VENTURA COUNTY TRANSPORTATION COMMISSION

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

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AGENDA*

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

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, OCTOBER 7, 2016
9:00 AM

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

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

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

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

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

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

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

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

8A. APPROVE SUMMARY FROM SEPTEMBER 9, 2016 VCTC MEETING – PG. 5
Recommended Action:
Approve
Responsible Staff: Donna Cole

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

8C. MONTHLY BUDGET REPORT – PG. 15
Recommended Action:
Receive and file
Responsible Staff: Sally DeGeorge

8D. PASSENGER RAIL UPDATE – PG. 21
Recommended Action:
Receive and file
Responsible Staff: Ellen Talbo

8E. ACTIVE TRANSPORTATION PROGRAM CYCLE 3 10-POINT BONUS CRITERIA - PG. 25
Recommended Action:
Approve 10-Point Bonus Criteria for Ventura County Cycle 3 Active Transportation (ATP) projects as shown in Table 1 (Attachment 1) allowing the Ventura County Transportation Commission (VCTC) to advance competitive applications for grant funds under the SCAG Regional ATP Cycle 3 Program.
Responsible Staff: Judy Johnduff

8F. APPROVAL OF REQUEST FOR PROPOSALS FOR STATE REQUIRED TRANSPORTATION DEVELOPMENT ACT (TDA) TRIENNIAL PERFORMANCE AUDITS FOR VENTURA COUNTY TDA CLAIMANTS - PG. 29

Recommended Action:

- *Approve the Request for Proposals (RFP) for State required Transportation Development Act (TDA) triennial performance audits for distribution to appropriate consulting firms.*
- *Approve a budget amendment to increase the Regional Transit Planning Budget consultant services line item by $150,000 for the TDA Triennial Performance Audit; and correspondingly increase the Local Transportation Fund (LTF) revenues by $150,000 from the LTF Balance in the general fund.*

Responsible Staff: Ellen Talbo

8G. CASH MANAGEMENT FOR DELAYED FTA GRANTS – PG. 41

Recommended Action:

Authorize the Executive Director to utilize State Transit Assistance (STA) fund balance for cash-flow purposes for the General Fund, VCTC Intercity Fund and Valley Express Fund expenditures until the Federal Transit Administration (FTA) grants are approved.

Responsible Staff: Sally DeGeorge

8H. LEGISLATIVE UPDATE - PG. 43

Recommended Action:

Receive and File

Responsible Staff: Peter De Haan

9. OXNARD HARBOR DISTRICT QUARTERLY UPDATE - *Oral Report*

Recommended Action:

Receive and File Update provided by Oxnard Harbor District

Responsible Staff: Kristin Decas, Executive Director, Oxnard Harbor District

10 SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (SCRRA)/METROLINK FUNDING-PG.59

Recommended Action:

- *Authorize Executive Director to sign Attachment 1 Fund Exchange Agreement, including any subsequent technical changes with Los Angeles County Metropolitan Transportation Authority (METRO) and Southern California Regional Rail Authority (SCRRA) to exchange $5,103,189 of Section 5307 funds and $6,857,000 of Section 5337 funds in exchange for METRO paying $11,960,189 in Los Angeles County local transportation sales tax funds to SCRRA on behalf of VCTC.*
- *Authorize Executive Director to sign Attachment D Letter of Agreement with the Orange County Transportation Authority (OCTA) for a side exchange of $6,857,000 of Section 5337 funds to facilitate flexibility for METRO's use of the funds received in the Attachment A agreement.*
- *Amend VCTC's FY 2016/2017 budget to shift $643,289 of Local Transportation Funds from Metrolink Equipment to Metrolink Operations; to be offset by a shift of $643,289 of Section 5337 from the operating fund exchange to the Metrolink Equipment project for Ticket Vending Machine replacement.*

Responsible Staff: Martin Erickson, Peter De Haan, Ellen Talbo

11 VCTC OXNARD-CAMARILLO CONNECTOR ROUTE - PG.71

Recommended Action:

Receive and file an update on the implementation of the new VCTC Oxnard-Camarillo Connector bus service

Responsible Staff: Treena Gonzalez

12. VETS RIDE FREE VETERANS DAY FARE PROMOTION- PG.73
Recommended Action:
Receive and File
Responsible Staff: Aaron Bonfilio

13. WILSON & COMPANY INC. CONSTRUCTION MANAGEMENT CONTRACT RATIFICATION-PG.75
Recommended Action:
Ratify agreement with Wilson & Company Inc. for construction management and inspection services not to exceed $65,000 for repairs at two Santa Paula Branch Line (SPBL) highway crossing locations, Highway 126/East Fillmore and Highway 126/Hopper Creek.
Responsible Staff: Steve DeGeorge

14. VCTC GENERAL COUNSEL'S REPORT

15. AGENCY REPORTS

16. CLOSED SESSION

17. ADJOURN to 9:00 a.m. Friday, November 4, 2016

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, SEPTEMBER 9 , 2016
9:00 AM

MEMBERS PRESENT: Bryan MacDonald, City of Oxnard, Vice Chair
Claudia Bill-de la Peña, City of Thousand Oaks
Ginger Gherardi, City of Santa Paula
Brian Humphrey, Citizen Rep., Cities
Severo Lara, City of Ojai
Bill Little, City of Camarillo
Kathy Long, County of Ventura
Manuel Minjares, City of Fillmore
Carl Morehouse, City of San Buenaventura
Steve Sojka, City of Simi Valley
Jim White, Citizen Rep, County
John Zaragoza, County of Ventura
Carrie Bowen, Caltrans District 7

ABSENT: Keith Millhouse, City of Moorpark, Chair
Steve Bennett, County of Ventura
Douglas Breeze, City of Port Hueneme
Peter Foy, County of Ventura
Linda Parks, County of Ventura

CALL TO ORDER

PLEDGE OF ALLGIANCE

ROLL CALL

PUBLIC COMMENTS FOR THOSE ITEMS NOT LISTED ON THIS AGENDA
Cameron Gray, Energy Program Associate, Community Environmental Council, read the following letter:
The Community Environmental Council has focused on developing solutions to the most pressing environmental issues of our time for the last 45 years, with a strong emphasis on local initiatives to improve the sustainability of food systems, increase the share of renewable energy, and accelerate the deployment of cleaner alternative fuel.

We are currently supporting outreach and community engagement activities for the Tri-Counties Hydrogen Readiness Plan, a document that will provide guidance on regional infrastructure planning for hydrogen fueling stations. We want to ensure that we have the best on-the-ground information as we work to complete the plan and move forward with its implementation, so we are currently seeking input from officials and stakeholders in Ventura County.

The CEC provided grant funding to support the regional Hydrogen Readiness Plan's development and related outreach activities in 2015. The Ventura County Air Pollution Control District is a core member of our project team, and the Santa Barbara County Air Pollution Control District is administering the Energy Commission grant.

Hydrogen fuel cell electric vehicles (FCEVs) will play a crucial role in meeting California's air quality and climate change goals. Fuel cells create electricity from a chemical reaction between hydrogen and oxygen, not combustion. This reaction produces zero tailpipe emissions, making FCEVs one of the cleanest vehicle technologies on our road today. Results from a 2014 well-to-wheel analysis show that hydrogen-powered FCEVs reduce GHG emissions by more than 60%, compared to conventional gasoline powered vehicles.

Toyota, Mercedes-Benz, and Hyundai are already offering FCEVs for lease and sale. Audi, Chevy, Nissan, and Honda will follow suit soon. The state has also made a sizeable investment to create a strong, well-connected hydrogen fueling network, with a commitment to fund the construction of 100 hydrogen stations. As of this letter, there are 21 retail hydrogen stations open in California. Earlier this year, the Tri-Counties' first hydrogen fueling station opened in Santa Barbara, and planning and permitting are underway for a fueling station in Thousand Oaks.

Moving forward, the Tri-Counties Hydrogen Readiness Plan will provide a crucial foundation for siting additional hydrogen fueling stations in the region as the FCEV market grows. If you would like to learn more about the plan and provide our project team with input, please contact us so we can schedule a meeting with you.

Commissioner Bill-de la Peña *made a request for a future agenda item reporting on alternate fueling options including hydrogren. Darren Kettle responded that VCTC would look at the concept jointly with the County Air Pollution Control District*.

Daniel Chavez - Oxnard resident, spoke in support of Measure AA, saying that it would help Ventura County's transit systems operations by allowing us to tap into resources we don't currently have. This tax is necessary to enhance transit to make connections more accessible and work toward a unified system.

CALTRANS REPORT -
Carrie Bowen reported on the recent loss of a Caltrans employee. Jorge Lopez, a maintenance electrician was hit by a big rig while on duty. Services will be held next Friday. She reminded everyone to please slow for workers. Mr. Lopez was the 185th Caltrans employee to lose his life on the job.

COMMISSIONERS REPORTS
Commissioner Morehouse said SCAG continues to fight for our share of Cap and Trade money. He invited all to attend an Economic Forum hosted by SCAG October 11th from 8-2 pm .

Commissioner Humphrey would like to see an annual item on our consent calendar that focuses on the agency's needs in the event of a disaster. He suggested a single page, 12-point checklist of procedures, in coordination with other agencies, so that we are prepared for foreseeable emergencies and disasters.

Commissioner White commended Carrie Bowen and Caltrans on the recent resurfacing on 101 between Ventura and Santa Barbara. The work was completed a week before a large bike ride event. Cyclists were ecstatic on the difference in the smoothness of the ride.

EXECUTIVE DIRECTOR REPORT -
Darren Kettle introduced VCTC's newest employee, Jeni Eddington, Administrative Assistant to the Transit Department. He also announced the recent birth of Harrison Bonfilio to VCTC's Aaron Bonfilio and wife Katie.

ADDITIONS/REVISIONS – *Commissioner Humphrey made a motion to take Item # 8I off the Consent Calendar for discussion. Commissioner Sojka seconded the motion which passed unanimously.*

CONSENT CALENDAR -
Commissioner Gherardi made a motion to approve all items as recommended on the Consent Calendar:

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

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

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

8D. FISCAL YEAR 2016/2017 CARRY-OVER BUDGET AMENDMENTS - *Amend the VCTC Fiscal Year 2016/2017 budget to carry-forward revenues and expenses from Fiscal Year 2015/2016.*

8E. AMENDMENT TO THE PROPOSITION 1B SECURITY GRANT AGREEMENT WITH THE SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY - *Approve the Amendment to the Cooperative Agreement with the Southern California Regional Rail Authority to use the remaining approximately $262,000 balance of funds and any accrued interest from the Metrolink Tunnel 26 Electrical and Security System project for security projects at the Moorpark Layover Yard and Station.*

8F. LEGISLATIVE UPDATE– *Receive and File*

8G. JOINT RESOLUTION AMENDING CONFLICT OF INTEREST CODE TO AMEND AND EXPAND THE LIST OF POSITIONS REQUIRED TO FILE DISCLOSURES - *Approve a joint resolution adopting an amended Conflict of Interest Code for the VCTC Agencies.*

8H. MOORE & ASSOCIATES CONTRACT AMENDMENT NO. 1 - *Authorize the VCTC Executive Director to execute Contract Amendment No. 1 to the Valley Express marketing and outreach Consulting Services Agreement with Moore & Associates dated June 13, 2016, by amending the not-to-exceed compensation of the Agreement from $59,000 to $68,128 to include past work done during the prior fiscal year commencing in May 2016 through June 2016.*

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

8I. UPDATE ON SENATE BILL 203 REPORT
Commissioner Sojka made a motion to receive and file the report. The motion was seconded by Commissioner Lara and passed unanimously.

9. LETTER OF AGREEMENT WITH ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR PROPOSITION 1B TRADE CORRIDOR FUNDS -
Commissioner Gherardi made a motion **to** *approve a Letter of Agreement providing to OCTA the $3,094,000 unexpended balance of VCTC's share of Proposition 1B Trade Corridor funds to count towards repayment of $3,094,000 advanced by OCTA towards VCTC's share of the Positive Train Control project. The motion was seconded by Commissioner Zaragoza and passed by a unanimous roll call vote.*

10. CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM TRANSIT PROJECTS SELECTION -
Commissioner Gherardi made a motion to approve $2,000,000 of CMAQ funds to purchase a new countywide automatic vehicle locator system and to complete GFI installation on all county buses; and $500,000 for the Fiscal Year 2017/18 countywide transit marketing program. The motion was seconded by Commissioner Long and passed by a unanimous roll call vote.

11. STATE ADVOCACY SERVICES CONTRACT -
Commissioner Morehouse made a motion to approve a two-year contract extension with Gonzalez, Quintana, Hunter & Cruz, LLC for State Advocacy Services, for a cost of $4,500 per month plus expenses. The motion was seconded by Commissioner Zaragoza and passed by a unanimous roll call vote.

12. SAFE CALL BOX PERMANENT REMOVAL APPROVAL -
Commissioner Humphrey made a motion to approve the permanent removal of as many as 141 call boxes. The motion was seconded by Commissioner Sojka and passed by a unanimous roll call vote.

13. VCTC GENERAL COUNSEL'S REPORT - No Report

14. AGENCY REPORTS - No Reports

15. CLOSED SESSION - No Announcement From Closed Session
Conference with Legal – Existing Litigation
(Pursuant to Government Code Section 54956.9(d)(1).
VCTC v. Fillmore & Western, Case No. 56-2014-00449769-CL-WM-VTA
Fillmore & Western v. VCTC, Case No. 56-2014-00450239-CU-BC-VTA

Conference with Legal Counsel – Anticipated Litigation
(Pursuant to Government Code Section 54956.9(d).
Significant Exposure to Litigation – One Case

16. ADJOURN (In memory of Jorge Lopez) to 9:00 a.m. Friday, October 7, 2016

Item # 8B

October 7, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for July 2016

BACKGROUND:

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

The July 31, 2016 budget reports indicate that revenues were approximately 3.2% of the adopted budget while expenditures were approximately 4.27% 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.

It should be noted that Fiscal Year 2015/2016 is in the process of being finalized and audited. The fund balances and accruals are considered estimates until Fiscal Year 2015/2016 is closed and the audit is final. Because of the lengthy and time consuming year-end closing process, the invoicing for July reimbursements have not been processed. These revenues will be reflected in the September financials.

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

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

VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF JULY 31, 2016

ASSETS

Assets:	
Cash and Investments - Wells Fargo Bank	$ 6,698,462
Cash and Investments - County Treasury	13,189,766
Petty Cash	130
Receivables/Due from other funds	9,069,385
Prepaid Expenditures	150,123
Deposits	15,836
Capital Assets, undepreciated	26,153,437
Capital Assets, depreciated, net	32,991,740
Total Assets:	**$88,268,879**

LIABILITIES AND FUND BALANCE

Liabilities:	
Accrued Expenses/Due to other funds	$ 2,116,028
Deferred Revenue	2,382,893
Deposits	400
Total Liabilities:	**$ 4,499,321**
Net Position:	
Invested in Capital Assets	$59,145,177
Fund Balance	24,624,381
Total Net Position	**$83,769,558**
Total Liabilities and Fund Balance:	**$88,268,879**

For Management Reporting Purposes Only

VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE ONE MONTH ENDING JULY 31, 2016

