per bus is approximately $12,500 (not including the AVAS option); the AVAS option per bus is approximately $5,600 additional (or 45%).

which facilitates funding from the applicable agency for AVAS technology. The operators which have so far requested exercising the AVAS option include, Gold Coast Transit District (GCTD), Thousand Oaks

Transit, Moorpark City Transit, Simi Valley Transit and Ojai Trolley. To-date Cooperative Agreements have been approved with GCTD, Thousand Oaks, and Moorpark. The city councils of Ojai and Simi Valley approved Cooperative Agreements for the AVAS System contract option March 26, 2018 and April 23, 2018, respectively.

Staff's recommendation is two-fold: first, to approve the Cooperative Agreement with the cities of Ojai and Simi Valley, and, second, to approve amending the Transit Stops Enhancement program budget, to incorporate funding for the AVAS contract option.

As mentioned previously, the contract with Syncromatics envisioned this eventuality, i.e. no contract modification is required. Once the Cooperative Agreement is approved and the budget amended, VCTC will move forward with issuing notice to proceed for the AVAS System contract option.

Attachments:
I - Cooperative Agreement between the Ventura County Transportation Commission and the City of Ojai
II - Cooperative Agreement between the Ventura County Transportation Commission and the City of Simi Valley

COOPERATIVE AGREEMENT

BETWEEN

VENTURA COUNTY TRANSPORTATION COMMISSION

AND

THE CITY OF OJAI

THIS COOPERATIVE AGREEMENT (Agreement) is entered into between Ventura County Transportation Commission (VCTC) and the City of Ojai (Ojai) regarding the administration of Ojai's share of funds to support the Automatic Vehicle Location and Real-time Passenger Information System Project (Project).

WHEREAS, VCTC has historically provided, and is lead agency in the current procurement, for a county-wide Automatic Vehicle Location and Real-time Passenger Information System; and,

WHEREAS Ojai has amended its Fiscal Year 2017/18 budget, has budgeted and programmed $24,000 to purchase an Automatic Voice Annunciator System (AVAS) option 9.1 (Exhibit "A") for the OJAI trolley fleet; and,

WHEREAS, VCTC intends to enter into an Agreement with Syncromatics Corporation which will include contract purchase options for integrated technologies, such as AVAS; and,

WHEREAS, VCTC intends to issue Project Task Orders which shall direct Syncromatics Corporation as to the options that each transit operator fleet will receive; and,

WHEREAS, it is the intention of VCTC to enter into this Agreement with the OJAI regarding the provision of the funds to the Project.

NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:

1. Funding Summary: Ojai will provide up to $24,150 for the Project from federal and local sources as summarized in the Attachment to this agreement. OJAI'S funding shall only be used for OJAI approved Project expenses.

2. Invoices: VCTC shall provide invoices for Project expenses, including reasonably requested back-up documentation to OJAI.

3. Method of Payment: OJAI guarantees payment not to exceed $24,150 and, within thirty days of receipt of invoices for work completed, OJAI shall pay VCTC the funds programmed for the project.

4. Project Scope: The scope of the Project funded under this agreement shall be to deploy the Syncromatics option for Automatic Voice Annunciator System, which shall be integrated into the Automatic Vehicle Location and Real-time Passenger Information System procured by VCTC. This includes system design, installation, and testing, staff training, and annual licensing and warranty support for years one and two. The Project specifications are set forth in more detail in Exhibit "A", attached hereto and incorporated herein by reference.

5. Project Acceptance: OJAI shall have the right to inspect and approve the Project, and all Project deliverables, prior to acceptance, to ensure that the Project meets the Project specifications as forth in Exhibit "A", and all other requirements of OJAI. VCTC shall transfer or shall acquire on behalf of OJAI all licensing, and warranty support rights as specified above without additional cost to OJAI.

6. Project Records: VCTC shall maintain all books, papers, records, and accounting records, and all other material relating to the Project, for three (3) years of the date of the final Project payment by VCTC. VCTC shall, upon request, make all such materials available to OJAI at any reasonable time for copying or inspection. VCTC shall ensure that any contract entered into for the Project shall contain all of the provisions of this paragraph.

7. Standard of Care. VCTC shall ensure that the Project activities are conducted in accordance with all applicable state, federal and local laws, rules and regulations, with all due diligence and in a skillful and competent manner.

8. Federal Grant Administration: VCTC shall ensure compliance with all Federal requirements.

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

10. Termination: This Agreement will terminate upon final reconciliation of expenses for the Project, but in any event no later than five (5) years after execution by both Parties.

11. Indemnification: VCTC shall protect, defend, indemnify, and hold harmless OJAI, its officers, agents, servants, and employees, from any and all liability arising out of, caused by any act or omission of VCTC or its officers, agents, servants, and employees as a result of any act or omission by VCTC in its performance pursuant to this Agreement. To the extent applicable and to the extent consistent with any agreements entered into between VCTC and Syncromatics Corporation, VCTC shall extend any indemnity or warranty received from Syncromatics Corporation to OJAI.

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

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

12. Insurance: With respect to performance of work under this Cooperative Agreement and any Project Agreement entered into by VCTC as an element of Project Implementation, VCTC shall maintain and shall ensure that its contractors maintain insurance as described below:

    General Conditions - Without limiting VCTC's indemnification of City, VCTC and each contractor and subcontractor shall provide and maintain at its own expense the insurance listed below covering its operations, subject to the following conditions:

    a) The City of Ojai, its Boards, Officers, Agents, and Employees shall be included as additional insureds in all liability insurance policies and endorsements thereto except for Workers' Compensation and Professional Errors and Omissions.

    b) Such insurance shall be primary with respect to any insurance maintained by City and shall not call on City's insurance for contributions.

c) With respect to the interests of the City, VCTC's and any contractor and/or subcontractor's insurance shall not be canceled nor reduced in coverage or limits until after thirty (30) days written notice shall have been sent to the City of Ojai, 401 S. Ventura Street, Ojai, California 93063, and shall contain an unequivocal clause so stating.

d) A City approved endorsement or certified copy of insurance policy providing coverage shall be submitted to and approved by the City's Risk Manager prior to commencement of any work or tenancy.

Workers Compensation Insurance – VCTC's contractors shall maintain, during the life of the Project, Workers' Compensation Insurance for any contractor or subcontractor employees employed at the sites of the Project. In case any class of employees engaged in work under this Agreement at the site of the Project is not protected under any Workers' Compensation law, VCTC shall provide or shall cause each contractor and subcontractor to provide, adequate insurance for the protection of employees not otherwise protected. VCTC hereby agrees to indemnify OJAI for any damage resulting to it from failure of any VCTC contractor or subcontractor to take out or maintain such insurance. VCTC's contractor and/or subcontractor hereby certifies that it is aware of the provisions of Section 3700 et seq., of the Labor Code which require every employer to be insured against liability for Workers' Compensation.

Waiver of Subrogation – VCTC and/or VCTC's contractor and subcontractor hereby grants to City a waiver of any right to subrogation which any insurer of VCTC and said contractor/subcontractor may acquire against the City by virtue of the payment of any loss under such insurance. VCTC and VCTC's contractor/subcontractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

Modification of Coverage - The City reserves the right at any time during the term of any contract executed with the VCTC and/or VCTC's contractor pursuant to these specifications (Agreement) to change the amounts and types of insurance required hereunder by giving VCTC ninety (90) days written notice. If such change should result in a premium increase in excess of ten percent (10%) to VCTC's contractor, City agrees to negotiate additional compensation proportional to the increased benefit to the City.

Public Liability and Property Damage Insurance – VCTC shall secure and maintain during the life of this Agreement such public liability and property damage insurance and shall name OJAI, their elective and appointive boards, commissions, officers, agents, and employees as additional insureds in regard to any claims for damages for personal injury, including death, as well as for claims for property damage which may arise from VCTC's or any contractors or subcontractors operations hereunder, whether such operations be by VCTC or any contractor or subcontractor, or by anyone directly or indirectly employed by either VCTC or any contractor or subcontractor, and the amounts of such insurance shall be as follows:

(1) Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than $2,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.

13. Entire Agreement: This Agreement, including the attached exhibit, constitutes the entire agreement between the parties with respect to the subject matter contained herein.

14. Severability: In the event that any provision of this Agreement shall be declared invalid or unenforceable by valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining provisions, which shall be interpreted to carry out the intent of the parties hereto.

15. Third Party Beneficiaries: There are no third party beneficiaries, and this Agreement is not intended, and shall not be construed to be for the benefit of, or be enforceable by, any other person or entity whatsoever.

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VENTURA COUNTY TRANSPORTATION COMMISSION	**CITY OF OJAI**
______________________ Darren M. Kettle Executive Director	______________________ Steve McClary City Manager
Approved as to Form	Approved as to Form
______________________ Steven T. Mattas General Counsel	______________________ Matthew T. Summers City Attorney

EXHIBIT 1

COOPERATIVE AGREEMENT
BETWEEN
VENTURA COUNTY TRANSPORTATION COMMISSION
AND
THE CITY OF SIMI VALLEY

THIS COOPERATIVE AGREEMENT (Agreement) is entered into between Ventura County Transportation Commission (VCTC) and the City of Simi Valley (SIMI VALLEY) regarding the administration of SIMI VALLEY's share of funds to support the Automatic Vehicle Location and Real-time Passenger Information System Project (Project).

WHEREAS, VCTC has historically provided, and is lead agency in the current procurement, for a county-wide Automatic Vehicle Location and Real-time Passenger Information System; and,

WHEREAS, SIMI VALLEY in adopting its Fiscal Year 2017/18 budget, has budgeted and programmed $66,500 to purchase the Automatic Voice Annunciator System (AVAS) option 9.1 (Exhibit "A") for the SIMI VALLEY fleet; and,

WHEREAS, VCTC intends to enter into an Agreement with Syncromatics Corporation which will include contract purchase options for integrated technologies, such as AVAS; and,

WHEREAS, VCTC intends to issue Project Task Orders which shall direct Syncromatics Corporation as to the options that each transit operator fleet will receive; and,

WHEREAS, it is the intention of VCTC to enter into this Agreement with SIMI VALLEY regarding the provision of the funds to the Project.

NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:

1. Funding Summary: SIMI VALLEY will provide up to $66,500 for the Project from federal and local sources as summarized in the Attachment to this agreement. SIMI VALLEY'S funding shall only be used for SIMI VALLEY approved Project expenses.

2. Invoices: VCTC shall provide invoices for Project expenses, including reasonably requested back-up documentation, to SIMI VALLEY.

3. Method of Payment: SIMI VALLEY guarantees payment not to exceed $66,500 and, within thirty (30) days of receipt of invoices for work completed, SIMI VALLEY shall pay VCTC the funds programmed for the Project.

4. Project Scope: The scope of the Project funded under this agreement shall be to deploy the Syncromatics option for Automatic Voice Annunciator System, which shall be integrated into the Automatic Vehicle Location and Real-time Passenger Information System procured by VCTC. This includes system design, installation, and testing, staff training, and annual licensing and warranty support for years one and two. The Project specifications are set forth in more detail in Exhibit "A", attached hereto and incorporated herein by reference.

5. Project Acceptance: SIMI VALLEY shall have the right to inspect and approve the Project, and all Project deliverables, prior to acceptance, to ensure that the Project meets the Project specifications as forth in Exhibit "A", and all other requirements of SIMI VALLEY. VCTC shall transfer or shall acquire on behalf of SIMI VALLEY all licensing, and warranty support rights as specified above without additional cost to SIMI VALLEY.

6. Project Records: VCTC shall maintain all books, papers, records, and accounting records, and all other material relating to the Project, for three (3) years of the date of the final Project payment by VCTC. VCTC shall, upon request, make all such materials available to SIMI VALLEY at any reasonable time for copying or inspection. VCTC shall ensure that any contract entered into for the Project shall contain all of the provisions of this paragraph.

7. Standard of Care. VCTC shall ensure that the Project activities are conducted in accordance with all applicable state, federal and local laws, rules and regulations, with all due diligence and in a skillful and competent manner.

8. Federal Grant Administration: VCTC shall ensure compliance with all Federal requirements.

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

10. Termination: This Agreement will terminate upon final reconciliation of expenses for the Project, but in any event no later than five (5) years after execution by both Parties.

11. Indemnification: VCTC shall protect, defend, indemnify, and hold harmless SIMI VALLEY, its officers, agents, servants, and employees, from any and all liability arising out of, caused by any act or omission of VCTC or its officers, agents, servants, and employees as a result of any act or omission by VCTC in its performance pursuant to this Agreement. To the extent applicable and to the extent consistent with any agreements entered into between VCTC and Syncromatics Corporation, VCTC shall extend any indemnity or warranty received from Syncromatics Corporation to SIMI VALLEY.

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

    The obligations of VCTC and SIMI VALLEY in these indemnity provisions survive the expiration or earlier termination of this Agreement.

12. Insurance: With respect to performance of work under this Cooperative Agreement and any Project Agreement entered into by VCTC as an element of Project Implementation, VCTC shall maintain and shall ensure that its contractors maintain insurance as described below:

General Conditions - Without limiting VCTC's indemnification of City, VCTC and each contractor and subcontractor shall provide and maintain at its own expense the insurance listed below covering its operations, subject to the following conditions:

a) The City of Simi Valley, its Boards, Officers, Agents, and Employees shall be included as additional insureds in all liability insurance policies and endorsements thereto except for Workers' Compensation and Professional Errors and Omissions.

b) Such insurance shall be primary with respect to any insurance maintained by City and shall not call on City's insurance for contributions.

c) With respect to the interests of the City, VCTC's and any contractor and/or subcontractor's insurance shall not be canceled nor reduced in coverage or limits until after thirty (30) days written notice shall have been sent by to the City of Simi Valley, 2929 Tapo Canyon Road, Simi Valley, California 93063, and shall contain an unequivocal clause so stating.

d) A City approved endorsement or certified copy of insurance policy providing coverage shall be submitted to and approved by the City's Risk Manager prior to commencement of any work or tenancy.

Workers Compensation Insurance – VCTC's contractors shall maintain, during the life of the Project, Workers' Compensation Insurance for any contractor or subcontractor employees employed at the sites of the Project. In case any class of employees engaged in work under this Agreement at the site of the Project is not protected under any Workers' Compensation law, VCTC shall provide or shall cause each contractor and subcontractor to provide, adequate insurance for the protection of employees not otherwise protected. VCTC hereby agrees to indemnify SIMI VALLEY for any damage resulting to it from failure of any VCTC contractor or subcontractor to take out or maintain such insurance. VCTC's contractor and/or subcontractor hereby certifies that it is aware of the provisions of Section 3700 et seq., of the Labor Code which require every employer to be insured against liability for Workers' Compensation.

Waiver of Subrogation – VCTC and/or VCTC's contractor and subcontractor hereby grants to City a waiver of any right to subrogation which any insurer of VCTC and said contractor/subcontractor may acquire against the City by virtue of the payment of any loss under such insurance. VCTC and VCTC's contractor/subcontractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

Modification of Coverage - The City reserves the right at any time during the term of any contract executed with the VCTC and/or VCTC's contractor pursuant to these specifications (Agreement) to change the amounts and types of insurance required hereunder by giving VCTC ninety (90) days written notice. If such change should result in a premium increase in excess of ten percent (10%) to VCTC's contractor, City agrees to negotiate additional compensation proportional to the increased benefit to the City.

Public Liability and Property Damage Insurance – VCTC shall secure and maintain during the life of this Agreement such public liability and property damage insurance and shall name SIMI VALLEY, their elective and appointive boards, commissions, officers, agents, and employees as additional insureds in regard to any claims for damages for personal injury, including death, as well as for claims for property damage which may arise from VCTC's or any contractors or subcontractors operations hereunder, whether such operations be by VCTC or any contractor or subcontractor, or by anyone directly or indirectly employed by either VCTC or any contractor or subcontractor, and the amounts of such insurance shall be as follows:

(1) Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than $2,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.

13. Entire Agreement: This Agreement, including the attached exhibit, constitutes the entire agreement between the parties with respect to the subject matter contained herein.

14. Severability: In the event that any provision of this Agreement shall be declared invalid or unenforceable by valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining provisions, which shall be interpreted to carry out the intent of the parties hereto.

15. Third Party Beneficiaries: There are no third party beneficiaries, and this Agreement is not intended, and shall not be construed to be for the benefit of, or be enforceable by, any other person or entity whatsoever.

VENTURA COUNTY TRANSPORTATION COMMISSION	**CITY OF SIMI VALLEY**
____________________	____________________
Darren M. Kettle Executive Director	Eric J. Levitt City Manager
Approved as to Form	Approved as to Form
____________________	____________________
Steven T. Mattas General Counsel	Lonnie Eldridge City Attorney

SR5 Transit 04-18

FUNDING SUMMARY
SIMI VALLEY SHARE FOR VCTC AUTOMATIC VEHICLE LOCATION AND REAL-TIME PASSENGER INFORMATION SYSTEM OPTIONAL TECHNOLOGY: AUTOMATIC VOICE ANNUNCIATOR SYSTEM

Fund Source	Amount	Comments
Congestion, Mitigation, and Air Quality (CMAQ) Federal Grant	$66,500	
TOTAL	**$66,500**	

9.0 OPTIONAL TECHNOLOGIES REQUIREMENTS

Following are optional technologies the Commission wishes to consider. Most of the contents of these technologies share the base System requirements/components. These options are not in the base System cost because the Commission has not made a decision yet whether to proceed with any or all these optional items. For these items, the costs applicable to the optional systems shall be separately identified in the Proposer's Cost Proposal (Attachment form C-I). Such items shall be individually selectable. Implementation by the Commission or the Operators may be at time of contract award, a later date (or not at all), and authorized under individually negotiated Task Orders. **Purchase of desired optional technologies is not guaranteed.**

9.1 Automated Voice Annunciation (AVA) [Optional Technologies]

As an option, the Proposer may specify the use of an Automated Voice Annunciation (AVA) system in accordance with Americans with Disabilities Act (ADA) requirements. The AVA system shall integrate to the existing public announcement (PA) system on-board the vehicle.

