VENTURA COUNTY TRANSPORTATION COMMISSION
VENTURA COUNCIL OF GOVERNMENTS
JOINT MEETING

AGENDA*

Actions may be taken on any item listed on the agenda

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, JANUARY 6, 2012
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**
   VENTURA COUNTY TRANSPORTATION COMMISSION
   AIRPORT LAND USE COMMISSION
   SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
   CONSOLIDATED TRANSPORTATION SERVICE AGENCY
   CONGESTION MANAGEMENT AGENCY

   VENTURA COUNCIL OF GOVERNMENTS

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.*

VCOG BUSINESS

8. CONSENT CALENDAR

A. Minutes – Adopt the Minutes of the November 10, 2011 meeting – **pg.5**

B. Audited Financial Statements – Receive and File – **pg.7**

C. Announcement of SCAG District Elections – Receive and File – **pg.9**

9. ELECTION OF CHAIR ELECT – pg.11

VCOG/VCTC JOINT PRESENTATION

10. SCAG PRESENTATION OF REGIONAL TRANSPORTATION PLAN (RTP)/SUSTAINABLE COMMUNITIES STRATEGY (SCS) – PG.13

VCTC BUSINESS

11. APPROVE SUMMARY FROM DECEMBER 2, 2011 REGULAR VCTC MEETING- PG.15

12. 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.

12A. MONTHLY BUDGET REPORT – PG.19
Recommended Action:
Receive and file
Responsible Staff: Sally DeGeorge

12B. **RAIL OPERATIONS UPDATE – PG.25**
Recommended Action:
Receive and file
Responsible Staff: Mary Travis

12C. INSURANCE COVERAGE – PG.29
Recommended Action:
Receive and file
Responsible Staff: Sally DeGeorge

12D. AMEND MIG CONTRACT FOR COUNTYWIDE TRANSIT STUDY –PG.45
Recommended Action:

- Amend MIG contract for Countywide Transit planning activities, increasing the contract by $60,000.
- Amend the VCTC Regional Transit Planning budget, including expenditures and revenues in the amount of $60,000 in State Transit Assistance Funds (STAF).

Responsible Staff: Vic Kamhi

13. FY 2011/12 JOBS ACCESS/REVERSE COMMUTE PROGRAM OF PROJECTS – LAPSING FUNDS – PUBLIC HEARING – PG.47
Recommended Action:
Approve the attached Program of Projects (POP) to allocate for Mobility Management (Travel Training) by Mobility Management Partners Inc. $26,792 in potentially lapsing Section 5316 Jobs Access / Reverse Commute (JARC) in the Oxnard/Ventura Urban Area.
Responsible Staff: Peter De Haan

14. 2012 LEGISLATIVE PROGRAM – PG.49
Recommended Action:
Adopt 2012 Legislative Program
Responsible Staff: Peter De Haan

15. GENERAL COUNSEL'S REPORT
This item provides the opportunity for General Counsel to give update and status reports on any legal matters related to Commission activities.

16. AGENCY REPORTS

17. CLOSED SESSION

18. ADJOURN
The next Commission meeting is scheduled to be held at 9:00 a.m. Friday**, February 3, 2012**, Camarillo City Hall, City Council Chambers, 601 Carmen Drive, Camarillo.

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VENTURA COUNCIL
OF GOVERNMENTS

Item #8A

MEETING SUMMARY
Thursday, November 10, 2011
5:00 p.m.
City of Camarillo
Council Chambers
601 Carmen Drive
Camarillo, CA 93010

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1. **CALL TO ORDER**

2. **FLAG SALUTE**

3. **ROLL CALL**
Janice Parvin, Chair, City of Moorpark
Irene Pinkard, Alternate, City of Oxnard
Mike Morgan, City of Camarillo
Gayle Washburn, City of Fillmore
Sylvia Schnopp, City of Port Hueneme
Bob Huber, City of Simi Valley
Carl Morehouse, City of San Buenaventura
Carlon Strobel, City of Ojai
Linda Parks, County of Ventura

Cities Not Present: Santa Paula, Thousand Oaks

4. **PUBLIC COMMENT -** ***None***

5. **BOARD MEMBER COMMENTS**

6. **CONSENT CALENDAR**

D. Minutes – *Adopted*

E. Quarterly Budget – *Received and Filed*

F. Regional Housing Needs Assessment (RHNA) Update - *Received and Filed*

7. **ORDER OF BUSINESS**

A. VCOG/VCTC UPDATE – *Received and Filed*

B. LEGISLATIVE PROGRAM – *Approved*

C. **REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY (RTP/SCS) UPDATE – *Received and Filed***

8. AGENCY REPORTS

A. Southern California Association of Governments
B. Ventura County Transportation Commission
C. League of California Cities
D. Other Agencies

9. REQUESTS FOR FUTURE AGENDA ITEMS - *None*

10. ADJOURNMENT

VENTURA COUNCIL
OF GOVERNMENTS

Item #8B

MEMORANDUM

TO: Board of Directors

FROM: Sally DeGeorge, Finance Director

SUBJECT: Fiscal Year 2010/2011 Audited Financial Statements

DATE: January 6, 2012

Recommendation: Receive and file.

Discussion:

The Ventura Council of Governments (VCOG) and the Ventura County Transportation Council (VCTC) entered into a cooperative agreement on July 10, 2009 for the VCTC to administer the functions and activities of VCOG which included the financial reporting responsibilities.

Attached in a separate report is the Fiscal Year 2010/2011 audited financial statements presented in conformity with accounting principles generally accepted in the United States (GAAP and are audited in accordance with generally accepted auditing standards by independent certified public accountants. The auditors, Vavrinek, Trine, Day and Company, LLP, issued an unqualified opinion on the Ventura Council of Government's financial statements for the year ended June 30, 2011. The independent auditor's report is in included at the beginning of the attached audited financial statements. Also included as a separate attachment are the SAS 114 and GAS Opinion reports.

Management assumes full responsibility for the completeness and reliability of all of the information presented in this report, based upon the Commission's comprehensive framework of internal controls established for this purpose. Because the cost of internal control should not exceed anticipated benefits, the objective is to provide reasonable, rather than absolute, assurance that the financial statements are free of any material misstatements.

The Ventura Council of Governments ended Fiscal Year 2010/2011 with an unreserved ending fund balance of $62,170.

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VENTURA COUNCIL
OF GOVERNMENTS

Item #8C

MEMORANDUM

TO: **Board of Directors**

FROM: **Steve DeGeorge, Planning Director**

SUBJECT: **Call for Candidates for Southern California Association of Governments' (SCAG's) Regional Council District 46**

DATE: January 6, 2012

Recommendation:

- Receive and file the Call for Candidates for the Southern California Association of Governments' Regional Council District 46.

Discussion: Each year, district elections are conducted for the Southern California Association of Governments' (SCAG's) Regional Council. This year, the District 46 seat currently filled by Simi Valley City Council member Glen Becerra, encompassing the cities of Moorpark, Simi Valley and Thousand Oaks will be up for election.

All locally elected officials, defined by SCAG as mayors and city council members from SCAG member cities, within District 46 are eligible to be candidates for district representative. An electronic notice of this Call for Candidates will be sent to all local elected officials in the cities of Moorpark, Simi Valley and Thousand Oaks on January 6, 2012. **Local elected officials wishing to be a candidate for District 46 must submit their names to VCOG's Executive Director, Mr. Darren Kettle either by email at: dkettle@goventura.org or by U.S. postal mail to: Ventura Council of Governments, ATTN: Mr. Darren Kettle, 950 County Square Drive Suite 207, Ventura, CA 93003 no later than January 20, 2012.**

If more than one elected official submits their name to be a candidate for District 46 an election will be held on **March 2, 2012 at 2:00 P.M. at Moorpark City Hall (Citrus Conference Room) 799 Moorpark Avenue, Moorpark, CA 93021.** Elections must be held no later than 30 days prior to SCAG's General Assembly, this year to be held in April of 2012. If only one local elected official submits their name that individual shall be declared the District 46 Representative and no election will be held.