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Annual to Date	Variance Actual	% Year Actual
Revenues										
Federal Revenues	$ 0	$ 0	$ 0	$ 0	$ 225,035	$ 0	$ 225,035	$13,540,035	(13,315,000)	1.66
State Revenues	0	0	0	0	0	0	0	41,026,552	(41,026,552)	0.00
Local Revenues	253,834	0	0	0	466,804	941,810	1,662,448	4,311,459	(2,649,011)	38.56
Other Revenues	0	0	0	0	0	0	0	0	0	0.00
Interest	30	0	0	2	0	0	32	95,000	(94,968)	0.03
Total Revenues	**253,864**	**0**	**0**	**2**	**691,839**	**941,810**	**1,887,515**	**58,973,046**	**(57,085,531)**	**3.20**
Expenditures										
Administration										
Personnel Expenditures	184,350	0	0	0	0	0	184,350	2,975,000	(2,790,650)	6.20
Legal Services	407	0	0	0	0	0	407	25,000	(24,593)	1.63
Professional Services	8,174	0	0	0	0	0	8,174	106,500	(98,326)	7.68
Office Leases	11,800	0	0	0	0	0	11,800	155,300	(143,500)	7.60
Office Expenditures	15,458	0	0	0	0	0	15,458	435,700	(420,242)	3.55
Total Administration	**220,189**	**0**	**0**	**0**	**0**	**0**	**220,189**	**3,697,500**	**(3,477,311)**	**5.96**
Programs and Projects										
Transit & Transportation Program										
Senior-Disabled Transportation	17,519	0	0	0	0	0	17,519	257,600	(240,081)	6.80
Fare Collection APC Systems	1,117	0	0	0	0	0	1,117	348,800	(347,683)	0.32
VCTC Intercity Bus Service	0	0	0	0	600,308	0	600,308	8,345,300	(7,744,992)	7.19
HVT Bus Contract Services	0	0	0	0	0	144,810	144,810	1,969,700	(1,824,890)	7.35
Nextbus	0	0	0	0	0	0	0	231,500	(231,500)	0.00
Transit Grant Administration	1,224	0	0	0	0	0	1,224	6,492,100	(6,490,876)	0.02
Total Transit & Transportation	**19,860**	**0**	**0**	**0**	**600,308**	**144,810**	**764,978**	**17,645,000**	**(16,880,022)**	**4.34**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Annual to Date	Variance Actual	% Year Actual
Highway Program										
Motorist Aid Call Box System	0	0	0	27,696	0	0	27,696	448,000	(420,304)	6.18
Highway Project Management	0	0	0	0	0	0	0	502,500	(502,500)	0.00
SpeedInfo Highway Speed Sensor	0	0	0	10,100	0	0	10,100	144,000	(133,900)	7.01
Total Highway	**0**	**0**	**0**	**37,796**	**0**	**0**	**37,796**	**1,094,500**	**(1,056,704)**	**3.45**
Rail Program										
Metrolink & Commuter Rail	9,471	0	0	0	0	0	9,471	4,582,170	(4,572,699)	0.21
LOSSAN & Coastal Rail	63	0	0	0	0	0	63	6,100	(6,037)	1.03
Santa Paula Branch Line	8,619	0	0	0	0	0	8,619	700,500	(691,881)	1.23
Total Rail	**18,153**	**0**	**0**	**0**	**0**	**0**	**18,153**	**5,288,770**	**(5,270,617)**	**0.34**
Commuter Assistance Program										
Transit Information Center	0	0	0	0	0	0	0	31,500	(31,500)	0.00
Rideshare Programs	79	0	0	0	0	0	79	67,600	(67,521)	0.12
Total Commuter Assistance	**79**	**0**	**0**	**0**	**0**	**0**	**79**	**99,100**	**(99,021)**	**0.08**
Planning & Programming										
Transportation Development Act	0	1,525,075	0	0	0	0	1,525,075	30,422,980	(28,897,905)	5.01
Transportation Improvement Program	63	0	0	0	0	0	63	47,300	(47,237)	0.13
Regional Transportation Planning	46,231	0	0	0	0	0	46,231	589,500	(543,269)	7.84
Airport Land Use Commission	0	0	0	0	0	0	0	9,000	(9,000)	0.00
Regional Transit Planning	1,517	0	0	0	0	0	1,517	325,700	(324,183)	0.47
Freight Movement	0	0	0	0	0	0	0	11,800	(11,800)	0.00
Total Planning & Programming	**47,811**	**1,525,075**	**0**	**0**	**0**	**0**	**1,572,886**	**31,406,280**	**(29,833,394)**	**5.01**
General Government										
Community Outreach & Marketing	54,710	0	0	0	0	0	54,710	529,400	(474,690)	10.33
State & Federal Relations	18,338	0	0	0	0	0	18,338	106,900	(88,562)	17.15
Management & Administration	2,634	0	0	0	0	0	2,634	81,000	(78,366)	3.25
Office Building Purchase	2,538	0	0	0	0	0	2,538	3,117,001	(3,114,463)	0.08
Total General Government	**78,220**	**0**	**0**	**0**	**0**	**0**	**78,220**	**3,834,301**	**(3,756,081)**	**2.04**
Total Expenditures	**384,312**	**1,525,075**	**0**	**37,796**	**600,308**	**144,810**	**2,692,301**	**63,065,451**	**(60,373,150)**	**4.27**
Revenues over (under) expenditures	**(130,448)**	**(1,525,075)**	**0**	**(37,794)**	**91,531**	**797,000**	**(804,786)**	**(4,092,405)**	**3,287,619**	**19.67**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Annual to Date	Variance Actual
Other Financing Sources									
Transfers Into GF from LTF	1,443,480	0	0	0	0	0	1,443,480	4,307,713	(2,864,233)
Transfers Into GF from STA	0	0	0	0	1,500,000	0	1,500,000	6,681,392	(5,181,392)
Transfers Into GF from SAFE	0	0	0	0	0	0	0	15,000	(15,000)
Transfers Out LTF into GF	0	(1,443,480)	0	0	0	0	(1,443,480)	(4,307,713)	2,864,233
Transfers Out of STA into GF	0	0	(1,500,000)	0	0	0	(1,500,000)	(6,681,392)	5,181,392
Transfers Out of SAFE into GF	0	0	0	0	0	0	0	(15,000)	15,000
Total Other Financing Sources	**1,443,480**	**(1,443,480)**	**(1,500,000)**	**0**	**1,500,000**	**0**	**0**	**0**	**0**
Net Change in Fund Balances	**1,313,032**	**(2,968,555)**	**(1,500,000)**	**(37,794)**	**1,591,531**	**797,000**	**(804,786)**	**(4,092,405)**	**3,287,619**
Beginning Fund Balance	**2,469,487**	**8,108,784**	**10,793,820**	**4,048,076**	**0**	**9,000**	**25,429,167**	**17,224,142**	**8,205,025**
Ending Fund Balance	**$3,782,519**	**$5,140,229**	**$9,293,820**	**$4,010,282**	**$1,591,531**	**$806,000**	**$24,624,381**	**$13,131,737**	**$11,492,644**

For Management Reporting Purposes Only

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

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

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo – Checking	Government Checking	N/A	$ 37.61	0.01%	$ 6,698,461.90
County of Ventura	Treasury Pool	N/A	0.00	0..50%	13,165,665.96
Total			**$ 37.61**		**$19,864,127.86**

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

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

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

For Management Reporting Purposes Only

Item # 8C

October 7, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for August 2016

BACKGROUND:

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

The August 31, 2016 budget reports indicate that revenues were approximately 3.84% of the adopted budget while expenditures were approximately 9.98% 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.

It should be noted that Fiscal Year 2015/2016 is in the process of being finalized and audited. The fund balances and accruals are considered estimates until Fiscal Year 2015/2016 is closed and the audit is final. Because of the lengthy and time consuming year-end closing process, the invoicing for July and August reimbursements have not been processed. These revenues will be reflected in the September financials.

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

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

VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF AUGUST 31, 2016

ASSETS

Assets:	
Cash and Investments - Wells Fargo Bank	$ 6,004,220
Cash and Investments - County Treasury	14,515,779
Petty Cash	130
Receivables/Due from other funds	4,103,561
Prepaid Expenditures	150,073
Deposits	15,836
Capital Assets, undepreciated	26,153,437
Capital Assets, depreciated, net	32,991,740
Total Assets:	**$83,934,776**

LIABILITIES AND FUND BALANCE

Liabilities:	
Accrued Expenses/Due to other funds	$ 1,050,144
Deferred Revenue	2,430,280
Deposits	400
Total Liabilities:	**$ 3,480,824**
Net Position:	
Invested in Capital Assets	$59,145,177
Fund Balance	21,308,775
Total Net Position	**$80,453,952**
Total Liabilities and Fund Balance:	**$83,934,776**

For Management Reporting Purposes Only

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

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Annual to Date	Variance Actual	% Year Actual
Revenues										
Federal Revenues	$ 96,264	$ 0	$ 0	$ 0	$ 444,841	$ 0	$ 541,105	$14,749,231	(14,208,126)	3.67
State Revenues	0	0	0	0	0	0	0	41,062,316	(41,062,316)	0.00
Local Revenues	263,239	0	0	0	535,716	970,005	1,768,960	4,311,459	(2,542,499)	41.03
Other Revenues	42	0	0	0	0	0	42	0	42	0.00
Interest	68	0	0	6	0	0	74	95,000	(94,926)	0.08
Total Revenues	**359,613**	**0**	**0**	**6**	**980,557**	**970,005**	**2,310,181**	**60,218,006**	**(57,907,825)**	**3.84**
Expenditures										
Administration										
Personnel Expenditures	392,073	0	0	0	0	0	392,073	2,975,000	(2,582,927)	13.18
Legal Services	1,457	0	0	0	0	0	1,457	25,000	(23,543)	5.83
Professional Services	12,129	0	0	0	0	0	12,129	106,500	(94,371)	11.39
Office Leases	23,600	0	0	0	0	0	23,600	155,300	(131,700)	15.20
Office Expenditures	20,697	0	0	0	0	0	20,697	435,700	(415,003)	4.75
Total Administration	**449,956**	**0**	**0**	**0**	**0**	**0**	**449,956**	**3,697,500**	**(3,247,544)**	**12.17**
Programs and Projects										
Transit & Transportation Program										
Senior-Disabled Transportation	38,049	0	0	0	0	0	38,049	257,600	(219,551)	14.77
Fare Collection APC Systems	2,476	0	0	0	0	0	2,476	348,800	(346,324)	0.71
VCTC Intercity Bus Service	0	0	0	0	1,234,839	0	1,234,839	9,703,300	(8,468,461)	12.73
HVT Bus Contract Services	0	0	0	0	0	259,731	259,731	1,969,700	(1,709,969)	13.19
Nextbus	0	0	0	0	0	0	0	231,500	(231,500)	0.00
Transit Grant Administration	11,432	0	0	0	0	0	11,432	6,492,100	(6,480,668)	0.18
Total Transit & Transportation	**51,957**	**0**	**0**	**0**	**1,234,839**	**259,731**	**1,546,527**	**19,003,000**	**(17,456,473)**	**8.14**
Highway Program										
Motorist Aid Call Box System	0	0	0	46,491	0	0	46,491	448,000	(401,509)	10.38
Highway Project Management	0	0	0	0	0	0	0	502,500	(502,500)	0.00
SpeedInfo Highway Speed Sensor	0	0	0	10,100	0	0	10,100	144,000	(133,900)	7.01
Total Highway	**0**	**0**	**0**	**56,591**	**0**	**0**	**56,591**	**1,094,500**	**(1,037,909)**	**5.17**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Annual to Date	Variance Actual	% Year Actual
Rail Program										
Metrolink & Commuter Rail	1,121,171	0	0	0	0	0	1,121,171	4,582,170	(3,460,999)	24.47
LOSSAN & Coastal Rail	63	0	0	0	0	0	63	6,100	(6,037)	1.03
Santa Paula Branch Line	28,777	0	0	0	0	0	28,777	700,500	(671,723)	4.11
Total Rail	**1,150,011**	**0**	**0**	**0**	**0**	**0**	**1,150,011**	**5,288,770**	**(4,138,759)**	**21.74**
Commuter Assistance Program										
Transit Information Center	0	0	0	0	0	0	0	31,500	(31,500)	0.00
Rideshare Programs	315	0	0	0	0	0	315	67,600	(67,285)	0.47
Total Commuter Assistance	**315**	**0**	**0**	**0**	**0**	**0**	**315**	**99,100**	**(98,785)**	**0.32**
Planning & Programming										
Transportation Development Act	0	3,008,435	0	0	0	0	3,008,435	30,422,980	(27,414,545)	9.89
Transportation Improvement Program	1,545	0	0	0	0	0	1,545	47,300	(45,755)	3.27
Regional Transportation Planning	47,414	0	0	0	0	0	47,414	589,500	(542,086)	8.04
Airport Land Use Commission	0	0	0	0	0	0	0	9,000	(9,000)	0.00
Regional Transit Planning	6,203	0	0	0	0	0	6,203	325,700	(319,497)	1.90
Freight Movement	0	0	0	0	0	0	0	11,800	(11,800)	0.00
Total Planning & Programming	**55,162**	**3,008,435**	**0**	**0**	**0**	**0**	**3,063,597**	**31,406,280**	**(28,342,683)**	**9.75**
General Government										
Community Outreach & Marketing	127,302	0	0	0	0	0	127,302	529,400	(402,098)	24.05
State & Federal Relations	28,971	0	0	0	0	0	28,971	106,900	(77,929)	27.10
Management & Administration	4,765	0	0	0	0	0	4,765	81,000	(76,235)	5.88
Office Building Purchase	2,538	0	0	0	0	0	2,538	3,117,001	(3,114,463)	0.08
Total General Government	**163,576**	**0**	**0**	**0**	**0**	**0**	**163,576**	**3,834,301**	**(3,670,725)**	**4.27**
Total Expenditures	**1,870,977**	**3,008,435**	**0**	**56,591**	**1,234,839**	**259,731**	**6,430,573**	**64,423,451**	**(57,992,878)**	**9.98**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Annual to Date	Variance Actual
Revenues over (under) expenditures	**(1,511,364)**	**(3,008,435)**	**0**	**(56,585)**	**(254,282)**	**710,274**	**(4,120,392)**	**(4,205,445)**	**85,053**
Other Financing Sources									
Transfers Into GF from LTF	1,443,480	0	0	0	0	0	1,443,480	4,307,713	(2,864,233)
Transfers Into GF from STA	0	0	0	0	1,500,000	0	1,500,000	6,681,392	(5,181,392)
Transfers Into GF from SAFE	0	0	0	0	0	0	0	15,000	(15,000)
Transfers Out LTF into GF	0	(1,443,480)	0	0	0	0	(1,443,480)	(4,307,713)	2,864,233
Transfers Out of STA into GF	0	0	(1,500,000)	0	0	0	(1,500,000)	(6,681,392)	5,181,392
Transfers Out of SAFE into GF	0	0	0	0	0	0	0	(15,000)	15,000
Total Other Financing Sources	**1,443,480**	**(1,443,480)**	**(1,500,000)**	**0**	**1,500,000**	**0**	**0**	**0**	**0**
Net Change in Fund Balances	**(67,884)**	**(4,451,915)**	**(1,500,000)**	**(56,585)**	**1,245,718**	**710,274**	**(4,120,392)**	**(4,205,445)**	**85,053**
Beginning Fund Balance	**2,469,487**	**8,108,784**	**10,793,820**	**4,048,076**	**0**	**9,000**	**25,429,167**	**17,224,142**	**8,205,025**
Ending Fund Balance	**$2,401,603**	**$3,656,869**	**$9,293,820**	**$3,991,491**	**$ 1,245,718**	**$ 719,274**	**$ 21,308,775**	**$13,018,697**	**$ 8,290,078**

For Management Reporting Purposes Only

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

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

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo – Checking	Government Checking	N/A	$ 92.24	0.01%	$ 6,004,220.02
County of Ventura	Treasury Pool	N/A	0.00	0..50%	14,491,679.20
Total			**$ 92.24**		**$20,495,899.22**

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.

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For Management Reporting Purposes Only

Item #8D

October 7, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: ELLEN TALBO, TRANSIT PLANNING MANAGER

SUBJECT: PASSENGER RAIL UPDATE

RECOMMENDATION:

- Receive and file.

BACKGROUND:

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

DISCUSSION:

Metrolink

During the month of August, ridership on the Ventura County portion of the VC Line averaged 1,656 total boardings per weekday (inbound and outbound) resulting in a year over year decrease of 13.9% on the line. Systemwide ridership experienced a year over year increase of 1.3%. Monthly ridership statistics for the month of August 2016 are provided in the attachment for reference. Metrolink on-time performance, which denotes trains arriving within five minutes of scheduled time, for the month of August was 94.4% reflecting little change from the monthly average. On-time performance on the VC Line continues to perform above the systemwide average.

In July, the Board took action to reprogram $1.5 million of funding for equipment maintenance services to address needed repairs to the Hyndai Rotem cab cars. Since the Board's action, Metrolink has been working to replace the BNSF locomotives with new Tier 4 locomotives and repaired cab cars. As of mid-September there are currently 24 BNSF locomotives still in service and 8 locomotives have been permanently returned to BNSF. The Metrolink CEO announced that they are working to remove all the leased BNSF locomotives from service by the end of November 2016.

LOSSAN

LOSSAN staff continues efforts to expand and enhance the *Pacific Surfliner* service. The planned implementation date of the 12th roundtrip has been adjusted due to delays in host railroad approvals. The 12th roundtrip was anticipated to begin on October 3, 2016, consistent with the regular schedule change; however the start date has been adjusted and is now anticipated to be October 31, 2016. This adjustment will allow for the 12th roundtrip to commence following the three absolute work windows (Los Angeles – San Diego) planned for the weekends of October 8-9, 15-16 and 22-23, 2016, and in time for both the Fall Del Mar race season and the busy Thanksgiving week. LOSSAN staff is working on a robust marketing campaign for this exciting new addition to the *Pacific Surfliner* service and will provide updates to the Board of Directors as the launch data approaches.

August 2016 Metrolink Ridership

AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)
AUGUST 2016 vs. JULY 2016 (MONTH OVER MONTH)

MO/YR	Ventura County Portion	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA (weekday)
Aug-16	1,656	3,368	38,093	154
Jul-16	1,546	3,194	36,983	155
Change	*7.12%*	*5.45%*	*3.00%*	*-0.65%*

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

MO/YR	Ventura County Portion	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA (weekday)
Aug-16	1,656	3,368	38,093	154
Aug-15	1,925	3,673	40,435	152
Change	*-13.97%*	*-8.30%*	*-5.79%*	*1.32%*

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

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Average Daily Metrolink Monthly Passholders on Amtrak (weekday)
16-Aug	3,368	1,656	38,093	154
15-Aug	3,673	1,925	40,435	152
14-Aug	3,431	1,858	39,617	175
13-Aug	3,590	1,843	40,701	184
12-Aug	3,674	1,954	42,335	149

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Item #8E

October 7, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: JUDITH JOHNDUFF, PROGRAM ANALYST

SUBJECT: ACTIVE TRANSPORTATION PROGRAM CYCLE 3 10-POINT BONUS CRITERIA

RECOMMENDATION:

- Approve 10-Point Bonus Criteria for Ventura County Cycle 3 Active Transportation (ATP) projects as shown in Table 1 (Attachment 1) allowing the Ventura County Transportation Commission (VCTC) to advance competitive applications for grant funds under the SCAG Regional ATP Cycle 3 Program.

BACKGROUND:

The Active Transportation Program (ATP) was created by Senate Bill 99 (Chapter 359, Statutes of 2013) and by Assembly Bill 101 (Chapter 354, Statutes of 2013) to fund projects that increase and promote bicycle and pedestrian trips. The ATP Cycle 3 program budget is anticipated to be approximately $240 million and will cover fiscal years 2019/2020 and 2020/2021. Cycle 3 applications were due to Caltrans by June 15, 2016.

Summary of the Application Review Process: Caltrans and the California Transportation Commission (CTC) review all ATP project applications and scores are assigned to each project application based on the Caltrans/CTC Scoring Rubric. Applications can receive a maximum of 100 points.

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

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

Statewide Competition: Project applications are currently being scored by Caltrans/CTC. Those projects with the highest ranking that can be funded with the approximately $120 million available will receive funding through the statewide competitive program. Staff recommendations for funding through the Statewide Competition are expected to be announced at the end of October.

Regional Program: Those projects that don't make the cut-off for the statewide competitive program are forwarded to the MPO's for consideration under the Regional Program. Per the SCAG guidelines, VCTC can add up to 10 points to the CTC-assigned scores to prioritize projects that advance county priorities.