The proposed system must provide accurate, clear, audible and visual announcements of routes, major intersections, destinations and transfer points and special messages. This system must fully comply with the Americans with Disabilities Act (ADA) requirements to ensure that passengers with physical and/or hearing impairments shall receive consistent and accurate information while riding in Commission / Operator buses.

In addition, a portion of the Operators have AVA systems. Proposers are encouraged to provide solutions that integrate with existing Operator AVA systems, such as by offering single log-on capability.

Proposers will provide separate pricing for AVA systems, and/or AVA system integration, by Operator fleet. For Operator-specific fleet compositions see the *Operators Fleet and Systems Composition Schedule (*Attachment M).

The following table represents the Commission's concepts of how the Proposer's Passenger Information System solution will meet our Objectives:

AVA Technology Capabilities to Meet the Commission Objectives

Commission Objectives	Technology Capability
Make public transit more attractive to the general population.	✓ By helping the Commission achieve compliance with the ADA, the AVA assists riders, who are blind, cognitively impaired, or hearing impaired, as well as commuters and tourists reach their destinations.

Maximize passenger movements.	✓ By helping riders with disabilities to use accessible fixed-route bus systems instead of relying on paratransit service.
Increase awareness of ITS benefits	✓ By providing clear announcements, AVA provides passengers with more information and improves the rider experience through ITS.

In summary, and when the complete ITS technologies have been deployed the Commission seeks to have a System that provides the following AVA capabilities for the riding public and for Operator operations:

✓ Provide stop and directional information along route.
✓ Inform Operator to stop at next location based on the "stop requested" option.
✓ Announce stop locations both visually and audibly.
✓ Provide Operator staff the ability to edit, access and modify route and stop information independently for schedule changes.
✓ Automatically manage destination signs.

The annunciation system shall include visual display systems to be installed on-board the vehicle such that the auditory announcement can be simultaneously displayed visually.

The following system functionality is desired of the AVA:

- ✓ Some Operators have interior (Destination Message Signs) DMS' installed on the fixed route fleet. The Proposer shall install new interior DMS. However, the Proposer may propose the use of any existing interior DMS if it can ensure that the proposed AVA system can integrate with the existing DMS to provide desired visual AVA features.
- ✓ The DMS shall display the “stop requested” message when stop requested or the wheelchair area stop request is activated by a customer.
- ✓ If stop request signal is received while another message is being displayed on the DMS, the AVA system shall show stop requested message after current message is completed.
- ✓ The AVA shall provide text announcements for configurable duration, which will be set using the central recording software.
- ✓ The AVA shall make an exterior announcement of the current route number and destination when doors open at a stop. At other locations (e.g., major intersections), the controller shall make preset location-based interior announcements.

- ✓ The Operator shall have the capability of overriding the automatic initiation of visual announcements and instead manually select from a menu of predefined messages for display to passengers. The override shall be reported as an event.
- ✓ Interior signs shall display stop requested, bus stop arrival, major intersections and landmarks, date / time information, and other preformatted messages.
- ✓ The interior sign system data files shall be updatable remotely..
- ✓ The AVA shall provide announcements to passengers on-board fixed-route revenue vehicles. This function shall support next stop announcements as well as annunciation of major intersections, key transfer points, promotional information, public service information, Vehicle Operator initiated messages and advertising.
- ✓ Next stop, major intersection and key transfer point announcement capacity shall be sufficient to support all of the routes in the service area and all of the trips made by each vehicle during a service day, plus a 50% spare capacity for other types of announcements.
- ✓ The AVA shall use the vehicle location information from the AVL system to trigger the appropriate announcements on-board the vehicle whenever the vehicle enters a "trigger zone." A trigger zone is a user-defined area that is located just prior to each stop location. For example, the trigger zone may begin 800 feet before a stop as well as at selected other announcement locations.
- ✓ Trigger zones shall be pre-defined by the software for AVA trigger management and downloaded to the controller.
- ✓ Trigger zones shall be configurable by stop to accommodate for differences in operations, including but not limited to, the direction of approach and size of stop.
- ✓ Time-based announcements / displays shall be programmed to be made on-board the vehicle at specific times of the day or at a set frequency within specified time periods, on specific days of the week.
- ✓ Location-based announcements / displays shall be programmed to be made on-board the vehicle when that vehicle passes any designated location(s).
- ✓ In the event that a vehicle is operating off-route, the automated announcements / displays shall not be made. Once the route is reacquired, the System shall automatically determine and announce the next valid bus stop or other designated location.
- ✓ The Operator shall have the ability to manually trigger the activation of any pre-recorded announcements if needed.
- ✓ The DMS shall display the current date / time when not displaying a triggered announcement.

- ✓ Dispatch shall have the ability to send a free form announcement message to one bus, a group of buses, to the AVA interior DMS.
- ✓ The AVA shall have the capability to create and schedule public service or advertising messages.
- ✓ Audio levels shall be controllable by the Operator within a usable audio range. The Operator shall have the capability of overriding the automatic initiation of audio announcements and instead manually select from a menu of predefined messages for announcements to passengers. The override shall be reported as an event.
- ✓ The volume of the internal announcements shall be automatically adjusted according to the noise level on the vehicle at the time, and the vehicle operator shall not be able to lower the announcement volume.
- ✓ The AVA shall provide the capability to adjust external speaker volume levels based on time and location settings.
- ✓ The AVA shall provide the capability to adjust the minimum and maximum volume levels separately for interior and exterior announcements.
- ✓ The AVA announcements and PA volume level controls shall also allow the Operator to separately adjust the volumes for the Operator and handset speakers.
- ✓ Operator-initiated announcements / displays (e.g., safety-related announcements) shall be programmed to be made at the Operator's discretion.
- ✓ Operator use of the on-board PA system shall override any automated announcements.
- ✓ Dispatchers shall be able to activate the announcements simultaneously on a group of buses.

9.2 Automatic Passenger Counters (APC) [Optional Technologies]

The following table represents the Commission's concepts of how the Proposer's APC solution will meet our Objectives:

APC Technology Capabilities to Meet the Commission Objectives

Commission Objectives	Technology Capability
Make public transit more attractive to the general population.	✓ By improving facility planning through the use of more comprehensive passenger counts at stops.
Maximize passenger movements.	✓ By optimizing service through the use of

We Will Get ALL Operators on GTFS and GTFS-RT

As part of our initial setup, Syncromatics and Trillium will create a clean GTFS feed for each operator, and we will assist in uploading this to Google Maps. We will also publish a GTFS Realtime feed so every operator can share real-time data with the public and software developers.

Comprehensive Software to Manage Electronic Signs and Messages

Our new SyncSIGN module provides easy to use control over the timing, content, and display of electronic signs to enable transit agencies to get the most out of their investment. This unique software was developed by Syncromatics to meet the needs of Los Angeles Metro during the deployment of 300 bus shelter LED signs across Los Angeles County. Now we can offer this powerful tool to all of our clients deploying digital signage to push out live service alerts, schedule public service announcements, organize signs by location, service provider, route, or other grouping. Syncromatics has experience deploying large fleets of electronic signs, and we have the software tools to help our clients operate and support these projects.

Mobile Data Terminal and Dock (No VLU Required)

The Syncromatics OpenMDT Plus is the cornerstone of our ITS system inside the bus. It handles all of the data processing, storage, transmission, and user interface. All these features are packaged in a single modular and swappable package. The touchscreen works in all weather conditions and is compatible with gloves.

The MDT is delivered with a fully integrated vehicle dock to enable rapid removal/replacement of the MDT. This can support walk-around pre-trip inspections of vehicle condition and safety features.

The dock also provides additional input/output (I/O) ports to support peripheral integrations like external antennae, automatic passenger counters, automatic voice annunciator, headsign, farebox, and other components. The MDT/dock will connect to the existing Cisco routers via an Ethernet cable.

The Syncromatics on board solution does not include a Vehicle Logic Unit. All functions normally provided by competitor's vehicle logic units are handled by the MDT and Dock. This approach reduces complexity and cost, and improves reliability by having fewer components to break and fewer elements to troubleshoot.

Automatic Voice Annunciator

Our Automatic Voice Announcement system is proprietary, and we have designed it to be fully integrated with our CAD/AVL software. It will automatically adjust to changes in routes, stops, and schedules, and it will never erroneously announce a stop on the wrong side of the street as some are prone to doing.

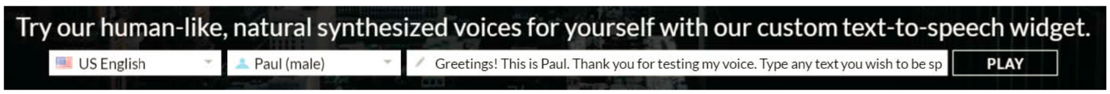
- The system uses a text-to-speech (TTS) engine to make announcements, which can be configured to suit hard to pronounce stop names **from any web browser**.
- No driver/operator interaction is necessary to operate the AVA system
- Syncromatics AVA announces **every stop**, not just major stops and transfer points
- The AVA system will integrate with the existing PA system, microphones and speakers
- The TTS system natively supports Spanish, French and other foreign languages with proper accent and inflection.
- The system supports interior PIDS to provide text based notification of upcoming stops
- The approach distance and time between announcements are configurable for each stop via an intuitive graphical user interface

- Changes to route/stop/announcement settings sync over-the-air with the fleet within 5 minutes

Severe weather issues impacting service? Push out an EMERGENCY notification to all buses advising riders of the change in normal service as soon as you decide on a contingency plan – that way no one gets stuck in the storm without a ride home.

- Text to speech: "Severe weather will result in suspended operations today at 4pm"
- Start Announcement: ASAP, push the update to all buses now.
- Expire Announcement: Today at 4:10pm
- Frequency: Every 5 minutes, on all buses

Take the Text-to-Speech quality for a test drive at www.neospeech.com -- a screenshot of the custom test widget is below.

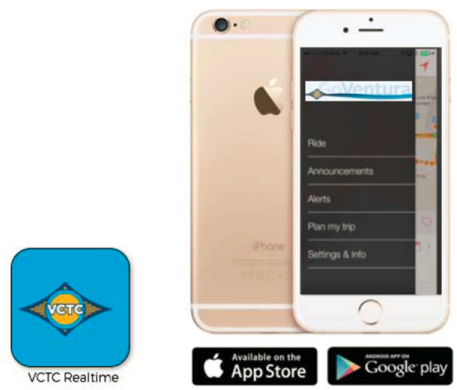


Custom Mobile Apps with Your Branding

The most important thing about passenger facing technologies is that they are easy to use. The first step is making your app easy for riders to find and download. By branding the app for the client (and not the vendor's name) it will be easy for riders to visit the iOS or Android app store and install the app on their phones. This will help drive adoption among new student riders.

Once they have the app, they can select favorite stops, setup recurring weekly/daily notifications for bus arrival times, track buses in real time, and receive alerts from the mobile app about delays and service interruptions. The app includes an integrated trip planner as well.

Syncromatics offers a unique client branded mobile app solution that puts the university's name and logo front and center.



Paperless Pre-trip Inspection

Our customizable pre- and post-trip inspection software runs right on the MDT and instantly validates whether a bus is safe to operate and transmits issues to the maintenance team without any paperwork. You can build your inspection templates based on our samples and customize them to fit your needs. Inspection software also support periodic maintenance inspections, preventive maintenance schedules per vehicle type, and "incident reporting" in the event of a bus collision, passenger injury, or other complaint.

Data Based Decisions for Route Redesign

We've helped many clients do wholesale redesigns of their routes and schedules using AVL data as a factual basis for the modifications. Check out our case study about working with Merced County Transit (CA) in the references section for more details.

4. System Description – Optional Items

4-1. Next Stop Annunciator & Interior Bus Signage

SyncSPEAK ANNUNCIATOR

Syncromatics offers an ADA-compliant annunciator system that will automate the process of announcing arrival at each stop when a transit vehicle is in service. The AVA system is fully integrated with the on-board MDT and also with each bus's existing PA and/or speaker system.

Emergency Preparedness

Earthquake? Flood? Amber Alert? Syncromatics offers the industry's only AVA product that allows you to type a message at your computer and with a simple request, push that message out wirelessly and be playing in every single AVAS equipped vehicle within <u>minutes</u>.

Key Points: Annunciator System

- No driver/operator interaction is necessary to operate the AVA system
- The interior and exterior volume levels can be adjusted by the operator
- The AVAS system will integrate with the existing PA system, including microphones and speakers
- The AVAS system has a line-in feature that allows it to take and control an audio feed from an AM/FM radio
- The system uses a text-to-speech (TTS) engine to make announcements, which can be configured in tone, pitch and volume to suit hard to pronounce stops <u>from your desk.</u> The TTS system natively supports Spanish and other foreign languages by recognizing text in the foreign language and pronouncing with proper accent and inflection.
- The system has expansion capability (additional costs and survey apply) for internal LED signage to display the information visually
- The system uses several factors to determine when a bus is approaching a stop, including distance from the stop, corresponding previous progress from previous stops, speed, and directional GPS information.
- The distance and time prior to the stop at which the announcement can be made ("trigger zone") is configurable
- The system can be configured to announce the next 2 or 3 stops as needed.
  - Example: "Approaching 3rd/Figueroa, followed by 4th/Figueroa"
- The system will automatically manage on-route and off-route situations as they happen pausing the announcements when a vehicle departs from the designated route.

Unique AVAS Capabilities

While we always strive to use off-the-shelf hardware, our stop annunciator is the one exception. Syncromatics had been through and extensive period of research and we did not find a commercially available annunciator that we felt would give agencies the tools they need with the level of performance we require of our components. Our AVAS system is proprietary and we have designed it to be fully integrated with the CAD/AVL system – it will never make the stop announcements for a stop on the wrong side of the street as some are prone to doing. The SyncSPEAK Annunciator System is best in class and is a leading differentiator between us and many others in the industry.

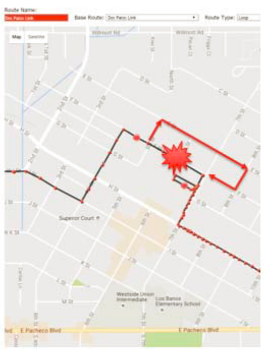
Since the Syncromatics AVAS system is tightly integrated with a full understanding of a transit agencies routes, stops, schedules, and other CAD/AVL functions, we can offer a superior Annunciator experience on the bus.

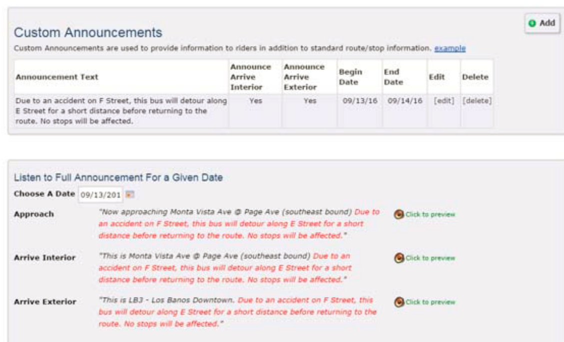
Capabilities that set Syncromatics AVAS apart:

- When a bus approaches an interlining point, such as a transit center, we know that the announcements for the inbound trip will correspond to Route A, but the outbound trip will correspond to Route B. Our system will make the correct announcement even when there are many routes serving the same stop, and even when a bus is changing routes.
- Simple GPS only based systems can make the mistake of announcing bus stops that are on the wrong side of the street because based on a raw GPS measurement, the bus IS within the designated trigger zone. Syncromatics knows which route the bus is on, what direction it is headed, and what the next stop is supposed to be, so we only announce the correct stop regardless of proximity to “other” trigger zones.
- Some Annunciators require buses to approach a stop from a certain angle to trigger the announcement, but this can be impractical at large transit centers with multiple entrances and exits. Syncromatics can define the entire transit center as a stop zone so the announcements will work regardless of which path a bus takes.
- Announcements can be programmed remotely and sent to buses in a matter of minutes, even if those buses are currently on route. There is never physical uploading or voice recording required.
- The SyncSPEAK Annunciator will continue to work correctly even in cellular dead zones. The text-to-speech engine runs on the MDT, so it does not need to have server connectivity to play each announcement. GPS satellite connectivity generally remains even when cellular service does not, and the MDT will continue to perform in an ADA-compliant manner even within those cellular dead zones.

Use cases for Syncromatics AVAS

- Got a short term detour on a route? Simple – just drag and drop the route path in the Syncromatics Route Editor, and the AVAS software module will automatically be updated with the new route path. Go ahead and add a Route Level announcement describing the detour so that riders know what's going on. That whole process takes 5 minutes, so it can be done consistently for minor detours to keep bus riders informed.
- Sample Settings:
  - Text to speech: "Due to construction, Route B will operate on Main Street, between First and Third"
  - Start Announcement: Today
  - Expire Announcement: In One Week
  - Frequency: Every 10 minutes, only on Route B buses





- Severe weather issues impacting service? Push out an EMERGENCY notification to all buses advising riders of the change in normal service as soon as you decide on a contingency plan – that way no one gets stuck in the storm without a ride home.
  - Text to speech: "Severe weather will result in suspended operations today at 4pm"
  - Start Announcement: ASAP, manually push the update to all buses now.
  - Expire Announcement: Today at 4:10pm
  - Frequency: Every 5 minutes, on all buses

- Got an upcoming change in the routes or schedules or fares? Need to inform your riders about public hearings so they can provide input? Don't waste money advertising in the newspaper – get your message directly to the population that cares the most, the people on the bus. Syncromatics can support free form messages to be sent at regular intervals on selected routes or system wide.
  - Text to speech: "Share your input on proposed route changes at the Public Meeting on April 8th at the Library Community Room"
  - Start Announcement: Today
  - Expire Announcement: April 9
  - Frequency: Once per hour on every bus

- Advise riders or a local landmark or public service served by transit…
  - Text to speech: "Now approaching 1st and Main, this stop serves the County Courthouse and General Hospital"
  - Start Announcement: Now, update during normal bus startup procedure (not urgent)
  - Expire Announcement: Ongoing
  - Frequency: Every time any bus approaches the stop at 1st and Main (on all routes)

Annunciator Hardware

Integrated Bus Announcer (IBA)
This is what handles the audio channels and interfaces to the PA system.

Driver Control Panel (DCP)
Volume preferences change alongside environmental concerns like air conditioning, neighborhood, time of day and passenger noise. The DCP allows the driver to make these changes or set a standard volume and leave it alone.