The VCOG Clerk of the Board shall send a second notice to all elected officials and city clerks in District 46 on February 17, 2012 providing the names of all candidates and the details of the election process should an election be required.

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VENTURA COUNCIL
OF GOVERNMENTS

MEMORANDUM

Item #9

TO: Board of Directors

FROM: Darren Kettle, Executive Director

SUBJECT: **Election of Chair-Elect**

DATE: January 6, 2012

Recommendation: Open nominations for and elect a Chair-Elect for 2012.

Discussion: Under the VCOG Joint Powers Authority Agreement, the Chair-Elect automatically becomes Chair at the beginning of each calendar year and the Board elects a new Chair-Elect. Oxnard Councilmember Tim Flynn was elected Chair-Elect in 2011 and automatically becomes Chair for 2012. Staff recommends that the Board elect a Chair-Elect for 2012. The newly elected Chair-Elect would become Chair in 2013.

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Item # 10

January 6, 2012

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION/ VENTURA COUNCIL OF GOVERNMENTS**

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

SUBJECT: **2012 REGIONAL TRANSPORTATION PLAN (RTP)/ SUSTAINABLE COMMUNITIES STRATEGY (SCS) PRESENTATION**

RECOMMENDATION:

- Receive and file a presentation on the 2012 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) by SCAG's Executive Director, Mr. Hasan Ikhrata.

DISCUSSION:

As the Metropolitan Planning Organization (MPO) representing the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura, the Southern California Association of Governments (SCAG) is required to develop a Regional Transportation Plan (RTP) every four years. The RTP provides a vision that guides transportation investments over the next twenty years while answering the federal and state regulations mandating that transportation investments receiving federal funds meet clean air standards and strict environmental review. Brought about by the enactment of SB 375, the RTP must now include an integrated Sustainable Communities Strategy (SCS) that joins land use and transportation planning.

Over the past two years, SCAG has worked diligently with all of the cities in the region in an attempt to develop the RTP/SCS in a truly collaborative manner. SCAG sought policy and technical input from an incredibly wide variety of stakeholders both through formal committees and through public workshops held throughout the region including several in Ventura County. The Commission has been participating in the development of the RTP/SCS with SCAG and is appreciative of the effort SCAG has made to ensure Ventura County's perspectives and concerns have been included in the draft document.

On December 20, 2011 SCAG released the draft 2012 RTP for a fifty-five day public comment period that will conclude on February 14, 2012. SCAG will be holding two RTP workshops at the Camarillo Library on January 19, 2012, the first from 12:00 P.M. to 2:00 P.M. and the second from 5:00 P.M. to 7:00 P.M. The Commission's review of the Draft RTP is currently underway and anticipates bringing comments forward at its February meeting.

SCAG's Executive Director, Mr. Hasan Ikhrata, will present the Draft RTP to the Commission for its review.

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Item #11

Meeting Summary

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

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, DECEMBER 2, 2011
9:00 AM

Members Present:

Bill Fulton, Chair, City of San Buenaventura
Jamey Brooks, City of Fillmore
Ralph Fernandez, City of Santa Paula
Peter Foy, County of Ventura
Michael Morgan, City of Camarillo
Irene Pinkard, City of Oxnard
Keith Millhouse, City of Moorpark
Jon Sharkey, City of Port Hueneme
Carlon Strobel, City of Ojai
Steve Sojka, City of Simi Valley
Mike Miles, Caltrans

Call To Order

Pledge of Allegiance

Roll Call

Public Comments for those items not listed in this agenda
Jim White, Ventura ARC*, in the spirit of the holidays, said that he is thankful and appreciative for the way the VCTC staff and board members keep things moving throughout the year and for the cooperation of the local transit agencies in their efforts to assist the transit dependent population.*

APPROVE SUMMARY FROM NOVEMBER 4, 2011 REGULAR VCTC MEETING- *Approved*

CALTRANS REPORT
Mike Miles reported that bids were opened for the 101/HOV project. The bid by Granite Construction came in 31.13% lower than was estimated at $52 million.

COMMISSIONERS / EXECUTIVE DIRECTOR REPORT
The Legislative Update in your agenda mentioned that the federal 2011/12 transportation appropriation had passed both houses of Congress and was in Conference Committee. Congress has now passed that legislation, and the President signed it two weeks ago. This action means that this year's federal transportation funding to Ventura County will remain at last year's level, which is good news considering that the original bill passed by the House contained a 34% cut.

House Republican leaders have announced they will soon act on a five-year transportation authorizing act to continue the existing level of transportation funding, adjusted for inflation. Since the trust fund revenues are not enough to maintain current spending, they are proposing to fund the shortfall using revenues from expanded domestic oil production. As mention in the staff report, the Senate Environment and Public Works Committee has passed a two-year authorization which will also continue the existing funding, plus inflation, however that bill does not identify funding. As you can imagine, the domestic drilling provision will likely be extremely controversial so it is unlikely there will be any agreement for some time regarding multi-year transportation program authorization.

At the October 7, 2011 Commission meeting the Commission approved a request for proposals (RFP) for a consultant to prepare an update to the 2007 Ventura County Coordinated Public Transit-Human Services Transportation Plan. As a result of this RFP, VCTC received one proposal. The proposal, from AMMA Transit Planning, was fully responsive to the RFP, and AMMA is highly qualified to perform this work, having completed similar studies in other counties and having participated in preparation of the 2007 VCTC Plan. Staff is, therefore, contracting with AMMA to perform this work. Project scoping will take place during December 2011, and work will continue through the first several months of 2012. Public meetings will be held in both east and west county to receive input about transportation needs of the disabled, low income and elderly residents and (later) to review a draft report with the public. An ad hoc committee representing transit operators and social service providers will act as a steering committee, assisting VCTC staff with preparation of the Plan. We anticipate that the Plan will be presented for approval at the May 2012 Commission meeting.

Today is a significant day for your staff as it is Ed Webster's last day with VCTC before he retires. At this time I would like to publicly thank Ed for his eleven years of service to the Commission, first as the manager of VISTA and then a the manager for specialized transportation programs.

ADDITIONS/REVISIONS – *None*

ELECTION OF 2012 VCTC VICE CHAIR
Commissioner Steve Sojka was unanimously elected as VCTC Vice Chair.

David Grau, Ventura County Tax Payers Association *requested that Item #10C, Budget Amendment, be removed from the Consent Calendar for discussion. TPA works to make government run as efficiently as possible with full disclosure and wanted the item discussed to ensure full transparency.*

CONSENT CALENDAR- Item 10C was removed for discussion and all other Consent Calendar Items were approved as recommended.

10A. MONTHLY BUDGET REPORT - *Received and filed*

10B. RAIL OPERATIONS UPDATE - *Received and filed*

10D. ANNEXATION REQUEST FROM CITY OF SANTA PAULA – *Approved*
Approve the request from the City of Santa Paula to annex two portions of the Santa Paula Branch Line (SPBL) for the East Area Specific Plan Phase II project.

10E. LEGISLATIVE UPDATE - *Received and filed*

10F. FY 12/13 TDA UNMET TRANSIT NEEDS SCHEDULE AND DEFINITIONS - *Approved*
Approve the schedule, procedures and definitions of "Unmet Transit Needs" and "Reasonable To Meet" for the FY 12/13 Unmet Transit Needs Public Hearing.

