



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

AGENDA*

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

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

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

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

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

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

6. **COMMISSIONERS / EXECUTIVE DIRECTOR REPORT** - *This item provides the opportunity for the commissioners and the Executive Director to report on attended meetings/conferences and any other items related to Commission activities.*
7. **ADDITIONS/REVISIONS** – *The Commission may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Commission subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Commission. If there are less than 2/3 of the Commission members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.*
8. **CONSENT CALENDAR** - *All matters listed under the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no discussion of these items unless members of the Commission request specific items to be removed from the Consent Calendar for separate action.*

8A. APPROVE SUMMARY FROM OCTOBER 5, 2018 VCTC MEETING – PG.5

Recommended Action:

Approve

Responsible Staff: Donna Cole

8B. MONTHLY BUDGET REPORT – PG. 9

Recommended Action:

Receive and File

Responsible Staff: Sally DeGeorge

8C. PASSENGER RAIL UPDATE – PG. 17

Recommended Action:

Receive and File

Responsible Staff: Claire Grasty

8D. LEGISLATIVE UPDATE -PG. 23

Recommended Action:

Receive and File

Responsible Staff: Peter De Haan

8E. SUBRECIPIENT AGREEMENT WITH CALIFORNIA VANPOOL AUTHORITY- PG. 35

Recommended Action:

Authorize the Chair to execute the attached agreement with the California Vanpool Authority for administration Federal Transit Administration funds by VCTC.

Responsible Staff: Peter De Haan

8F. STATE ADVOCACY SERVICES CONTRACT – PG. 45

Recommended Action:

Approve attached agreement with California Advisors, LLC, for State Advocacy Services for a four-year period, with two optional two-year extensions, with the base period cost to be \$4,500 per month plus expenses.

Responsible Staff: Peter De Haan

8G. 2019 VCTC REGULAR MEETING SCHEDULE-PG. 55

Recommended Action:

Approve

Responsible Staff: Donna Cole Zimmermann

8H. INSURANCE COVERAGE RENEWAL - PG. 57

Recommended Action:

Approve the insurance renewal as presented for a total insurance cost of \$241,997 funded as part of the operational cost/indirect cost allocation plan in the Fiscal Year 2018/2019 Budget

Responsible Staff: Sally DeGeorge

8I. MEMORANDUM OF UNDERSTANDING WITH THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS - PG.59

Recommended Action:

Authorize the Executive Director to execute the Memorandum of Understanding with the Southern California Association of Governments

Responsible Staff: Steve DeGeorge

8J. HEARTHSTONE MULTI-ASSET ENTITY C, L.P. /CITY OF FILLMORE CONSTRUCTION AND NON-EXCLUSIVE EASEMENT AGREEMENT – PG. 61

Recommended Action:

- *Approve the Construction and Non-exclusive Easement Agreement (Storm Drain and Temporary Grading Easement) with Hearthstone Multi-Asset Entity C, L.P. and the City of Fillmore to provide storm water drainage for the Heritage Valley Parks Project in the City of Fillmore.*
- *Amend the Fiscal Year 2018/2019 Santa Paula Branch Line Budget increasing the Local Fee – Permits Revenue Line Item by \$25,359.*

Responsible Staff: Steve DeGeorge

9. OXNARD HARBOR DISTRICT QUARTERLY REPORT- PG. 63

Recommended Action:

Receive and file

Responsible Staff: Kristin Decas, CEO Oxnard Harbor District

10. PROGRAMMING OF CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROJECTS; REPROGRAMMING OF PROPOSITION 1B TRANSIT PROJECTS APPROVAL OF REVISED FINAL FISCAL YEAR (FY) 2018/19 PROGRAM OFPROJECTS – PUBLIC HEARING - PG. 65

Recommended Action:

- *Approve a total of \$6,588,512 in CMAQ funds for the projects shown in Attachment A, including \$3,069,142 in CMAQ Shelf List projects and \$3,519,370 in cost increases to previously approved CMAQ and Proposition 1B projects, contingent upon these funds either being obligated in federal FY 2018/19 or ready to obligate pending fund availability.*
- *Transfer \$801,877 in Proposition 1B Transit Capital funds from the Simi Valley CNG project to the Moorpark Metrolink Station Parking project, contingent upon approval of the transfer by Caltrans and approval of a subsequent agreement with Moorpark and Simi Valley.*
- *Approve revised FY 2018/19 Program of Projects (POP) provided in Attachment B.*