Interior LED Sign
Signs display route and stop info that matches announcements to meet ADA requirements. Signs also display date/time and customer service messages.

Additional hardware may include an external speaker to be installed on vehicles that are not equipped with an external speaker. The external speaker is a key element of compliance for the Americans with Disabilities Act. Syncromatics has designed a one-piece housing in which a speaker can be installed to minimize the potential for leaks in the exterior skin of the vehicle. If you prefer to have external speakers installed on buses that do not already have them, pricing can be provided.

Key Risks of Using Other, Unsophisticated Annunciators

Amplification Hardware: Does the system audio source support audio distortion control at varied volumes?

Benefits
- Syncromatics IBA has industrial amplification and audio processing chips that clean up audio distortion along the cabling and audio source paths, to ensure a clean sound at any volume.
- Syncromatics IBA does not leave the audio channel open when the announcements are not on

Risks
- Without audio processing hardware, your annunciators may not be compatible or have usable sound outputs on exterior and interior channels
- Imagine what the reaction from a rider with sensitive hearing might be to a distorted, high pitched onboard announcement played at a high volume

Interior/Exterior: Does the system appropriately channel, modulate, and independently adjust volume for each audio destination?

Benefits
- Syncromatics DCP controls the IBA output volume levels independently for interior and exterior
- The driver can adjust these volumes as needed, depending on time of day and on-board conditions

Risks
- Inside the bus, it may be appropriate to have the volume level lower for passenger comfort, but that may not be sufficient for exterior announcements which need to compete with street noise.
- If you share a common volume or don't have an amplification in between, you'll either be deafening riders inside the bus or not reaching riders on the curb.

Inputs, Outputs: Can the system support a line-in from an on-board radio or third party audio device, and can it how does it handle the existing PA system's microphone?

Benefits
- Syncromatics IBA has an input for an XLR microphone and will give the microphone priority over any automated announcements
- Syncromatics IBA has an input for a "line in" that can be playing in the background when the annunciator is not making announcements, allowing for background music as needed

Risks
- If your system can't support the vehicle's existing microphones, you may lose the ability to have a manual PA system that the driver can use as needed.
- If you have any sort of audio input that the bus provides that isn't supported by an annunciator, you may lose the ability to use that entirely or face contention between that and the annunciator for speaker priority.

Stop Requested: Does the system support an input from the Stop Requested cable without the need to replace the existing light-up sign, and can it appropriately pause and time audio messages to play "Stop Requested?"

Benefits
- Syncromatics IBA fully supports existing stop requested systems without the need to replace them
- Syncromatics IBA will play the appropriate "Stop Requested" sound only once, when the cable is pulled before a stop. It will reset its logic when it arrives at the stop to allow a new request, just like the existing onboard systems many buses have.

Risks
- Without stop requested integration, you may not be fully ADA compliant and vision impaired riders may not know when the system has registered their request to stop

Customizable Messages and Flexibilty: Can your system support an urgent need to modify a message? How do I adjust the annunciator message if I adjust the route? What if there is an emergency?

Benefits
- Syncromatics annunciator system is based on a text-to-speech engine. You type, it talks.
- There is no need to record a human voice reading canned messages.
- Text-to-speech message updates automatically get pushed out to buses via cellular data connections each night, and they can be pushed to vehicles immediately in case of emergency.

Risks
- System that rely on recorded human voices cannot nimbly adjust to changes in service.
- The workload associated with manually uploading new recordings via a USB or other cable connection in the bus depot is a distraction from core operations.
- Voice recorded systems can't support immediate deployment of emergency messages.

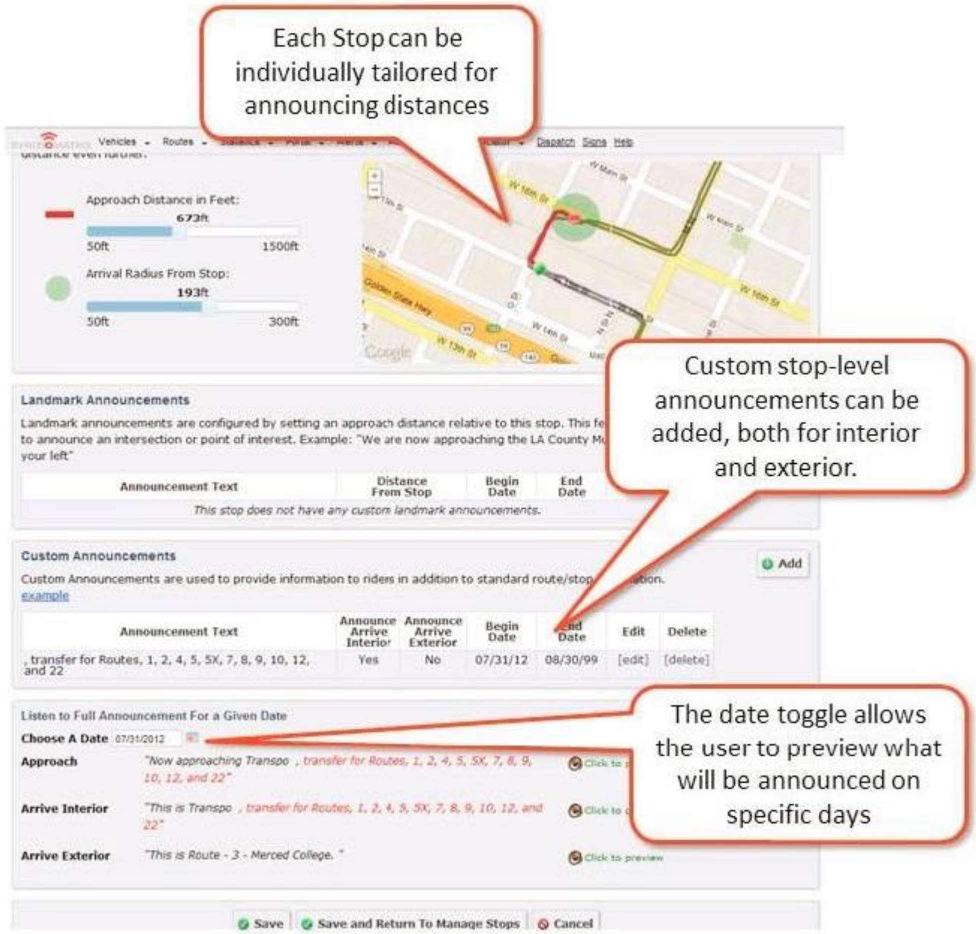
Installation: Who is installing your AVA system and what is their experience level?

Benefits
- AVA is the most complicated product to install among the components of the Syncromatics offering. Our on-staff field engineers have experience with OEMs, speaker systems, PA control units, gooseneck and handheld mics, audio cabling, etc. Experience matters the most here.

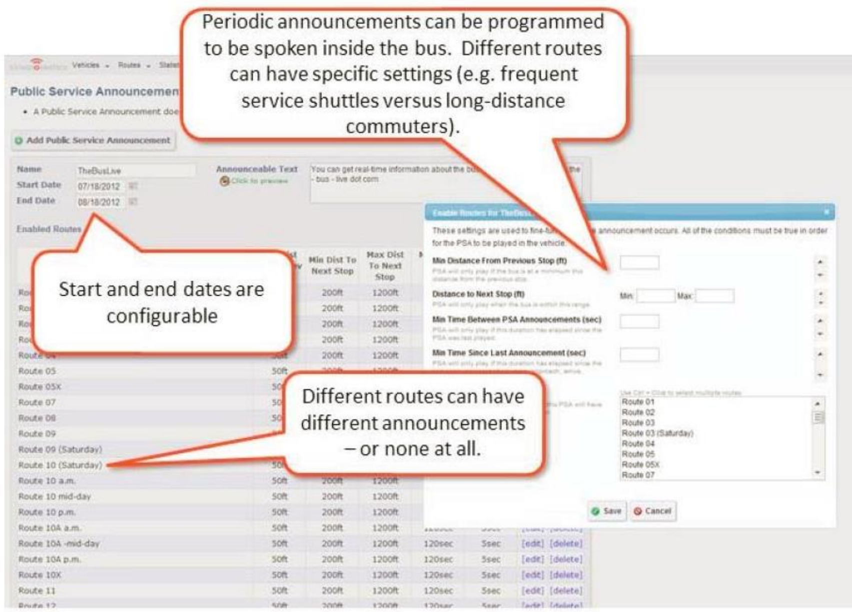
Risks
- If you have inexperienced personnel installing AVA, you may disable the bus's PA system inadvertently or permanently damage existing audio functionality, and this often won't be discovered until after the bus is back in service and installation technicians have left the site.

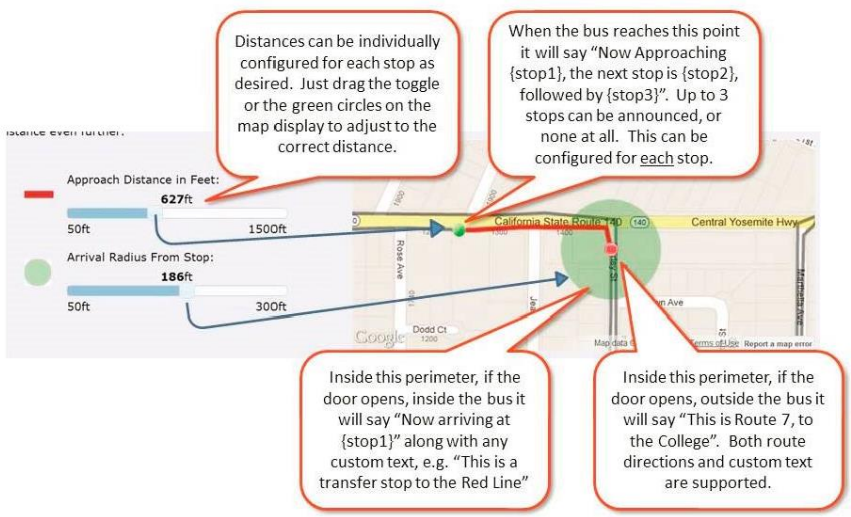
Web Based Annunciator Control Panel

Stop level announcements can be controlled in a variety of ways as described below. Modifications to settings made on the web will be automatically updated on the bus the next time it powers off and on again. Or, you can push out updates on an emergency basis immediately.

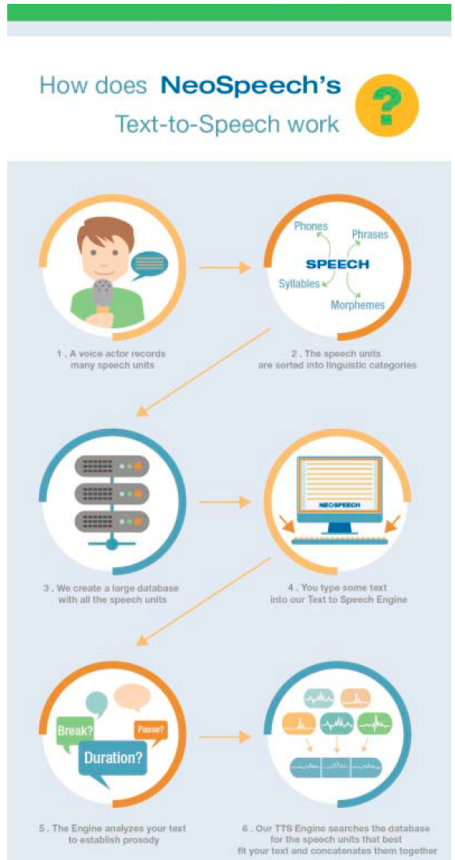


Route level announcements enable quick modification to all of the stops and buses along a given route. There is no need to modify each individual stop – a single change can be pushed out to the entire route at once.





Text to Speech Software Engine



Syncromatics AVAS product relies on industry leading text to speech technology to accurately and reliably render your text announcements into natural sounding speech on the bus. This underlying technology is provided via license by NeoSpeech, the industry leader in text to speech processing.

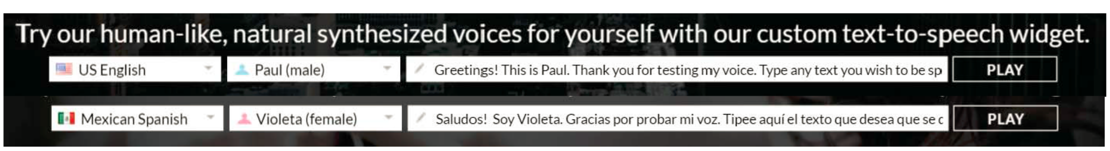
NeoSpeech was founded over a decade ago by two PhD speech engineers—one from Stanford University and the other from Carnegie Mellon University—who were dissatisfied with the poor quality in speech synthesizers. Seeing no other alternatives, they created NeoSpeech as the standard for natural sounding, articulate voices that rival human speech.

While many text-to-speech applications suffer from poor quality announcements that sound very robotic and disengaged, the NeoSpeech platform provides for highly naturalistic speech quality. NeoSpeech uses a process called Unit Selection Synthesis (USS). The process starts on both ends— voice database building language text processing —that meets in the middle to produce speech. But for purposes of understanding, we're going to break down into a simple 6 step process to show you how we create such high quality speech.

Today, NeoSpeech is a leading text-to-speech technology company based in Santa Clara, California with more than 1,000 enterprise customers spanning over a range of industries—telecommunications, education, announcement systems, etc.—and applications—desktop, server, and embedded.

NeoSpeech provides natural sounding voices in a variety of languages, including English and Spanish, both of which will be provided for this project.

Take the text to speech quality for a test drive at www.neospeech.com -- a screenshot of the custom test widget is below.



Item #8E

May 11, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: CLAIRE GRASTY, PROGRAM MANAGER

SUBJECT: SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS TRANSIT MOU

RECOMMENDATION

- Authorize Executive Director to execute the attached Metropolitan Planning Agreement between SCAG, VCTC and Ventura County Transit Operators

DISCUSSION

The Southern California Association of Governments (SCAG) first executed Metropolitan Planning Agreements in 2007 as required by federal regulations. These agreements between SCAG, the county transportation commissions (CTCs), including VCTC, and their respective transit operators specify mutual responsibilities in carrying out the metropolitan transportation planning process.

Revisions to the agreements are needed to reflect the latest federal requirements from the Moving Ahead for Progress in the 21st Century Act (MAP-21) and Fixing America's Surface Transportation (FAST) Act, and associated rulemaking.

In 2007, SCAG established Metropolitan Planning Agreements (MPA) with the county transportation commissions (CTCs) and transit operators in the region. The regulatory basis for the MPAs is found in the Metropolitan Transportation Planning Final Rule issued by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) (see 23 CFR 450.314(a)), which states:

> The MPO, the State(s), and the providers of public transportation shall cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process. These responsibilities shall be clearly identified in written agreements among the MPO, the State(s), and the providers of public transportation serving the MPA....The MPO, the State(s), and the providers of public transportation should periodically review and update the agreement, as appropriate, to reflect effective changes.

These agreements acknowledge the role of the CTCs within the SCAG region for countywide planning and programming and specify that the CTCs will coordinate with the transit operators in their respective county to ensure that transit projects, plans and programs are recommended to SCAG for inclusion in the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP). SCAG maintains the Regional Transit Technical Advisory Committee (RTTAC) as a forum for transit operators and the CTCs to participate in the metropolitan planning process.

Since the agreements were first executed in 2007, there have arisen several new federal requirements that must be incorporated, including the federal rulemaking to implement the performance-based planning provisions from the Moving Ahead for Progress in the 21st Century Act (MAP-21) and the Fixing America's Surface Transportation (FAST) Act.

The revised agreements include two new sections that address the annual listing of projects and the development of the RTP/FTIP financial plan, which are federal requirements put in place just after the 2007 agreements were first executed. The region currently already fulfills these requirements, however pursuant to the Final Rule they must be explicitly incorporated into the agreements.

The revised agreements also include three new sections that address the new MAP-21 and FAST Act requirements for performance-based planning. The proposed additions incorporate text taken directly from the applicable Final Rules, while providing for flexibility in how the requirements will be implemented. The requirements involve the development of written provisions for cooperatively developing and sharing information related to transportation performance data and the selection and reporting of performance targets.

Another new section addresses the FTIP public participation process in relation to the FTA Section 5307 program of projects (POP) requirements. Transit operators may choose to rely on SCAG's FTIP public participation process to satisfy the requirement for public participation in developing the Section 5307 POP. SCAG incorporates in the FTIP document(s) explicit statements reflecting that public notice of public involvement activities and time established for public review and comment on the FTIP will satisfy the POP requirements of the Section 5307 program.

Item #8F

May 11, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DONNA COLE, PUBLIC INFORMATION OFFICER

SUBJECT: EXTENSION OF VCTC PUBLIC OUTREACH CONTRACT

RECOMMENDATION:

- Approve a One Year extension of the current Public Outreach contract with Celtis Ventures at a cost not to exceed $565,000.

BACKGROUND:

VCTC entered into a contract with Celtis Ventures for Public Outreach in July, 2015. Since that time the Celtis team has made great strides in raising the public profile of VCTC throughout the county. They have formed good relationships with agencies we frequently work with and have a great understanding of our needs. They are always prepared and ready to respond to unexpected events, such as the recent fires and mudslides. At public events our booth has friendly, engaging, bi lingual, knowledgeable, energetic staff representing the agency. VCTC has been very satisfied with the performance of Celtis and would like to continue the relationship.

In Fiscal Year 2017/18 Public Outreach tasks were divided among Four Program Budgets as follows:

eneral VCTC Outreach $265,000

- All printing and collateral materials promoting VCTC
- Participation in public forums, meetings, workshops and community events such as City Earth Day Events and Health Fairs, and the Ventura County Fair
- Local Event Sponsorships with Ventura County Civic Alliance, Local Colleges, Chambers of Commerce, Mobility 21
- Website Development and Support
- Student Transportation and Environment Summit

VCTC Intercity Transit $100,000

- Printing and collateral materials to support all route schedules, bus stop signage, advertising, promotions, digital notification of service delays

Regional Transportation Planning $50,000

- Support for scheduled service changes and coordinated mobility services
- Unmet Transit Needs process
- Regional Transit Pass Program
- Mobile ticketing

Commuter Services $150,000

- Digital outreach to promote VCTC Commuter Services program
- Provide information on commuter assistance programs to county employer worksites to assist in the development of and implementation of trip reduction programs
- Rideshare Week
- Bike to Work Week

The current contract provides for three one-year Outreach Programs between the period of July 1, 2015-June 30, 2018. With the agreement of both parties this contract may be extended for two additional one-year terms. Therefore, staff recommends approving a one year contract extension from July 1, 2018 – June 30, 2019 at a cost not to exceed $565,000.