10G. FY 12/13 TDA ARTICLE 3 BICYCLE/PEDESTRIAN ALLOCTION SCHEDULE AND EVALUATION CRITERIA – *Approved*
Review and approve the schedule and evaluation criteria for the allocation FY 12/13 Transportation Development Act (TDA) bicycle/pedestrian funds to the cities/County.

10C. BUDGET AMENDMENT – *Approved*
Amend the VCTC Fiscal Year 2011/2012 budget by $85,000 for legal expenditures in the Management and Administration project budget which will be funded from the unobligated general fund/local transportation fund balance.

11. COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) - *Approved*

12. PROGRAMMING OF STP/CMAQ/TE FUNDS - *Approved*

- Approve programming of $1,342,340 of STP funds, $1,998,700 of CMAQ funds, and $1,227,000 of TE funds, as summarized in the Attachment, contingent on the funds being obligated by November 30, 2012.
- Approve transfer of $354,120 of STP funds from the Rice/101 Interchange Improvement in Oxnard to the Hueneme Road Widening in Oxnard, to offset a miscategorization of funds in Caltrans' funding approval for Rice/101.
- Revise the 2012 State Transportation Improvement Program (STIP) submittal approved last month, to advance to Fiscal Year 2012/13 the two projects approved for additional TE funds under this item.

Speaker Mike Barber, Nyeland Acres, urged support for the recommended action. Improvements are necessary to Ventura Blvd for the safety of students walking to school.

13. GUIDELINES FOR MINI-CALL FOR PROJECTS - *Approved*

- Approve the attached guidelines for a new Mini Call for Projects to program Surface Transportation Program (STP), Congestion Mitigation and Air Quality (CMAQ), and Transportation Enhancement (TE) funds anticipated to come available during Fiscal Years (FY) 2011/12 and 2012/13.
- Approve Mini-Call for Projects schedule contained in the agenda item.

14. COMPREHENSIVE TRANSPORTATION PLAN – *Received and filed*

15. UPDATE ON VOTER RESEARCH FOR THE COMPREHENSIVE TRANSPORATION PLAN – *Received and Filed*

16. VCTC REGIONAL TRANSIT STUDY STATUS REPORT – *Received and filed*

- Receive the report on the status and progress of the VCTC Regional Transit Study. *(Provided as a separate document)*
- Direct staff to receive input from the Transit Operators, as discussed below, and provide the information to the Regional Transit Study Steering Committee so that Steering Committee input, along with a recommended report to the Legislature can be considered by the full Commission at the February 3, 2012 meeting.
- Appoint new members from the Commission to the Steering Committee to fill vacancies. ***Commissioners Sharkey, Fernandez, and Morgan were appointed to the Steering Committee.***

17. GENERAL COUNSEL'S REPORT - *None*

18. AGENCY REPORTS - *None*

19. CLOSED SESSION - *No Items*

20. ADJOURN

Item # 12A

January 6, 2012

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **SALLY DEGEORGE, FINANCE DIRECTOR**

SUBJECT: **MONTHLY BUDGET REPORT**

RECOMMENDATION:

- Receive and file the monthly budget report for November 2011

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.

The November 30, 2011 budget reports indicate that revenues were approximately 36.99% of the adopted budget while expenditures were approximately 27.35% of the adopted budget. 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. For instance, some revenues are received at the beginning of the year while other revenues are received after grants are approved by federal agencies. In many instances, VCTC incurs expenses in advance of the revenues.

VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF NOVEMBER 30, 2011

ASSETS

Assets:	
Cash and Investments - Wells Fargo Bank	$ 2,117,854
Cash and Investments - County Treasury	18,884,184
Petty Cash	50
Receivables/Due from other funds	3,084,950
Prepaid Expenditures	1,139,881
Deposits	12,360
Total Assets:	**$25,239,279**

LIABILITIES AND FUND BALANCE

Liabilities:	
Accrued Expenses/Due to other funds	$ 925,126
Deferred Revenue	454,543
Deposits	412
Total Liabilities:	**$ 1,380,081**
Net Assets:	
Fund Balance	**$25,859,198**
Total Liabilities and Fund Balance:	**$25,239,279**

VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE FIVE MONTHS ENDING NOVEMBER 30, 2011

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Revenues								
					$	$		
Federal Revenues	$ 2,666,983	$ 0	$ 0	$ 0	2,666,983	13,585,746	(10,918,763)	19.63
State Revenues	224,556	10,951,009	1,008,491	223,492	12,407,548	33,221,363	(20,813,815)	37.35
Local Revenues	3,944,993	0	0	5,000	3,949,993	4,573,819	(623,826)	86.36
Other Revenues	30	0	0	0	30	0	30	0.00
Interest	524	13,690	15,652	5,404	35,270	141,000	(105,730)	25.01
Total Revenues	**6,837,086**	**10,964,699**	**1,024,143**	**233,896**	**19,059,824**	**51,521,928**	**(32,462,104)**	**36.99**
Expenditures								
Administration								
Personnel Expenditures	880,869	0	0	0	880,869	2,435,900	(1,555,031)	36.16
Legal Services	9,743	0	0	0	9,743	35,000	(25,257)	27.84
Professional Services	35,017	0	0	0	35,017	89,417	(54,400)	39.16
Office Leases	56,250	0	0	0	56,250	131,300	(75,050)	42.84
Office Expenditures	31,023	0	0	0	31,023	258,263	(227,240)	12.01
Total Administration	**1,012,902**	**0**	**0**	**0**	**1,012,902**	**2,949,880**	**(1,936,978)**	**34.34**
Programs and Projects								
Transit & Transportation Program								
Senior-Disabled Transportation	45,042	0	0	0	45,042	256,800	(211,758)	17.54
Go Ventura Smartcard	33,768	0	0	0	33,768	434,950	(401,182)	7.76
VISTA Fixed Route Bus Service	2,170,720	0	0	0	2,170,720	5,292,818	(3,122,098)	41.01
VISTA DAR Bus Services	998,533	0	0	0	998,533	2,434,385	(1,435,852)	41.02
Nextbus	0	0	0	0	0	212,545	(212,545)	0.00
Trapeze	7,658	0	0	0	7,658	30,000	(22,342)	25.53
Transit Grant Administration	241,586	0	0	0	241,586	5,507,397	(5,265,811)	4.39
Total Transit & Transportation	**3,497,307**	**0**	**0**	**0**	**3,497,307**	**14,168,895**	**(10,671,588)**	**24.68**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Highway Program								
Congestion Management Program	0	0	0	0	0	19,900	(19,900)	0.00
Motorist Aid Call Box System	0	0	0	101,923	101,923	434,900	(332,977)	23.44
SpeedInfo Highway Speed Sensor	0	0	0	57,500	57,500	144,000	(86,500)	39.93
Total Highway	**0**	**0**	**0**	**159,423**	**159,423**	**598,800**	**(439,377)**	**26.62**
Rail Program								
Metrolink & Commuter Rail	1,125,410	0	0	0	1,125,410	1,364,350	(238,940)	82.49
LOSSAN & Coastal Rail	7,918	0	0	0	7,918	12,750	(4,832)	62.10
Santa Paula Branch Line	176,314	0	0	0	176,314	569,550	(393,236)	30.96
Total Rail	**1,309,642**	**0**	**0**	**0**	**1,309,642**	**1,946,650**	**(637,008)**	**67.28**
Commuter Assistance Program								
Transit Information Center	12,698	0	0	0	12,698	19,000	(6,302)	66.83
Rideshare Programs	11,084	0	0	0	11,084	56,500	(45,416)	19.62
Total Commuter Assistance	**23,782**	**0**	**0**	**0**	**23,782**	**75,500**	**(51,718)**	**31.50**
Planning & Programming								
Transportation Development Act	54,553	6,976,673	0	0	7,031,226	26,922,672	(19,891,446)	26.12
Transportation Improvement Program	221,298	0	0	0	221,298	2,599,625	(2,378,327)	8.51
Regional Transportation Planning	64,700	0	0	0	64,700	448,050	(383,350)	14.44
Airport Land Use Commission	0	0	0	0	0	1,600	(1,600)	0.00
Regional Transit Planning	74,516	0	0	0	74,516	201,450	(126,934)	36.99
Freight Movement	47,757	0	0	0	47,757	152,500	(104,743)	31.32
Total Planning & Programming	**462,824**	**6,976,673**	**0**	**0**	**7,439,497**	**30,325,897**	**(22,886,400)**	**24.53**
General Government								
Community Outreach & Marketing	106,152	0	0	0	106,152	620,349	(514,197)	17.11
State & Federal Relations	27,633	0	0	0	27,633	66,120	(38,487)	41.79
Management & Administration	539,769	0	0	0	539,769	856,958	(317,189)	62.99
Total General Government	**673,554**	**0**	**0**	**0**	**673,554**	**1,543,427**	**(869,873)**	**43.64**
Total Expenditures	**6,980,011**	**6,976,673**	**0**	**159,423**	**14,116,107**	**51,609,049**	**(37,492,942)**	**27.35**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Revenues over (under) expenditures	**(142,925)**	**3,988,026**	**1,024,143**	**74,473**	**4,943,717**	**(87,121)**	**5,030,838**	**(5,674.54)**
Other Financing Sources								
Transfers Into GF from LTF	1,828,282	0	0	0	1,828,282	1,828,282	0	100.00
Transfers Into GF from STA	1,181,459	0	0	0	1,181,459	2,421,472	(1,240,013)	48.79
Transfers Into GF from SAFE	15,064	0	0	0	15,064	644,300	(629,236)	2.34
Transfers Out of LTF into GF	0	(1,828,282)	0	0	(1,828,282)	(1,828,282)	0	100.00
Transfers Out of STA into GF	0	0	(1,181,459)	0	(1,181,459)	(2,421,472)	1,240,013	48.79
Transfers Out of SAFE into GF	0	0	0	(15,064)	(15,064)	(644,300)	629,236	2.34
Total Other Financing Sources	**3,024,805**	**(1,828,282)**	**(1,181,459)**	**(15,064)**	**0**	**0**	**0**	**0.00**
Net Change in Fund Balances	**2,881,880**	**2,159,744**	**(157,316)**	**59,409**	**4,943,717**	**(87,121)**	**5,030,838**	
Beginning Fund Balance	**1,923,350**	**6,034,477**	**7,950,838**	**3,006,816**	**18,915,481**	**14,617,258**	**4,298,223**	
Ending Fund Balance	**$4,805,230**	**$8,194,221**	**$7,793,522**	**$3,066,225**	**$23,859,198**	**$14,530,137**	**$9,329,061**	

VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF NOVEMBER 30, 2011

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. 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	$591.53	0.05%	$2,117,853.55
County of Ventura	Treasury Pool	N/A	$34,680.52	0.81%	18,826,155.83
Total			**$35,272.05**		**$20,944,009.38**

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.

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.

Item # 12B

January 6, 2012

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **MARY TRAVIS, MANAGER, TRANSPORTATION DEVELOPMENT ACT AND RAIL PROGRAMS**

SUBJECT: **RAIL OPERATIONS UPDATE**

RECOMMENDATION:

- Receive and file.

DISCUSSION:

Metrolink Ridership:
Based on passenger counts made by conductors on the Ventura Line, there were about 1,934 people who boarded the morning peak-hour trains to Los Angeles each weekday in December; about 50% of those boardings took place at Ventura County stations. This compares to about 1,996 boardings on the same trains in November.

Metrolink station counts are being collected on a quarterly basis, therefore, in January, information about station boardings from October to December will be reported. While ridership at the Ventura County stations have stayed about the same over the past year, the lack of significant ridership growth in this County is a concern and will continue to be evaluated. The new Metrolink marketing staff has several programs they will be implementing over the fiscal year to increase ridership; VCTC marketing consultants will be working closely with them on this effort.

Metrolink On-Time Performance:
The Ventura Line's on-time performance (trains arriving within five minutes of scheduled time) continued to be very good. Overall, during the month of December, 97% of the inbound trips and 95% of the outbound trips ran on-time.

Metrolink 2011 Holiday Train:
The Metrolink Holiday Toy Express operated two nights this December in Ventura County. This was the 15th anniversary of the special train, which was decorated with holiday lights and traveled with Santa Claus from station to station, collecting toys for giveaway during the holiday season. The toy collection drive was co-sponsored with local firefighters and the "Spark of Love" holiday toy campaign. The holiday train stopped on Saturday December 17th at Camarillo, Oxnard and Moorpark, and then on Sunday December 18th in Simi Valley. VCTC marketing staff was at the stations to coordinate with Metrolink and to incorporate VCTC marketing materials into the station events. Also at the stations this year wearing VCTC "Santa" hats, were members of VCTC's newly-formed Teen Council, who assisted with handing out treats to the crowds.

Metrolink FY 2012/13 Budget Development:
Metrolink staff is beginning the annual budget development for member agency review and consideration. The draft FY 2012/13 budget should be ready at the end of February in time for incorporation into VCTC's upcoming draft budget. At this time, no service changes are planned unless the estimated costs exceed the anticipated revenues. One new aspect of the budget development this year, was a meeting arranged by Metrolink's Finance Director with all the member agencies' Finance Directors, including Sally DeGeorge, representing VCTC. The meeting was held to make sure there is full communication with funding partners and that all financial concerns are aired and resolved before the budget is completed.

Metrolink Bicycle Trains:
In response to increased passenger demand for bringing bicycles on the trains, Metrolink has introduced passenger cars that have been reconfigured on the bottom level to hold eighteen bicycles instead of the usual two bicycle parking spots per train car. This is a pilot program to test the "bicycle cars" that was developed by Metrolink in cooperation with bicycle advocates and the Federal Railroad Administration (FRA). The special cars are marked with yellow bicycle decals on the car sides and were debuted on the Inland Empire Line weekend beach trains early in September. Because these trains have been so successful, sixteen more cars will be reconfigured to hold the additional bicycles over the next several months. The plan is to have at least one bicycle car on every train set in the system. For special event or weekend trains, additional bicycle cars might be added to the operation if need demands.

LOSSAN Strategic Plan Update/Governance Discussion:
In addition to participating in Metrolink commuter rail operations, VCTC is one of eight transportation agencies providing local input and administrative oversight to the State Division of Rail on LOSSAN intercity passenger rail operations. LOSSAN is the name of the Los Angeles-San Diego-San Luis Obispo Joint Powers Agency. The other agencies involved in LOSSAN are the Los Angeles County Metropolitan Transportation Authority (METRO), the North San Diego Transit District (NCTD), the Orange County Transportation Authority (OCTA), the San Diego Association of Governments, (SANDAG), the San Diego Metropolitan Transit System (MTS), the Santa Barbara Association of Governments (SBCAG), and, the San Luis Obispo Council of Governments (SLOCOG).

The LOSSAN service area runs along the Coast Main Line from San Diego to San Luis Obispo providing the intercity passenger service operated by Amtrak Pacific Surfliner trains running in San Diego, Orange, Los Angeles, Ventura, Santa Barbara and San Luis Obispo counties under a contract funded and administered by the State. There is also commuter rail service operating in the corridor: the Coaster operated by NCTD in San Diego County and Metrolink, operated by METRO, OCTA, RCTC, SANBAG and VCTC in those counties. The Coaster and Metrolink operations are federally and locally funded while the State supports the Surfliner trains.