On June 3, 2016, VCTC adopted, based upon the Transportation Technical Advisory Committee's (TTAC) recommendation, criteria for adding up to 10-points to prioritize Ventura County projects. According to the adopted criteria, VCTC will award 5 points if a project is consistent with one or more of twenty-one identified regional/local plans and 5 points if the project is a Safe Routes to Schools (SRTS) project as shown below:

ATP Regional Ten Point Criteria

Point Award Consideration	Title of Regional/Local Plan
5 points awarded if the proposed project is consistent with 1 or more of the following:	Ventura County Bike Plan (2007)
	City of Ojai Bicycle and Pedestrian Master Plan (1999)
	Santa Paula Branch Line Recreational Trail Compatibility Survey (2015)
	Santa Paula Branch Line Trail Master Plan (1996)
	Fillmore Business Park Master Plan (2008)
	Heritage Valley Parks Specific Plan, Fillmore CA (2002)
	Moorpark College Facilities Master Plan (2005-2015)
	Moorpark Master Bicycle Transportation Plan (2008)
	City of Simi Valley Bicycle Master Plan (2008)
	Simi Valley Green Community Action Plan (2010)
	City of Thousand Oaks Bicycle Master Plan (2010)
	Thousand Oaks Boulevard Specific Plan (2012)
	Camarillo Commons Strategic Plan (2007)
	City of Oxnard Bicycle and Pedestrian Master Plan (2011)
	Santa Clara River Trail Master Plan (2011)
	Oxnard Corridor Transportation Improvement Plan – A Livable Oxnard (current)
	City of Ventura Bicycle Master Plan (2011)
	City of Port Hueneme Bicycle Master Plan
	County of Ventura Transportation Strategic Master Plan (2012)
	City of Camarillo Bikeway Master Plan (2009)
	Adopted 5-Year Capital Improvement Plans
5 points awarded	Safe Routes 2 Schools (SRTS)

DISCUSSION:

Jurisdictions within Ventura County submitted seven (7) ATP Cycle 3 applications. The project scores are listed on Table 1 in Attachment 1. Six of the seven projects qualified to receive the total allowable 10 points. The remaining project received 5 points. Details regarding the project scoring criteria are provided in Table 2 in Attachment 2.

On September 15, 2016, the Transportation Technical Advisory Committee (TTAC) reviewed the scoring information and recommends the Commission approve additional points as shown in Table 1.

Next Steps: The VCTC approved point scores for Ventura County's projects will be forwarded to SCAG. SCAG is scheduled to review and approve the Regional Program in early 2017.

Attachment 1

Table 1. ATP CYCLE 3
VENTURA COUNTY PROJECT APPLICATION TEN POINT SCORING

Applicant	Project Name	Project Description	Plan Consistency 5 Points	SRTS 5 Points	TOTAL POINTS
City of Oxnard	Etting Road Sidewalk and Bike Lanes Project	Install sidewalks, curb, gutter, and access ramps, and widen the road to accommodate bike lanes. It will also install crosswalks, crosswalk flashing beacons, and street lights, as well as an all-way stop at the intersection of Etting and Olds Roads.	**5**	**5**	**10**
City of Thousand Oaks	Conejo School Road and Willow Lane Safe Routes to Schools (SRTS) Sidewalk Improvement Project	Construct sidewalks on Conejo School Road and Willow Lane to provide a safe route to Conejo Elementary School and Colina Middle School and provide safe access to Thousand Oaks Boulevard to access to regional transit, shopping and jobs.	**5**	**5**	**10**
City of Thousand Oaks	Moorpark Road Sidewalk Safety Project	Installation of 4,600 linear feet of six-foot wide concrete sidewalk, concrete curb and gutter, ADA curb ramps, and retaining walls to fill missing gaps in the sidewalk network near Thousand Oaks High School.	**5**	**5**	**10**
City of Ventura	Harmon Barranca Corridor Gap Closure for Montalvo and Portola Elementary Schools	Provide Class IV Cycle Track and Class III Bike Boulevard gap closure, safety features for sidewalk and bicycle infrastructure, serving Montalvo Elementary School and Portola Elementary School students, and surrounding community; connecting parks, employment centers, and connecting a vital low-stress north-south green corridor link to Ventura Community Park.	**5**	**5**	**10**
City of Ventura	Montalvo SRTS Cypress Point Gap Closure and Complete Streets Project	Provide Class I Path gap closure, safety features for sidewalk and bicycle infrastructure, and connecting Complete Street corridor for Montalvo Elementary School students, and surrounding Montalvo community; connecting parks, employment centers, and providing a vital low-stress north-south and east-west green corridor link.	**5**	**5**	**10**
County of Ventura	Central Avenue Pedestrian Improvements	Construct sidewalk, curb, gutter and access ramps on Central Avenue, connecting residential areas within unincorporated Ventura County to Rio Mesa High School and to existing and planned transit stops on Central Avenue.	**5**	**5**	**10**
County of Ventura	Potrero Road Bike Lanes – Phase 1 Project	Construct 1.4 miles of Class II bike lanes on Potrero Road in the county and 500 feet in the city.	**5**	**0**	**5**

Attachment 2

Table 2. ATP CYCLE THREE 10 POINT CRITERIA PROJECT SCORING DETAILS

Point Award	Title of Regional/Local Plan	Project Consistency						
		City of Oxnard Etting Road Project	City of Thousand Oaks Conejo School - Willow Lane Project	City of Thousand Oaks Moorpark Road Project	City of Ventura Harmon Barranca Project	City of Ventura Montalvo SRTS Project	County of Ventura Central Avenue Project	County of Ventura Potrero Road Project
5 points awarded if the proposed project is consistent with 1 or more of the following Plans:	Ventura County Bike Plan (2007)							X
	City of Ojai Bicycle and Pedestrian Master Plan (1999)							
	Santa Paula Branch Line Recreational Trail Compatibility Survey (2015)							
	Santa Paula Branch Line Trail Master Plan (1996)							
	Fillmore Business Park Master Plan (2008)							
	Heritage Valley Parks Specific Plan, Fillmore CA (2002)							
	Moorpark College Facilities Master Plan (2005-2015)							
	Moorpark Master Bicycle Transportation Plan (2008)							
	City of Simi Valley Bicycle Master Plan (2008)							
	Simi Valley Green Community Action Plan (2010)							
	City of Thousand Oaks Bicycle Master Plan (2010)		X	X				
	Thousand Oaks Boulevard Specific Plan (2012)		X	X				
	Camarillo Commons Strategic Plan (2007)							
	City of Oxnard Bicycle and Pedestrian Master Plan (2011)	X						
	Santa Clara River Trail Master Plan (2011)							
	Oxnard Corridor Transportation Improvement Plan – A Livable Oxnard (current)	X						
	City of Ventura Bicycle Master Plan (2011)				X	X		
	City of Port Hueneme Bicycle Master Plan							
	County of Ventura Transportation Strategic Master Plan (2012)							X
	City of Camarillo Bikeway Master Plan (2009)							
	Adopted 5-Year Capital Improvement Plans		X	X	X	X	X	X
5 points	Safe Routes 2 Schools	X	X	X	X	X	X	

Item #8F

October 7, 2016

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **ELLEN TALBO, TRANSIT PLANNING MANAGER**

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

RECOMMENDATION:

- Approve the Request for Proposals (RFP) for State required Transportation Development Act (TDA) triennial performance audits for distribution to appropriate consulting firms.

- Approve a budget amendment to increase the Regional Transit Planning Budget consultant services line item by $150,000 for the TDA Triennial Performance Audit; and correspondingly increase the Local Transportation Fund (LTF) revenues by $150,000 from the LTF Balance in the general fund.

DISCUSSION:

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

The consultant will be required to perform the transit performance audit of Article 4 claimants. There are other municipal transit operators in the County that do not utilize Article 4 funds and simultaneously run transit systems, or contribute to a cooperative transit agreement using Article 8 or other funds. While these operators are not statutorily required to report TDA performance audit findings to the State, it is within VCTC's purview as the RPTA to observe or monitor the performance of all of its TDA claimants operating transit service irrespective of the funding source.

Claimants that receive funding under Article 4.5 or Article 8 are not statutorily required to have a performance audit; however, to enable a comprehensive and objective review that serves the benefit of both the RPTA and the transit provider, performance audits should be conducted of all operators that are allocated funding under the TDA.[1] This would include the County of Ventura, Camarillo Area Transit, Moorpark City Transit, Ojai Trolley, the City of Fillmore, and the City of Santa Paula.

[1] Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Entities (Caltrans, 2008)

The last performance audits were completed in June 2014 and covered FY 2011-2013. The upcoming audit will look at FY2013-2016. A schedule for the audits is included in the RFP and it is expected the performance audits will be completed for Commission review at the June 2017 meeting.

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

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

The cost for the performance audit is estimated to cost within a range between $100,000 -$150,000 and funding is included in the FY 16-17 VCTC budget utilizing TDA Local Transportation Funds (LTF) to complete the performance audit.

Because the TDA triennial performance audit is not an eligible activity for use of federal 5307 program funds, a budget amendment is needed to increase the amount of LTF funds in the Regional Transit Planning budget consultant service line item by $150,000. The reason for the increase is due to the inclusion of the Article 8 claimants in this triennial performance audit and staff anticipates that the cost of the technical proposals will fall within a range between $100,000 to $150,000.

REQUEST FOR PROPOSALS

FOR TRIENNIAL PERFORMANCE AUDITS
OF THE VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)
AND VENTURA COUNTY TDA CLAIMANTS

DUE DATE: NOVEMBER 11, 2016 AT VCTC OFFICE NO LATER THAN 4PM

The Ventura County Transportation Commission (VCTC), which serves as the regional transportation planning agency for Ventura County, is required by Section 99246 of the California Public Utilities Code to triennially designate an entity other than itself to conduct a performance audit of its activities. Operators that receive funding under Article 4 of the TDA are required to have a performance audit. Between fiscal years (FY) 2013 and 2016, this includes VCTC, Gold Coast Transit District (GCTD), Thousand Oaks Transit, Simi Valley Transit, and Valley Express. Claimants that receive funding under Article 4.5 or Article 8 are not statutorily required to have a performance audit; however, to enable a comprehensive and objective review that serves the benefit of both the RPTA and the transit provider, performance audits should be conducted of all operators that are allocated funding under the TDA. This would include the County of Ventura, Camarillo Area Transit, Moorpark City Transit, Ojai Trolley, the City of Fillmore, and the City of Santa Paula. Currently there are no Article 4.5 claimants in Ventura County for this audit period.

VCTC is therefore seeking proposals to conduct performance audits of itself and its TDA claimants. The final products of this RFP will be completion of performance audits for VCTC and its claimants covering Fiscal Years13/14, 14/15 and 15/16. The audits must be conducted in compliance with relevant sections of the Transportation Development Act and shall evaluate the efficiency, effectiveness, and economy of the operation of the entity being audited, and shall be conducted in accordance with the efficiency, economy, and program results portions of the Comptroller General's "Standards for Audit of Governmental Organizations, Programs, Activities, and Functions."

Proposal Submission:

The proposer shall submit 5 printed copies and 1 digital copy of the proposal. **All proposals are due no later than 4:00 P.M. on Friday, November 11, 2016** and should be directed to:

Ellen Talbo, Program Manager - Transit Planning
Ventura County Transportation Commission (VCTC)
950 County Square Drive, Suite 207
Ventura, CA 93003

A pre-proposal conference will not be held. Inquiries related to this RFP should be directed to Ellen Talbo at (805) 642-1591 ext. 105 or by writing to the above listed address or by emailing: etalbo@goventura.org prior to October 17, 2016. Responses to written inquiries will be posted by October 24, 2016 at http://www.goventura.org/about-vctc/working-with-vctc.

VCTC, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, notifies all proposers that it will affirmatively insure that, in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, religion, color, sex or national origin in consideration for award.

Project Schedule:

October 10, 2016	VCTC issues RFP
October 17, 2016	Written inquiries about the RFP due to VCTC
October 24, 2016	Responses to written inquiries available
November 11, 2016	**4 PM, PDT, Proposals Due at VCTC Office**
November 15-16, 2016	Interview candidates
December 2, 2016	VCTC Approval of Consultant
December 5, 2016	Notice to Proceed
April 2016	Draft Audits available to present to claimants at April 13, 2016 transit operators monthly meeting
May 30, 2016	Final Performance Audits delivered to Gold Coast Transit District for presentation to governing board by this date
June 2, 2017	Final Performance Audits delivered to VCTC and presented to the Commission
June 30, 2017	Final Performance Audits Filed with State; Project Completed

PART A

PROGRAM DESCRIPTION AND WORK SCOPE SUMMARY

A.1 BACKGROUND

In accordance with Section 99246 of the Public Utilities Code, the Ventura County Transportation Commission (VCTC) will be contracting for performance audits of its activities, and also, the activities of its TDA claimants. The performance audits will cover activities during Fiscal Years 2013-2016.

TDA legislation specific to Ventura County

Effective July 1, 2014, special TDA legislation went into effect specific to Ventura County. Senate Bill 203 (SB 203) amended SB 716 to allow cities under 100,000 population and not a part of the Gold Coast Transit District (i.e. Camarillo, Fillmore, Moorpark and Santa Paula) to continue to claim TDA funds for local streets as long as the entity's reasonable transit needs are met. Senate Bill 644 created the Gold Coast Transit District (GCTD) consisting of the County of Ventura and the cities of Ojai, Oxnard, Port Hueneme and San Buenaventura.

A.1.1. The Ventura County Transportation Commission

VCTC is the transportation planning agency serving the Ventura County area. Member agencies include the ten incorporated cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley and Thousand Oaks, and, the County of Ventura.

In addition to administering the TDA Program, VCTC is responsible for conducting a continuing, comprehensive, and cooperative transportation planning process and is the designated recipient for federal transportation funds. The Commission has been designated the Airport Land Use Commission (ALUC); the Consolidated Transportation Service Authority (CTSA); the Service Authority for Freeway Emergencies (SAFE); and, the Congestion Management Agency. The annual budget, including federal and state pass-through funds, is about $63 million including Local Transportation Funds (LTF) revenues of approximately $34 million.

The Commission is governed by a Board consisting of all five county supervisors, an elected official from each of the ten cities, a citizen commissioner appointed by the cities, a citizen commissioner appointed by the County Supervisors, and, the ex officio member appointed by the Governor; this is the Director of Caltrans District 7.

VCTC also provides regional intercity fixed route service between the City of Ventura and the City of Goleta in Santa Barbara County as well as throughout the rest of the county. Proposers should refer to the complete description of the transit providers in Ventura County as discussed in the VCTC Senate Bill 203 Annual report located at: http://www.goventura.org/about-vctc/publications.

A.1.3. Available Documents and Material

VCTC was formed in 1989, and has six previous triennial performance audits on file.
GCT was formed in 1973 and has nine triennial performance audits from past years. The last triennial performance audits for both VCTC and GCTD were conducted by Nelson Nygaard & Associates and covered Fiscal Years 2011-2013.

Also available for examination are VCTC's annual budget program documents; TDA annual fiscal and compliance audits for all claimants; annual financial audits of VCTC and GCTD; Short Range Transit Plans (SRTP), TDA claimant forms, and VCTC's Senate Bill 203 Annual Report.

A.2. SCOPE OF WORK

Public Utilities Code Section 99246(b) states that the performance audit shall evaluate the efficiency, effectiveness and economy of the operation of the entity being audited. The audits must be conducted in compliance with relevant sections of the Transportation Development Act and shall evaluate the efficiency, effectiveness, and economy of the operation of the entity being audited and shall be conducted in accordance with the efficiency, economy, and program results portions of the Comptroller General's "Standards for Audit of Governmental Organizations, Programs, Activities, and Functions."

A.2.1. Performance Audit of VCTC

The consultant will be required to perform the following tasks as part of the audit of VCTC, the regional transportation planning entity:

(a) Determine Compliance with Legal and Regulatory Requirements

The consultant will be required to review and determine all TDA claimants' compliance with the Transportation Development Act and related sections of the California Code of Regulations. The specific Code Sections for which compliance is to be verified are those specified within the Transportation Development Act. Should the consultant identify instances of non-compliance, a finding regarding the non-compliance should be made in the audit report.

(b) Review VCTC Functions

The consultant will review each VCTC TDA-related function consistent with the efficiency, economy, and program results portions of the Comptroller General's "Standards for Audit of Governmental Organizations, Programs, Activities, and Functions." The functional review is expected to include interviews with VCTC management and staff.

A.2.2. Performance Audit of VCTC Claimants

The consultant will be required to perform the following tasks as part of the transit performance audit of Article 4 claimants. There are other municipal transit operators in the County that do not utilize Article 4 funds and simultaneously run transit systems, or contribute to a cooperative transit agreement using Article 8 or other funds. While these operators are not statutorily required to report TDA performance audit findings to the State, it is within VCTC's purview as the RPTA to monitor the performance of all of its TDA claimants.

(a) Determine Compliance with Statutory and Regulatory Requirements

The consultant will be required to review and determine the operator's compliance with the Transportation Development Act and related sections of the California Code of Regulations. At a minimum, the Code Sections for which compliance is to be verified are those specified within the Transportation Development Act. Should the consultant identify instances of non-compliance, a finding regarding the non-compliance should be made in the audit report.

(b) Follow-up Prior Performance Audit Recommendations

The consultant will review the most recent prior performance audits for the operator and assess the operators' implementation of audit recommendations. The auditor will need to make determinations as to whether recommendations which have not been implemented are (a) no longer applicable, (b) infeasible, or (c) should still be implemented. If a prior audit recommendation has not been implemented but still has merit, the consultant should include the prior audit recommendation in the current audit report. The consultant will evaluate recommendations which have been implemented or are being implemented. For these recommendations, the consultant should assess the benefits provided (or likely to be provided) by the recommendation. Significant accomplishments in implementing prior recommendations should be recognized.

(c) Verify Performance Indicators

As part of the performance audit, Section 99246 of the Public Utilities Code requires verification of five performance indicators: operating cost per passenger, operating cost per vehicle service hour, passengers per vehicle service hour, passengers per vehicle service mile, and vehicle service hours per employee. The consultant will review and validate the operator's collection of basic data needed to calculate these indicators for each fiscal year in the triennium. The consultant will be expected to analyze performance indicators with the intent of identifying potential issues or concerns that may need further examination during the functional review.