CONTRACT AMENDMENT NO. 3

VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)

PUBLIC OUTREACH PROGRAM

This Contract Amendment No. 3 ("Amendment") by and between the Ventura County Transportation Commission ("VCTC"), herein referred to as "VCTC" and Celtis Ventures, hereinafter referred to as "CONTRACTOR", is entered into as of this 11th day of May, 2018.

WHEREAS, on July 1, 2015, VCTC entered into a consulting contract ("Contract") for development of a Marketing and Public Outreach Program.

NOW, THEREFORE, VCTC and CONTRACTOR agree as follows:

1. Section 4 of the Contract is hereby amended to increase the period of the contract to June 30, 2019 at a cost not to exceed $565,000.

2. Except to the extent amended hereby, the Contract remains in full force and effect.

VENTURA COUNTY

TRANSPORTATION COMMISSION

By:_____________________________

Linda Parks, Chair

APPROVED AS TO FORM:

By:_________________________________

Steve Mattas, General Counsel

CONTRACTOR: CELTIS VENTURES

By:__________________________

Matt Raymond

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Item # 8G

May 11, 2018

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **AARON BONFILIO, PROGRAM MANAGER**

SUBJECT: **CSUCI COOPERATIVE AGREEMENT FISCAL YEAR 2018-2019 EXTENSION**

RECOMMENDATION:

- Approve the FY 2018-2019 Cooperative Agreement for bus service to California State University Channel Islands (CSUCI) and CSUCI providing $543,000 for the service in FY 2018-2019.

BACKGROUND:

For the past nineteen years, VCTC has operated bus service to and from California State University Channel Islands (CSUCI). The service is governed by an agreement, which VCTC and CSUCI extend annually. This coming year will be the twentieth year of the agreement.

The service initially qualified as a CMAQ (Congestion Management and Air Quality) Demonstration Project and received federal funding for 80% of the total cost. Beginning 2002-2003, the routes became a regular VCTC service and, as such, generate FTA revenues. For Fiscal Year 2018-2019, FTA funds will amount to approximately $263,000.

The attached annual extension of the Cooperative Agreement with CSUCI for FY 2018-2019 provides that CSUCI reimburse VCTC the remaining costs including a flat fee for administration, (less net credits) which total $543,000. These revenues are included in the VCTC FY 2018-2019 budget.

Attachments: *Agreement No. 2903 - Rider A, Amendment #20*
Agreement No. 7539 - Rider B, General Provisions

AMENDMENT TWENTY TO

COOPERATIVE AGREEMENT

BETWEEN

TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY

ON BEHALF OF CALIFORNIA STATE UNIVERSITY

CHANNEL ISLANDS

AND

THE VENTURA COUNTY TRANSPORTATION COMMISSION

FOR THE REVISED TERM APRIL 1, 1999 - JUNE 30, 2019

This Twentieth Amendment to the COOPERATIVE AGREEMENT is entered into by and between the Trustees of the California State University, on behalf of California State University Channel Islands, hereinafter referred to as CAMPUS or CSUCI, and the Ventura County Transportation Commission, hereinafter referred to as VCTC, for fiscal year 2018/2019 and is based on the following facts which are material to its execution by the parties:

I. As a part of its certification of the Environmental Impact Report for the development, the CAMPUS agreed to develop an alternative transportation system to move employees and students at CSUCI to and from the campus. This provision was designed to reduce the negative impacts of increased traffic from development of CSUCI and promote improved air quality;

II. As a central element in the development of a "Green Campus" university dedicated to the enhancement of the environment in Ventura County, shuttle bus service has been implemented at key transfer points to increase transportation alternatives available to students, staff members and visitors to and from the CAMPUS. The objectives are to reduce traffic congestion, protect air quality, mitigate noise and protect agriculture;

III. For the first three years (August 1999 through June 2002) VCTC provided a grant of federal Congestion Management and Air Quality (CMAQ) Funds to the CAMPUS for the development and operation of a shuttle bus system. The CMAQ Grant was managed by VCTC on behalf of the Trustees of the California State University.

IV. The CMAQ program provided funds for a maximum of three years, which was considered a "demonstration period." The demonstration period ended in August 2002. Therefore, the CAMPUS shuttle bus service no longer qualifies for CMAQ funds but does qualify for partial funding from the Federal Transportation Administration (FTA). During the following years; FY 2002/2003 through 2018/2019, VCTC obtained FTA funds to pay for approximately 33% the total cost of operating CAMPUS shuttle bus service.

V. It is expected that FTA funds, obtained by VCTC on behalf of the CAMPUS, will total approximately $263,000 for FY 2018/2019.

VI. VCTC and CSUCI agree to work together to develop a plan which will enhance revenue through increased ridership resulting in a self-sustaining shuttle bus service. CAMPUS recognizes that it may need to subsidize the shuttle bus pass for the students, faculty, and staff.

NOW, THEREFORE, in consideration for the foregoing material facts and other consideration by and between the parties, CSUCI and VCTC agree as follows:

A. During the period from July 1, 2018 through June 30, 2019, CSUCI shall provide $543,000 to VCTC to maintain, operate, and manage the CAMPUS shuttle bus system. This amount consists of the Trustees of the California State University local matching cost, which, together with FTA payments and accrued CSUCI credit, will provide full funding for this bus service and VCTC administrative and other operating costs. The amount of $543,000 shall be due and payable during FY 2018/2019 according to the following schedule:

Due Sept 30, 2018 (Includes $35,000 Admin Fee)	**$ 162,000**
Due Nov 30, 2018	**$ 127,000**
Due Jan 31, 2019	**$ 127,000**
Due April 30, 2019	**$ 127,000**

B. VCTC will continue to provide to CSUCI a variety of analytical, technical and management services designed to facilitate the operation of the system from designated points in Oxnard and Camarillo to the CAMPUS for use by students, employees and visitors. The specific services to be provided by VCTC to CSUCI are as follows:

1. Management and coordination of all CAMPUS shuttle bus service and park and ride locations throughout FY 2018/2019.
2. Continued identification of future CAMPUS shuttle bus service route expansions, service adjustments and/or additional park and ride locations with a focus toward promoting and advancing the CSUCI "Green Campus" concept.

3. Provide analytical and technical expertise in support of the CSUCI Transit Twenty Year Plan and the CSUCI Parking and Transportation Demand Management Study.
4. Maintain CAMPUS ridership data and trends.
5. Facilitate access to CAMPUS shuttle bus service during special events at the CAMPUS.
6. VCTC will provide a fiscal year financial statement listing actual cost and revenue for operating the CSUCI service and provide information on any adjustment necessary.

THIS TWENTIETH AMENDMENT TO THE AGREEMENT HAS BEEN EXECUTED AS OF _____ 2018 AT CAMARILLO, CALIFORNIA.

ATTEST:

TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY

____
ERIKA D. BECK, PRESIDENT
CSU CHANNEL ISLANDS

VENTURA COUNTY TRANSPORTATION COMMISSION

____
LINDA PARKS, CHAIR, VCTC

APPROVED AS TO FORM

____
STEVEN T. MATTAS, GENERAL COUNSEL, VCTC

APPROVED AS TO CONTENT

____
DARREN M. KETTLE, EXECUTIVE DIRECTOR, VCTC

RIDER B - GENERAL PROVISIONS FOR SERVICES

1. Commencement of work

Work shall not commence until 3 fully executed originals of the Contract have been received by the Contractor and the Contractor has been given approval to proceed. Any work performed by the Contractor prior to the date of approval shall be considered as having been performed at the Contractor's own risk and as a volunteer.

2. Invoices

A. Invoices shall be submitted, in arrears to the Address stipulated in the Contract. The Contract number must be included on the invoice. Final invoice shall be marked as such.
B. In the event that additional services are performed as authorized, the Contractor shall submit invoices for additional services in accordance with provisions herein.
C. For work of a continuing nature, the Contractor shall submit invoices in arrears, upon completion of each phase. Contactor shall be reimbursed for travel, subsistence and business expenses necessary for the performance of services pursuant to the Contract in accordance with CSU policy.
D. Unless otherwise specified, the CSU shall pay properly submitted invoices not more than 45 days after (i) the performance completion date of services; or (ii), receipt of an undisputed invoice; whichever is later. Late payment penalties shall not apply to this Contract.
E. The consideration to be paid Contractor, as described within the Contract, shall be in full compensation for all of Contractor's expenses incurred in the performance hereof including travel and per diem unless otherwise expressly so provided.

3. Appropriation of Funds

If the term of the Contact extends into fiscal years subsequent to that in which it is approved such continuation of the Contract is subject to the appropriation of funds for such purpose by the Legislature. If funds to effect such continued payment are not appropriated, Contractor agrees to take back any commodities furnished under the Contract, terminate any services supplied to the CSU under the Contract, and relieve the CSU of any further Obligation therefore.

4. Cancellation

CSU reserves the right to cancel this Contract at any time upon thirty (30) days written notice to the Contractor.

5. Independent Status

The Contractor and the agents and employees of Contractor, in the performance of this Contract shall act in. an independent capacity and not as officers or employees, or agents of the State of California. While Contractor may (or may not) be required under the terms of this Contract to carry Worker's Compensation Insurance, Contractor is not entitled to unemployment or workers' compensation benefits from the CSU.

6. Conflict of Interest

A. Should the Contractor provide services for preparation or development of recommendations for the actions which are required, suggested or otherwise deemed appropriate and which include the provision, acquisition or delivery of products or service, then the Contractor must provide full disclosure of any financial interest including but not limited to service Agreements., OPM and/or marketing Agreement that may foreseeable allow the Contractor to materially benefit from the adoption of such recommendations.
B. CSU requires a Statement of Economic Interests (Form 700) to in be filed by any Consultant (or Contactor) who is involved in the making, or participation in the making, of decisions-which may foreseeable have a material effect on any CSU financial interest [referenceG.C.820191].

7. Governing Law

To the extent not inconsistent with applicable federal law, this Contract will be construed in accordance with and governed by the laws of the State of California.

8. Assignments

Without written consent of the CSU, the Contact is not assignable by Contractor either in whole or in part.

9. Time

Time is of the essence of the Contract.

10. Contract Alterations & Integration

No alteration or variation of the terms of the Contract shall be valid unless; made in writing and signed by the panties hereto and no oral understanding or Contract not incorporated here in shall be binding on any of the parties here to.

11. General Indemnity

The Contactor agrees to indemnify, defend and save harmless the CSU, it's officers, agents and employees from any and all claims and losses accruing or resulting to am other person, firm or corporation furnishing or supplying work, service, materials or supplies in connection with the performance of this Contract and from any and all claims aid losses accruing or resulting to any person, firm or corporation which may be injured or damaged by the Contractor in the performance, of this Contract.

12. Use of Data

The Contractor shall not utilize any information not a matter of public record which is received by reason of this Contract, for pecuniary gain not contemplated by the terms of this Contract regardless of whether the Contractor is or is not under contract at the lime such gain is realized. The report, survey, or other product developed by the Contractor pursuant to this Contract is the property of the CSU, and shall not be used in any manner by, the Contractor unless authorized by the CSU.

13. Termination for Default

CSU may terminate the Contract and be relieved of the payment of any consideration to Contractor should Contractor fail to perform the covenants herein contained at the time and in the manner herein provided. In the event of such termination, the CSU may proceed with the work in any- manner deemed proper by the CSU The cost to the CSU shill he deducted from any sum due the Contractor under the Contract and the balance if any, shall be paid the Contractor upon demand.

14. Personnel

The Contractor shall make every effort consistent with sound business practices to honor the specific requests of the CSU with regard to assignment of its employees, however, the Contractor reserves the role right to determine the assignment of its employees. If a Contractor employee is unable to perform due to illness, resignation, or other factors beyond the Contractors control, the Contractor shall make every reasonable effort to provide suitable substitute personnel.

15. Nondiscrimination

A. During the performance of this Contract, Contractor and its subcontractors shall not deny the Contract's benefits to any person on the basis religion, ethnic group identification sex age physical or mental disability, nor shall they discriminate unl3a fully again any employee or applicant for employment because of race, religion cola national origin, ancestry, physical handicap, menial medical condition, marital status, age (over 40), or sex. Contractor shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination.
B. Contractor shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12900 et seq.), the regulations promulgated hereunder (California Code of Regulations Title 1 Sections 7285.0 et seq.) and the provisions of Article 9.5, Chapter 1, Part 1 Division 3, Title 2 of the Government Code (Government Code Section 111354-11139) and the regulations or standards adopted by the awarding state agency to implement such article.
C. Contractor shall permit access by representatives of the Department of Fair Employment and Housing and the Trustics upon reasonable notice at any time during the normal business hours, but in no case less than 24 hour notice, to such of its books, records accounts, other sources of information aid its facilities as said Department or Trustees shall require to ascertain compliance with this clause.
D. The provisions of Executive Order 11246, as amended (Equal Employment Opportunity/Affirmative Action, Section 402 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (38 USC 4212 or VERAA) and Section 505 of the Rehabilitation Act of 1973, as amended (29 USC 793) and the implementing regulations found at 41 CFR 60-1&2, 41 CFR 60-250, and 41 CPR 60-741, respectively, are hereby incorporated by reference.
E. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining, or other agreement.

F. Contractor shall include the nondiscrimination arid compliance provisions of this chase in all subcontracts to perform work under the contract (Gov. Code Section 12590 11135 et seq. Title 2 California Code of Regulations, Section 8107).

16. Drug Free Workplace Certification

By accepting a contract or purchase order, the Contractor certifies under penalty of perjury under the laws of the State of California that the Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code, Section 8355 et seq.) and will provide a drug-free workplace by doing all of that which Section 8355 et seq. require.

17. Severability

It is expressly agreed and understood by the parties hereto that if any provision of this Contract is held to be unconscionable or invalid under any applicable statue or law it is deemed to that extent to be omitted. However the balance of the Contract shall remain in full force and effect.

18. Dispute

Any dispute arising under the terms of this Contract which is not resolved within a reasonable period of time by authorized representatives of the Contractor and the CSU shill be brought to the attention of the Chief Executive Officer (or designated representative) of the Contractor and the Chief Business Officer (or designated representative) of The CSU for joint resolution. At the request of either party, The CSU shall provide a forum for discussion of the disputed term(s), at which time the Vice Chancellor, Business and Finance (or designated representative) of The CSU shall be available to assist in the resolution by providing advice to both parties regarding The CSU contracting policies and procedures. If resolution of the dispute through these means is pursued without success either party may seek resolution employing whatever remedies mist in law or equity beyond this Contract. The Contractor shall keep accurate records of its services in order to adequately document toe extent of its services under this Contract.

19. Privacy of Personal Information

Contractor acknowledges the privacy rights of individuals to their personal information that are expressed in the States Information Practices Act (California Civil Code Section 1798 et seq.) and in California Constitution Article I, Section 1. Contractor shall not release personal information curtained in CSU records without full compliance with applicable state and federal privacy laws. Contractor further acknowledges Federal privacy laws such as Gramm-Leach-Bliley Act (Title 15, United States Code, Sections 6801(b) and 6805(b)(2) applicable to financial transactions and Family Educational Rights and Privacy Act (Title 20, United States Code Section 1212g) applicable to student records and information from student records. Contractor shall maintain the privacy of protected personal information.

20. Waiver of Rights

Any action or inaction by the CSU or the failure of the Contractor to enforce any right or provision of the Contract shall not be construed to be a waiver by the CSU: of its rights hereunder and shall not prevent the CSU from enforcing such provision or right on any future occasion. The rights and remedies of the CSU provided herein shall not exclusive and are in addition to any other rights and remedies provided by law.

21 Endorsement

Nothing contained in this Contract shall be construed as conferring on any party hereto, any right to use the other parties name as an endorsement of product/service or to advertise, promote or otherwise market any product or service without the prior written consent of the other parties. Furthermore nothing in this Contract shall be construed as endorsement of any commercial product or service by the CSU, its officers or employees.

22. Compliance with NLRB Orders

Contractor declares under penalty of perjury that no more than one final, unappealable finding of contempt of court by a federal court has been issued against the Contractor within the immediately preceding two-year period because of the Contractors failure to **comply** with an order of a federal courts which orders the Contractor to comply an order of the National Labor Relations Board. This provision is required by, and shall be construed in accordance with Public Contract Code Section 10296.

23. Examination and Audit

For contracts in excess of $10,000 the Contractor shall be subject to the examination and audit of (a) the Office of the University Auditor and of the State Auditor for a period of three (3) years if the final payment under the contract in accordance with Government Code Section 8546.7 and with Education Code Section 89045(c & d), respectively. The examination and audit shall be confined to those matters connected with the performance of the contract including, but not limited to the costs of administering the Contract.

24. DVBE and Small Business Participation

The State of California supports statewide participation goals of 3% for disabled business enterprises (DVBE Program) and requires agencies to provide a 5% preference when awarding, contracts to small businesses. Only small businesses certified by the Office of Small and Minority Businesses (OSMB) are eligible to receive the preference. The CSU encourages all contractors to use the services of DVBE and OSMB certified small business enterprises whenever possible and to report their use to the CSU.

25. Citizenship and Public Benefit

If Contractor is a natural person, Contractor certifies in accepting this Contact that s/he is a citizen or national of the United States or otherwise qualified to receive public benefits under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L 104-193; STAT 2105, 226869)

26. Americans with Disabilities Act

Contractor warrants that it complies with California and federal disabilities laws and regulations.

27. Child Support Compliance Act

A. For any contract in excess of $100,000, the contractor acknowledges in accordance with Public Contract Code Section 7110, that:
   (a) The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including but not limited to disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with Section 5200) of Part 5 of Division 9 of the Family Code; and
   (b) The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all its-employees to the New Hire Registry maintained by the California Employment Development Department.