VCTC is represented on the LOSSAN Board by Commissioners Millhouse and Humphrey. The ongoing planning and programming responsibilities for passenger rail in the LOSSAN corridor are split among the agencies involved in the intercity and commuter services, sometimes leading to passenger confusion about the services, and also, mixed results in obtaining State and Federal funds for capital and service improvements. Because of this situation, the LOSSAN Board of Directors has been taking a fresh look at the current and potential rail travel patterns, both intercity and commuter, and will be working towards better coordination of services in a variety of areas. A Strategic Plan evaluating LOSSAN service is currently being prepared and will be presented to the Commission for action likely in February. It is expected the report will result in significantly improved coordination between the administration and operation of the different rail services and an improved institutional structure to provide better oversight and control of costs.

At the LOSSAN Board meeting held in late August, it was voted unanimously to move forward with the recommendation to explore further taking over control of the LOSSAN intercity train operations from the State. A similar action was taken on the Capitol Corridor rail service operated in the Sacramento area in 1998. Clearly there are many details that need to be worked through as this is considered, including State funding guarantees, Board structure and voting, administrative arrangements, etc. It would also require State legislation to accomplish this goal, if it is finally approved for action. Staff is continuing to closely monitoring this initiative and will be presenting details for the possible rail reorganization to the Commission for review at the February meeting.

Santa Paula Branch Line (SPBL) Operations:

Staff is continuing to work with Fillmore and Western Railway (F&W) and Union Pacific Railroad (UP) which are the two operators on the SPPL, on generating additional revenues with the goal of making this vital asset self-sustaining in the near future. We are also working with Legal Counsel to update the existing VCTC/F&W agreement to reflect the current arrangements more accurately.

Property Leases

Staff has been working with F&W to review the existing SPBL leases to determine if additional revenues can be generated to offset the ongoing maintenance work. F&W staff are currently following up on letters sent to all leaseholders asking for their cooperation to review their lease agreement, and also, to make sure safe operations are in place for people working near the rail line. While it does not appear that significant additional revenues can be found at this time, there is some opportunity to approach leaseholders about adding property to their existing leases and bringing in more money; we will continue working on this effort.

Union Pacific (UP) Railroad

VCTC's agreement with UP requires the Commission maintain the tracks between Montalvo and Santa Paula without charge as long as UP runs freight on the Line. They currently have one customer, International Paper, with deliveries/pickups by rail three times a week. Staff is continuing discussions with UP and F&W to possibly establish a transloading arrangement, where the freight would be shifted from UP to F&W near Montalvo. In this type of arrangement, UP would pay F&W to transport freight to the existing UP customer i.e. International Paper, however, F&W could also provide other freight hauling opportunities to customers all along the SPBL corridor. It is possible additional freight customers could be added.

This hasn't been a priority in the past because UP got all the revenue while VCTC shouldered all the costs. However, there finally appears to be some movement on this issue from UP. They recently requested permission to perform a track survey in anticipation of formal discussions on this issue and this inspection took place October 22; this inspection took place without apparent problems or concerns being voiced by UP. Staff will continue to strongly advocate for this change.

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Item #12C

January 6 , 2012

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **SALLY DEGEORGE**

SUBJECT: **INSURANCE COVERAGE**

RECOMMENDATION:

- Receive and file.

BACKGROUND:

Over the normal course of business, the Commission is exposed to various risks of loss related to torts; theft of, damage to, or destruction of assets; errors or omissions; and natural disasters. The Commission protects itself against such losses by a balanced program of risk retention, risk transfers and the purchase of commercial insurance. Capital projects and rail properties are protected through a combination of commercial insurance, insurance required by Commission consultants and a self-insurance fund established by the Southern California Regional Rail Authority (SCRRA). The Commission's worker's compensation insurance is covered through State Compensation Insurance Fund.

VCTC renewed its insurance coverage on November 20, 2011 (see Attachment A). VCTC's insurance package costs increased to $123,583 which is approximately $18,000 over budget. VCTC will offset the increased costs by reducing other indirect expenditures, specifically professional and human resource expenditures.

Ms. Joan Cavanagh of Schrimmer-Cavanagh insurance indicated that the reason for the premium increase to VCTC's insurance coverage was twofold. First, there has been an increase in the number of claims in general to insurance agencies and the carriers are raising rates based on industry losses. The average rate increases seen have ranged from five to fifteen percent. Second, VCTC's insurance costs increased in part because of two on-going claims (Beserra and Tillery described as noted on page 13 of Attachment A).

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AN INSURANCE PROPOSAL
PREPARED FOR:

Ventura County Transportation Commission

950 County Square Dr, #207
Ventura, CA 93003
11/20/2011 - 11/20/2012

PRESENTED BY:

Schrimmer-Cavanagh
Insurance Agency, Inc.
601-A Lunar Ave
Brea, Ca 92821

DISCLAIMER – The abbreviated outlines of coverages used throughout this proposal are not intended to express any legal opinion as to the nature of coverage. They are only visuals to a basic understanding of coverages. Please read your policy for specific details of coverages.

PROPERTY

Scottsdale Insurance Company
(A.M. Best Rating A+ XV, California Non-Admitted Carrier)

CONTENTS COVERAGE: (Contents Coverage is Blanketed)

Covers your contents usual to your business, and property, other than buildings, of others in your care, custody and control while at your place of business. Also provides protection for your interest in improvements and betterments to buildings not owned by you at the location(s) listed below.

REPLACEMENT COST COVERAGE:

In the event of a loss, settlement will be made on the basis of replacement cost of the property and no deduction for depreciation will apply.

LOCATION	AMOUNT
950 Country Square Drive #207, Ventura, CA	$141,000
950 Country Square Drive #108, Ventura, CA	$141,000

SPECIAL FORM:

Insures your contents for damage resulting from direct physical loss. This includes, but is not limited to, fire, lightning, explosion, windstorm or hail, smoke, aircraft or vehicles, riot or civil commotion, vandalism, burglary, damage caused by burglars, water damage from bursting pipes, falling trees or other object.

Normal exclusions in this policy exclude damage from perils such as, but not limited to, building ordinance, earthquake, government action, nuclear hazard, power failure, war, flood, gradual wear and tear, pollution, employee dishonesty and mechanical breakdown.

CO-INSURANCE:

In exchange for a reduced rate, you must carry at least 90% of insurance to the total replacement cost value of the property covered. If at the time of loss the amount of insurance is less than this percentage, loss payment will be reduced proportionally.

DEDUCTIBLE:

$ 1,000 Per Occurrence

PROPERTY

ELECTRONIC DATA PROCESSING COVERAGE:

Protection is provided against direct physical loss to your computer hardware and software, subject to some policy restrictions.

In the event of a loss, settlement will be made on the basis of replacement cost of the property, and no deduction for depreciation will apply.

HARDWARE / SOFTWARE LIMIT:

$ 255,000

ELECTRICAL DISTURBANCE:

Electrical disturbance is considered a covered peril.

DEDUCTIBLE:

$ 1,000

COMMERCIAL GENERAL LIABILITY

Scottsdale Insurance Company
(A.M. Best Rating A+ XV, California Non-Admitted Carrier)

Provides coverage for damage you are legally obligated to pay because of bodily injury or property damage caused by an occurrence and arising out of your ownership, maintenance, or use of your premises or operations on or off-premises.

Products coverage is provided for damages arising out of products manufactured, sold, handled or distributed by the insured. Completed Operations covers damages occurring after operations have been completed or abandoned, or after an item is installed or built and released for its intended purpose.

LIMITS OF LIABILITY:

$1,000,000	Each Occurrence
$2,000,000	General Aggregate

The General Aggregate Limit is the most money the insurer will pay under a certain coverage for all claims occurring during the policy term.