The performance audit may include performance evaluations both for the entire system and for the system excluding special, new or expanded services instituted to test public transportation service growth potential. As part of the functional review described below, the consultant will be expected to select, calculate and analyze additional performance indicators which are appropriate to identify, quantify and/or resolve performance problems and potential areas for improvement.

(d) Review Operator Functions

The consultant will review each operator function, consistent with the Transportation Development Act. The functional review is expected to include interviews with the operator's management and staff.

PART B

PROPOSAL INSTRUCTIONS AND REQUIREMENTS

B.1. <u>PROPOSAL CONTENT AND ORGANIZATION</u>

Proposals should be limited to specific discussions of the elements outlined in this RFP. The intent of this RFP is to encourage responses which meet the stated requirements, and which propose the best methods to accomplish the work.

The organization of proposals should follow the general outline listed below.

(1) **<u>Transmittal Letter</u>** - Should include the name, title, address and telephone number of the person(s) authorized to negotiate on behalf of the firm, and who may be contacted during the period of proposal evaluation, and if necessary, to confirm an interview appointment.

(2) **<u>Table of Contents</u>** - A listing of the major sections in the proposal and the associated page numbers.

(3) **<u>Introduction To Project</u>** - To be determined by the consultant, but should demonstrate an adequate understanding of the roles and relationships of the VCTC and other transit operators.

(4) **<u>Audit Plan and Technical Approach</u>** - The audit plan should include:

- A description of the overall audit program being submitted, including an explanation of the basic purpose and general focus of this audit.
- An explanation of the consultant's intended role as auditor as related to the roles of VCTC and its TDA claimants.
- A thorough explanation of the consultant's proposed course of action. References should be made to RFP requirements and the consultant's plans for meeting the requirements. If the consultant proposes major changes in the RFP approach, those changes should be specified clearly.
- The consultant should specify techniques, especially data elements to be sampled, staff to be interviewed, documents to be reviewed, etc.
- An itemized description of the proposed project schedule, calendar time requirements, and the end products to be produced.
- Proposers wishing to propose alternative approaches to meeting the Agency's technical or contractual requirements, should thoroughly explain their reasoning, note as to whether they are "technical" or "contractual" exceptions and reference the relevant section(s) of the Request for Proposals.

(5) **<u>Consultant Capability and Project Management</u>** - The proposer must prepare:

- A summary of the firm's relevant background experience outlining the applicability of such experience to this Request for Proposal.

- An explanation of the project management system and practices to be used to assure that the project is completed within the scheduled time frame and that the quality of the required products will meet VCTC's requirements.

(6) **Consultant and Subcontractor Staff** - The proposal must describe the qualifications and experience of each professional who will participate in the project, including a resume for each member of the project team. A Project Manager must be designated, and an organizational chart showing the manager and all project staff must be included. If a subcontractor will be used, the proposer must include a description of the group(s) including a list of staff, their qualifications, tasks, and relationship to project management.

(7) **Cost Proposal and Project Schedule** - The prospective contractor shall prepare an adequate technical proposal and timeline for the work to be performed. The cost proposal shall itemize all items to be charged including travel charges that will be involved in the project and included in the proposed amount. Costs shall be segregated to show the expected number of staff hours, rates and classifications, and administrative overhead. In addition, a matrix must be presented indicating the effort in person-hours which will be contributed by each professional (including any subcontractor) during each phase or task making up the project.

B.2. PROPOSAL CONDITIONS, SELECTION/EVALUATION, AND DELIVERABLES

B.2.1. Conditions

The consultant shall be required to complete all work within the schedule designated after the official notice to proceed and contract are issued. Any further analysis recommended by the consultant will be covered under either a contract amendment or a separate contract, and would not be subject to this time frame.

All proposals must be submitted according to the specifications set forth in this Request for Proposals. Failure to adhere to these specifications may be cause for rejection of the proposal. Any correction or resubmission done by the consultant or the authorized representative will not extend the submittal period and can only be sent with prior consent of VCTC. VCTC reserves the right to reject any or all proposals.

All responses become the property of VCTC. VCTC intends to keep all responses confidential, with the exception of the successful proposal, which becomes public information upon acceptance by the VCTC.

All proposals shall constitute firm offers and may not be withdrawn for a period of ninety days following the final day to accept proposals.

B.2.2. Proposal Evaluation and Consultant Selection

An evaluation and selection committee consisting of representatives of VCTC and other panelists will evaluate all proposals submitted.

Proposals will be evaluated on the following basis:

35 points	Understanding of the purpose and requirements of the audit;
40 points	Experience in public transit, performance auditing, and the issues and functional areas to be analyzed
15 points	Projected cost and time schedules
10 points	References
100 TOTAL	

Based upon its review of the proposals, the committee will conduct interviews in the Ventura County area with selected firms prior to making a final recommendation. The selection committee will recommend the selection of a firm to VCTC for final approval and subsequent negotiation of the contract, and final statement of work.

<u>B.2.3. Required Deliverables</u>

The consultant must provide six (6) copies of preliminary draft audits to VCTC no later than June 2, 2017. The consultant must also provide six (6) copies of the final draft audit reports to VCTC no later than June 30, 2017.

After VCTC reviews and comments upon the preliminary and final draft reports, the consultant should prepare to deliver up to twenty-five (25) printed and/or digital copies of the final preliminary audit reports to the VCTC project manager unless directed otherwise. The final audit reports must address each of the performance audit project requirements, and must be delivered to VCTC no later than May 30, 2017 unless directed otherwise by the VCTC project manager.

In addition, the consultant should be prepared to make an oral presentation of the final audit report regarding GCTD's performance audit to the GCTD Board in May 2017, and, an oral presentation on the final audit reports to VCTC on June 2, 2017.

PART C - MISCELLANEOUS

Modification or Withdrawal of Submittals
Any Proposals received prior to the date and time specified above for receipt may be withdrawn or modified by written request of the proposer. To be considered, however, the modified Proposal must be received by the time and date specified above.

Property Rights
Any Proposals received within the prescribed deadline become the property of VCTC and all rights to the contents therein become those of VCTC.

Confidentiality
Before award of the contract, all Proposals will be designated confidential to the extent permitted by the California Public Records Act. After award of the contract (or if not awarded, after rejection of all Proposal), all responses will be regarded as public records and will be subjected to review by the public. Any language purporting to render all or portions of the Proposal confidential will be regarded as non-effective and will be disregarded.

Amendments to Request for Proposals
VCTC reserves the right to amend the Request for Proposals by addendum before the final Proposal submittal date.

Non-Commitment of VCTC
This Request for Proposals does not commit VCTC to award a contract, to pay any costs incurred in the preparation of a Proposal for this request, or to procure or contract for services. All products used or developed in the execution of any contract resulting from this Request for Proposals will remain in the public domain at the completion of the contract.

Conflict of Interest
The prospective consultant shall disclose any financial, business or other relationship with VCTC that may have an impact upon the outcome of this contract. The prospective consultant shall also list current clients who may have a financial interest in the outcome of this contract or VCTC projects that will follow from work performed in the Scope of Work. In particular, the prospective consultant shall disclose any financial interest or relationship with any printing or sign manufacturing companies that might submit a bid on VCTC projects.

Nondiscrimination
The prospective consultant must certify compliance with nondiscrimination requirements of VCTC pertaining to the development, implementation and maintenance of a nondiscrimination program. The prospective consultant's signature affixed to and dated on the cover letters shall constitute a certification under penalty of perjury under the laws Transportation Development Act Triennial Performance Audit Page 9 of 34 of the State of California that the proposer has, unless exempted, complied with the nondiscrimination program requirements of Government Code Section 12990 and Title 2,
California Code of Regulations, Section 8103.

Final Selection and Protests
The RFP process is considered concluded when a letter is sent to all participating consultants indicating which consultant will be recommended for Board approval. The firm recommended is not a final selection and no contract is certain until approved by VCTC Commission.

Protestants shall submit a detailed written statement of protest to:
Ventura County Transportation Commission
Attn: Ellen Talbo
950 County Square Drive, Ste. 207
Ventura, CA 93003
etalbo@goventura.org

no later than five (5) days prior to the December 2, 2016 Commission meeting to enable proper consideration by the Board.

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Item # 8G

October 7, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: CASH MANAGEMENT FOR DELAYED FTA GRANTS

RECOMMENDATION:

- Authorize the Executive Director to utilize State Transit Assistance (STA) fund balance for cash-flow purposes for the General Fund, VCTC Intercity Fund and Valley Express Fund expenditures until the Federal Transit Administration (FTA) grants are approved.

BACKGROUND:

The Ventura County Transportation Commission (VCTC) funds a large portion its transit activities with Federal Transit Administrative (FTA) funds. The majority of these funds are programmed in the previous year's grant so that funds will be available when expenditures are made. Unfortunately, with the implementation of the new FTA Transit Awards Management System (Trams), there have been many delays and changes in the process. These issues have caused delays in the approval of VCTC's Fiscal Year 2015/2016 grants and thus, the some of the Fiscal Year 2016/2017 FTA funds are not yet available. FTA Trams is closed for their federal yearend processing and staff will be unable to continue processing the grants until late October. Staff hopes to resolve the grant issues and obtain approval in November but VCTC will have to follow the new process which has been slow and it could take longer.

There are some carry-over funds from prior grants that VCTC is currently utilizing; however, VCTC will need to cover additional expenditures until the Fiscal Year 2015/2016 grants are approved. Staff estimates that through December, the unavailable FTA funds will be approximately $1.7 million ($1 million for VCTC Intercity, $350,000 for Valley Express and $350,000 for the General Fund).

Staff is recommending the Commission give the Executive Director the authority to utilize State Transit Assistant (STA) funds to continue FTA funded operations of the General Fund, VCTC Intercity and Valley Express funds for temporary cash-flow purposes until the FTA revenues are available.

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Item #8H

October 7, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: LEGISLATIVE UPDATE

<u>RECOMMENDATION:</u>

- Receive and file.

<u>DISCUSSION</u>

<u>Federal Issues</u>

Congress is scheduled to recess at the end of September, but must first approve appropriations bills to keep the government operating beyond September 30th. It is anticipated that Congress will approve a Continuing Resolution but the length of this appropriation was unknown as of this writing.

<u>State Issues</u>

Attachment A provides the monthly report of Delaney Hunter, the Commission's state lobbyist. There are two bills for which the Commission took "Support" positions that are currently awaiting a decision by the Governor. AB 2170 (Frazier), to distribute the new Federal Formula Freight program funds through the state Trade Corridor Infrastrucure Program was amended to provide a significant role to the Air Resources Board in revising the program guidelines. VCTC along with many other transportation agencies including Southern California Association of Governments and the Port of Hueneme sent letters to the Governor requesting his signature. However, staff was aware that there was now interest in the Administration in distributing at least some of the federal freight funds to other projects, and as a result, the bill was vetoed. The veto message is provided in Attachment C.

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ATTACHMENT A

GONZALEZ, QUINTANA HUNTER & CRUZ, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION
MONTHLY STATE ADVOCACY REPORT
SEPTEMBER 2016

Legislative Update

The 2016 to 2017 legislative session ended on Wednesday, August 31st, well after the midnight deadline. While a majority of the legislation was acted upon before 12:00, the Legislature inserted urgency clauses into two measures so that they could take up these bills after the deadline. All legislation had to be acted on before they concluded the session, as bills cannot be carried over into next year. The Governor will have until September 30th to sign or veto the remaining legislation, and almost 800 bills made it through the legislative process and on to the Governor's desk. Legislators have returned to their districts during the interim and will focus on local events and campaigning efforts. The general election will be held on November 8, so much of the focus will now center around campaigning and the election. Additionally, the sine die deadline is November 30th, and this time period allows the Legislature to vote on special session or tax levy items after the regular session deadline but before the sine die concludes. It is rumored that Legislators could come back to convene a session to vote on the transportation funding package, but the likelihood of such action remains to be seen. Although the Legislature is on recess, the GQHC team is continuing to keep close contact with the Capitol and will keep VCTC updated on any developments. Lastly, the Legislature will reconvene on January 2 to begin the 2017 legislative session.

Special Session

As previously reported, the Transportation and Infrastructure Special Session has received relatively little attention during the last few months. While Governor Brown's $3.1 billion plan, Senator Beall's $6 billion plan, and Assembly Member Frazier's $7 billion plan were the initial funding proposals, Senator Beall and Assembly Member Frazier have come together and introduced new, identical transportation funding plans. This $7.4 billion proposal has been amended into SBX1-1 and introduced into a new special session bill, ABX1-26. The funding proposals focus on repairing and maintaining state and local roads, improving trade corridors, and supporting public transit and active transportation. Specifically, the proposal would direct $2.9 billion to the state and $2.5 billion to the locals. The funding sources for these bills include: 17 cent gasoline excise tax increase, 30 cent increase in the diesel excise tax, $38 increase in the vehicle registration fee, $165 per year zero emission vehicle registration fee, $1 billion from returning truck weight fees, among a few others. Also included in the proposals are a number of reforms, including extending existing federal NEPA delegation for Caltrans, restoring the independence of the CTC, creation of the Office of Transportation Inspector General, among others.

These bills were in print during the last few weeks of session, but no action was taken. It is rumored that Legislators may want to take action on a funding package during the lame duck session. Although rarely used, this window of time can technically be used to call back Legislators to Sacramento to take action on a tax levy, urgency measure, or special session item. It remains to be seen whether a transportation funding package could garner the necessary votes and what the timeline for passage would entail, but GQHC will continue to keep VCTC apprised of any developments or compromises that arise.

Budget Update

The Legislature worked throughout the first two weeks of June to pass the budget, and that compromise was signed by the Governor in the form of SB 826 on June 27th. The Governor did not use his line item veto, and the budget reflected the Governor's support for saving in the long run but also financing one-time infrastructure costs. The highlights of this budget include an additional $3 billion into the state's rainy day fund, repurposing Proposition 63 MHSA money to house individuals with mental illnesses, and repealing the controversial cap on welfare payments. The affordable housing, education, and general government trailer bills were also passed early in the legislative process, but a number of other important budget issues did not move forward until the last few days of session, including the transportation, resources, and state MOU trailer bills. The transportation trailer bill (SB 838) included the State Transit Assistance fix that reverts back the allocation formula to the previous methodology for the 3rd and 4th quarter allocations of 2015-16, and for all four quarters of 2016-17 and 2017-18, and it also includes an expansion of the Green and White Sticker Programs. This trailer bill was just signed by the Governor, and it will eliminate the cap and extend both the Green and White Sticker Programs to 2019.

Additionally, two cap and trade trailer bills were introduced on the last day of session (AB 1613 and SB 859). AB 1613 detailed the specific allocations, whereas SB 859 included the policy provisions needed to implement the funding amounts. This was the last deal to come together at the end of the legislative session, which included a plan for the expenditure of $900 million in Cap & Trade auction revenues from the Greenhouse Gas Reduction Fund. The agreement also dedicated $462 million to a reserve account for use in later years given the poor performance of the last two auctions (generative only $18 million combined). The bulk of the funds are going to low carbon transportation as part of the Governor's goal to reduce the use of petroleum: $363 million to ARB for low carbon transportation programs like CVRP, and $135 million to Caltrans for transit and intercity rail. Interestingly, a large focus was on agriculture and forestry, with $185 million going to various agencies to reduce GHG emissions with healthier soil and improved forest maintenance. The Cap & Trade details are as follows:

- $368 million to the Air Resources Board, including:
  - $133 million to the Clean Vehicle Rebate Program.
  - $80 million to the Enhanced Fleet Modernization Program, Plus-Up Pilot Project and up to $20 million of this amount may be used for other light-duty equity pilot projects.
  - $150 million for heavy-duty vehicles and off-road equipment investments.
  - $5 million for black carbon wood smoke programs.
- $140 million to the Office of Planning and Research for the Strategic Growth Council to provide transformative climate communities grants.

- $135 million to the Transportation Agency for the Transit and Intercity Rail Program.
- $80 million to the Natural Resources Agency for the Urban Greening program.
- $65 million to the Department of Food and Agriculture, including:
    - $50 million for the early and extra methane emissions reductions from dairy and livestock operations.
    - $7.5 million for the Healthy Soils Program.
    - $7.5 for the State Water Efficiency and Enhancement Program (SWEEP).
- $40 million to the Department of Forestry and Fire Protection, including:
    - $25 million for the Healthy Forest Program.
    - $15 million for urban forestry programs.
- $40 million to the Department of Resources Recycling and Recovery for waste diversion and greenhouse gas reduction financial assistance.
- $20 million to the Department of Community Services and Development for weatherization and renewable energy projects.
- $10 million to the Department of Transportation for the Active Transportation Program.
- $2 million to the Office of Planning and Research for the Strategic Growth Council to provide technical assistance to disadvantaged communities.

VCTC Supported Bills

Multiple VCTC supported bills passed through the Legislature and are now awaiting signature from the Governor, including AB 2170 (Frazier) and SB 824 (Beall). SB 824 makes a number of changes to the Low Carbon Transit Operations Program (LCTOP) to enable transit agencies to more effectively manage and utilize their formula shares. Some of the changes include: allowing agencies to do letters of no prejudice, using funds for operating assistance, allowing for the purchase of zero-emission buses, permitting the banking of formula shares, along with a few other program modifications. After moving off the Appropriations Committee suspense file, SB 824 passed off the Assembly Floor on a 60 to 11 vote, and then moved back to the Senate for a concurrence vote of 25 to 10. GQHC has continued to advocate VCTC's support for the bill as it moved through the legislative process. The bill is now on the Governor's desk, and GQHC will be meeting with the Governor's Legislative Deputy to voice our support.

Additionally, amendments were made to AB 2170 when the bill came off of the Appropriations Committee suspense file. These amendments caused consternation among the stakeholders, author's office, and Administration, which sparked a series of negotiations. During the 2-week window after Appropriations but before the end of session, there were numerous meetings to hammer out new language that was acceptable by all parties. Despite the development of new amendments, the bill was taken up on the Senate Floor without inserting in the newly discussed language. The bill ultimately moved forward in its August 17th version. Senator de Leon spoke on the Senate floor and said that it was too late for legislative counsel to mock up the language and then bring it back to the floor for a vote. As such, he said he was committed to working on clean up legislation next year. AB 2170 then passed off the Assembly Floor on concurrence at the very end of session. The Governor will have until September 30th to sign or veto, and the GQHC team will keep VCTC updated as soon as action is taken.