28. Document Referencing

All correspondence, invoices, bills of lading, shipping memos, packages, etc., must show the Contract number. If factory shipment, the factory must be advised to comply. Invoices not properly identified with the contract number and contractor identification number may be returned to contractor and may cause delay in payment.

29. Covenant against Gratuities

The Contractor shall warrant that no gratuities (in the form of entertainment, gifts, or otherwise) were offered or given by the Contractor, or any agent or representative of the Contractor, to any officer or employee of the CSU; with a view toward securing the Contract or securing favorable treatment with respect to any determinations concerning the performance of the Contract. For breach or violation of this warranty the CSU shall have the right to terminate the Contract, either in whole or in part, and any loss or damage sustained by the CSU in procuring on the- open market any items which the Contractor agreed to supply, shall be borne and paid for by the Contractor. The rights and remedies of the CSU provided in this clause shall not be exclusive and are in addition to any other right and remedies provided by law or under the Contract.

30. Rights and Remedies of CSU for Default

A. In the event any deliverables furnished or services provided by the Contractor in the performance of the Contract should fail to conform to the requirements herein, or to the sample submitted by the Contactor, the CSU: may reject the same and it will thereupon become the duly of the Contractor to reclaim and remove the same forthwith or to correct the performance of the service without expense to the CSU, and immediately to replace all such rejected items with others conforming to such specifications or samples, provided that should the Contractor fail, neglect, or refuse to do so, the CSU shall there upon have the right to purchase in the open market in lieu thereof, a corresponding quantity of any such items and to deduct from any monies due to the Contractor the difference between the price named in the Contract and the actual cost thereof to the CSU.
B. In the event the Contractor shall fail to make prompt delivery as specified of any item, the same conditions as to the right of the CSU to purchase in the open market and to reimbursement set forth above shall apply, except for force majeure. Except for defaults of subcontractors, neither party shall be responsible for delays or failures in performance resulting from acts beyond the control of the offending party. Such acts (known as "force majeure") shall include by shall not be limited to fire, strike, freight embargo or acts of God and of the Government. If a delay or failure of performance by the Contractor

arises out of a default of its subcontractor, and if such default arises out of cause beyond the control of the Contractor and the subcontractor, and without the fault or negligence of either of them, the Contractor shall not be liable for damages of such delay or failure, unless the supplies or services to be furnished by the subcontractor obtainable from other sources in sufficient time to permit the Contractor to meet the required performance schedule.

C. (c) In the event the termination, either in whole or in part by reason of the default or breach thereof by the Contractor, any loss or damage sustained by the CSU in procuring any items which the Contractor therein agreed to supply shall be borne and paid for by the Contractor.

D. The rights and remedies of the CSU provided above shall not be exclusive and are in addition to any other rights and remedies provided by law under the Contract.

31. Contractor's. Power and Authority

The Contractor warrants that it has full power and authority to grant the rights herein granted and will hold the CSU hereunder harmless from and against any loss, liability, and expenses (including reasonable attorney fees) arising out are breach of this warranty. Further, Contractor asserts that is will it will not enter into an arrangement with a third party which might abridge any rights of the CSU under this Contract.

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32. Entire Contract

This Contract sets forth the timeline between the parties with respect to the subject matter hereof and shall govern the respective duties and obligations of the parties.

33Safety and Accident Prevention

In performing work under this Contract on CSU premises, Contractor shall conform to any specific safety requirements contained in the Contract or as require law or regulation. Contractor shall take any additional precautions as the CSU may reasonably require fore safely and accident prevention purposes. Any violation of such rules and requirements unless promptly corrected, shall be grounds for termination of this Contract in accordance with default provisions thereof.

34. Follow-On Contracts

A. If the Contractor or its affiliates provide Consulting and Direction (as defined below) the Contractor and its affiliates:
   a. will not be awarded subsequent Contract to supply the service of system or any significant component thereof that is used for or in connection with any subject of such Consulting and Direction; and
   b. will not act as a consultant to any person or entity that does not receive a Contract as described in sub-section (i). This prohibition will continue for one (1) year after termination of this Contract of completion of the Consulting and Direction, whichever comes later.

B. "Consulting and Direction" means services for which the Contractor received compensation from the CSU and includes:
   a. development of or assistance in the development of work statement specifications, solicitations or feasibility studies;
   b. development or design of test requirements;
   c. evaluation of test data.
   d. direction of or evaluation of another Contractor.
   e. provision of formal recommendations regarding the acquisition of products or services; or
   f. provisions of formal recommendations regarding any of the above. For purposes of this Section "affiliates" are employees, directors, partners, joint venture participants, parent corporations, subsidiaries, or any other entity controlled by, controlling or under common control with the Contractor Control exists when an entity owns or directs more than fifty (50%) percent of the outstanding stocks or securities representing the right to vote for the election of directors or other managing authority.

C. Except as prohibited by law the restrictions of this section will not apply.
   a. to follow-on advice given by vendors of commercial off-the-shelf products including Software and Hardware, on the operation, integration, repair or maintenance of such products after sale; or
   b. where the CSU has entered into a Contract for Software or services and the scope of work at the time of Contact execution expressly calls for future recommendations among the Contractor s own products.

D. The restrictions set forth in this Section are in addition to conflict of interest restrictions imposed on Public Contractors by California law ("Conflict Law"). In the event of any, inconsistency, such Conflict Laws overrule the provisions of this Section, even if enacted after execution of this Contract.

35 Expatriate Corporations

By accepting a Contract or purchase order, the Contractor declares under penalty of perjury under the laws of the State of California that the Contractor is eligible to contract with the CSU pursuant to The California Taxpayer and Shareholder Protection Act of 2003, Public Contract Code Section 10286 ET. Sec.1

36. Insurance Requirements

Contractor shall furnish to the CSU prior to the commencement of work a underwriter's endorsement with a certificate of insurance stating that these is General Liability insurance presently in effect for the contractor with combined single limit of not less than $1,000,000 per occurrence and $2,000,000 aggregate; and in that vehicle insurance (where applicable) is in effect with a minimum coverage of $1,000,000 per occurrence.

A. The certificate of insurance shall provide:
B. That the insurer will not cancel the insured's coverage without thirty (30) days prior notice to the CSU:
C. (ii) That the State of California, the Trustees of the California State University, the CSU, and the employees, officers and agents of each of them are included as additional insureds but only insofar as the operations under this contract are concerned;
D. (iii) That the State, the Trustees, and the CSU and the employees, officers, and agents of each of them will not be responsible for any premium or assessments on the policy.
E. Contactor agrees that the bodily injure liability insurance herein provided shall be in effect it all times during the tern of this contract. In the event said instance coverage expires at any time or times during the term of this contract contractor agrees to provide at least thirty (30) days prior to said expiration date, a new certificate of insurance evidencing insurance as provided herein for not less than the remainder of the term of the contract or for a period of not less than one (1) year. New certificates of insurance of insurance are subject to the approval of the CSU, and the contractor agrees that no work or service shall be performed prior to the giving of such approval .In the event contractor fails to keep in effect at all times insurance coverage as herein provided the CSU may in addition to any other remedies it may have terminate this contract upon termination of this contract upon the occurrence of such event.
F. Workers' Comprehensive Insurance coverage as required by the Star of California

Item #8H

May 11, 2018

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **JUDITH JOHNDUFF, PROGRAM ANALYST**

SUBJECT: **REPROGRAM FY14/15 AND FY16/17 TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS TO THE RICE ROAD PROJECT**

RECOMMENDATION:

- Approve reprogramming $190,856 of TDA Article 3 funds from the City of Camarillo Pleasant Valley Fields Bicycle/Pedestrian Trail Project to the County of Ventura Rice Road Bike Lanes Project.
- Amend the FY 2017/18 TDA budget to increase Local Transportation Fund (LTF) Transfer Revenues and Article 3 Bicycle/Pedestrian expenses by $190,856.

DISCUSSION:

The Ventura County Transportation Commission (VCTC) approved programming a total of $190,856 of Transportation Development Act (TDA) Article 3 funds to construct a multi-use trail at Pleasant Valley Fields in Camarillo from Wickford Place to Village Commons Boulevard. The funds were approved by the Commission during two separate TDA Article 3 Calls-for-Projects. The project was awarded $65,856 of FY14/15 Article 3 funds on May 1, 2015 and an additional $125,000 of FY16/17 Article 3 funds on June 3, 2016. The City of Camarillo, who was acting as the lead on the project, has informed staff that the Park District's priorities for this portion of the park have changed and the District no longer wishes to move forward with the bicycle and pedestrian trail project.

VCTC's past practice has been to allow agencies to transfer remaining funds or unused funds from one approved TDA Article 3 project to another; however the City of Camarillo does not have another approved project to receive the funds. On October 6, 2017, VCTC approved a priority ranking of projects for the FY17-18/18-19 CMAQ/TDA Article 3 Combined Call-for-Projects. This bi-annual call-for-projects is a competitive process and projects were scored and ranked based upon the Evaluation Criteria adopted by the Commission. At that time, the Commission also established a Shelf-List of projects (Attachment A) should additional funds become available or approved projects dropped prior to the next Call-for-Projects in 2019.

Staff recommends reprogramming the $190,856 of TDA Article 3 funds from the City of Camarillo Pleasant Valley Fields Bicycle/Pedestrian Trail Project to the top project on the Shelf-List which is the County of Ventura Rice Road Bike Lanes Project. The funds will be used to complete the engineering for the project. The County intends to apply for construction funding through the State of California Active Transportation Program or the next VCTC CMAQ/TDA Article 3 Call-for-Projects.

Based on the policy approved by TTAC, this recommendation to fund the next project on the Shelf List does not require separate TTAC consideration, but has gone directly to the Commission for approval.

Attachment A

CMAQ/TDA ARTICLE 3 SHELF LIST PROJECTS

TRANSIT

PROJECT NAME	AGENCY	SCORE	CMAQ FUNDS
Midlife Engine Replacement and Service Life Extension – 12 buses	Gold Coast Transit	65	$1,451,095
Ventura Road Transit Service Operations for 3rd of 3 years	Gold Coast Transit	75*	$1,218,047

*Ventura Road 3rd year funds placed lower as funds are not needed for two years.

Total: $2,669,142

BIKE/PEDESTRIAN/TRAFFIC FLOW

PROJECT NAME	AGENCY	SCORE	CMAQ OR TDA ARTICLE 3 FUNDS
Rice Road Bike Lanes	Ventura County	53	$1,156,202
Springville Bike Trail Phase 2	Camarillo	52	$1,372,215
Los Feliz Drive Sidewalk	Thousand Oak	52	$711,780

Total: $3,240,197

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Item #8I

May 11, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: DISBURSEMENT OF RESERVED STATE TRANSIT ASSISTANCE SECTION 99314 FUNDS

RECOMMENDATION:

- Distribute $104,943 State Transit Assistance Section 99314 funds placed in reserve as presented in Option 1.
- Amend the TDA Administration budget to increase both the STA Fund Transfer revenues and Pass-Through PUC 99314 expenditures by $104,943.

BACKGROUND:

Each year the Ventura County Transportation Commission (Commission or VCTC) receives Transportation Development Act (TDA) State Transit Assistance (STA) funds. The STA funds are derived from the statewide sales tax on diesel fuel. The STA funds are appropriated by the Legislature to the State Controller's Office who then allocates the tax revenue, by formula, to planning agencies and other select agencies. Statute requires that 50% of the STA funds be allocated according to population (Section 99313) and 50% be allocated according to operator revenues from the prior fiscal year (Section 99314). The State provides revenue estimates but the precise amount is not known until the State pays out the funds after the quarter closes. VCTC receives these quarterly revenue payments in arrears.

Recipients of STA funds are subject to STA Article 6.5 requirements found in the Transportation Development Act regulations including annual audits. STA funds are governed by rules similar to Local Transportation Funds (LTF), in that they are required to be used only for transit purposes and can subject an entire project to STA regulations. However, STA funds are more restrictive than LTF funds in that they may not be used for streets and roads as is allowed with LTF funds in cities with populations less than 100,000 and STA has additional requirements such as CPI calculations for operations.

Historically, VCTC received STA Section 99314 funds for two agencies: Gold Coast Transit (GCT) and Southern California Regional Rail Authority (SCRRA). In Fiscal Year 2015/2016, the State Controller's Office changed the methodology of how the Section 99314 funds were calculated and disbursed without notice. The first time many agencies became aware of this was when the State Controller's Office issued the first quarterly payment. Additionally, the State added new Section 99314 recipients without explanation. For Ventura County, this meant the distributions went from two recipients to nine recipients. The changes created understandable concerns amongst recipients.

Shortly thereafter, the California Transit Association (CTA) sponsored a bill (2017 - AB 1113) to amend the statutes governing the STA program and to clarify several ambiguities in the law that led to the administrative changes made by the State Controller's Office. At CTA's urging, legislation (2016 - SB 838) was introduced to temporarily stop the changes made by the State Controller's Office to give the transit industry, regional agencies, and state officials two years to study the issues and come up with a long-term solution.

As the bill made its way through the legislative process, the State issued the third and fourth quarterly payments of 2015/2016 and all of Fiscal Year 2016/2017 disbursements under the "original" rules and indicated that they would not be revising the previous two quarterly distributions but would leave it up to the local regional agencies to decide how to distribute the first and second quarter funds. For the first two quarters, VCTC allowed the two original recipients to claim their portion of the allocation, but held the remaining funds ($104,943) in reserve until the matter was settled by legislation.

In July 2017, Governor Brown signed AB 1113 (Bloom) to amend the statutes governing the State Transit Assistance program. The bill clarified several ambiguities and specifically defined some issues including who were "STA eligible transit operators" and which revenues would be used to calculate STA distributions. The bill was applied to disbursements beginning with Fiscal Year 2017/2018. With the implementation of AB 1113, Ventura County was left with six eligible recipients: City of Camarillo, City of Moorpark, City of Simi Valley, City of Thousand Oaks, Gold Coast Transit District (GCTD) and Southern California Regional Rail Authority (SCRRA).

DISCUSSION:

Now that AB 1113 is law, VCTC needs to allocate the STA Section 99314 $104,493 funds held in reserve from the first two quarters of Fiscal Year 2015/2016. Below are three options of distribution that were considered and discussed with the County's transit operators.

Option 1 – Original allocation methodology

One option is to use the original allocation methodology. This method would allocate the funds to the recognized and eligible transit operators at that time and be in keeping with the temporary legislation that reverted disbursements back to the original method. This method would be the most straight forward method allocating funds to agencies used to receiving STA funds and aware of the requirements associated with these funds. This method allocates the funds proportionately to Gold Coast Transit District (GCTD) and Southern California Regional Rail Authority (SCRRA). Under this method, the funds would be distributed as follows:

Gold Coast Transit District	$ 40,928
SCRRA	64,015
Total	$104,943

Option 2 – AB 1113 allocation methodology

A second option would be to distribute these funds based on the new AB 1113 distribution (effective July 1, 2017) and use an adjusted proportionate share based on the first quarter allocation of Fiscal Year 2017/2018 that occurred in December 2017. This method includes four new recipients for a total of six recipients. (It should be noted that there was an issue with the City of Moorpark's reporting which led to the City not receiving funds in Fiscal Year 2017/2018). Most of the agencies are not yet familiar with STA requirements. As GCTD and SCRRA were already allowed to claim their portion of the two quarters of STA funding, only the four new local agencies would receive funding under this method. Under this method, the funds would be distributed as follows:

City of Camarillo	$ 40,187
City of Moorpark	-
City of Simi Valley	32,153
City of Thousand Oaks	32,153
Total	$104,493

Option 3 – State's Changed allocation methodology
A third option would be to distribute these funds in the same manner as the State did for the first two quarters of Fiscal Year 2015/2016. However, this method was not vetted by the transportation agencies and transit operators before implementation. This method was stopped when the CTA sponsored emergency legislation. The funds would be distributed to nine local agencies some of which (Ojai, County of Ventura and VCTC Intercity) are not deemed "eligible" under the original law or the new law. Furthermore, most of the agencies are not familiar with STA requirements. As GCTD and SCRRA were already allowed to claim their portion of the two quarters of STA funding, only the new local agencies would receive funding under this method. Under this method, the funds would be distributed as follows:

City of Camarillo	$ 12,556
City of Moorpark	1,136
City of Ojai	4,124
City of Simi Valley	43,301
City of Thousand Oaks	7,886
County of Ventura	286
VCTC Intercity	35,654
Total	$104,943

This item was presented to Transcom at its April 12th meeting. A brief discussion of the reserve disbursement options and the new STA disbursements was discussed. One member voiced a concern that option 2 would disburse funds based on current transit data and not the transit information available during that time period and, therefore felt Option 1 or 3 would be more appropriate. Transcom members voted to support staff's recommendation to distribute based on Option 1 with Thousand Oaks abstaining from the vote.

- Because the State reverted back to the original formula until AB 1113 could be decided, staff recommends that the funds be treated as if there was no break in methodology and distribute the funds according to Option 1. This method would allow for immediate distribution and use as the two agencies already have processes in place to claim and use STA funds, distribution to the agencies that were originally anticipating the revenue and not require the recipients to learn new STA requirements. Staff also recommends amending the TDA Administration budget to increase both the STA Fund Transfer revenues and Pass-Through PUC 99314 expenditures by $104,943.

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Item #8J

May 11, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: LEGISLATIVE UPDATE

RECOMMENDATION:

- Receive and file.

DISCUSSION

Federal Issues

The U.S. Department of Transportation announced a new infrastructure project funding program that will supplant the Transportation Investment Generating Economic Recovery (TIGER) program. The new program is called Better Utilizing Investments to Leverage Development (BUILD). As with TIGER, the funds can be used for capital investments in all transportation modes including road, transit, rail, port, and intermodal. The amount set aside for rural areas has been increased to 30%, and there will be an increased emphasis on the leveraging the use of non-federal funds. A total of $1.5 billion will be available in the upcoming round of applications.

State Issues

Attachment A 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. Attachment B is a matrix providing the status of the two bills to be tracked by VCTC.