PRODUCTS AND COMPLETED OPERATIONS:

Products and completed operations is included in the coverage.

DEDUCTIBLE:

None

(1) Excludes pedestrian crossing at Camarillo Station

EXCLUSIONS: Asbestos; Assault/Battery; Earth or Land Movement; Fungi & Bacteria; Lead Contamination; Nuclear Energy; Professional; Punitive Damages; Sexual/Physical Abuse; Silica; Total Absolute Pollution; Continuous or Ongoing Damages; Known Injury or Damage; Personal & Advertising Injury; Contractors and Subcontractors (see attached); Terrorism; Airport Operations; Failure to Render Professional Services (the preparing, approving, or failure to prepare or approve maps, drawings, opinions, reports, surveys, change orders, designs or specifications, supervisory; inspections or engineering services) Adverse Possessions; Prescription by Adverse Use; Condemnation; Land Use Planning or Municipal Zoning, and **Bodily Injury to Railroad Passengers.**

COMMERCIAL GENERAL LIABILITY

Scottsdale Insurance Company
(A.M. Best Rating A+ XV, California Non-Admitted Carrier)

BODILY INJURY LIABILITY/PROPERTY DAMAGE LIABILITY

The company will pay on behalf of the insured all sums, which the insured shall become legally obligated to pay as damages because of

Bodily Injury or Property Damage

To which this insurance applies, caused by an occurrence and arising out of the ownership, maintenance or use of the insured premises and all operations necessary or incidental thereto, and the company shall have the right and duty to defend any suit against the insured seeking damages on account of such bodily injury or property damage, even if any of the allegations of the suit are groundless, false or fraudulent, and may make such investigation and settlement of any claim or suit as it deems expedient, but the company shall not be obligated to pay any claim or judgment or to defend any suit after the applicable limit of the company's liability has been exhausted by payment of judgments or settlements.

LOCATIONS:

- Santa Paula Branch Line (390) acres per parcel list provided by VCTC)
  Including the tracks and the land under the tracks
  East Ventura at 6175 Ventura Boulevard, Ventura
  Including platform and parking lot (3 acres)
- Santa Paula Mill Building at 926 Railroad Avenue, Santa Paula
- Santa Paula Station at 200 North 10th Street, Santa Paula
  Including platform (11,430 square feet)
- Piru Station at 3977 Piru Street, Piru
  Including platform (1,800 square feet)
- Moorpark Rail Line (155 acres per parcel list provided by VCTC)
  From the west city limit of Moorpark to the LA County Line, including the land under the tracks and a 40-foot strip of land from the center rail line of the main track to the north side
- Simi Valley Station at 5050 Los Angeles Avenue, Simi Valley
  Platform and parking lot (7.6 acres)
- Moorpark Station at 300 High Street, Moorpark
  North and south side platforms, and, north and south side parking lots (6 acres)
- Camarillo Station at 120 Lewis Road, Camarillo
  North and south side platforms, and, north and south side parking lots (5.7 acres)
- 120 On Bus- NextBus machines
- 135 On Bus – SmartCard machines
- 564 Freeway Call Boxes
- 13 On Bus – Trapeze Machines

COMMERCIAL GENERAL LIABILITY PROPOSAL OUTLINE

BROAD FORM LIABILITY COVERAGE:

CONTRACTUAL LIABILITY:

Coverage for bodily injury and property damage due to liability assumed under oral or written contracts.

PERSONAL INJURY:

Personal Injury means injury other than bodily injury. Coverage is provided for injury resulting from offenses such as false arrest, malicious prosecution, detention or imprisonment, the wrongful entry into, wrongful eviction from and other acts of invasion, or rights of private occupancy of a room. Coverage for libel and slander is also provided in the policy.

ADVERTISING INJURY:

This coverage pays for damages done in the course of oral or written advertisement that disparages, libels or slanders a person's or organization's goods, products or services. Coverage for these offenses is provided under advertising injury coverage only if they occur during the course of advertising the named insured's own goods, products or services.

HOST LIQUOR LIABILITY:

Coverage for liability arising out of the serving of alcoholic beverages at functions incidental to your operation.

FIRE LEGAL LIABILITY:

The fire damage limit provides coverage for fire damage caused by negligence on the part of the insured to premises rented to the named insured. If a fire occurs because of negligence of the insured and causes damage to property not rented to the insured, coverage would be provided under the occurrence limit.

BROAD FORM PROPERTY DAMAGE:

Modifies the exclusion relating to property in your care, custody and control, broadening the coverage.

COMMERCIAL GENERAL LIABILITY PROPOSAL OUTLINE

INCIDENTAL MALPRACTICE:

Provides protection for you if you become involved on an incidental basis in rendering certain types of medical services.

EMPLOYEES AS ADDITIONAL INSURED:

Coverage is extended under your policy to include your employees in the definition of insured, while acting within the scope of their work-related duties.

NON-OWNED WATERCRAFT:

Covers your liability due to your operation of a boat under 26 feet in length.

LIMITED WORLDWIDE LIABILITY:

Expands the definition of the policy territory to anywhere in the world except for products and completed operations or medical payments coverages, as long as the original liability suit is brought within the U.S. or Canada.

AUTOMATIC COVERAGE:

Coverage is extended up to 180 days for any newly acquired organization over which you have any ownership or interest.

CRIME

Scottsdale Insurance Company
(A.M. Best Rating A+ XV, California Non-Admitted Carrier)

COMPREHENSIVE DISHONESTY, DISAPPEARANCE AND DESTRUCTION (E-D) COVERAGE:

Provides, in one flexible package, which is tailored to your specific situation. Protection for virtually all losses due to crime or criminal activities.

All of the following coverages may be included in a 3-D form, however only those coverage with an amount indicated have been included for you.

	COVERAGE	AMOUNT
1.	Employee Theft Per Loss	$500,000
2.	Depositors Forgery or Alteration	$500,000
3.	Theft, Disappearance and Destruction *Money, Securities and Other Property*	$ 25,000
4.	Computer and Funds Transfer Fraud	$500,000

Deductible:
$2,500

PUBLIC ENTITY ERRORS AND OMISSIONS (Claims Made)

Westchester Fire Insurance Company
(A.M. Best Rating = A+ XII)

(Claims Made Form)

Retroactive Date – 11/20/1989

LIMITS OF LIABILITY:
$5,000,000 Each Occurrence
$5,000,000 Aggregate

SELF INSURED RETENTION:

$ 25,000

Provides any actual or alleged misstatement, misleading statement, act or omission coverage for, neglect or breach of duty including misfeasance, or malfeasance by the insured, individually or collectively, in the discharge of their duties for the Named Insured, or any matter claimed against them solely by reasons of their being or having been an insured.

EXCLUSIONS: Employee Dishonesty, Inverse Condemnation, War, Failure to Maintain Insurance, Alleged or Threatened Discharge, Dispersal, Release or Escape of Pollutants, ERISA, Nuclear Energy, Operation or Activities of Any Schools, Airports, Hospitals, Clinics, Nursing Homes, Utilities, Housing Authorities, Jails, Law Enforcement Agencies or Fire Fighting Authorities, Intellectual Property, Terrorism. **NOTE:** Prior/Pending litigation claims excluded.

EMPLOYMENT PRACTICES LIABILITY (Claims Made)

Westchester Surplus Lines Insurance Company
(A.M. Best Rating = A+ XII)
Liability Limit included in Public Officials Errors & Omissions

Liability arising out of the following offenses:

1. Wrongful dismissal, discharge or termination of employment;
2. Breach of any oral or written employment contract or quasi-employment contract except an express contract of employment or an express obligation to make payments in the event of the termination of employment;
3. Employment-related coercion or misrepresentation;
4. Violation of employment discrimination laws;
5. Workplace sexual or other harassment;
6. Wrongful failure to employ or promote;
7. Wrongful discipline, negligent evaluation or wrongful demotion;
8. Wrongful deprivation of a career opportunity;
9. Employment-related:
   a. Invasion of privacy,
   b. Defamation, or
   c. Wrongful infliction of emotional distress.