Upcoming Bill Deadlines and Priority Legislation

Aug. 1 Legislature reconvenes from Summer Recess
Aug. 12 Last day for fiscal committees to meet and report bills

Aug. 15-31 Floor Session only. No committee may meet for any purpose except Rules Committee
Aug. 19 Last day to amend on the Floor
Aug. 31 Last day for each house to pass bills. Final Recess begins upon adjournment
Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1
Oct. 2 Bills enacted on or before this date take effect January 1, 2017
Nov. 8 General Election
Nov. 30 Adjournment sine die at midnight

AB 326 (Frazier D) Public works: prevailing wage rates: wage and penalty assessments.
Introduced: 2/13/2015
Status: 9/14/2016-Signed by the Governor
Summary: Current law provides that there is no liability for liquidated damages if a contractor, subcontractor, or surety deposits the full amount of the assessment or notice, including penalties, with the Department of Industrial Relations to hold in escrow pending administrative or judicial review. This bill would require the department to release the funds deposited in escrow plus interest earned to those persons and entities within 30 days following either the conclusion of all administrative and judicial review or upon the department receiving written notice from the Labor Commissioner or his or her designee of a settlement or other final disposition of an assessment issued, as specified, or from the authorized representative of the awarding body of a settlement or other final disposition of a notice issued, as specified.

AB 779 (Garcia, Cristina D) Local government: financial disclosures.
Introduced: 2/25/2015
Status: 9/8/2016-Enrolled and presented to the Governor at 4 p.m.
Summary: Would require a city, county, city and county, or special district, on or before April 30 of each year, to post compensation information in a conspicuous location on its Internet Web site that contains the names, positions, and total compensation, including a breakdown of the types of compensation provided, of each elected official within that entity for the previous calendar year. By increasing the duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 1550 (Gomez D) Greenhouse gases: investment plan: disadvantaged communities.
Introduced: 1/4/2016
Status: 9/14/2016-Signed by the Governor
Summary: Current law requires the Department of Finance, in consultation with the State Air Resources Board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. This bill would require the investment plan to allocate (1) a minimum of 25% of the available moneys in the fund to projects located within, and benefiting individuals living in, disadvantaged communities, (2) an additional minimum of 5% to projects that benefit low-income households or to projects located within, and benefiting individuals living in, low-income communities located anywhere in the state, and (3) an additional minimum of 5% either to projects that benefit low-income households that are outside of, but within a 1/2 mile of, disadvantaged communities, or to projects located within the boundaries of, and benefiting individuals living in, low-income communities that are outside of, but within a 1/2 mile of, disadvantaged communities.

AB 1591 (Frazier D) Transportation funding.
Introduced: 1/6/2016
Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was TRANS. on 2/1/2016)
Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria to ensure efficient use of the funds available for the program. This bill contains other related provisions and other existing laws.

AB 1661 (McCarty D) Local government: sexual harassment prevention training and education.
Introduced: 1/13/2016
Status: 8/30/2016-Enrolled and presented to the Governor at 4 p.m.
Summary: Would require local agency officials, as defined, to receive sexual harassment prevention training and education if the local agency provides any type of compensation, salary, or stipend to those officials, and would allow a local agency to require employees to receive sexual harassment prevention training or information. The bill would also require an entity that develops curricula to satisfy this requirement to consult with the city attorney or county counsel regarding the sufficiency and accuracy of that proposed content.
AB 1787 (Gomez D) Open meetings: public comments: translation.
Introduced: 2/4/2016
Status: 9/8/2016-Enrolled and presented to the Governor at 4 p.m.
Summary: The Ralph M. Brown Act requires a local legislative body to provide an opportunity for members of the public to directly address the body concerning any item described in a notice of meeting. The act authorizes the legislative body to adopt reasonable regulations limiting the total amount of time allocated for public testimony for each individual speaker. This bill, if a local legislative body limits the time for public comment, would require the legislative body to provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body, unless simultaneous translation equipment is used to allow the body to hear the translated public testimony simultaneously.

AB 1919 (Quirk D) Local transportation authorities: bonds.
Introduced: 2/11/2016
Status: 8/22/2016-Enrolled and presented to the Governor at 4 p.m.
Summary: The Local Transportation Authority and Improvement Act provides for the creation in any county of a local transportation authority and authorizes the imposition of a retail transactions and use tax by ordinance, subject to approval of the ordinance by 2/3 of the voters. Current law requires the bond proceeds to be placed in the treasury of the local transportation authority and to be used for allowable transportation purposes, except that accrued interest and premiums received on the sale of the bonds are required to be placed in a fund to be used for the payment of bond debt service. This bill would require the premiums received on the sale of the bonds to be placed in the treasury of the local transportation authority to be used for allowable transportation purposes.

AB 1964 (Bloom D) High-occupancy vehicle lanes: vehicle exceptions.
Introduced: 2/12/2016
Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was THIRD READING on 8/17/2016)
Summary: Current authorizes super ultra-low emission vehicles, ultra-low emission vehicles, partial zero-emission vehicles, or transitional zero-emission vehicles, as specified, that display a valid identifier issued by the Department of Motor Vehicles to use these HOV lanes until January 1, 2019, or until the date federal authorization expires, or until the Secretary of State receives a specified notice, whichever occurs first. This bill would extend the operation of the provisions allowing specified vehicles to use HOV lanes until the date federal authorization expires, or until the Secretary of State receives a specified notice, whichever occurs first.

AB 2049 (Melendez R) Bonds: transportation.
Introduced: 2/17/2016
Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was TRANS. on 4/12/2016)
Summary: Would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, expect as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase I blended system.

AB 2126 (Mullin D) Public contracts: Construction Manager/General Contractor contracts.
Introduced: 2/17/2016
Status: 8/25/2016-Enrolled and presented to the Governor at 5 p.m.

Summary: Current law authorizes the Department of Transportation to use the Construction Manager/General Contractor method on no more than 6 projects, and requires 4 out of the 6 projects to use department employees or consultants under contract with the department to perform all project design and engineering services, as specified. This bill would authorize the department to use this method on 12 projects and would require 8 out of the 12 projects to use department employees or consultants under contract with the department to perform all project design and engineering services

AB 2170 (Frazier D) Trade Corridors Improvement Fund: federal funds.
Introduced: 2/18/2016
Status: 9/9/2016-Enrolled and presented to the Governor at 2:30 p.m.
Summary: The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B) created the Trade Corridors Improvement Fund and provided for allocation by the California Transportation Commission of $2 billion in bond funds for infrastructure improvements on highway and rail corridors that have a high volume of freight movement, and specified categories of projects eligible to receive these funds. Current law continues the Trade Corridors Improvement Fund in existence in order to receive revenues from sources other than the bond act for these purposes. This bill would require revenues apportioned to the state from the National Highway Freight Program established by the federal Fixing America's Surface Transportation Act to be allocated for trade corridor improvement projects approved pursuant to these provisions.
Position: Support

AB 2257 (Maienschein R) Local agency meetings: agenda: online posting.
Introduced: 2/18/2016
Status: 9/9/2016-Chaptered by Secretary of State - Chapter 265, Statutes of 2016.
Summary: The Ralph M. Brown Act requires the legislative body of a local agency to post, at least 72 hours before the meeting, an agenda containing a brief general description of each item of business to be transacted or discussed at a regular meeting, in a location that is freely accessible to members of the public and to provide a notice containing similar information with respect to a special meeting at least 24 hours prior to the special meeting. This bill would require an online posting of an agenda for a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site to be posted on the local agency's primary Internet Web site homepage accessible through a prominent, direct link, as specified.

AB 2374 (Chiu D) Construction Manager/General Contractor method: regional transportation agency: County of Placer: bridges.
Introduced: 2/18/2016
Status: 9/2/2016-Enrolled and presented to the Governor at 12 p.m.
Summary: Current law authorizes regional transportation agencies to use the Construction Manager/General Contractor project delivery method, as specified, to design and construct certain expressways that are not on the state highway system if: (1) the expressways are developed in accordance with an expenditure plan approved by voters, (2) there is an evaluation of the traditional design-bid-build method of construction and of the Construction Manager/General Contractor method, and (3) the board of the regional transportation agency adopts the method in a public meeting. This bill would authorize the use of the Construction Manager/General Contractor method for the construction of 2 specified bridges that are not on the state highway system. For the purposes only of this authorization, the bill would include the County of Placer within the definition of a regional transportation agency.

AB 2542 (Gatto D) Streets and highways: reversible lanes.
Introduced: 2/19/2016
Status: 8/25/2016-Enrolled and presented to the Governor at 5 p.m.
Summary: Would require the Department of Transportation or a regional transportation planning agency, when submitting a capacity-increasing project or a major street or highway lane realignment project to the California Transportation Commission for approval, to demonstrate that reversible lanes were considered for the project.

AB 2620 (Dababneh D) Passenger rail projects: funding.
Introduced: 2/19/2016
Status: 9/12/2016-Enrolled and presented to the Governor at 11:30 a.m.
Summary: Would reallocate funds allocated pursuant to the Clean Air and Transportation Improvement Act of 1990 that are not expended or encumbered by July 1, 2020, to any other existing passenger rail project with existing rail service, except as specified. The bill would require the California Transportation Commission to determine the projects pursuant to this reallocation. By reallocating unexpended or unencumbered funds to any other existing passenger rail project, the bill would make an appropriation. This bill contains other existing laws.

AB 2722 (Burke D) Transformative Climate Communities Program.
Introduced: 2/19/2016
Status: 9/14/2016-Signed by the Governor
Summary: Would create the Transformative Climate Communities Program, to be administered by the Strategic Growth Council. The bill would require the council to award competitive grants to specified eligible entities for the development and implementation of neighborhood-level transformative climate community plans that include greenhouse gas emissions reduction projects that provide local economic, environmental, and health benefits to disadvantaged communities, as defined. The bill would require the council to develop guidelines and selection criteria for the implementation of the program.

AB 2741 (Salas D) Long-range transportation planning: California Transportation Plan.
Introduced: 2/19/2016
Status: 9/12/2016-Enrolled and presented to the Governor at 11:30 a.m.
Summary: Would, beginning in 2020, require updates to the California Transportation Plan to be approved by the California Transportation Commission prior to submission to the Legislature and the Governor. The bill would require the department to submit a draft of its proposed update to the commission for its comments by June 30, 2020, and every 5 years thereafter.

AB 2847 (Patterson R) High-Speed Rail Authority: reports.
Introduced: 2/19/2016
Status: 8/29/2016-Enrolled and presented to the Governor at 4 p.m.
Summary: Current law requires the High-Speed Rail Authority, on a biennial basis, to prepare a business plan containing specified elements and also requires the preparation of various other reports. This bill would require the business plan to identify projected financing costs for each segment or combination of segments of the high-speed rail system, if financing is proposed by the authority. The bill, in the business plan and in another report, would require the authority to identify any significant changes in scope for segments of the high-speed rail system identified in the previous version of each report and to provide an explanation of adjustments in cost and schedule attributable to the changes.

AB 2853 (Gatto D) Public records.
Introduced: 2/19/2016
Status: 9/9/2016-Chaptered by Secretary of State - Chapter 275, Statutes of 2016.
Summary: Would authorize a public agency that posts a public record on its Internet Web site to refer a member of the public that requests to inspect the public record to the public agency's Internet Web site where the public record is posted. This bill would require, if a member of the public requests a copy of the public record due to an inability to access or reproduce the public record from the Internet Web site where the public record is posted, the public agency to promptly provide a copy of the public record to the member of the public, as specified.

AB 2906 (Committee on Transportation) Transportation: omnibus bill.
Introduced: 3/7/2016
Status: 8/26/2016-Chaptered by Secretary of State - Chapter No. 208, Statutes of 2016

Summary: Current law authorizes the Treasurer and the California Transportation Commission to pledge amounts deposited in the State Highway Account from federal transportation funds for the purposes of issuing federal highway grant anticipation notes, commonly known as GARVEE bonds, to fund transportation projects selected by the commission. Current law requires the commission to prepare an annual analysis of the bonding capacity of those federal transportation funds. This bill would instead require the commission to prepare this analysis when the Department of Transportation anticipates the issuance of new notes and makes a written request in that regard, but not more than once annually.

ABX1 1 (Alejo D) Transportation funding.

Introduced: 6/23/2015

Status: 6/24/2015-From printer.

Summary: Current law provides for loans of revenues from various transportation funds and accounts to the General Fund, with various repayment dates specified. This bill, with respect to any loans made to the General Fund from specified transportation funds and accounts with a repayment date of January 1, 2019, or later, would require the loans to be repaid by December 31, 2018. This bill contains other related provisions and other current laws.

ABX1 26 (Frazier D) Transportation funding.

Introduced: 8/24/2016

Status: 8/31/2016-Re-referred to Com. on T. & I.D.

Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program.

ACA 4 (Frazier D) Local government transportation projects: special taxes: voter approval.

Introduced: 2/27/2015

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was APPR. SUSPENSE FILE on 8/19/2015)

Summary: Would provide that the imposition, extension, or increase of a sales and use tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or a transactions and use tax imposed in accordance with the Transactions and Use Tax Law by a county, city, city and county, or special district for the purpose of providing funding for local transportation projects, as defined, requires the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes.

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

Introduced: 12/1/2014

Status: 9/8/2016-Chaptered by Secretary of State - Chapter 249, Statutes of 2016.

Summary: Would require the State Air Resources Board to ensure that statewide greenhouse gas emissions are reduced to 40% below the 1990 level by 2030. This bill contains other related provisions.

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

Introduced: 1/7/2016

Status: 8/30/2016-Enrolled and presented to the Governor at 1:30 p.m.

Summary: Current law continuously appropriates specified portions of the annual proceeds in the Greenhouse Gas Reduction Fund to various programs, including 5% for the Low Carbon Transit Operations Program, for expenditures to provide transit operating or capital assistance consistent with specified criteria. Current law provides for distribution of available funds under the program by a specified formula to recipient transit agencies by the Controller, upon approval of the recipient transit agency's proposed expenditures by the Department of Transportation. This bill would require a recipient transit agency to demonstrate that each expenditure of program moneys allocated to the agency does not supplant another source of funds.

Position: Support

SB 838 (Committee on Budget and Fiscal Review) Transportation.
Introduced: 1/7/2016
Status: 9/13/2016-Chaptered by Secretary of State - Chapter 339, Statutes of 2016.
Summary: The net proceeds of the sale of the compact assets are required to be deposited into certain transportation funds in a specified order. This bill would instead provide that after the amounts described have been fully paid to the transportation funds named, or in any year during which any portion of these amounts are repaid from the General Fund pursuant to specified provisions of the California Constitution in an amount greater than or equal to the amount of tribal gaming revenues remitted pursuant to the amended tribal compacts in that year, the revenues received by the state from the compact would be required to be remitted to the California Gambling Control Commission for deposit in the General Fund.

SB 903 (Nguyen R) Transportation funds: loan repayment.
Introduced: 1/21/2016
Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was T. & H. on 2/4/2016)
Summary: Would acknowledge, as of June 30, 2015, $879,000,000 in outstanding loans of certain transportation revenues, and would require this amount to be repaid from the General Fund by June 30, 2016, to the Traffic Congestion Relief Fund for allocation to the Traffic Congestion Relief Program, the Trade Corridors Improvement Fund, the Public Transportation Account, and the State Highway Account, as specified. The bill would thereby make an appropriation. This bill contains other related provisions and other existing laws.

SB 940 (Vidak R) High-Speed Rail Authority: eminent domain: right of first refusal.
Introduced: 2/3/2016
Status: 8/22/2016-Chaptered by Secretary of State - Chapter No. 169, Statutes of 2016
Summary: Under current law, if the High-Speed Rail Authority determines that real property or an interest therein acquired by the state for high-speed rail purposes is no longer necessary for specified purposes, the authority is authorized to sell or exchange the real property or interest therein at fair market value as specified. This bill would require the authority, if selling the real property or interest therein, to send notification by certified mail to the last known owner of the real property or interest therein at his or her last known address, advising him or her that the real property or interest therein will be offered for sale. The bill would require the authority to wait at least 30 days after the notification has been sent to sell the real property or interest therein.

SB 1216 (Hueso D) Trade Corridors Improvement Fund: federal funds.
Introduced: 2/18/2016
Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was RLS. on 8/19/2016)
Summary: Would require revenues apportioned to the state from the National Highway Freight Program established by the federal Fixing America's Surface Transportation Act to be allocated for trade corridor improvement projects approved pursuant to specified provisions. This bill contains other related provisions and other existing laws.

SB 1436 (Bates R) Local agency meetings: local agency executive compensation: oral report of final action recommendation.
Introduced: 2/19/2016
Status: 8/22/2016-Chaptered by Secretary of State - Chapter No. 175, Statutes of 2016
Summary: Current law prohibits the legislative body from calling a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of a local agency executive, as defined. This bill, prior to taking final action, would require the legislative body to orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive during the open meeting in which the final action is to be taken. This bill contains other related provisions and other existing laws.

SB 1464 (De León D) California Global Warming Solutions Act of 2006: greenhouse gas emissions reduction.
Introduced: 2/19/2016
Status: 9/8/2016-Enrolled and presented to the Governor at 5 p.m.
Summary: Current law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop and update, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Current law requires the investment plan to, among other things, identify priority programmatic investments of moneys that will facilitate the achievement of feasible and cost-effective greenhouse gas emissions reductions toward achievement of greenhouse gas reduction goals and targets by sector. This bill would require, in identifying priority programmatic investments, that the investment plan assess how proposed investments interact with current state regulations, policies, and programs, and evaluate if and how the proposed investments could be incorporated into existing programs.

SBX1 1 (Beall D) Transportation funding.
Introduced: 6/22/2015
Status: 8/29/2016-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.
Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program.
Position: Support

SCA 7 (Huff R) Motor vehicle fees and taxes: restriction on expenditures.
Introduced: 4/9/2015
Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was E. & C.A. on 5/28/2015)
Summary: Would prohibit the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. The measure would also provide that none of those revenues may be pledged or used for the payment of principal and interest on bonds or other indebtedness.