ATTACHMENT A

CALIFORNIA ADVISORS, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION
MONTHLY STATE ADVOCACY REPORT
APRIL 2018

Legislative Update

The month of April was consumed by lengthy policy committee hearings in both the Senate and Assembly. April 27th was the deadline for bills in the first house to be passed out of their respective policy committees, if the bills have a fiscal impact. Consequently, there was a rush for all of the newly introduced bills from this year to advance out of committee. Now that the deadline has passed, these bills will be headed to the Appropriations Committee in each house. In this committee, bills without a significant fiscal impact will be heard in the next few weeks before moving to the Assembly or Senate Floor. Bills that have a larger price tag will be placed on the suspense file and will be taken up for a hearing near the end of May. And then all bills have to be out of their house of origin by May 31st. The California Advisors lobby team will continue to track the relevant transportation bills, as they advance out of the policy committee process and move to their fiscal committees and onto the floor.

Transportation Oversight Hearings

The Senate Budget Subcommittee 2 (Transportation) recently held a hearing on review of the Draft 2018 Business Plan for the CA High-Speed Rail Authority. The purpose of the hearing was to look at the status of the project and to fully discuss what will be expected from the Legislature if the project is to proceed.
In March the CA High-Speed Rail Authority released the plan for public review and comment. For the first time in this draft plan the Authority is assigning the cost to the risks previously identified in prior plans and reports and presented the base line cost estimate for all project sections. Also, for the first time the 2018 Draft Plan discontinues the past practice of estimating project costs for the specific dollar estimate. The schedule from Valley to Valley service from San Francisco to Bakersfield and the full Phase I service from San Francisco to Los Angeles and Anaheim are pushed out by four years. A 60-day period of public review and comment closes on May 7, 2018. The final plan is scheduled to be adopted by the Authority board at its hearing by the third week of May.
The Legislative Analyst's Office and CA High-Speed Rail Peer Review Group were also present at the hearing. The Peer Review Group noted that the project reached the critical point where difficult decisions need to be made about the project's future scope and funding. There is little prospect for a system that would generate enough cash flow to contribute to future investment.

Update on VCTC Supported Bills

AB 1905 (Grayson) was held in Assembly Natural Resources Committee – essentially rendering the bill dead for the year. AB 1905 would, in an action or proceeding seeking judicial review under the California Environmental Quality Act, prohibit a court from staying or enjoining a transportation project that would reduce total vehicle miles traveled, that is included in a sustainable communities strategy, and for which an environmental impact report has been certified, unless the court makes specified findings. We registered VCTC's support in the Assembly Natural Resources Committee on April 9.

SB 1119 (Newman) which would authorize a recipient transit agency to satisfy current statutory requirements 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. We registered VCTC's support in the Assembly Transportation Committee on April 9, and the bill passed out on a unanimous 13 to 0 vote. Next bill location was Senate Environmental Quality Committee from which it also passed with a unanimous 7 to 0 vote. SB 1119 was set for the Appropriations hearing on April 30 but went to Senate floor with the recommendation to be placed on second reading due to non-fiscal impact of the bill.

Upcoming Bill Deadlines and Priority Legislation

May 11 - Last day for policy committees to hear and report to the Floor nonfiscal bills introduced in their house
May 18 - Last day for policy committees to meet prior to June 4
May 25 - Last day for fiscal committees to hear and report to the Floor bills introduced in their house. Last day for fiscal committees to meet prior to June 6.
May 29 - June 1 Floor Session only. No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees.

Below is a list of VCTC tracked bills:

AB 1395 (Chu D) State highways: uniform financial plan.
Introduced: 2/17/2017
Status: 4/19/2018- Referred to Committee on Transportation and Housing
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.

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: 4/23/2018- VOTE: Amend, and re-refer to the Committee on Natural Resources
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 1898 (Mathis R) State highways: property leases.
Introduced: 1/22/2018
Status: 4/24/2018-From committee: Do pass and re-refer to Committee on Appropriations
Summary: Current law authorizes the Department of Transportation to lease certain property, including the area above or below a state highway, and certain property held for future highway purposes, to public agencies under specified terms and conditions, including specific provisions governing leases of airspace and other property in the City and County of San Francisco for purposes of an emergency shelter or feeding program. Current law also requires that a lease be offered on a right of first refusal by the department to the city and county or a political subdivision of the city and county and authorizes leases of property for park, recreational, or open-space purposes. This bill would similarly require the department to offer a lease on a right of first refusal basis of any airspace under a freeway, or real property acquired for highway purposes, located in a disadvantaged community, that is not excess property to the city or county in which the disadvantaged community is located for purposes of an emergency shelter or feeding program, or for park, recreational, or open-space purposes for a rental amount of $1 per month, subject to certain conditions.

AB 1905 (Grayson D) Environmental quality: judicial review: transportation projects
Introduced: 1/22/2018
Status: 4/16/2018-In committee: Hearing for testimony only
Summary: The California Environmental Quality Act requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. The act establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to the act. This bill would, in an action or proceeding seeking judicial review under the California Environmental Quality Act, prohibit a court from staying or enjoining a transportation project that would reduce total vehicle miles traveled, that is included in a sustainable communities strategy, and for which an environmental impact report has been certified, unless the court makes specified findings.

AB 1969 (Salas D) Transportation funds: transit operators: fare revenues.
Introduced: 1/31/2018
Status: 4/23/2018-In committee: Set, first hearing. Hearing canceled at the request of author.
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 2017 (Chiu D) Public employers: employee organizations.
Introduced: 2/5/2018
Status: 4/23/2018-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Committee on Rules for assignment
Summary: Current law prohibits a public employer, as defined, from deterring or discouraging public employees from becoming or remaining members of an employee organization. Under current law, a public employer is defined, for these purposes, to include counties, cities, districts, the state, schools, transit districts, the University of California, and the California State University, among others. Existing law

grants the Public Employment Relations Board jurisdiction over violations of these provisions. This bill would include in the definition of “public employer” under these provisions those employers of excluded supervisory employees and judicial council employees.

AB 2034 (Kalra D) Human trafficking: notice.
Introduced: 2/6/2018
Status: 4/4/2018-In committee: Set, first hearing. Referred to Appropriations suspense file.
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: 4/4/2018-In committee: Set, first hearing. Referred to Appropriations suspense file
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: 4/25/2018-Referred to Committee on Transportation and Housing
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: 4/17/2018-Re-referred to Committee on Appropriations
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: 4/24/2018-From committee: Do pass and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.
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 2249 (Cooley D) Public contracts: local agencies: alternative procedure.

Introduced: 2/13/2018
Status: 4/19/2018-Read third time. Passed. Ordered to the Senate. (Ayes 71. Noes 0.) In Senate. Read first time. To Committee on Rules for assignment
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: 4/18/2018-In committee: Set, first hearing. Referred to Appropriations suspense file
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: 4/23/2018-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Committee on Rules for assignment
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: 4/26/2018-From committee: Do pass and re-refer to Committee on Appropriations
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: 3/1/2018-Referred to Committee on Judiciary
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 2418 (Mullin D) Transportation: emerging transportation technologies: California Smart Cities Challenge Grant Program.
Introduced: 2/14/2018
Status: 4/17/2018-From committee: Do pass and re-refer to Committee on Appropriations
Summary: Would establish the California Smart City Challenge Grant Program to enable municipalities to compete for grant funding for emerging transportation technologies to serve their transportation system

needs, and would specify certain program goals. The bill would require the California Transportation Commission to form the California Smart City Challenge Workgroup to provide the commission with guidance on program matters, as specified. The bill would authorize the commission, in consultation with the workgroup, to develop guidelines for the program, which would not be subject to the Administrative Procedure Act, and to revise them as necessary.

AB 2530 (Melendez R) Bonds: transportation.
Introduced: 2/14/2018
Status: 4/16/2018-In committee: Set, first hearing. Failed passage. Reconsideration granted
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: 4/26/2018-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Committee on Rules for assignment
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 2615 (Carrillo D) Department of Transportation: powers and duties: memoranda of understanding.
Introduced: 2/15/2018
Status: 4/24/2018-From committee: Do pass and re-refer to Committee on Appropriations
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: 4/17/2018-From committee: Do pass and re-refer to Committee on Appropriations
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: 4/23/2018-In committee: Set, first hearing. Hearing canceled at the request of author
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: 4/16/2018-In committee: Set, first hearing. Failed passage. Reconsideration granted
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: 4/25/2018-From committee: Do pass and re-refer to Committee on Appropriations with recommendation: To Consent Calendar
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.

AB 2851 (Grayson D) Regional transportation plans: traffic signal optimization plans.

Introduced: 2/16/2018

Status: 4/24/2018-From committee: Do pass and re-refer to Committee on Appropriations

Summary: Would require each city located within the jurisdiction of a metropolitan planning organization to develop and implement a traffic signal optimization plan, as prescribed, and would require each metropolitan planning organization to consider and incorporate those plans developed by cities located within its jurisdiction into its regional transportation plan. The bill would create the Traffic Signal Optimization Fund and would require the Department of Transportation, upon appropriation by the Legislature, to award grants from moneys deposited in the fund on a competitive basis to cities that can deliver the greatest per capita reduction in emissions of greenhouse gases through the implementation of their traffic signal optimization plans and that provide matching funds.

AB 2919 (Frazier D) Transportation: permits.

Introduced: 2/16/2018

Status: 4/24/2018-In committee: Set, first hearing. Hearing canceled at the request of author

Summary: Would require the Department of Fish and Wildlife, the State Water Resources Control Board, and the California Coastal Commission, upon receipt of a completed request from the Department of Transportation for a permit for a project, to complete its review of the request no later than two years after receipt. If a resource agency does not complete the review of the request for a permit within this timeframe, the bill would provide that the permit is deemed approved for purposes of the project.

AB 3124 (Bloom D) Vehicles: length limitations: busses: bicycle transportation devices

Introduced: 2/16/2018

Status: 4/25/2018-Referred to Committee on Transportation and Housing

Summary: Current law imposes a 40-foot limitation on the length of vehicles that may be operated on the highways, with specified exemptions. Current law exempts from this limitation an articulated bus or articulated trolley coach that does not exceed a length of 60 feet, and authorizes the bus or trolley to be equipped with a folding device attached to the front of the bus or trolley if the device is designed and used exclusively for transporting bicycles. Current law prohibits the above-described device from extending more than 36 inches from the front body of the bus when fully deployed, and prohibits a bicycle that is transported on that device from having the bicycle handlebars extend more than 42 inches from the front of the bus. This bill would additionally authorize an articulated bus or articulated trolley coach that does not exceed a length of 60 feet to be equipped with a folding device attached to the front of the bus or trolley if the device is designed and used exclusively for transporting bicycles as long as the device does not extend more than 40 inches from the front body of the bus when fully deployed.

AB 3135 (Frazier D) High-Speed Rail Authority: rights-of-way: security: Department of the California Highway Patrol.

Introduced: 2/16/2018

Status: 4/17/2018-From committee: Do pass and re-refer to Committee on Appropriations

Summary: Current law, 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, including the power to acquire rights-of-way through purchase or eminent domain. This bill would authorize the High-Speed Rail Authority to contract with the Department of the California Highway Patrol to provide any necessary security services for property acquired by the state as a right-of-way for high-speed rail purposes.

AB 3201 (Daly D) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.

Introduced: 2/16/2018

Status: 4/23/2018-Action From Natural Resources: Do pass as amended to Committee on Appropriations

Summary: Current law, for the purposes of the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, defines zero- and near-zero-emission to mean vehicles, fuels, and related technologies that reduce greenhouse gas emissions and improve air quality when compared with conventional or fully commercialized alternatives, as defined by the state board in consultation with the commission. This bill would add large-scale deployments to the program's list of eligible projects, require the annual framework and plan for the program to instead be a 5-year framework and plan, and revise the definition of zero- and near-zero-emission to include infrastructure that reduces greenhouse gas emissions and improves air quality when compared with conventional or fully commercialized alternatives.

SB 760 (Wiener D) Transportation funding: active transportation: complete streets.
Introduced: 2/17/2017
Status: 4/19/2018-Referred to Committee on Transportation

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.

SB 957 (Lara D)   Vehicles: high-occupancy vehicle lanes.
Introduced: 1/30/2018
Status: 4/25/2018-From committee: Do pass and re-refer to Committee on Appropriations
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 980 (Cannella R)   High-occupancy vehicle lanes.
Introduced: 2/1/2018
Status: 2/14/2018-Referred to Committee on Rules
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: 4/26/2018-Read second time and amended. Re-referred to Committee on Appropriations
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: 2/22/2018-Referred to Committee on Rules
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: 4/25/2018-VOTE: [04-25-2018] hearing: Motion to Reconsider. [Reconsideration Granted.]
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: 4/25/2018-From committee: Do pass and re-refer to Committee on Appropriations with recommendation: To consent calendar
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: 2/22/2018-Referred to Committee on Rules
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: 4/20/2018-Set for hearing April 30
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: 4/26/2018-Read third time. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.
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: 4/10/2018-Set for hearing May 8
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: 4/23/2018-Referred to Committee on Transportation
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.

SB 1262 (Newman D) Construction Manager/General Contractor project delivery method: Department of Transportation.
Introduced: 2/15/2018
Status: 4/25/2018-From committee: Do pass and re-refer to Committee on Appropriations with recommendation: To consent calendar
Summary: Would remove the cap on the number of projects for which the Department of Transportation is authorized to use the CM/GC method, eliminate the minimum construction costs limitation, and make conforming changes to existing provisions. The bill would impose the requirement to use department employees or consultants to perform project design and engineering services on at least 2/3 of the projects delivered by the department utilizing the CM/GC method. The bill would delete the existing report requirements. This bill contains other related provisions and other existing laws.

SB 1328 (Beall D) Mileage-based road usage fee.
Introduced: 2/16/2018
Status: 4/26/2018-Read third time. Passed. (Ayes 25. Noes 9.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.
Summary: Current law requires the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of the Transportation Agency. Under current law, the purpose of the technical advisory committee is to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system. Current law requires the technical advisory committee to study RUC alternatives to the gas tax and to make recommendations to the Secretary of the Transportation Agency on the design of a pilot program, as specified. Current law repeals these provisions on January 1, 2019. This bill would extend the operation of these provisions until January 1, 2023.

SB 1427 (Hill D) Discrimination: veteran or military status.
Introduced: 2/16/2018
Status: 4/27/2018-Set for hearing May 7.
Summary: Current law defines specified terms, including the term "source of income," in connection with provisions that prohibit discrimination in housing accommodations. This bill would specify that a federal Department of Housing and Urban Development Veterans Affairs Supportive Housing voucher is a source of income.

SB 1434 (Leyva D) Transportation electrification: electricity rate design.
Introduced: 2/16/2018
Status: 4/25/2018-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations
Summary: Would require the PUC to direct electrical corporations with more than 100,000 service connections in California to file rate design applications, specific to transit agencies as commercial customers, that support and accelerate the deployment of zero-emission transit buses to reduce dependence on petroleum, meet air quality standards, and reduce emissions of greenhouse gases to 40% below 1990 levels by 2030 and to 80% below 1990 levels by 2050. The bill would authorize an electrical corporation with 100,000 or fewer service connections in California to file rate design applications for those purposes.

SB 1479 (Stern D) Los Angeles County Metropolitan Transportation Authority: billing requirement.
Introduced: 2/16/2018
Status: 4/23/2018-April 25 set for first hearing canceled at the request of author
Summary: Where the BART District purchases electricity at more than one location, at any voltage, from an electric utility under tariffs fixed by the commission, current law requires that the utility bill the BART District for usage as though all the electricity purchased at transmission level voltages were metered by a single meter at one location and all the electricity purchased at subtransmission voltages were metered by a single meter at one location, provided that any billing for demand charges be based on the coincident demand of transmission and distribution metering. This bill would adopt electricity billing requirements applicable to the Los Angeles County Metropolitan Transportation Authority that are similar to the above-described requirements applicable to BART, but would also impose those requirements applicable to an electrical corporation in the BART statute on a local publicly owned electric utility.

ATTACHMENT B

VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY May 1, 2018			
BILL/AUTHOR	**SUBJECT**	**POSITION**	**STATUS**
AB 1905 Grayson	Prohibits a court from delaying a project under CEQA if the project reduces vehicle miles traveled and is in the Sustainable Communities Strategy.	Support	Died in Assembly Natural Resources Committee.
SB 1119 Newman	Simplifies the administration and tracking of the requirement to spend 50% of LCTOP apportionment to benefit disadvantaged communities.	Support	Passed Senate Transportation & Housing Committee 13-0. Passed Environmental Quality Committee 7-0. In full Senate.

Item # 8K

May 11, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: JUDITH JOHNDUFF, PROGRAM ANALYST

SUBJECT: ADDITIONAL FUNDING FOR THE VENTURA COUNTY COLLEGE EASY RIDE FARE PROMOTION PILOT PROJECT

RECOMMENDATION:

- Approve programming an additional $23,109 of FY 17/18 Low-Carbon Transit Operations Program (LCTOP) funds for the College Easy Ride Fare Promotion Pilot Project for a total of $524,984.

- Authorize the Executive Director to execute all grant documents and cooperative agreements to implement the projects.

BACKGROUND:

The College Easy Ride Fare Promotion Pilot Program was approved by the Ventura County Transportation Commission (VCTC) on April 6, 2018. The project will provide free transit fares to enrolled college/university students at five local schools, including CSUCI, beginning August 2018 through May 2019. The goal of the project is to increase the transit mode share of this growing, but financially impacted demographic.

DISCUSSION:

Fiscal Year 2017/18 is the first year the cities of Camarillo, Simi Valley and Thousand Oaks have been allocated LCTOP funds which are distributed annually based on the proceeds from Cap-and-Trade auctions. These allocations are as follows:

City of Camarillo	$9,560
City of Simi Valley	$6,736
City of Thousand Oaks	$6,813
	$23,109

These LCTOP funds must be programmed for a project in the year they are allocated, or the funds can be contributed to another agency's project. All three cities will be co-sponsoring the project by contributing their FY 17/18 LCTOP Allocations to the College Easy Ride Fare Promotion Pilot Program, increasing the total funding available for this project from $501,875 to $524,984.

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Item #8L

May 11, 2018

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

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

SUBJECT: **SENATE BILL (SB) 1 STATUS OF DISCRETIONARY GRANT APPLICATIONS**

RECOMMENDATION:

- Receive and file.