Responsible Staff: Peter De Haan

11. ACTIVE TRANSPORTATION PROGRAM PROJECT SELECTION CRITERIA FOR 20 REGIONAL POINTS - PG. 71

Recommended Action:

Responsible Staff: Judith Johnduff

12. MOTORIST-AID OPTIONS AND EXPENDITURES- PG. 79

Recommended Action:

- *Adopt a policy of maintaining a \$1.5 million reserve in the fund balance for the purpose of use during extraordinary events to ensure that the callbox system, the Advance Traveler Information System, and other emergency services, as determined by the Executive Director, can be provided to motorists on the Ventura County's highways.*
- *Authorize staff to seek consultant assistance to initiate a Freeway Service Patrol Program in Ventura County*
- *Authorize staff to consult with Ventura County's first responders in order to define the scope of First Responder grant program.*

Responsible Staff: Steve DeGeorge

13. VCTC GENERAL COUNSEL'S REPORT

14. AGENCY REPORTS

15. CLOSED SESSION

16. ADJOURN to 9:00 a.m. Friday, December 7, 2018



Item #8A

VENTURA COUNTY TRANSPORTATION COMMISSION

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

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MEETING SUMMARY

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, OCTOBER 5, 2018
9:00 AM

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

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS –*There were no public comments for items not listed.*

CALTRANS REPORT -

Shirley Choate, Interim Director, District 7 reported John Bulinski has been appointed Director of Caltrans District 7. He has more than 29 years of service with Caltrans, most recently as District 8 Director and District 2 Director.

Several complaints have been addressed regarding Hwy 126 ramp closure issues. There are now better detours, with more advance notice.

Work will soon begin on the 101 from LA to Santa Barbara County to remove 4 inch stripes and replace with 6 inch. There may be some dust control issues.

A letter received from Simi Valley reports a high number of accidents at the 118 off ramp at Yosemite. They are in the process of evaluating options.

COMMISSIONERS REPORTS

Commissioner Judge attended the SCAG Regional Council and Transportation Committee. There was a lot of discussion about replacing the CEO. A recruiter has been retained to conduct the search. Darren Chidsey, is the Interim CEO.

EXECUTIVE DIRECTOR REPORT –

VC Future Leaders' Summit – Last week VCTC sponsored the Future VC Leaders' Summit. More than 100 college students gathered to learn how transportation, housing, economic and urban planning issues impact the local community. A lively discussion was held with local experts in the fields of transportation, economics and urban planning. Students had an opportunity to interact with the speakers and network with their peers. The event was so successful that we are already planning for next year. A special thanks to Commission Vice-Chair Manual Minjares for representing the Commission at this important community event.

Broadband Isn't Just About the Internet - On Thursday, October 11 an event will be hosted by the EDC, County of Ventura and VCTC. City and County electeds and technology leaders are invited to attend the Ventura County Regional Broadband Summit. The theme is "Creating Technology Driven Communities" and will address how the wide spread proliferation of high speed internet access will enhance the economic prosperity, health, education, civic involvement, environment and overall quality of life in the communities of Ventura, Santa Barbara and San Luis Obispo Counties. The summit will include a forum on Technology and Transportation, from autonomous and self-driving vehicles to innovative public transit. There will be two very special guest speakers from the transportation sector including Randy Iwasaki, Executive Director of the Contra Costa Transportation Authority and Ali Zaghari, Caltrans Deputy District Director of Operations for Caltrans District 7. This is event is free of charge and Commissioners are encouraged to attend.

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Mobility 21 Annual Southern California Transportation Summit – The annual Mobility 21 Summit is scheduled for Friday, October 19th, in downtown Los Angeles. VCTC is a member of Mobility 21 which is a coalition of public transportation agencies, business and community stakeholders that pursues regional solutions to transportation challenges facing Southern California. The theme of this year’s Summit is “California, Transportation Center of Excellence.”