SCA 8 (Mendoza D) Counties: board of supervisors: redistricting.
Introduced: 5/11/2015
Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was INACTIVE FILE on 6/2/2016)
Summary: Would, in a charter county that is found at a decennial United States census, beginning with the 2020 United States census, to have a population of more than 3,000,000, require, and deem the county charter to provide for, a governing body consisting of 7 or more members, not to be thereafter reduced to fewer than 7 members even if, in a future decennial United States census, the county is not a county with a population of more than 3,000,000. This bill contains other related provisions and other existing laws.

SCAX1 1 (Huff R) Motor vehicle fees and taxes: restriction on expenditures.
Introduced: 6/19/2015
Status: 9/9/2015-From committee: Be adopted and re-refer to Com. on APPR. (Ayes 13. Noes 0. Page 72.) (September 8). Re-referred to Com. on APPR.
Summary: Would prohibit the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. The measure would also prohibit those revenues from being pledged or used for the payment of principal and interest on bonds or other indebtedness. This bill contains other related provisions and other existing laws.

ATTACHMENT B

VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY September 28, 2016			
BILL/AUTHOR	**SUBJECT**	**POSITION**	**STATUS**
AB 2170 Frazier	Provides that National Highway Freight Program funds be distributed within California through the Transportation Corridor Improvement Fund (TCIF) program.	Support	Passed Senate 22-13. Vetoed by Governor.
AB X1-1 Alejo	Provides various transportation revenue enhancements including a prohibition on spending truck weight fees on transportation bond debt service.	Support	No action.
SB 824 Beall	Allows LCTOP recipients to carry over their apportionments. Amended to provide for expenditure on approved projects prior to receipt of funds.	Support	Signed by Governor.
SB X1-1 Beall	Increases fuel taxes and vehicle fees to raise $6.5 billion annually for transportation.	Support	In Senate Appropriations Committee.

ATTACHMENT C

OFFICE OF THE GOVERNOR

SEP 28 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2170 without my signature.

This bill allocates federal funds through the California Transportation Commission to improve trade corridors in the state.

Unfortunately, the bill does not include key amendments agreed to by the author to ensure urgent state priorities are addressed, including improvements to California's border with Mexico and important rail safety projects.

I direct the Transportation Agency to work with the Commission and the author to ensure these funds are allocated to high-priority trade projects as soon as practicable.

Sincerely,

Edmund G. Brown Jr.

GOVERNOR EDMUND G. BROWN JR. • SACRAMENTO, CALIFORNIA 95814 • (916) 445-2841

Item #9

October 7, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN KETTLE

SUBJECT: OXNARD HARBOR DISTRICT QUARTERLY REPORT

RECOMMENDATION:

- Receive and File

BACKGROUND:

Oxnard Harbor District CEO and Port Director, Kristin Decas will present a report at the meeting.

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Item 10

October 7, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR
PETER DE HAAN, PROGRAMMING DIRECTOR
ELLEN TALBO, PROGRAM MANAGER, REGIONAL TRANSIT

SUBJECT: SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (SCRRA)/METROLINK FUNDING

RECOMMENDATION:

- Authorize Executive Director to sign Attachment 1 Fund Exchange Agreement, including any subsequent technical changes with Los Angeles County Metropolitan Transportation Authority (METRO) and Southern California Regional Rail Authority (SCRRA) to exchange $5,103,189 of Section 5307 funds and $6,857,000 of Section 5337 funds in exchange for METRO paying $11,960,189 in Los Angeles County local transportation sales tax funds to SCRRA on behalf of VCTC.

- Authorize Executive Director to sign Attachment D Letter of Agreement with the Orange County Transportation Authority (OCTA) for a side exchange of $6,857,000 of Section 5337 funds to facilitate flexibility for METRO's use of the funds received in the Attachment A agreement.

- Amend VCTC's FY 2016/2017 budget to shift $643,289 of Local Transportation Funds from Metrolink Equipment to Metrolink Operations; to be offset by a shift of $643,289 of Section 5337 from the operating fund exchange to the Metrolink Equipment project for Ticket Vending Machine replacement.

BACKGROUND:

Metrolink is a Joint Powers Agency (JPA) comprised of five member agencies representing the transportation agencies of the counties of Los Angeles (METRO), Riverside (RCTC), San Bernardino (SANBAG), Orange County (OCTA), and Ventura (VCTC). The purpose of this Commission agenda item is twofold: first, it is to provide a review and update of the Metrolink funding scenario for VCTC moving forward from FY 17/18 and beyond; and second, it is to memorialize the fund exchange agreement between VCTC and Metrolink for FY 15/16 and FY16/17, as well as a funding letter of agreement between VCTC and OCTA, and amend VCTC's budget accordingly.

Since the beginning of Metrolink operations in Ventura County (1993), VCTC has remained in the Metrolink system with an internal "swapping" of VCTC federal capital money for METRO (from their self-help sales tax) rail operating funds. This situation was necessitated because VCTC does not have its own "self-help" local transportation sales tax, unlike every other Metrolink member agency. In March, 2016 METRO indicated this swap may not be possible after FY 2016/17.

Because on-going funding of Metrolink presents VCTC with a potentially challenging policy decision that could affect transit funding for all operators, VCTC brought the item to TRANSCOM for discussion and input on May 12, 2016 and advised them of the potentially dire consequences for countywide transit funding that could occur if another fund transfer mechanism was not worked out. However, since that time, VCTC staff, along with Metrolink staff and staff from Metrolink member agencies have worked to develop a set of principles that involve a separate transfer of funds "federalizing" certain Metrolink contracts that should allow VCTC to continue in the Metrolink system from FY 2017/18 forward. If VCTC is successful with a revenue measure in November, 2016 it would allow VCTC more options to not only remain in the Metrolink system on a more secure basis, but also allow for the provision of additional rail service such as weekend service or additional daily service.

DISCUSSION OF FY 15/16 and FY 16/17 EXCHANGE AGREEMENTS:
In working out the logistics of the proposed agreement to swap with METRO for FY 2015/16 and 2016/17, the agency staffs were able to identify processes to swap the fully-planned $5,103,189 of Section 5307 funds required over the two fiscal years, as well as $6,857,000 of the $7,500,289 of the Section 5337 funds required. VCTC staff proposes that the remaining $643,289 be provided through an amendment to the VCTC FY 2016/2017 budget to exchange Local Transportation Funds budgeted for Ticket Vending Machines with Section 5337 funds programmed for the swap, since Rail Ticket Vending Machine replacement is an eligible use of Section 5337.

FTA formula funds such as Sections 5307 and 5337 are apportioned by urbanized area as defined by the Census Bureau, with some accounts also featuring a statewide apportionment to address the small urban and rural areas. Due to the differing requirements of the two fund types, the agreement to exchange funds for FYs 2015/2016 and 2016/2017 uses different methods to exchange the two types of funds. For 5307, FTA Circular 9030.1E provides that funds can be transferred from an urbanized area apportionment to the statewide 5307 apportionment, and from the statewide apportionment another urbanized area apportionment. The agreement provides that the Ventura County Section 5307 funds will be transferred to METRO using this method, and METRO will then pay SCRRA directly with its local sales tax funds.

For 5337, there is no statewide apportionment that can be used for directly transferring apportionments between urban areas. Therefore, VCTC will continue for 2015/2016 and 2016/2017 the long-time practice of providing Section 5337 funds to SCRRA for Metrolink system rehabilitation. SCRRA will credit OCTA's systemwide rehabilitation funding share for VCTC's 5337 swap amount, freeing up OCTA's Section 5337 funds. Since OCTA and METRO both access funds apportioned to the Los Angeles Urban Area, the 5337 funds released by OCTA can be used by METRO for any eligible project in the Los Angeles area. As with the 5307 swap, METRO will pay SCRRA directly with its local sales tax funds. Attachment C provides for VCTC approval a Letter of Agreement with OCTA to memorialize the transaction involving that agency.

The FTA requirements for the Section 5307 funds transfer between areas require consultation with the transit operators in the areas from which funds are being removed. Staff will accomplish this consultation through a TRANSCOM agenda item scheduled for October 13th, 2016.

Attachment 1	Fund Exchange Agreement between VCTC, METRO, and Metrolink
Attachment A	Fund Exchange Amounts
Attachment B	Fund Exchange Diagram – Section 5337 funds
Attachment C	Fund Exchange Diagram – Section 5307 funds
Attachment D	Letter of Agreement between OCTA and VCTC

ATTACHMENT 1

FUND EXCHANGE AGREEMENT
BETWEEN
VENTURA COUNTY TRANSPORTATION COMMISSION
AND
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
AND
SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

This Fund Exchange Agreement dated September ___, 2016 is effective between Ventura County Transportation Commission (VCTC), Los Angeles County Transportation Authority (LACMTA) also known as Metro, and Southern California Regional Rail Authority (SCRRA), hereinafter referred to as the PARTIES.

RECITALS

WHEREAS, VCTC is a member of the Joint Powers Authority (JPA) that constitutes SCRRA, operator of Metrolink commuter rail service, and

WHEREAS, as a member of the SCRRA JPA, VCTC is obligated to fund its share of Board approved annual operating expenses for Metrolink commuter rail service; and

WHEREAS, VCTC having no local transportation sales tax, historically exchanged its federal transportation funds with Metro local funds in SCRRA's internal budgets to help fulfill its annual SCRRA operating subsidy obligations; and

WHEREAS, VCTC committed to provide $5,802,502 of federal funds to be exchanged with Metro local funds and applied to its Fiscal Year (FY) 2015-16 operating subsidy, and $6,800,976 of federal funds to be exchanged with Metro local funds and applied to its FY 2016-17 operating subsidy for a total of $12,603,478 over two years; and

WHEREAS, in FY 2015-16 and FY 2016-17, Metro did not have sufficient operating-eligible funds for Metrolink rehabilitation projects to facilitate VCTC's annual fund exchanges, resulting in operating subsidy shortfalls in SCRRA's operating budgets for FY 2015-16 and FY 2016-17 in the amount of $12,603,478;

The PARTIES agree to execute a Fund Exchange Agreement to enable VCTC to fulfill its operating subsidy obligations for SCRRA for FY 2015-16 and FY 2016-17.

AGREEMENT

1. VCTC will provide **$6,857,000** of Federal Transit Administration (FTA) Section 5337 funds, and **$5,103,189** of FTA Section 5307 funds totaling **$11,960,189** from the Oxnard Urbanized Area (UZA) and Thousand Oaks UZA for fund exchanges applicable to FY 2015-16 and FY 2016-17.

2. VCTC will supplement its **$11,960,189** of FTA Section 5337 and Section 5307 funds with **$643,289** of Local Transportation Funds (LTF) to be added to VCTC's third quarter member subsidy payment to SCRRA, increasing that payment from the previously-planned $512,630.83 to $1,155,919.83. The aggregate amount of FTA Section 5337 funds, Section 5307 funds, and LTF funds is **$12,603,478**, allowing VCTC to pay its FY 2015-16 and FY 2016-17 operating subsidy shortfall in full.

3. VCTC's FTA Section 5337 funds in the amount of **$6,857,000** will be used for Orange County Transportation Authority's (OCTA's) share of federally-eligible projects on the Metrolink commuter rail system. SCRRA will apply for the funds in its grant application for FY 2017 Metrolink Rehabilitation & Fare Collection System Upgrades.

4. VCTC's FTA Section 5337 funds in the amount of $643,289 will be used towards VCTC's share of Metrolink Rehabilitation & Fare Collection System Upgrades, offsetting $643,289 of LTF that VCTC had budgeted for that project.

5. VCTC's FTA Section 5337 fund exchange with OCTA will be documented in a separate letter agreement executed between VCTC and OCTA (Attachment D).

6. As included in the letter agreement between OCTA and VCTC, OCTA will provide a separate letter to Metro authorizing Metro to utilize **$6,857,000** of FTA Section 5337 funds apportioned to OCTA from the Los Angeles/Long Beach/Santa Ana UZA for Preventive Maintenance on the Metro Rail system.

7. Metro will amend its FTA grant for Metro Rail Preventive Maintenance to include **$6,857,000** of FTA Section 5337 funds from the Los Angeles/Long Beach/Santa Ana UZA, and will make available an equal amount of local Prop A-35 funds from the Metro Rail Preventive Maintenance budget.

8. VCTC will transfer **$5,103,189** of its FTA Section 5307 funds from the Oxnard and Thousand Oaks UZAs to the California Department of Transportation (Caltrans) for subsequent transfer to Metro for use on Metro Rail Preventive Maintenance. The fund transfer will be performed consistent with instructions in FTA Circular 9030.1E, Section III-5.

9. Metro will amend its FTA grant for Metro Rail Preventive Maintenance to include **$5,103,189** of FTA 5307 funds transferred from the Oxnard and Thousand Oaks UZAs through Caltrans, and will make available an equal amount of local Prop A-35 funds from the Metro Rail Preventive Maintenance budget.

10. In exchange for **$6,857,000** of FTA Section 5337 funds, and **$5,103,189** of FTA Section 5307 funds, Metro will provide **$11,960,189** of local Prop A-35 funds directly to SCRRA on a schedule to be agreed upon by the Parties., with the full amount to be paid to SCRRA no later than _________.

11. VCTC and Metro will each be responsible for making the necessary revisions to applicable projects in the 2015 and 2017 Federal Transportation Improvement Program (FTIP) to ensure compliance with FTA planning requirements.

12. This Fund Exchange Agreement will terminate upon closeout of the applicable FTA grants for the Section 5337 and Section 5307 funds covered in this Fund Exchange Agreement, and upon final reconciliation of expenses for projects involved in the fund exchanges described in this Agreement.

The PARTIES have caused this Fund Exchange Agreement to be executed on the above-mentioned date.

VENTURA COUNTY TRANSPORTATION COMMISSION

By:________________________________
Darren Kettle
Executive Director

APPROVED AS TO FORM:

By:________________________________
Steven T. Mattas
General Counsel

LOS ANGELES COUNTY TRANSPORTATION AUTHORITY

By:________________________________
Phillip A. Washington
Chief Executive Officer

APPROVED AS TO FORM:

By:________________________________

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

By:________________________________
Arthur T. Leahy
Chief Executive Officer

APPROVED AS TO FORM:

By:________________________________
Don O. Del Rio
General Counsel

Attachments:
A – Fund Exchange Amounts
B – Fund Exchange Diagram – Section 5337 funds
C – Fund Exchange Diagram – Section 5307 funds
D – Letter Agreement between OCTA and VCTC dated ____ RE Fund Exchange between OCTA and VCTC

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ATTACHMENT A

FUND EXCHANGE AMOUNTS

BUDGET YEAR 2015-16:					
From/To	**Fund Type**	**UZA**	**FFY**	**Amount**	**Transaction Notes:**
VCTC -> OCTA	Sec 5337	#103 - OXN	2016	$ 1,812,385	SCRRA 2017 Rehab & FCS Grant:
	Sec 5337	#168 - THO	2015	$ 1,374,075	SCRRA uses VCTC OXN/THO funds
	Sec 5337	**Total**		**$ 3,186,460**	for OCTA's share of FCS.
OCTA -> Metro	Sec 5337	#2 - LA/LB/SA	2015	$ 3,186,460	Metro Rail Prev Maint (PM) Grant:
					Metro uses UZA 2 funds from OCTA
					for Metro Rail PM.
VCTC -> Metro	Sec 5307	#103 - OXN	2016	$ 1,876,445	Metro Rail Prev Maint (PM) Grant:
	Sec 5307	#168 - THO	2016	$ 739,597	VCTC xfers 5307 to State. State to Metro.
	Sec 5307	**Total**		**$ 2,616,042**	Metro uses 5307 for PM.
Metro -> SCRRA	**Local Prop A**	n/a		**$ 5,802,502**	Metro provides Prop A-35 to SCRRA.