DEDUCTIBLE:

$25,000 Per Occurrence

Retroactive date 10/20/1989. Prior/Pending litigation claims excluded.

Premium: $64,225 or $56,578(1)

Optional Quote:

DEDUCTIBLE:

$50,000 Per Occurrence

Premium: $60,131 or $53,855(1)

(1)Premium can be reduced with letter from you stating that the Samia Maximous claim has been closed and including any information regarding the settlement amount and defense costs. Also Westchester would add a Specified Party Exclusion for claims brought by Samia Maximous.

CATASTROPHE LIABILITY

Scottsdale Insurance Company
(A.M. Best Rating A+ XV, California Non-Admitted Carrier)

COMMERCIAL EXCESS COVERAGE:

Provides catastrophe liability coverage over other liability insurance carried by you and known as underlying insurance. This is subject to a self-insured retention as outlined in the coverages. **DOES NOT provide coverage over Public Officials Errors & Omissions policy.**

LIMITS OF LIABILITY:

$15,000,000 Per Occurrence
$15,000,000 Aggregate

SELF-INSURED RETENTION:

$10,000

PREMIUM SUMMARY

The following is a summary of the premiums as proposed in this analysis. If you decide to accept coverage other than as proposed, this summary will change accordingly.

COVERAGE	PREMIUM	
	2010/2011	2011/2012
Property & EDP policy		
Scottsdale Insurance Company *(California Non-Admitted A.M. Best Rating A+ XV)*	$3,277	$2,190
General Liability		
Scottsdale Insurance Company *(A.M. Best Rating A+ XV)*	$23,869	$48,166
Excess Liability		
Scottsdale Insurance Company *(A.M. Best Rating A+ XV)*	$16,330 *($15,000,000)*	$15,484 *($15,000,000)*
Crime Policy		
Scottsdale Insurance Company *(A.M. Best Rating A+ XV)*	$577 *($500,000 limit)*	$1,165
Public Entity Errors & Omissions and Employment Practices Liability		
Westchester Surplus Lines Insurance Company *(A.M. Best Rating = A+ XII)* ***$5,000,000 Limit, $25,000 Self Insured Retention*** *(Retroactive Date – 11/20/1989)*	$51,480	$56,578
Total Annual Premium	$95,533	$123,583

COMPANY COMPARISON

General Liability

Allied World	Unable to offer package due to losses
Chartis	Minimum deductible is $50,000, minimum premium is $50,000 – general liability only
Civic Risk	Declined due to operations
CV Starr	Minimum premium for public entity is $50,000 for mono-line general liability
Evanston	$70,000 for package with a $25,000 general liability deductible
Ironshore	Minimum premium $100,000 for public entity
James River	$90,000, $25,000 deductible general liability only
McGowan	Declined due to operations

Excess

Admiral	$25,000 minimum premium
Allied World	Declined due to losses
Chartis	$25,000 minimum premium
Evanston	Declined due to operations
James River	Indicated $50,000
RSUI	Unable to compete

Public Entity Errors & Omissions and Employment Practices Liability (Limit $5,000,000)

AIG	$50,000 minimum premium, $50,000 deductible
Professional Governmental Underwriters	$75,000 minimum premium, $100,000 minimum SIR
Chartis	$75,000 minimum premium, $25,000 deductible
RSUI	Unable to compete

CLAIM SUMMARY

Commercial General Liability

Date of Loss	Our Driver	Description	Open/ Closed	Paid / Reserves
10/20/09	Alfred Beserra	Adjustor advised that the other parties are not picking up tenders. Zurich will be picking up the tender for Griffin, however Griffin has filed for bankruptcy. There is a Coverage Council going over all of the policies. The City of Fillmore has filed a Cross complaint against Scottsdale. Per adjuster another follow-up will be done in 60 days for findings of coverage council.	Open	$ 30,000.00 PD $ 10,000.00 LR $ 28,000.00 ExpR
03/01/10	Joseph Tillery	Plaintiff is saying that the insured should have improved railroad crossing even though they did not own the property. Plaintiff sued everyone who may have liability. Scottsdale defending and trying to figure out who has liability. As deceased drove right into path of train, they think he was distracted and may have been texting or on the phone. Investigation continues. Plaintiff has given inadequate answers to discovery. Trial was to be in January, but they have requested motion to extend trial date (do not have date) as investigation and discovery have so many unanswered items. Sensitive to the fact that young father left behind widow and 2 children, this will receive attention at trial.	Open	$ 9,712.85 PD $ 100,000.00 LR $ 79,703.00 ExpR
			Total	$ 257,415.85

Item # 12D

January 6, 2012

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

FROM: **VICTOR KAMHI, BUS TRANSIT DIRECTOR**

SUBJECT: **COUNTYWIDE TRANSIT STUDY CONSULTANT CONTRACT AMENDMENT**

RECOMMENDATION

- Amend MIG contract for Countywide Transit planning activities, increasing the contract by $60,000.
- Amend the VCTC Regional Transit Planning budget, including expenditures and revenues in the amount of $60,000 in State Transit Assistance Funds (STAF).

BACKGROUND

The Commission has been working for the past year on the Regional Transit Study, which focused on developing a response to California Public Utilities Code Section 99232.3, which states:

The Ventura County Transportation Commission may submit to the Senate Committee on Transportation and Housing and the Assembly Committee on Transportation a report analyzing options for organizing public mass transportation services in the county, for the expenditure of revenues deposited in the local transportation fund, and a recommended legislative proposal for implementing the plan by December 31, 2011.

VCTC executed a contract for $260,000 with MIG to develop the report called for by the State Legislature. While significant progress has been made, in response to a request to the Regional Transit Study Steering Committee from a number of City Managers of cities which operate community transit systems, a recommendation was made to extend the study. Specifically, the Steering Committee requested that the transit operators meet and develop a service delivery organizational proposal based on the cooperation and coordination alternatives. The Committee also directed VCTC staff and the consultant team to meet with and facilitate the work of the transit operators in this effort. The Steering Committee recognized that this would extend the timeframe for reporting to the Legislature past the date called for in SB 716 but, if this option could be presented to the Steering Committee prior to the February 3, 2012 Commission meeting, the Commission would be able to provide timely input to the current legislative session. To meet this schedule, the Steering Committee will need to meet in January and the operator input should be received prior to that meeting.

This recommendation was integrated into the VCTC Regional Transit Study workplan as part of the report at the Commission meeting on December 2, 2011, the date on which the consultant was scheduled to complete the project. For the consultant team to provide support to the Commission and Steering Committee, fully analyze the proposal from the transit operators, and working with the Steering Committee, prepare a final report for action by the full Commission and submission in February to the State Legislature, additional funding is needed. Staff estimates that an additional $60,000 will be required, and is recommending that those funds be transferred from the VCTC State Transit Assistance Funds (STAF) reserves. The California Public Utilities code identifies STAF as an eligible use for transit planning activities.

Item #13

January 6, 2012

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

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

SUBJECT: **APPROVE FISCAL YEAR (FY) 2011/12 JARC PROGRAM OF PROJECTS FOR LAPSING FUNDS – PUBLIC HEARING**

RECOMMENDATION:

- Approve the attached Program of Projects (POP) to allocate for Mobility Management (Travel Training) by Mobility Management Partners Inc. $26,792 in potentially lapsing Section 5316 Jobs Access / Reverse Commute (JARC) in the Oxnard/Ventura Urban Area.