ADDITIONS/REVISIONS – None

CONSENT CALENDAR –

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

8A. APPROVE SUMMARY FROM SEPTEMBER 7, 2018 VCTC MEETING – Approve

8B. MONTHLY BUDGET REPORT – Receive and File

8C. MONTHLY BUDGET REPORT – Receive and File

8D. PASSENGER RAIL UPDATE – Receive and File

8E. FISCAL YEAR 2017/2018 CARRY-OVER BUDGET AMENDMENTS - Amend the VCTC Fiscal Year 2018/2019 budget revenues and expenditures as stated in Attachment - Carry-over Budget Amendments from Fiscal Year 2017/2018. To 2018/2019.

8F. LICENSE AGREEMENT WITH THE CITY OF MOORPARK - Authorize the Executive Director to execute the license agreement between VCTC and the City of Moorpark for use of parcels APN 511-009-040, APN 512-009-017, APN 512-009-014, APN 512- 008-213

8G. COAST RAIL COORDINATING COUNCIL MEMORANDUM OF UNDERSTANDING- Approve and authorize the Executive Director to execute a Memorandum of Understanding to better plan and coordinate efforts to improve passenger rail services on the Coast Route.

8H. LEGISLATIVE UPDATE- Receive and file

The motion was seconded by **Commissioner Judge** and passed unanimously.

9. POSITION ON PROPOSITION 6 –

Public Comment

Miranda Patton – Chair of CTAC, and professional engineer, is encouraged that VCTC is taking a position of opposition. She has been in transportation for 20 years and is a local business owner. Transportation is critical and provides safety and mobility for the public. An annual evaluation of our infrastructure reports there are 1600 structurally deficient bridges in California.

Commissioner Gherardi made a motion to Adopt “Oppose” position on Proposition 6. The motion was seconded by **Commissioner Minjares** and passed by the following roll call vote:

Yes: Commissioners McDonald, MacDonald, Minjares, Gherardi, Bill de la Peña, Berg, White, Simons, Bennett, Humphrey, Parks

No: Commissioners Judge, Foy

Abstain: None

Absent: Commissioners Haney, Andrews, Long, Zaragoza

10. FISCAL YEAR (FY) 2018/19 TRANSIT PROGRAM OF PROJECTS (POP) – PUBLIC HEARING
Public Comment

Greg Hart, SBCAG, is proud of their partnership with VCTC. We provide a critical service and an important element in traffic reduction. Revenues are not keeping up with costs.

Commissioner Minjares made a motion to:

- Open public hearing and receive testimony.
- Adopt the attached final Program of Projects (POP) approving the projects to receive Federal Transit Administration funds for all areas of Ventura County in FY 2018/19.

The motion was seconded by **Commissioner Berg** and passed unanimously.

11. TRANSIT ASSET MANAGEMENT PLAN-

Commissioner MacDonald made a motion to approve the Ventura County Group TAM Plan. The motion was seconded by **Commissioner Bill-de la Peña** and passed unanimously (Commissioner Bennett was not in the room at the time of the vote)

12. VCTC INTERCITY FARE PRICING –

Commissioner MacDonald made a motion to approve implementation of the Fare Change Proposal and Timeline as identified in Exhibit 1. An update report will be provided in Fall 2019. The motion was seconded by Commissioner Judge and passed by the following roll call vote:

Yes: Commissioners McDonald, Judge, MacDonald, Minjares, Berg, White, Simons, Bennett, Humphrey

No: Commissioners Gherardi, Bill-de la Peña, Parks

Abstain: None

Absent: Commissioners Haney, Andrews, Long, Zaragoza, Foy

13. VCTC GENERAL COUNSEL'S REPORT - None

14. AGENCY REPORTS

Commissioner Humphrey reported that he and **Commissioner Gherardi** are working with Metrolink leadership regarding a transit strike. He has no update at this time.