BACKGROUND:

As the Commission is aware, the Road Repair and Accountability Act, SB 1, provides new transportation revenue of which roughly one third is primarily designated for competitive grants. At the December and January meetings the Commission approved VCTC involvement with SB 1 grant applications for a total of $171,953,000 from two of the competitive grant programs, the Trade Corridor Enhancement Program (TCEP) and the Transit and Intercity Rail Capital Program (TIRCP).

Projects for TCEP are selected by the California Transportation Commission (CTC), and CTC staff has recommended selection of the project VCTC supported, the Rice Avenue Grade Separation. The CTC is scheduled to vote on this staff recommendation at its May 16th meeting. TIRCP project selections have been announced by the State Transportation Agency, and VCTC staff has been informed that all of the proposed work in Ventura County is included in the approved funding. The following is a summary of the TCEP and TIRCP funding applications:

- Rice Avenue Grade Separation: Caltrans application for $68,606,000 from TCEP to provide all the remaining funds required to implement the proposed bridge over the Union Pacific Railroad at Rice Avenue.
- Coastal Express Capital Improvements: Santa Barbara Association of Governments (SBCAG) application for $9.6 million from TIRCP for Coastal Express Expansion capital improvements in support of the Pacific Surfliner Peak Period Service project.
- LOSSAN Track / Station Improvements: LOSSAN Rail Corridor Agency TIRCP application for LOSSAN North that includes $31,417,000 for Camarillo Station Pedestrian Undercrossing and double tracking in the vicinity.
- Metrolink Track / Station Improvements: Southern California Regional Rail Authority (SCRRA) systemwide application for TIRCP including $62,331,000 for Simi Valley Station Platform Extension and double tracking in the vicinity.

It is worth noting that CTC staff is also recommending a combined $167,880,000 from the Solutions for Congested Corridor Program and TCEP for a SBCAG project for Route 101 Multimodal Corridor Improvements including HOV Lanes between Carpinteria and Summerland.

DISCUSSION:

There was a total of $2.6 billion in new TIRCP projects announced by STA, for 28 transit agencies including LOSSAN and SCRRA. The TIRCP is enhanced by more than $240 million annually of SB 1 funding, with the remainder coming from the Cap-and-Trade account. The recommended list for TCEP contains $1.39 billion statewide for freight movement projects. The estimate for the available TCEP funds includes approximately $300 million per year from SB 1, with the remaining funds for that program coming from the federal formula freight program that was newly established under the Fixing America's Surface Transportation (FAST) Act passed in 2015. The Solutions for Congested Corridors Program is entirely funded by approximately $250 million per year from SB 1.

May 11, 2018

Item #8M

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **AARON BONFILIO, PROGRAM MANAGER**

SUBJECT: **AMENDMENT TO THE VCTC INTERCITY TRANSIT SERVICES PROGRAM BUDGET TO ADDRESS FAREBOX SHORTFALL**

RECOMMENDATION:

- Approve the following amendment to the VCTC Intercity Transit Services Budget:
  - Reduction of Farebox Revenues line-item by $65,000 from $1,032,400 to $967,400
  - Correspondingly increase the STA Fund Transfer Revenues line-item by $65,000, from $2,849,281.00 to $2,914,281; and,
- Amend the VCTC STA budget, by increasing the STA Fund Transfer expenditures by $65,000.

BACKGROUND:

Prior to the beginning of each fiscal year staff develops a budget that includes projected ridership (and corresponding fare revenues), and develops anticipated costs for service based on schedule of hours, with a minimal amount of contingency budgeted for service delays and congestion.
With the recent close of the 3rd Quarter ended March 31, 2018, staff has identified variances related to farebox revenues and is projecting a potential shortfall. Currently, VCTC Intercity transit service expenditures are trending at exactly 75% for the fiscal year, i.e. on budget. However, regarding budgeted Farebox revenues, VCTC Intercity is trending at approximately 71% for the fiscal year, or 4% below what was anticipated. This 4% variance in Farebox revenues, equates to a year-end projected shortfall of approximate $58,000. Accordingly, staff recommends that the Commission approve a budget amendment to address the variance and projected shortfall.

DISCUSSION:

VCTC, like many agencies, has experienced declining ridership over the last fiscal year. While staff anticipated a modest decrease in ridership following the May 2017 service reduction (and thus a commensurate decrease in anticipated farebox revenues), the prevailing trend of declining ridership across the region/state/country, combined with the significant drops in ridership during the Thomas Fire and subsequent mud-flows, were substantial. Many riders expressed to VCTC staff that they stayed home (and indoors) or sought alternate travel arrangements in light of potential impacts to service.

In particular, **Coastal Express** service was suspended, or commuters who travel the corridor were warned that service could be suspended, for approximately 29 days out of the 118-day period spanning December 5, 2017 and April 1, 2018. This was due both to the evacuation orders / closures related to the

Thomas Fire, itself, as well as closures (and threat of closures) due to slides and debris flows. The impact of this was pronounced as the **Coastal Express** line historically represents approximately 60% of all VCTC Farebox revenues during any given year.[2] The following chart reflects the prior year breakdown of fare revenue by line. Additionally, another traditionally high-ridership line, **Hwy 126**, saw markedly decreased ridership during December 2017 immediately following the start of the Thomas Fire.[3]

The below tables reflect quarterly year-over-year quarterly ridership by line during the affected period:

2nd QUARTER RIDERSHIP (OCT-NOV-DEC)

Year over Year Comparison

VCTC Intercity Transit	2nd QTR FY 16/17**	2nd QTR FY 17/18	Percent Change
Coastal Express	65,777	48,784	-25.8%
Highway 101/Conejo	30,203	29,406	-2.6%
Highway 126	47,397	40,541	-14.5%
East County	16,661	11,835	-29.0%
CSUCI	30,823	28,263	-8.3%
Oxnard-Camarillo-CSUCI Connector	1,133	5,178	357.0%
VCTC Intercity Total *	**191,994**	**164,007**	**-14.6%**

3rd QUARTER RIDERSHIP (JAN-FEB-MAR)

Year over Year Comparison

VCTC Intercity Transit	3rd QTR FY 16/17**	3rd QTR FY 17/18	Percent Change
Coastal Express	63,994	43,455	-32.1%
Highway 101/Conejo	27,746	28,937	4.3%
Highway 126	43,453	40,460	-6.9%
East County	15,362	10,382	-32.4%
CSUCI	25,519	22,305	-12.6%
Oxnard-Camarillo-CSUCI Connector	1,530	5,592	265.5%
VCTC Intercity Total *	**177,604**	**151,131**	**-14.9%**

** does not include new East West Connector ridership*

***eff. 5/22/2017 VCTC reduced service approximately 9% system-wide*

To address the projected year-end shortfall of $58,000, staff recommends that the Commission approve amendment to the budget by increasing the STA revenues by $65,000, which includes a potential contingency of approximately 13%.

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[2] Fiscal Year 2016/2017 Coastal Express fare revenues totaled $728,813, or 63% of all FY16/17 farebox revenues. Total revenues were $1,163,113 for the year.

[3] VCTC's HWY 126 Route travels between Fillmore, Santa Paula and Ventura.

Item #9

May 11, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AARON BONFILIO, PROGRAM MANAGER

SUBJECT: VCTC INTERCITY TRANSIT SERVICES CONTRACTOR ACQUISITION UPDATE

RECOMMENDATION:

- Approve the attached Letter Agreement between Ventura County Transportation Commission and Roadrunner Management Services, Inc. (Roadrunner), with approval contingent on the successful closing of RATP Dev North America's (RATP Dev) Stock Purchase Agreement with Roadrunner

BACKGROUND:

At the April 2018 meeting, the Commission discussed the proposed acquisition by RATP Dev North America (RATP Dev) of VCTC's transit contract operator, Roadrunner Management Services (Roadrunner). This item was discussed in light of the staff recommendation to issue a Request for Proposals for the VCTC Intercity transit service as set forth in the staff report for that meeting. At the April, 2018 meeting, representatives from RATP Dev and Roadrunner reported to the Commission that their planned stock purchase agreement was again proceeding, and that RATP Dev planned to finalize its purchase of Roadrunner. Staff has been advised that the Stock Purchase Agreement will close on or before May 10, 2018. Following the close of that transaction, Roadrunner will continue to provide intercity transit services, but would be fully owned by RATP Dev.

The April, 2017 Settlement and Contract Termination Agreement (Settlement Agreement) between the Commission and Roadrunner contained terms specific to the resolution of certain disputes between the Commission and Roadrunner, and provided a method for the Commission to terminate the Intercity Transit Services Agreement. If RATP Dev successfully completes its purchase of Roadrunner, the provisions of the Settlement Agreement will, upon approval of the attached Letter Agreement, be inapplicable, and RATP Dev and the Commission with be bound by the terms of the Intercity Transit Services Agreement, as amended by the First Amendment approved by the Commission.

The Letter Agreement (a) terminates the Settlement Agreement, (b) includes a mutual wavier of prior claims so that the Commission and Roadrunner (post-RATP Dev acquisition) have a fresh start, and (c) confirms a prior oral agreement that Roadrunner will reimburse the Commission for the loss of approximately $22,000 of equipment destroyed in a bus fire in October, 2017.

Because the Commission will not execute the Letter Agreement until the Roadrunner/RATP Dev Stock Purchase Agreement has been executed and is in effect, staff requests the Commission's approval be contingent on the occurrence of the closing.

May __, 2018[1]

Roadrunner Management Services, Inc.
240 South Glenn Drive
Camarillo, CA 93010
Attention: ______________

Ladies and Gentlemen:

This letter agreement (this "**Letter Agreement**") is entered into by and between Ventura County Transportation Commission (the "**Commission**") and Roadrunner Management Services, Inc., a California corporation ("**Roadrunner**"), in connection with that certain Settlement and Contract Termination Agreement (the "**Settlement Agreement**"), by and between the Commission and Roadrunner, dated as of April 12, 2017, which modifies certain rights and obligations of the Commission and Roadrunner under the Intercity Transit Services Agreement (the "**Transit Services Agreement**"), dated as of November 26, 2014, by and between the Commission and Roadrunner, which was subsequently amended by that certain First Amendment to Transit Services Agreement, effective as of [May __], 2018, by and between the Commission and Roadrunner (the "**First Amendment**"). Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Settlement Agreement.

The Commission understands and acknowledges that RATP Dev USA, LLC ("**RATP Dev**") has, on the date hereof, acquired all of the issued and outstanding shares of capital stock of Roadrunner (the "**Acquisition**"). Pursuant to the First Amendment, Section 1 of the Settlement Agreement is no longer effective, and the Commission and Roadrunner now desire to terminate the remainder of the Settlement Agreement and to make certain agreements in connection with the Acquisition.

In consideration of the foregoing and other valuable consideration, Roadrunner and the Commission hereby agree as follows:

1. The Settlement Agreement shall be terminated and have no further force and effect as of the date hereof (except as set forth in the last sentence of paragraph 2 hereof).

2. Roadrunner hereby generally releases, absolves, disclaims, and forever discharges the Commission and all of its Related Parties from any and all claims, demands, obligations, actions, causes of action, damages, losses, costs or expenses, based in tort, fraud, contract, statute or of any other nature whatsoever, known or unknown, ascertained or unascertained, suspected or unsuspected, existing or claimed to exist, which Roadrunner previously had or currently has against the Commission, in each

[1] Date of closing of Roadrunner acquisition.

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case as of the date hereof, arising out of or related to the Settlement Agreement or the Transit Services Agreement (the "**Roadrunner Released Claims**"). The release stated in this paragraph 2 shall not apply to any Commission's then-outstanding payment obligations under the Transit Services Agreement, as modified by the Settlement Agreement and the First Amendment, that accrued prior to the date hereof.[2].

3. The Commission hereby generally releases, absolves, disclaims, and forever discharges Roadrunner and all of its Related Parties from any and all claims, demands, obligations, actions, causes of action, damages, losses, costs or expenses, based in tort, fraud, contract, statute or of any other nature whatsoever, known or unknown, ascertained or unascertained, suspected or unsuspected, existing or claimed to exist, which the Commission previously had or currently has against Roadrunner or the Related Parties, in each case as of the date hereof, arising out of or related to the Settlement Agreement or the Transit Services Agreement (the "**Commission Released Claims**"). The release stated in this paragraph 3 shall not apply to Roadrunner's obligations to defend, indemnify and hold harmless the Commission in accordance with the Transit Services Agreement and the First Amendment[3].

4. With respect to the Roadrunner Released Claims and the Commission Released Claims, the parties hereto certify they have read Section 1542 of the California Civil Code, set forth below, and indicate this fact by signing this Agreement:

    SECTION 1542 GENERAL RELEASE – CLAIMS EXTINGUISHED. A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.

    The parties hereto, having read and understood Civil Code Section 1542 for the purpose of implementing the releases set forth in paragraphs 2 and 3 above, expressly waive and relinquish all rights and benefits afforded by Civil Code Section 1542, and do so understanding and acknowledging the significance of such specific waiver of Section 1542.

5. The Commission shall be permitted to offset a pro-rated portion of any Monthly Payment made to Roadrunner pursuant to Section 1.1(b) of the Settlement Agreement, prior to the termination of the Settlement Agreement, during the month in which the Effective Date of the First Amendment occurs against the fixed monthly payment to be made by the Commission to Roadrunner pursuant to Section 8(b) of the Transit Services Agreement, as amended by the First Amendment, during such month. The pro-rated portion of the Monthly Payment that the Commission shall be

[2] Mirrors Sections 3.2 and 3.3 of Settlement Agreement.
[3] Mirrors Section 4.1 of Settlement Agreement.

entitled to offset shall be an amount equal to the product of the Monthly Payment, multiplied by a fraction, the numerator of which is the number of days that have elapsed during such month up to, but not including, the Effective Date of the First Amendment, and the denominator of which is the total number of days in such month.

6. Roadrunner shall replace bus number 989, which was destroyed in a fire on October 25, 2017, with a 2014 Volvo 9700 or equivalent. The Commission shall deduct the sum of $21,577.77 from Roadrunner's first payment following the effective date of this Letter Agreement to compensate the Commission for the depreciated value of the VCTC-owned equipment that was destroyed in the fire.

7. This Letter Agreement shall be binding on, and inure to the benefit of the successors and assigns of the parties hereto. This Letter Agreement is intended to be solely for the benefit of the Commission and Roadrunner and their respective successors and permitted assigns and is not intended to confer any benefits upon, or create any rights in favor of, any other person.

8. This Letter Agreement and the rights and obligations of the parties hereunder and any dispute of claims arising in connection herewith shall be governed by, and construed and interpreted in accordance with, the laws of the State of California. In the event that dispute resolution under Article 49 of the Transit Services Agreement is unsuccessful for any reason, the parties hereto hereby irrevocably submit to the exclusive jurisdiction of any court of the State of California located in the County of Ventura or the United States District Court for the Central District of the State of California, or any appellate courts from any thereof, for the purpose of any suit, action or other proceeding arising out of this Letter Agreement, which is brought by or against any of the parties hereto, and the parties hereto (a) hereby irrevocably agree that all claims in respect of any such suit, action or proceeding may be heard and determined in any such court and (b) hereby agree not to commence any action, suit or proceeding relating to this Letter Agreement other than in such court except to the extent mandated by applicable law. The parties hereto hereby waive any objection that they may now or hereafter have to the venue of any such suit, action or proceeding in any such court or that such suit, action or proceeding was brought in an inconvenient court and agree not to plead or claim the same. Each of the parties hereto hereby acknowledges that it has been advised by counsel in the negotiation, execution and delivery of this letter.

9. In the event of any conflict or inconsistency between the terms of the Transit Services Agreement, as amended by the First Amendment, and the terms of this Letter Agreement, the Transit Services Agreement, as amended by the First Amendment, shall govern.

10. This Letter Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which together shall be deemed one and the same instrument. Electronic and facsimile signatures shall be as valid as original signatures.

[*Remainder of this page intentionally left blank*]

If you are in agreement with the foregoing, kindly sign and return to us the enclosed copy of this Letter Agreement.

Very truly yours,

Ventura County Transportation Commission

By:________________________________
Name:
Title:

Accepted and agreed to as of
the date first above written:

Roadrunner Management Services, Inc.

By:________________________________
Name:
Title:

[Signature Page to VCTC/Roadrunner Side Letter]

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Item # 10

May 11, 2018

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **CLAIRE GRASTY, PROGRAM MANAGER**

SUBJECT: **FISCAL YEAR 2018/2019 TRANSPORTATION DEVELOPMENT ACT (TDA) UNMET TRANSIT NEEDS FINDINGS**

RECOMMENDATION

- Review and Approve the Fiscal Year (FY) 2018/2019 Unmet Transit Needs Findings
- Adopt Resolution No. 2018-06 (Attachment A)

DISCUSSION

The Unmet Transit Needs process is conducted each year to collect requests for new or expanded transit service. Before allocating funds for non-transit purposes the Commission must make a finding that there are no unmet transit needs that are “reasonable to meet” as discussed in the attached FY 18-19 Transit Needs Assessment report (Attachment B).

Pursuant to Senate Bill 203, Ventura County cities with a population under 100,000 and not part of a transit district are subject to the Unmet Needs process. These cities are Camarillo, Fillmore, Moorpark and Santa Paula. VCTC Intercity service does not utilize Article 8 funds for non-transit purposes; however, service requests for the regional service it provides are included in the process. The Gold Coast Transit District (GCTD), City of Ojai, City of Simi Valley, and the City of Thousand Oaks do not utilize or claim TDA Article 8 funds for non-transit purposes and their service is not subject to the Unmet Transit Needs process.

As part of the annually required Unmet Transit Needs Findings, the Citizen’s Transportation Advisory Committee/Social Service Transportation Advisory Committee (CTAC/SSTAC) is required to review and comment on the recommendations which are proposed to be presented to the Commission. Adoption of staff’s and CTAC/SSTAC’s recommendation completes the 2017/18 Unmet Transit Needs process and authorizes distribution of Transportation Development Act (TDA) revenue for non-transit purposes. The Unmet Transit Needs Findings were taken to Transcom for their review and information as well.