BACKGROUND:

Federal law requires that at a minimum of every two years VCTC conduct a competitive call for projects to receive funds from the Section 5316 JARC and Section 5317 New Freedom programs. VCTC conducted its most recent competitive call during Fiscal Year 2010/11. However, with all funds approved under that call now having been obligated, there remains a balance of $26,792 in Oxnard/Ventura JARC funds scheduled to expire on September 30, 2012. Staff therefore recommends that at this time VCTC initiate the process to obligate these funds to ensure that they do not lapse.

This item was discussed by TRANSCOM, which proposed that the lapsing funds be programmed based on where funds have been requested, but not provided, and where funds may be most needed to ensure cash flow over the next two years. Based on these criteria, TRANSCOM recommended that the $26,792 in potentially lapsing Oxnard/Ventura JARC funds be provided to Mobility Management Partners for its Mobility Management Program, including Travel Training. VCTC staff supports this recommendation.

The attached public hearing notice and POP list was published in the Ventura County Star on December 19, 2011.

ATTACHMENT

Program of Projects

The Ventura County Transportation Commission (VCTC) will hold a public hearing on the Program of Projects (POP) for the Oxnard and Thousand Oaks Urbanized Areas (UAs) for a project to be funded with Federal Transit Administration Jobs Access Reverse Commute (JARC) funds. The JARC funds available in Fiscal Year 2011/12 are estimated to be $688,000 in the Oxnard UA based on anticipated FY 2012 funds and prior year carry-over funds. The public hearing will be held at 9:00 a.m. on Friday, January 6, 2012, in the Camarillo City Council Chamber, 601 Carmen Drive, in Camarillo. The POP is available for public inspection at 950 County Square Drive, Suite 207, Ventura CA 93003. Unless a subsequent notice is published, this project list will become the final Program of Projects for inclusion in the Southern California Association of Governments Regional Transportation Improvement Program.

FY 2012 JARC Program of Projects – Oxnard Urbanized Area

	Total Cost	Federal Share	Local Share & Other
Capital Assistance			
Mobility Management through Mobility Management Partners, Inc.	$33,490	$26,792	$6,698

Item #14

January 6, 2012

MEMO TO: **VENTURA COUNTY TRANSPORTATION COMMISSION**

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

SUBJECT: **2012 LEGISLATIVE PROGRAM**

RECOMMENDATION:

- Adopt 2012 Legislative Program (Attachment).

BACKGROUND:

Every year the Commission adopts a Legislative Program for the upcoming year, for both State and Federal legislation. The Legislative Program sets forth in general terms the Commission's overall priorities, to provide legislators, their staffs, and the public with a sense of what the Commission feels are the important transportation issues requiring attention. The adopted Legislative Program also gives staff its basic direction for legislative involvement, so that it can often react quickly as developments occur. As the year progresses, staff will return to the Commission to request positions on specific legislative proposals including bills that are introduced.

DISCUSSION

Federal Issues

There continues to be no new authorization of the Federal transportation program. The prior authorization was originally scheduled to expire September 30, 2009, and there have been several short-term extensions. Although a two-year authorization has been moving in the Senate, and House Transportation and Infrastructure Committee Chair John Mica has expressed his determination to pass a new six-year bill prior to the current extension's expiration in March, 2012, the chances of a multi-year authorization passing before the 2012 election appear dim. However, VCTC continues to support a new bill and work with our regional partners to consider issues relating to authorization.

The regional agencies have continued staff-level discussions regarding elements to advocate for inclusion in a new authorization, including the Breaking Down Barriers Initiative started by the Orange County Transportation Authority. There are also other issues of particular concern to VCTC and the region, including the need for continued federal support for rail safety, and continuation of funds where most needed to address air quality, as with the current Congestion Mitigation and Air Quality (CMAQ) program. Although there has been significant discussion of eliminating funding earmarks, the 2011 Program continues to identify the Route 101/23 Interchange Improvement Project as the top highway earmark priority, and the Gold Coast Transit Maintenance Facility as the top transit earmark priority, should earmarks be included in the new authorization law.

State Issues

This past year the ratification of the gas tax "swap" to meet the requirements of Proposition 26, has apparently reduced uncertainty with State transportation financing. However, with the continued State General Fund shortfall, VCTC will need to continue monitoring state funding developments and oppose any further efforts that may arise to take transportation funds to help the General Fund.

The proposed legislative program continues a number of items from prior years. These items include support for LOSSAN corridor study recommendations, extending the SB 375 environmental streamlining provisions to transportation projects meeting SB 375 requirements, and increased flexibility for installation of bike racks on buses. It is anticipated that a significant emphasis of this year's legislative efforts will be the implementation of VCTC's response to the Legislature as called for under SB 716. Although VCTC has not yet finalized the Regional Transit Study, it is anticipated that within the next few months VCTC will complete the report and then submit its recommendation to the Legislature, at which time the Commission should work with the Legislature to support the recommended actions.

ATTACHMENT

VENTURA COUNTY TRANSPORTATION COMMISSION
2012 LEGISLATIVE PROGRAM

STATE LEGISLATIVE PROGRAM

A. TRANSPORTATION FUNDING

- Support efforts to maintain and protect transportation funding as approved under the gas tax swap legislation.
- Oppose shifting transportation resources to other uses such as General Fund relief.
- Support the continued ability of regions to set priorities as set forth in SB 45, and oppose any efforts to lessen regional agencies' jurisdiction over the regional program within the State Transportation Improvement Program.
- Support continuation of the Safe Routes to Schools program.
- Support increased funding for bike and pedestrian facilities and bus transit.

B. RAIL PROGRAM

- Support legislation as needed based on the upcoming planning for LOSSAN Corridor reorganization/consolidation, while ensuring the state continues its commitment to fund intercity rail service ongoing operations and expansion.
- Support incentives to encourage the citing of transit oriented development projects.

C. PLANNING

- Participate with other Southern California regional agencies to incorporate regional needs as appropriate in clean-up legislation for SB 375, the law requiring regional transportation and land use planning to address global climate change. In particular, support extension of SB 375 California Environmental Quality Act streamlining provisions to transportation.
- Advocate for implementation of VCTC's recommendations, to be submitted shortly to the Legislature as called for by SB 716.
- Support Transportation Demand Management measures to reduce auto trips, including facilitation of technology, such as telecommuting, videoconferencing, and smart utility meters.
- Monitor legislation to broaden eligibility for use of High-Occupancy Vehicle (HOV) lanes or High-Occupancy Toll (HOT) lanes beyond multiple-occupant vehicles, and vehicles paying tolls in the case of HOT lanes.
- Work in coordination with other transit operators to obtain greater vehicle code flexibility to allow installation of bus bicycle racks holding up to three bicycles.

FEDERAL LEGISLATIVE PROGRAM

- Participate in discussions regarding SAFETEA-LU reauthorization, working with other Southern California transportation agencies to advocate for regional priorities including the Breaking Down Barriers Initiative.

- Support authorization earmarks for Route 101/23 interchange improvements and a new Gold Coast Transit operations facility.

- Support maintaining the existing transportation appropriation level in the Fiscal Year 2013 federal budget, while monitoring and supporting as appropriate possible solutions to the impending insolvency of federal transportation accounts.

- Work with the Southern California Regional Rail Authority and other member agencies to advocate for further Federal action in support of rail safety, including any federal actions needed to support timely Positive Train Control implementation.

- Support continuation of federal programs and funding, such as Congestion Mitigation and Air Quality (CMAQ), which provide special benefits to Ventura County. In particular, support continuation of the eligibility of transit operating demonstration projects for CMAQ funds.

- Support continuation of the delegation to Caltrans of responsibility under the National Environmental Policy Act (NEPA).