BUDGET YEAR 2016-17					
From/To	**Fund Type**	**UZA**	**FFY**	**Amount**	**Transaction Notes:**
VCTC -> OCTA	Sec 5337	#103 - OXN	2016	$ 1,865,030	SCRRA 2017 Rehab & FCS Grant:
	Sec 5337	#168 - THO	2015	$ 217,788	SCRRA uses VCTC OXN/THO funds
	Sec 5337	#168 - THO	2016	$ 1,587,722	for OCTA's share of FCS.
	Sec 5337	**Total**		**$ 3,670,540**	
OCTA -> Metro	Sec 5337	#2 - LA/LB/SA	2015	$ 3,670,540	Metro Rail Prev Maint (PM) Grant:
	Sec 5337				Metro uses OCTA UZA 2 funds
					for Metro Rail PM.
VCTC -> Metro	Sec 5307	#103 - OXN	2016	$ 1,594,538	Metro Rail Prev Maint (PM) Grant:
	Sec 5307	#168 - THO	2016	$ 892,609	VCTC xfers 5307 to State. State to Metro.
	Sec 5307	**Total**		**$ 2,487,147**	Metro uses 5307 for PM.
Metro -> SCRRA	**Local Prop A**	n/a		**$ 6,157,687**	Metro provides Prop A-35 to SCRRA.
VCTC -> SCRRA	**LTF**	n/a		**$ 643,289**	VCTC provides LTF to SCRRA.
TOT FY 2016-17				**$ 6,800,976**	

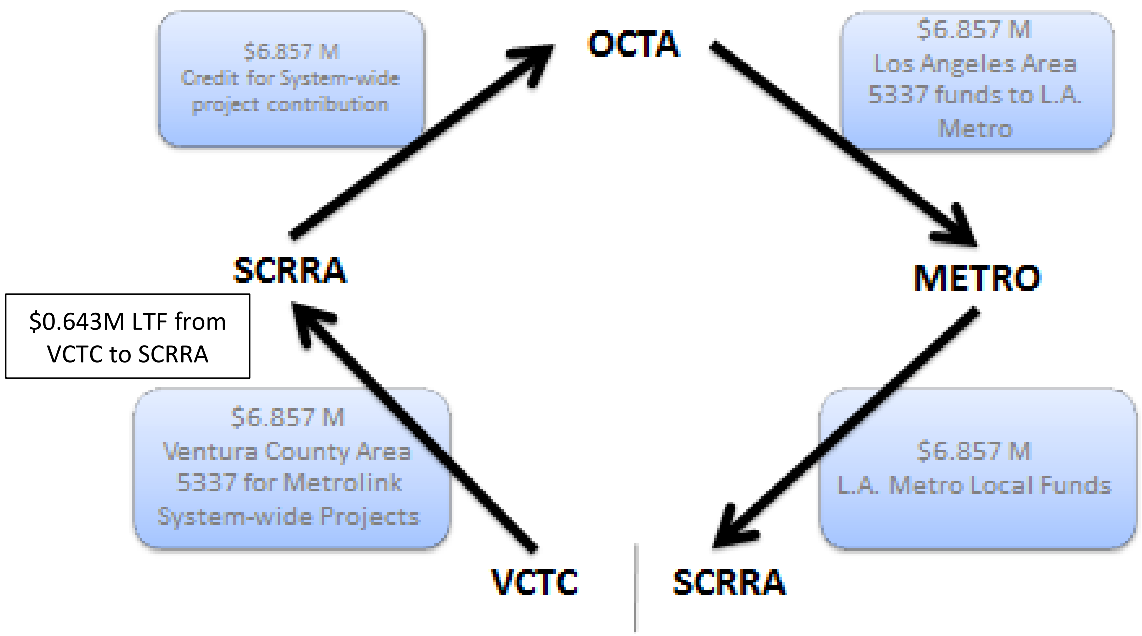
ATTACHMENT A - Continued

FUND EXCHANGE AMOUNTS - TOTAL

TOTAL (BOTH YEARS)					
From/To	**Fund Type**	**UZA**	**FFY**	**Amount**	**Transaction Notes:**
VCTC -> OCTA	Sec 5337	#103 - OXN	2016	$ 3,677,415	SCRRA Rehab & FCS Grant:
	Sec 5337	#168 - THO	2015	$ 1,591,863	SCRRA uses VCTC OXN/THO funds
	Sec 5337	#168 - THO	2016	$ 1,587,722	for OCTA's share of FCS.
	Sec 5337	**Total**		**$ 6,857,000**	
OCTA -> Metro	Sec 5337	#2 - LA/LB/SA	2015	$ 6,857,000	Metro Rail Prev Maint (PM) Grant:
	Sec 5337				Metro uses OCTA UZA 2 funds
					for Metro Rail PM.
VCTC -> Metro	Sec 5307	#103 - OXN	2016	$ 3,470,983	Metro Rail Prev Maint (PM) Grant:
	Sec 5307	#168 - THO	2016	$ 1,632,206	VCTC xfers 5307 to State. State to Metro.
	Sec 5307	**Total**		**$ 5,103,189**	Metro uses 5307 for PM.
Metro -> SCRRA	**Local Prop A**	n/a		**$ 11,960,189**	Metro provides Prop A-35 to SCRRA.
VCTC -> SCRRA	**LTF**	n/a		**$ 643,289**	VCTC provides LTF to SCRRA.
TOTAL BOTH YEARS				**$ 12,603,478**	

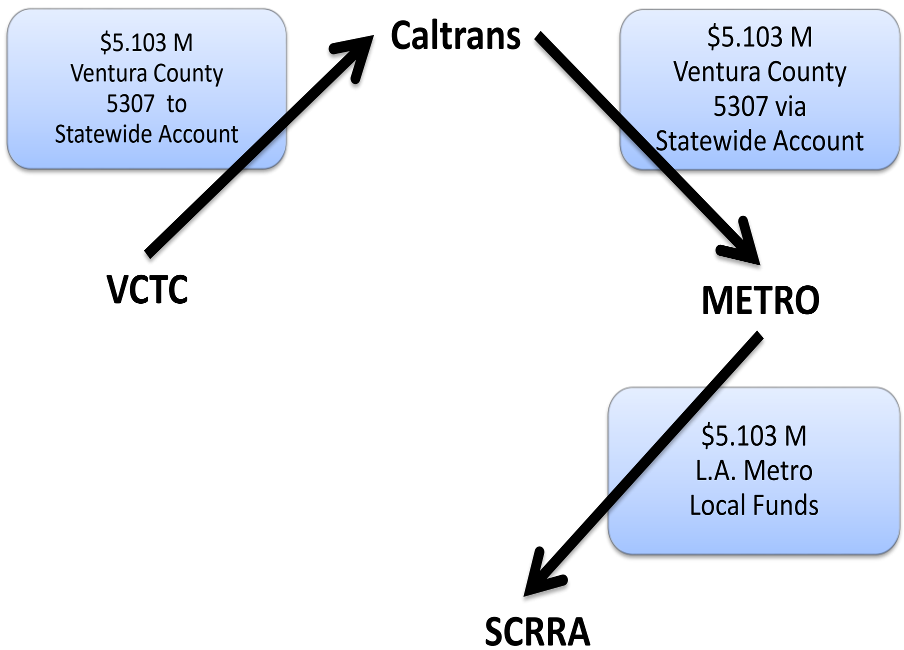
ATTACHMENT B

Section 5337 Fund Exchange
FY 2015-16 and FY 2016-19



ATTACHMENT C

Section 5307 Fund Exchange
FY 2015-16 and FY 2016-17



Fund diagrams exclude $643K of LTF which will be paid by VCTC directly to SCRRA.

ATTACHMENT D
DRAFT

LETTER OF AGREEMENT
BETWEEN
VENTURA COUNTY TRANSPORTATION COMMISSION
AND
ORANGE COUNTY TRANSPORTATION AUTHORITY

THIS LETTER OF AGREEMENT (LOA) is effective this ______ day of _____________, 2016, by and between the Orange County Transportation Authority, 550 South Main Street, P.O. Box 14184, Orange, California 92863-1584, a public corporation of the State of California (hereinafter referred to as "OCTA"), and the Ventura County Transportation Commission, 950 County Square Drive, Suite 207, Ventura, CA 93003, a public corporation of the State of California (hereinafter referred to as "VCTC") mutually referred to herein as "PARTIES".

RECITALS:

WHEREAS, the PARTIES desire to enter into a LOA to facilitate a swap of Federal Transit Administration (FTA) Section 5337 funds; and

WHEREAS, VCTC needs to exchange or swap federal funds for local operating funds for VCTC's share of Metrolink service; and

WHEREAS, Section 5337 funds can be used for eligible projects benefiting the Urbanized Area to which they are apportioned; and

WHEREAS, VCTC will provide $6,857,000 of FTA Section 5337 funds from the Oxnard Urbanized Area (UZA) (UZA #103) and Thousand Oaks UZA (UZA #168) to Southern California Regional Rail Authority (SCRRA) for OCTA's share of the SCRRA Fare Collection System Upgrade project and, as necessary, for an eligible SCRRA Rehabilitation project to ensure all VCTC FTA Section 5337 funds are expended by December 2020; and

WHEREAS, OCTA will provide $6,857,000 of FTA Section 5337 funds from the Los Angeles/Long Beach/Santa Ana UZA (UZA#2) to Los Angeles County Metropolitan Transportation Authority (Metro) in exchange for the FTA Section 5337 funds provided by VCTC for Metro's use on Metro Rail Preventive Maintenance; and

WHEREAS, under a separate Fund Exchange Agreement between VCTC, Metro and SCRRA, in recognition of the FTA Section 5337 funds provided by OCTA, Metro will provide $6,857,000 in local funds to SCRRA for VCTC's share of operating subsidy.

NOW THEREFORE, it is mutually understood and agreed by PARTIES that:

1. <u>Responsibilities of VCTC</u>
   a. VCTC will revise its funding support letter to SCRRA to account for the additional $6,857,000 of VCTC's FTA Section 5337 funds for OCTA's share of the Fare Collection project.

2. Responsibilities of OCTA
    a. OCTA will amend the Federal Transportation Improvement Program (FTIP) to revise the mix of funding for the FY 2016-17 SCRRA Rehabilitation Budget between UZA 2 and UZA 68 and to delete the SCRRA Fare Collection System Upgrade project.
    b. OCTA will send a letter to Metro authorizing their use of $6,857,000 of FTA Section 5337 funds from OCTA's FFY 2014 and FFY 2015 apportionments in UZA 2.
    c. OCTA will revise its funding support letter to SCRRA to account for the reduction of $6,857,000 of FTA Section 5337 funds for OCTA's share of the Fare Collection project and acknowledging these funds are replaced by VCTC FTA Section 5337 funds as well as revising the mix of UZA 2 and UZA 68 funding for OCTA's share of the FY 2016-17 SCRRA Rehabilitation Budget.

This Letter of Agreement shall be effective upon execution by all PARTIES.

IN WITNESS WHEREOF, the PARTIES hereto have caused this Letter of Agreement to be executed on the date first above written.

ORANGE COUNTY TRANSPORTATION AUTHORITY	VENTURA COUNTY TRANSPORTATION COMMISSION
______________________________	______________________________
Darrell Johnson, Chief Executive Officer	Darren M. Kettle, Executive Director

Item # 11

October 7, 2016

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **TREENA GONZALEZ, TRANSIT PLANNER**
MARTIN R. ERICKSON, DIRECTOR OF PUBLIC TRANSIT

SUBJECT: **VCTC OXNARD-CAMARILLO CONNECTOR ROUTE**

RECOMMENDATION:

- Receive and file an update on the implementation of the new VCTC Oxnard-Camarillo Connector bus service

BACKGROUND:

VCTC has received a number of requests for direct bus service to provide access from Southeast Oxnard to employment opportunities in Camarillo. The Southeast Oxnard area is also a disadvantaged community area under the California Cap and Trade LCTOP (Transit Operations) program. It should be noted that in 2014 a survey conducted by Central Coast Alliance for a Sustainable Economy (CAUSE) of workers at the Camarillo Outlets identified a significant demand for service to the Outlets from Oxnard, which validated a 2012 VCTC survey and supported the 2015 Cap and Trade proposal. In April 2015, the Commission approved programming a total of $1,099,042 of LCTOP funds, for the purchase of a bus and the operations of the new route which will begin at the "C"-Street Transfer Center in South Oxnard and terminate at the Camarillo Metrolink Station. The vehicle has since been delivered, received, equipped as necessary, and service is ready to begin.

DISCUSSION:

The Oxnard-Camarillo Connector demonstration project represents the first new VCTC Intercity Transit route launched in more than 10 years. The route will provide direct access from the economically disadvantaged communities in South and East Oxnard to the Camarillo Premium Outlets, an important employment destination for Oxnard workers and a regional visitor destination. The route will also increase general connectivity between Camarillo and Oxnard. Service is planned to begin October 15, 2016 in advance of the holiday season, a period of increased employment and heightened demand for transportation to the Camarillo Outlets mall.

To accommodate retail-worker schedules, the route will operate 7 days per week with four eastbound trips and five westbound trips with travel times estimated at 35-45 minutes. Eastbound trips will originate in South Oxnard from the "C"-Street Transfer Center, followed by a stop at the Oxnard Transit Center (OTC) and continuing via Highway 34 to the Camarillo Outlets mall, terminating at the Camarillo Metrolink Station. Service will operate on two-hour headways from 7:10am – 10:50pm with connections at the major Gold Coast Transfer Centers in Oxnard and at the Camarillo Metrolink Station as seen in Attachment A. Service adjustments will be considered in the future based on ridership.

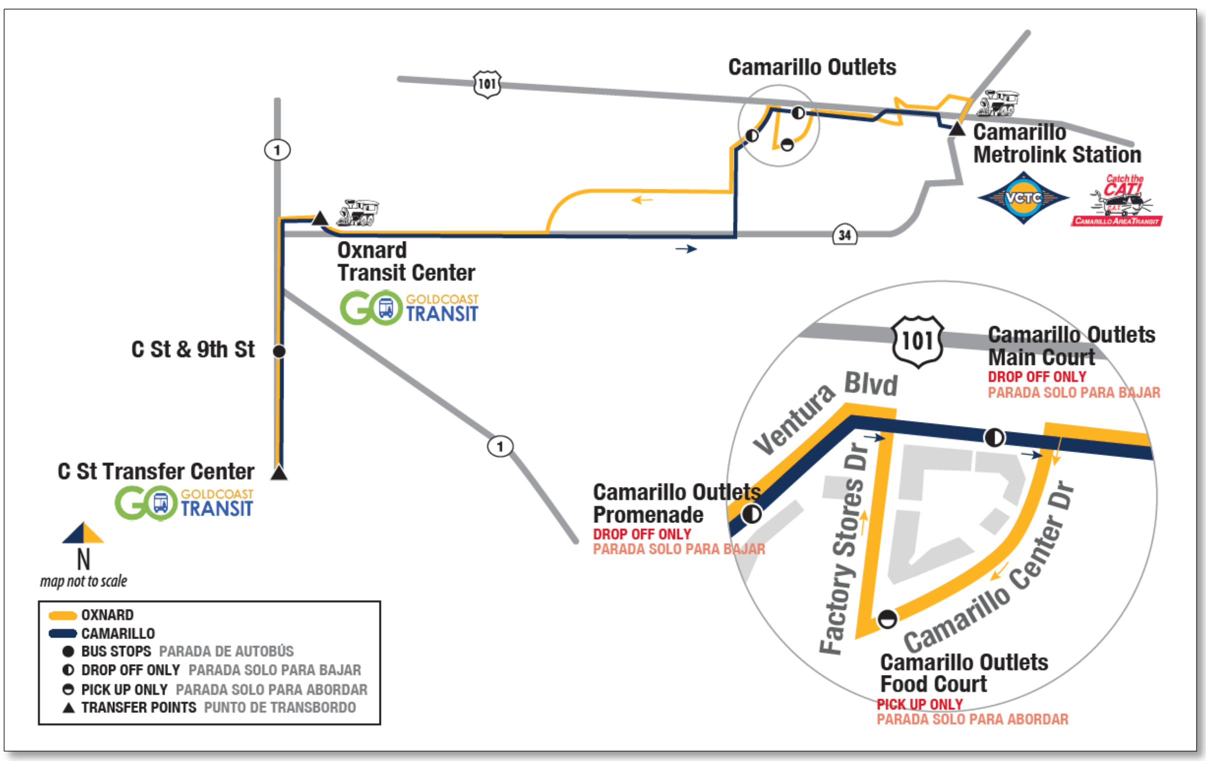
Outreach for the new service is currently ongoing and includes the following: social media postings; flyers on-board the VCTC, Gold Coast, and Camarillo buses; news releases; a ribbon-cutting ceremony; coordination with community groups; and outreach to the Camarillo Premium Outlets managers and employees.

Attachments: Oxnard-Camarillo Connector Draft Timetable & Route Map

Draft Oxnard-Camarillo Connector Schedule & Route Map **Attachment**

Draft Timetable - Oxnard to Camarillo (Mon-Fri, Sat & Sun)					
C St Transfer Center	**C St & 9th St**	**Oxnard Transit Center (OTC)**	**Camarillo Outlets Promenade**	**Camarillo Outlets Main Court**	**Camarillo Metrolink Station**
By Centerpoint Mall	*Southeast Corner*	*4th St & Meta*	*Ventura Blvd.*	*Ventura Blvd. & Camarillo Center Dr.*	*Lewis Rd. & Ventura Blvd.*
7:10	*Flag*	7:20	7:39	7:41	7:48
9:00	*Flag*	9:10	9:29	9:31	9:38
11:00	*Flag*	11:10	11:30	11:32	11:39
1:00 PM	*Flag*	1:10 PM	1:30 PM	1:32 PM	1:39 PM

Draft Timetable - Camarillo to Oxnard (Mon-Fri, Sat & Sun)				
Camarillo Metrolink Station	**Camarillo Outlets Food Court**	**Oxnard Transit Center (OTC)**	**C-St & 9th St.**	**C-St Transfer Center**
Lewis Rd. & Ventura Blvd.	*Camarillo Center Dr. & Factory Stores Dr.*	*4th St & Meta*	*Southwest Corner*	*By Centerpoint Mall*
2:15 PM	2:20 PM	2:40 PM	*Flag*	2:50 PM
4:15 PM	4:20 PM	4:40 PM	*Flag*	4:50 PM
6:15 PM	6:20 PM	6:40 PM	*Flag*	6:50 PM
8:15 PM	8:20 PM	8:40 PM	*Flag*	8:50 PM
10:15 PM	10:20 PM	10:40 PM	*Flag*	10:50 PM



Item # 12

October 7, 2016

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AARON BONFILIO, PROGRAM MANAGER, TRANSIT SERVICES

SUBJECT: VETS RIDE FREE, VETERANS' DAY FARE PROMOTION

RECOMMENDATION:

- Receive and file report on Veterans' Day Free Fare Promotion

BACKGROUND:

At the July 2016 Commission meeting the Commission received public comment regarding Veteran transportation needs, and discussed potential reduced fare promotional activities. Among the topics discussed were exploring the possibility of VCTC's bus service hosting a "Vets ride free day" on this coming Veterans' Day, similar to what was done during Bike to Work Week, wherein patrons who biked to or from the bus rode for free. Staff reviewed the parameters of this fare promotion and with the Executive Director's authority to engage in marketing and promotional activities, began the process of planning such a fare promotion for this coming Veterans' day.

For the first time, in over twenty years of service, VCTC transit will be hosting a *Vets Ride Free Day,* on Friday, November 11, 2016. In addition, to offer the widest benefit to the veteran community, VCTC has reached out to all of the neighboring transit operators within the county, and is excited to announce that the *Vets Ride Free* fare promotion will extend to all fixed route transit systems within Ventura County, including:

- Camarillo Area Transit
- Gold Coast Transit District
- Moorpark City Transit
- Ojai Trolley
- Simi Valley Transit
- Thousand Oaks Transit
- VCTC
- Valley Express

In addition, the following dial-a-ride programs will be participating, Valley Express, Oak Park and Camarillo Area Transit.