Adopted Criteria

In order for a request to be considered an Unmet Transit Need, it must meet either of the two following definitions and must receive at least 15 requests for general public service or 10 requests for disabled service:

- Public transit services not currently provided to reach employment, medical assistance, shop for food or clothing, to obtain social services such as health care, county welfare programs and education programs. Service must be needed by and benefit the general public.

- Service expansions including new routes, significant modifications to existing routes, and major increases in service hours and frequency

If they fulfill the above criteria, the need must also be determined to be reasonable to meet.

Public Input Process
For FY 18-19, the public comment period for the annual process was held from December 21, 2017 – February 28, 2018, though any comments received throughout the year (before the public comment period) were included also.

VCTC collected public input online, over the phone and in person. VCTC hosted an online survey where nearly 160 surveys were collected. A social media campaign was conducted that reached over 20,000 people, including over 8,000 Spanish speaking individuals. A significant number of comments were received through Facebook, email/website, Instagram and over the phone, representing a 140% increase in total public comments since social media advertising was introduced. VCTC also conducted three community meetings (in Santa Paula, Camarillo and Moorpark) and held two public hearings. Articles and/or public notices were printed in the VC Star, Acorn, Santa Paula Times and Vida.

Analysis
Staff screened each comment received based on the criteria; and though VCTC received numerous comments, no requests met or exceeded the 15-comment threshold. **Therefore, there are no unmet transit needs in Ventura County.**

However, VCTC and the operators value all comments and public input as they are essential to improving public transit in Ventura County. The transit providers receive comments about their service through this process and take all feedback received into consideration for future planning purposes.

Comments received spanned a range of service requests from increased frequency to better information. While not at a level to be defined as an Unmet Transit Need, the most frequent comments received were in the following areas:

- Connectivity between the Ventura and the Heritage Valley area to Santa Clarita/Valencia
- Service to the Camarillo Airport area
- Additional service and routes in Camarillo
- Connectivity between Fillmore – Moorpark

Demand expressed for some of these service expansions has been limited and in this case staff is recommending continued monitoring of the ridership demand before pursuing extensive analysis of cost-effectiveness. There has been repetitive demand expressed over the last few years regarding service to, from, and throughout Camarillo, Fillmore-Moorpark, and Ventura-Heritage Valley-Santa Clarita so staff recommends that these services in particular are analyzed for feasibility in the future.

The most frequent comments that are not applicable to the Unmet Transit Needs process but are nonetheless valuable for the operators are the following:

- More frequency on numerous routes and services
- Schedule adjustments
- Later service
- Improved service to LA county
- Additional service in the GCTD service area

Attachment A lists all comments received that pertain to Camarillo, Fillmore, Moorpark or Santa Paula and Attachment B lists all other comments received. The Unmet Transit Needs Assessment and all comments received through the process were reviewed and approved by the CTAC/SSTAC on March 13, 2018. They were also reviewed by Transcom on April 8, 2018.

RECOMMENDATION

At this time, the CTAC/SSTAC and staff is recommending that there are no Unmet Transit Needs. Staff recommends approving the Fiscal Year (FY) 2018/2019 Unmet Transit Needs Findings and Resolution 2018-06. With this, the Transportation Development Act funds can be allocated for streets and roads purposes in cities fewer than 100,000.

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RESOLUTION NO. 2018-06
A RESOLUTION OF THE VENTURA COUNTY
TRANSPORTATION COMMISSION APPROVING
UNMET TRANSIT NEEDS FINDINGS FOR FISCAL YEAR 2018/2019

I. THE VENTURA TRANSPORTATION COMMISSION DOES HEREBY FIND THE FOLLOWING FACTS AND DECLARE THAT SAID FACTS ARE MATERIAL TO ITS DETERMINATIONS MADE HEREIN:

A. The Ventura County Transportation Commission, hereinafter referred to as VCTC, has been designated as the Regional Transportation Planning Agency; and

B. VCTC shall allocate monies in the Local Transportation Fund and State Transit Assistance Fund in accordance with the rules and regulations which implement the Transportation Development Act of 1971 as amended; and

C. The Public Utilities Code, Section 99401.5, requires VCTC to hold a public hearing to determine whether there are any Unmet Public Transportation Needs prior to allocations for streets and roads; and

D. VCTC, on December 1, 2017 reaffirmed methodology and definitions for noticing and conducting the annual Unmet Needs Hearings; and

E. The said Public Hearing was duly noticed and advertised in conformance with these procedures by means of publication of public hearing notices in the major newspapers in the region; press releases, agency web posting; and written notices to interested organizations and individuals; and

F. VCTC has given specific consideration to the following factors in the planning process pursuant to Public Utilities Code 99401.5

   a. Established a Social Services Transportation Advisory Committee by including social services and users' representatives as well as transit operators in conformance with Public Utility Code 99238;
   b. In consultation with the Social Services Transportation Advisory Committee, conducted a transit needs assessment including an assessment of the size and location of identifiable groups likely to be transit dependent or transit disadvantaged and an analysis of the adequacy of existing an alternative public transportation services in meeting the demand; and

G. VCTC, after a review of these factors, considered public testimony at said advertised Public Hearings held on February 2, 2018 and February 12, 2018; and

H. VCTC directed staff in conjunction with its advisory committees to evaluate and determine whether requests received by February 28, 2018 are "unmet transit needs" and are "reasonable to meet" based upon adopted definitions and criteria; and

I. Staff and input from the CTAC/SSTAC advise that there are no regional and community public transit needs within the Cities of Santa Paula, Fillmore, Moorpark, and Camarillo that may be reasonable to meet at this time, based upon adopted definitions.

II. **NOW, THEREFORE, BE IT RESOLVED THAT:** VCTC, acting as the Regional Transportation Planning Agency, makes the following determinations and findings that there are no "unmet transit needs," which are "reasonable to meet" for FY 2018-19.

1. The Chair shall execute this Resolution on behalf of VCTC and the Clerk of the Board shall attest to her signature and the adoption of this resolution.

2. The Executive Director shall before August 15, 2018 forward to the Department of Transportation on behalf of VCTC all of the following:

   a. A copy of the notice of hearing and proof of publication and a description of the actions taken to solicit citizen participation pursuant to Public Utilities Code Section 99238.5;

   b. A copy of the Resolution or minutes documenting VCTC's definitions of "unmet transit needs" and "reasonable to meet", as determined pursuant to Public Utilities Code (use the symbol) 99401.5; and

   c. A copy of this Resolution adopted as required by Public Utilities Code § 99401.5(d).

Executed this 11th day of May, 2018

____

LINDA PARKS, CHAIR, VCTC

ATTEST:

____

Donna Cole, Clerk of the Commission

APPROVED AS TO FORM:

____________________________ __________

Steven T. Mattas, General Counsel Date

Item #11

May 11, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR

SUBJECT: TITLE VI FARE EQUITY SURVEY RESULTS

RECOMMENDATION:

- Receive a presentation on Title VI Fare Equity Survey results from Moore & Associates.
- Provide direction to staff to initiate the process for a fare increase, develop analysis of revenue and ridership impacts of a fare increase, and return to the Commission in June with alternatives.

BACKGROUND:

The Commission last approved a fare increase for VCTC Intercity transit service in November, 2010. Periodic evaluation of our fare structure is an industry best practice, and to this end, VCTC staff has been exploring fare restructuring options. Additionally, the Coastal Express Policy Committee, comprised of members for VCTC and SBCAG, has recommended a fare increase be brought to the full Commission. As such, current demographic and fare payment information is essential to ensure continued compliance with federal Title VI requirements. In 2017, VCTC retained Moore & Associates, Inc. to conduct onboard passenger surveys to compile passenger information regarding fare payment methods as well as demographic information in support of federal Title VI requirements.

Survey objectives included:

- Identify passenger fare payment characteristics, including types of passes used;
- Develop passenger demographic profiles;
- Develop a profile of fare usage by minority and low-income individuals; and
- Identify trip characteristics.

These objectives were reached through the systematic collection of a sufficient number of completed passenger surveys to allow assessments of rider demographics, fare usage patterns, and trip characteristics by route.

Survey Plan

Moore & Associates prepared a survey plan which ensured appropriate coverage of all routes, service days, and day-parts to collect data that accurately represented a snapshot of VCTC bus ridership. This plan resulted in 1,649 valid surveys collected onboard buses from September 5 through September 24, 2017. To ensure appropriate coverage on all routes, Moore & Associates surveyed at least two roundtrips on each route during each day-part. Day-parts are defined as morning (5:30 AM – 9:30 AM), midday (9:30 AM – 2:30 PM), and afternoon/evening (2:30 PM – 8:30 PM). Surveys were available in both

English and Spanish. Intercept data collection was supplemented with an online survey which was administered concurrently.

Rider Detail

By analyzing the simple frequencies arising from the collected data, we developed characteristics of the "typical" VCTC Transit rider:

- Self-identifies as Hispanic and/or Latino (54.9 percent).
- Speaks English very well (83.5 percent).
- Is employed at least part-time. (49.8 percent).
- Is not a student (71.9 percent).
- Reports an approximate household income less than $35,000 (68.6 percent).
- Rides at least three days per week (78 percent).
- Pays cash for their trip (63.4 percent).
-

Key finding

When analyzing the data, Moore & Associates was able to calculate the percentage of respondents who would support each response option regarding a possible fare increase when all lower options are taken into account. For example, respondents who indicated support for a fare increase of 50 cents or less includes all respondents who also indicated "75 cents or less" and "one dollar or less." At least 75 percent of respondents would support a fare increase of at least 25 cents.

Additional data cross-tabulations were also run to compare potential fare increase amount with a possible impact on ridership. Among those who indicated they would pay up to 25 cents, more than 20 percent said the increase would cause them to ride less frequently. This may indicate a higher sensitivity to price that those who would be willing to pay more. The percentage of respondents who said they would ride less is inversely proportional to amount of fare increase. Surprisingly, the greatest number of respondents who would ride more often were also those who would pay as much as one dollar more.

Recommendation

VCTC Intercity has not implemented a fare increase since 2010 and VCTC's fares are generally lower than our peer agencies. The survey results bear out three quarters of riders would support a fare increase of at least 25 cents. For these reasons, staff recommends returning to the Commission with a fare increase proposal at the July, 2018 meeting that would propose a two-phase fare increase process: raising the base (zone 1) fare from $1.25 to $1.50 in the first year, and from $1.50 to $1.75 in the second year; and the zone 2 fare, from $3.00 to $3.50 in the first year, and $3.50 to $4.00 in the second year. Staff analysis will also include assessments of the impact of a fare increase.

Item # 12

May 11, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR

SUBJECT: VCTC BUS ADVERTISING REVENUE PROGRAM

RECOMMENDATION:

- Receive a presentation on VCTC a Bus Advertisement Revenue Program.
- Direct staff to develop a VCTC Bus Advertisement Revenue Program, including recommended advertising policies, products, and rates.

BACKGROUND:

In June, 2015 the Commission explored the concept of pursuing bus advertising. Given the relatively new age of the VCTC transit fleet, the Commission elected to place a moratorium on transit advertising on the VCTC system for two-years. The moratorium has expired and staff is bringing the option of advertising back to the Commission for consideration.

DISCUSSION:

Bus advertising sales is common in the transit industry**.** Placing advertisements on the outside of transit vehicles is a regular practice for many transit systems as it provides systems with additional transit revenue, helps to off-set operating costs, and provides an effective mechanism to promote their own services.

Local transit systems benefit from transit advertising. MTD, in Santa Barbara, and the Gold Coast Transit District, are two local transit systems that benefit from advertising on their fleets. These systems generate roughly $5,000 per vehicle per year. Given that advertising is a new endeavor for VCTC, revenue projections vary. However, it would not be unreasonable to estimate $150,000 per year (30 vehicles at $5,000) gross revenue (similar to neighboring systems). Moreover, as many VCTC buses operate on freeways, advertising on 'freeway' service will optimize revenue to VCTC. This route structure maximizes viewer impressions which, in turn, optimize potential advertising revenues.

Additionally, revenue generated from advertising has no use restrictions. Most transit agencies use advertising funds as a mechanism to offset operating costs.

VCTC could use the advertising space to promote service, partner with other agencies and increase ridership. Unsold advertising space could be utilized to promote VCTC's own service and VCTC projects, whereby programs and services could benefit from "free" promotions on its own fleet. The ability to advertise works in concert with our partner agency (Santa Barbara MTD) on our jointly operated and funded Coastal Express service. The Coastal Express Policy Advisory Committee has recommended that the Commission give serious consideration to creation of a bus advertising program.

Advertising for alcohol, smoking and gambling would be prohibited. Staff will review other agency policies and return to the commission with specific recommendations that, at a minimum, will prohibit advertising for alcohol, smoking and gambling.

A temporary vinyl application (decal) is the most common form of transit advertising. Most vehicle advertising today is produced on an adhesive vinyl that adheres directly to paint on vehicles. Vinyl technology has come a long way since its inception and should cause no damage to vehicles. Current fleet decals may be modified to accommodate advertising at a modest start-up cost. The placement of advertising should not compete with or impact the brand of VCTC buses. Current vehicle decals may be repositioned to better accommodate advertising. See examples in exhibit 1.

There are several models for operating a Bus Advertisement Revenue Program to choose from. Operating an advertising program on a transit system requires sales, installation and removal of advertisements and back office administration. Some transit agencies hire contractors to manage and administer the entire program. Other agencies (like Santa Barbara MTD) handle most of the advertising activities in-house, while Gold Coast Transit utilizes a combination of in-house staff, and consultants. Staff will explore and recommend a preferred approach for operating the advertising program and return to the Commission for authorization.

If authorized by the Commission, staff will return with recommendations for a VCTC Bus Advertisement Revenue Program. The recommendations will include advertisement policies, products and rates as well as a preferred operating model to manage and administer the program.

EXAMPLE: CONCEPT VCTC BUS WITH ADVERTISING


CSU
California State University
CHANNEL ISLANDS
Visit us at csuci.edu/admissions
VCTC
Ventura County
Transportation
Commission


VCTC
Ventura County
Transportation
Commission
VC Star. 2017
Bell Ringer
A tradition since 1979
The Salvation Army
Lorem ipsum dolor sit amet, consectetuer adipiscing elit, sed diam
1800 DONATE

Item #13

May 11, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: APPROVE LOAN OF $21.5 MILLION FROM REGIONAL SURFACE TRANSPORTATION PROGRAM TO ORANGE COUNTY TRANSPORTATION AUTHORITY

RECOMMENDATION:

- Approve loan of $21.5 million from the Ventura County Regional Surface Transportation Program apportionment balance, to the Orange County Transportation Authority (OCTA), with the repayment to occur in Fiscal Year (FY) 2021/22.

BACKGROUND:

Under federal law, Surface Transportation Block Grant (STBG) funds apportioned to California lapse if they are not used within three years. By state law, California distributes a part of its STBG apportionment to counties by formula under the Regional Surface Transportation Program (STP). State law also applies the three-year lapsing rule to the STP apportionments of each county.

VCTC's policy is that the Route 101 improvement early action items project is the priority for STP funds as well as State Transportation Improvement Program (STIP) funds. The STP fund balance must therefore be carefully managed, to build up a large amount of funds that can be used when needed by the project, while at the same time avoiding a lapse of funds. The common practice that is used by a county wishing to build up a STP balance is to provide loans to other counties that are ready to use the funds, so it has been anticipated that VCTC will need to participate in such loans.

Last year VCTC loaned $6 million to the San Joaquin Council of Governments, out of which $3 million has been repaid per the agreed-upon schedule, and the remaining $3 million will be repaid this coming November. However, since there are larger amounts that must be loaned to avoid a lapse, staff has over the past several months informed the other counties in the SCAG region of VCTC's interest in loaning STP funds over the next several years. OCTA has informed VCTC that they have two projects are ready this year to use as much as VCTC currently has available to loan.

DISCUSSION

Given the schedule for the Route 101 project, it appears that significant amounts of STP funds will not be required until FY 2021/22, when the environmental clearance will have been completed and final design can commence. Based on the schedule for when apportionments will lapse, staff estimates that approximately $34 million of STP apportionments will need to be loaned to other counties prior to FY 2021/22, with the loan repayment to be required in that year so that the Route 101 project can access the funds. The Commission has approved $17 million for the Route 101 environmental document, and these funds have been set aside for that project, leaving a balance of $21.5 million that is not needed until FY 2021/22 and can therefore be loaned. The two ready-to-go projects in Orange County could accept even more than the $21.5 million VCTC currently has available, but OCTA can use its local sales tax revenue to advance the remaining cost of the projects and be reimbursed from STP after it receives its FY 2018/19 apportionment. Although VCTC cannot loan more than $21.5 million at this time the proposed loan will allow VCTC to address $21.5 million of its $34 million loan need, so that the future need to loan funds will be greatly reduced. Even with this loan, VCTC will still need to loan an additional $12.5 million in future years to avoid lapsing funds before FY 2021/22.

Given that approximately $34 million must be loaned over time, it will likely be to VCTC's advantage to take any available opportunity to provide a loan, since VCTC cannot be certain when future loan opportunities will become available. The proposed loan will allow VCTC sufficient flexibility to address unanticipated funding needs, because in the fall VCTC is scheduled to receive its FY 2018/19 apportionment of approximately $10 million, along with the remaining $3 million San Joaquin loan repayment. The projected unobligated balance would then remain above $10 million until FY 2021/22 when funds will be are needed for 101.

It should be noted that the recently-approved FY 2017/18 federal budget included a one-time increase of $2.5 billion in the STBG program, above the authorized amount which has been the basis of VCTC's programming assumptions. Staff is still waiting for notification of the amount, if any, by which VCTC's allocation will increase. Any such increase in 2017/18 funds will require obligation in three years and so will result in an increase in the $34 million total loan requirement.

The only risk of the loan to VCTC would be that in the event of a severe federal cutback the OCTA's apportionments would be cut and then the repayment from OCTA could be delayed. It is of course difficult to predict what federal changes could occur between now and 2022. However, since OCTA's apportionment is approximately $40 million per year the cutback would have to be extremely large to prevent OCTA from repaying $21.5 million to VCTC.

At its April 19th meeting, TTAC reviewed and approved the staff recommendation to loan $21.5 million to OCTA.