To board, patrons will simply show their valid ID to the bus driver. Accepted forms of ID include but are not limited to: US Military ID, CAC, VA Card, Veterans designation on CA Driver's License, DD214 and Retired Military ID.

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Item # 13

October 7 , 2016

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR**

SUBJECT: **WILSON & COMPANY INC. CONSTRUCTION MANAGEMENT CONTRACT RATIFICATION**

RECOMMENDATION:

- Ratify agreement with Wilson & Company Inc. for construction management and inspection services not to exceed $65,000 for repairs at two Santa Paula Branch Line (SPBL) highway crossing locations, Highway 126/East Fillmore and Highway 126/Hopper Creek.

DISCUSSION:

Staff determined that two Highway 126 crossings along the Santa Paula Branch Line (SPBL) were in need of repair, at approximately Mile Post 425.50, east Fillmore crossing, and at approximately Mile Post 429.50, Hopper Creek Crossing and that they posed a potential hazard to vehicular traffic.

Staff contacted Wilson & Company Inc., the Commission's current rail engineering firm, to investigate further and prepare an estimate for a turnkey solution for both repairs. Wilson & Company solicited bids for repair and provided staff an analysis of repairs and cost. Wilson & Company selected RailWorks as the primary contractor and determined that on the east Fillmore crossing, two to three concrete panels and a limited amount of pavement would have to be removed, ties and ballast replaced and new concrete panels and asphalt installed. The Hopper Creek crossing is anticipated to be simpler with the replacement of one damaged concrete panel. The estimated cost for both crossings including all repair work, contingencies, traffic control and inspection is approximately, $65,000. The adopted SPBL Fiscal Year 2016/2017 Budget anticipated repairs such as this and has sufficient funding to accommodate the repair.

Unfortunately on September 10th, during the development of crossing repair estimates, there was an event involving the east Fillmore crossing. It was reported that the concrete crossing panel dislodged after a truck crossed over it and that a vehicle struck the panel damaging the vehicle, fortunately no injuries were sustained. At the time of this writing the California Highway Patrol (CHP) collision report is not yet available and additional details cannot be provided at this time.

Although above the Executive Directors authority for contracts without Commission approval, Section E.9 of the VCTC By-laws and Public Utilities Code Section 130235 give the Executive Director authority to sign contracts when immediate measures are required to avert or alleviate damage to property. Working with General Counsel, staff prepared and signed a contract with Wilson & Company Inc. to repair both crossings.

In accordance with the code sections listed above staff is providing this report to the Commission along with the attached copy of the agreement and is requesting that the Commission ratify the agreement with Wilson & Company for construction management and inspection services not to exceed $65,000 for repairs to the Santa Paula Branch Line/Highway 126 crossings detailed above.

AGREEMENT BETWEEN THE VENTURA COUNTY TRANSPORTATION COMMISSION AND WILSON & COMPANY TO PROVIDE CONSTRUCTION MANAGEMENT, INSPECTION AND REPAIR SERVICES FOR THE REPAIR OF CROSSING PANELS ON THE SANTA PAULA BRANCH LINE

This is an Agreement by and between the Ventura County Transportation Commission, hereinafter referred to as VCTC, and Wilson & Company Inc. hereinafter referred to as CONTRACTOR, to provide construction management and inspection services for the repair of concrete crossing panels at two locations on the Santa Paula Branch Line/ State Route 126 at Mile Post 425.50, East Fillmore Crossing and Mile Post 429.50, Hopper Creek Crossing.

VCTC and CONTRACTOR agree as follows:

1. STATEMENT OF AGREEMENT

VCTC hereby engages CONTRACTOR, and CONTRACTOR hereby accepts such engagement, to perform the services on the terms and conditions herein described, and as set forth in Attachment 1, Scope of Services, to this Agreement. CONTRACTOR hereby warrants that it has the professional qualifications, experience and facilities to properly perform said services and hereby agrees to undertake and complete the performance thereof.

2. DESCRIPTION OF SERVICES

Contractor shall provide construction management services to engage, oversee and provide inspection services for all required contractors and/or subcontractors to repair loose and/or damaged concrete crossing panels on the at two locations on the Santa Paula Branch Line at the rail crossings with State Highway 126 east of Fillmore at approximately Mile Post 425.50 and west of Hopper Creek at approximately Mile Post 429.50 as set forth in Attachment 1, Scope of Service this Agreement. Contractor shall also retain and pay the subcontractors listed Attachment 2 to perform the work listed in Attachment 1. In the event of a conflict between any specific provision of this Agreement and any provision of Attachment 1 this Agreement shall prevail. All work by the CONTRACTOR and Subcontractors shall be performed in a good and workmanlike manner.

3. CHANGES IN THE WORK

The VCTC may, at any time, by written order to CONTRACTOR make changes within the general Scope of Work, including but not limited to revising or adding to the work or deleting portions thereof. Upon agreement of the parties and receipt of notice of change to the Scope of Work, CONTRACTOR shall immediately take all necessary steps to comply therewith.

4. COMPENSATION

4.1 – The total compensation payable by VCTC, to CONTRACTOR, for the above stated services to be performed by Contractor and all subcontractors is not to exceed $65,000 for the one-time engagement in accordance with Attachment 2, Contract Pricing Proposal. The VCTC shall not be obligated to pay CONTRACTOR for costs incurred in excess of this amount unless prior written consent is provided by VCTC in writing prior to the commencement of the work.

4.2 – CONTRACTOR will invoice VCTC at the completion of all work for a lump sum one-time payment. VCTC will pay CONTRACTOR within thirty (30) days of receipt of an approved invoice. Invoices shall be supported by an itemized statement of costs specified in Contractor's Proposal and claimed to have been incurred by CONTRACTOR and its subcontractors in the performance of the Agreement during the period covered by each invoice. Costs in excess of those specified in Item 4.1 above shall not be eligible for reimbursement.

5. PROGRESS AND COMPLETION

CONTRACTOR shall commence work on the services to be performed upon full execution of this Agreement and shall consider full execution of this Agreement as Notice to Proceed. All work under this Agreement is to be completed in an expedient manner and the Agreement shall expire within six months of Notice to Proceed.

6. ASSIGNMENT AND SUBCONTRACTING

This Agreement is for professional services including repairs and CONTRACTOR may not assign its rights under this Agreement nor delegate the performance of its or the listed subcontractor's duties without the VCTC's prior written consent. Any assignment or delegation without VCTC's prior written consent shall be void.

7. RELATIONSHIP OF THE PARTIES

CONTRACTOR is, and at all times retains the status of, an independent contractor. CONTRACTOR shall have complete control and responsibility over the details and performance of the services herein required to complete the Agreement, and in no event shall CONTRACTOR be considered an officer, agent, servant or employee of VCTC.

8. KEY PERSONNEL

Mr. Larry G. Long, Vice President is considered essential to the work being performed under this Agreement; substitution for this individual will not be made without the prior written consent of the VCTC.

9. INSURANCE

CONTRACTOR shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the CONTRACTOR, its agents, representatives, or employees.

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis for bodily injury and property damage, including products-completed operations, personal injury and advertising injury, with limits no less than $1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if CONTRACTOR has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than $1,000,000 per accident for bodily injury and property damage.

3. Workers' Compensation insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than $1,000,000 per accident for bodily injury or disease.

   (Not required if CONTRACTOR provides written verification it has no employees)
4. Professional Liability (Errors and Omissions) Insurance appropriates to the CONTRACTOR's profession, with limit no less than $1,000,000 per occurrence or claim, $2,000,000 aggregate.

If the CONTRACTOR maintains higher limits than the minimums shown above, the VCTC requires and shall be entitled to coverage for the higher limits maintained by the contractor.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status

The VCTC, its officers, officials, employees, and volunteers are to be covered as additional insureds on the auto policy with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the CONTRACTOR; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the CONTRACTOR including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the CONTRACTOR's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 23 37 forms if later revisions used).

Primary Coverage

For any claims related to this contract, the CONTRACTOR's insurance coverage shall be primary insurance as respects the VCTC, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the VCTC, its officers, officials, employees, or volunteers shall be excess of the CONTRACTOR's insurance and shall not contribute with it.

Notice of Cancellation

Each insurance policy required above shall state that coverage shall not be canceled, except with 30 days' notice to the VCTC.

Waiver of Subrogation

CONTRACTOR hereby grants to VCTC a waiver of any right to subrogation which any insurer of said CONTRACTOR may acquire against the VCTC by virtue of the payment of any loss under such insurance. CONTRACTOR agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the VCTC has received a waiver of subrogation endorsement from the insurer.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise accepted in writing by VCTC.

Claims Made Policies

If any of the required policies provide coverage on a claims-made basis:

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.

3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the CONTRACTOR must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.

Verification of Coverage

CONTRACTOR shall furnish the VCTC with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the VCTC before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the CONTRACTOR's obligation to provide them. The VCTC reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Subcontractors

CONTRACTOR shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein.

Special Risks or Circumstances

VCTC reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

Deductibles and Self-Insured Retentions

CONTRACTOR shall disclose to and obtain the approval of VCTC for any self-insured retention and/or deductible of all insurance policies required by this Agreement before beginning any of the services or work called for by any term of this Agreement/approval of this agreement by VCTC. The VCTC may require the CONTRACTOR to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. Further, if any insurance policy required by this Agreement includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability. Additionally, the certificates of insurance must note whether the policy does or does not include any self-insured retention and also must disclose the deductible.

10. PERMITS

CONTRACTOR shall, at CONTRACTOR's expense, obtain all necessary permits and licenses necessary to perform and complete the work under this Agreement, give all notices, and pay all fees and taxes required by law. Any permits required from VCTC shall be granted to CONTRACTOR at no cost.

11. INDEMNIFICATION

Notwithstanding the existence of insurance coverage required of CONTRACTOR pursuant to this Agreement, CONTRACTOR shall save, keep, indemnify, hold harmless and defend VCTC and its appointed and elected officials, officers, employees and agents, from every claim or demand made and every liability, loss damage or expense of any nature whatsoever and all costs or expenses incurred in connection therewith, which arise at any time, by reason of damage to the property of, or personal injury to, any person, occurring or arising out of the performance of CONTRACTOR, its officers, agents or employees, including but not limited to, its subcontractors, of the work required pursuant to this agreement, occasioned by any alleged or actual negligent or wrongful act or omission by CONTRACTOR including any such liability imposed by reason of any infringement or alleged infringement of rights or any person or persons, firm or corporation, in consequence of the use in the performance of CONTRACTOR of the work hereunder of any article or material supplied installed pursuant to this agreement. Contractor shall not be required to indemnify and hold harmless VCTC, its officers, agents or employees (VCTC Indemnitees) for any such claims, damages, penalties, obligations or liabilities attributable to the sole negligence, failure to act or misconduct of VCTC Indemnitees.

12. NON-DISCRIMINATION

CONTRACTOR shall not discriminate in the hiring of employees or in the employment of subcontractors on the basis of sex, race, religion, age, natural origin, handicap, or any other basis prohibited by law. CONTRACTOR shall comply with the provisions of the Fair Employment and Housing Act and applicable laws promulgated thereunder.

13. RECORDS AND AUDITS

The CONTRACTOR's accounting systems shall conform to generally accepted accounting principles (GAAP), enable the determination of costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers, except for the audit working papers, of CONTRACTOR connected with performance under this Agreement shall be maintained for a minimum of three years from the date of final payment to CONTRACTOR and shall be held open to inspection and audit by representatives of the State Auditor General.

14. ATTORNEY'S FEES

In the event an action is filed by either party to enforce rights under this Agreement, the prevailing party shall be entitled to recover a reasonable attorney's fee in addition to any relief granted by the court.

15. TERMINATION BY VCTC

This Agreement may be terminated by the VCTC at any time upon thirty (30) days written notice. In full discharge of any obligation to CONTRACTOR in respect of this Agreement and such termination, the VCTC shall pay for the costs and noncancelable commitments incurred prior to the date of termination and fair closeout costs in accordance with Article 4. CONTRACTOR shall take all reasonable steps to minimize termination costs. In no event, however, shall the VCTC be obligated to pay CONTRACTOR any amount in excess of the total funds committed by the VCTC up to the time of termination to support the work.

16. NOTICES

16.1 – All notices to the VCTC under this Agreement shall be in writing and sent to:

Mr. Steve DeGeorge, Director of Planning
Ventura County Transportation C
950 County Square Drive, Suite 207
Ventura, CA 93003

16.2 – All notices to CONTRACTOR under this Agreement shall be in writing and sent to:

Mr. Larry G. Long, Vice President
Wilson & Company Inc.
625 E. Carnegie Drive, Suite 100
San Bernardino, CA 92408

17. ENTIRE AGREEMENT, MODIFICATION, AND EFFECTIVE DATE

17.1 – This Agreement constitutes the entire Agreement between the parties and supersedes all previous agreements and understandings related to this work. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by a party, or anyone acting on behalf of any party, which are not embodied herein, and that any other agreement, statement or promise not contained in the Agreement shall not be valid or binding.

17.2 – This Agreement may not be altered, amended, or modified except by a written instrument signed by the duly authorized representative of both parties.

17.3 – This Agreement shall be effective as of the issuance of a Notice to Proceed from the VCTC to CONTRACTOR.

18. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of California. This Agreement is executed and to be performed in the County of Ventura.

19. BREACHES AND DISPUTE RESOLUTION PROCEDURE

Disputes – Disputes arising in the performance of this Contract which are not resolved by agreement of the parties shall be decided in writing by the authorized representative of VCTC. This decision shall be final and conclusive unless within [ten (10)] days from the date of receipt of its copy, the Contractor mails or otherwise furnishes a written appeal to the VCTC. In connection with any such appeal, the Contractor shall be afforded an opportunity to be heard and to offer evidence in support of its position. The decision of the VCTC shall be binding upon the Contractor and the Contractor shall abide be the decision.

Performance During Dispute – Unless otherwise directed by VCTC, Contractor shall continue performance under this Contract while matters in dispute are being resolved.

Claims for Damages – Should either party to the Contract suffer injury or damage to person or property because of any act or omission of the party or of any of his employees, agents or others for whose acts he is legally liable, a claim for damages therefor shall be made in writing to such other party within a reasonable time after the first observance of such injury of damage.

Remedies – Unless this contract provides otherwise, all claims, counterclaims, disputes and other matters in question between the VCTC and the Contractor arising out of or relating to this agreement or its breach will be decided by arbitration if the parties mutually agree, or in a court of competent jurisdiction within the State of California.

Rights and Remedies – The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law. No action or failure to act by the VCTC, Contractor shall constitute a waiver of any right or duty afforded any of them under the Contract, nor shall any such action or failure to act constitute an approval of or acquiescence in any breach thereunder, except as may be specifically agreed in writing.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives.

VENTURA COUNTY TRANSPORTATION COMMISSION

______________________________ ______________
Darren M. Kettle, Executive Director Date

APPROVED AS TO FORM:

______________________________ ______________
Steven T. Mattas, General Counsel Date

CONTRACTOR – Wilson & Company Inc.

______________________________ ______________
Larry G. Long, Vice President Date

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Attachment 1

Scope of Services

Task 1:

Contractor shall provide construction management services to engage, oversee and provide inspection services for all required contractors and/or subcontractors to repair concrete crossing panels on the Santa Paula Branch Line at two locations at Mile Post 425.50, East Fillmore Crossing/Hwy 126 and Mile Post 429.50, Hopper Creek Crossing/Hwy. 126.

Repair activities include but are not limited to:

East Fillmore Crossing

- Design Traffic Control
- Obtain Traffic Control and Lan Closure approvals from local approving agency (Caltrans) (closure of both inside lanes and center median)
- Pay applicable fees, obtain permits, administer and maintain traffic control
- Remove asphalt, crossing surface material
- Inspect general tie and track condition in crossing area
- Replace all wood ties in southern, eastbound traffic lane under loose crossing panel, replace OTM with pandrol plates and fastenings
- Tamp trackto meet existing track surface and road profile, dress new ballast, track surface should meet FRA Class 2 standards
- Re-install crossing surface material, tack weld panels together. Supply "T" angle iron to span existing panel gap for track welding (if needed)
- Replace ashphalt and roller compact

Hopper Creek

- Design Traffic Control
- Obtain Traffic Control and Lan Closure approvals from local approving agency (Caltrans) (closure of south eastbound traffic lane)
- Pay applicable fees, obtain permits, administer and maintain traffic control
- Inspect general tie and track condition in in south eastbound traffic lane
- Remove damaged field side crossing surface material
- Replace ties or plug screw holes, tam track as needed to meet existing track surface and road proile, track surface should meet FRA Class 2 standards
- Place new track surface material provided by Ventura County Transporation Commission, lag surface material to ties (new lag screws), tack weld panels together
- Replace ashphalt and roller compact

SANTA PAULA BRANCH LINE
CROSSING REPAIRS - WILSON & COMPANY

September 19, 2016

Attachment 2

Contract Pricing Proposal

19-Sep-16

Purchase Order Breakdown - Hopper Creek Road Crossing / East Fillmore Road Crossing

Costs Based on Nightime or Weekend Work	
Railworks	
Hopper Creek Road Crossing	$16,676
East Fillmore Road Crossing	$21,150
Total (Day Time Work)	**$37,826**
20% Premium for Nights / Weekends	**$7,565**
25% Contingency	**$11,348**
Total Railworks Estimate	$56,739
Estimated Caltrans Permit Fees (Not Included in Railworks Estimate)	
Hopper Creek Road Crossing	$820
East Fillmore Road Crossing	$820
25% Contingency	$410
Total Permits	$2,050
Fillmore & Western Railroad Company - Per Crossing Cost	
Flag, Signal, Inspect - Day Rate Per Crossing	$3,263.10
Flag, Signal, Inspect - Nights / Weekends Rate Per Crossing	$4,501.90
Total Fillmore & Western Railroad Company	$9,003.80
Total of Wilson & Company Sub-Contractor's	$67,792.80
Wilson & Company Inc.	
Existing Authorization	$1,000
Balance of Preliminary Fee Estimate	$2,420
Mark Up on Sub-Contractors (10%)	$6,779.28
Total Wilson & Company Inc.	$9,199.28
Total Project Purchase Order	$76,992.08