15. CLOSED SESSION – None

16. ADJOURN to 9:00 a.m. Friday, November 2, 2018



Item #8B

November 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for September 2018

DISCUSSION:

The monthly budget report is presented in a comprehensive, agency-wide format on a modified accrual basis. The reports include a combined Balance Sheet, a Statement of Revenues, Expenditures and Changes in Fund Balance detailed by fund and an Investment Report by institution. There are six funds presented consisting of the General Fund, the Local Transportation Fund (LTF), the State Transit Assistance (STA) fund, the Service Authority for Freeway Emergencies (SAFE) fund, the VCTC Intercity fund and the Valley Express fund. The Statement of Revenues, Expenditures and Changes in Fund Balance also includes the annual budgeted numbers that are updated as the Commission approves budget amendments or administrative budget amendments are approved by the Executive Director. Staff monitors the revenues and expenditures of the Commission on an on-going basis.

The September 30, 2018 budget report indicates that the revenues were approximately 9.49% of the adopted budget while expenditures were approximately 12.34% of the adopted budget. The revenues and expenditures are as expected unless otherwise noted. 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 2017/2018 is in the process of being finalized and has not yet been audited. The fund balances and accruals are considered estimates until Fiscal Year 2017/2018 is closed and the audit is final.

Some revenues are received at the beginning of the year while other revenues are received after grants are approved. In many instances, the Ventura County Transportation Commission (VCTC) incurs expenditures and then submits for reimbursement from federal, state, and local agencies which may also cause a slight lag in reporting revenues. Furthermore, the STA, LTF and 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 Vehicle collects the SAFE funds and remits them monthly with a two month lag.

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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 callbox equipment and office furniture and equipment. Capital assets and depreciation are adjusted annually at the end of the fiscal year.

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

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

The VCTC Intercity line item is missing the September revenues and expenses information for the bus operations as the information was not submitted before this report was prepared. The Valley Express line item is missing the September revenues and expenses information for the bus operations as the information was not submitted before this report was prepared. It is anticipated that the information will be included in the next report.

**VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF SEPTEMBER 30, 2018**

Assets and Deferred Outflows	
Cash and Investments	\$ 30,136,337
Petty Cash	130
Receivables/Due from other funds	2,439,369
Prepays and Deposits	92,537
Capital Assets, undepreciated	26,339,301
Capital Assets, depreciated, net	30,726,626
Deferred Outflows	857,586
Total Assets and Deferred Outflows	<u>\$ 90,591,886</u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:	
Accrued Expenses and Due to Other	\$ 5,561,416
Deferred Revenue	666,621
Deposits	67,059
Accrued Vacation	164,628
Pension Liability	2,045,090
OPEB Liability	367,865
Deferred Inflows	282,840
Total Liabilities and Deferred Inflows:	<u>\$ 9,155,519</u>

Net Position:	
Invested in Capital Assets	\$ 56,929,562
Fund Balance	24,506,805
Total Net Position	<u>\$ 81,436,367</u>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE THREE MONTHS ENDED SEPTEMBER 30, 2018**

	General Fund	LTF	STA	SAFE	SPBL	VCTC Intercity	Valley Express	Fund Totals	Budgeted Actual	Variance Actual	% Year
	Actual	Actual	Actual	Actual	Actual	Actual	Actual				
Revenues											
Federal Revenues	\$ 582,500	\$ 0	\$ 0	\$ 0	\$ 0	\$ 814,376	\$ 109,411	\$ 1,506,287	\$ 20,573,629	(19,067,342)	7.32
State Revenues	154,435	3,065,005	0	67,460	0	268,775	0	3,555,675	48,493,325	(44,937,650)	7.33
Local Revenues	66,819	0	0	0	236,010	510,745	1,061,082	1,874,656	4,082,983	(2,208,327)	45.91
Other Revenues	32	0	0	0	0	0	0	32	0	32	0.00
Interest	11,504	0	0	339	511	3,316	590	16,260	110,000	(93,740)	14.78
Total Revenues	815,290	3,065,005	0	67,799	236,521	1,597,212	1,171,083	6,952,910	73,259,937	(66,307,027)	9.49
Expenditures											
Administration											
Personnel Expenditures	529,262	0	0	0	0	64,120	16,325	609,707	3,066,900	(2,457,193)	19.88
Legal Services	7,583	0	0	0	0	0	0	7,583	25,000	(17,417)	30.33
Professional Services	9,597	0	0	0	0	0	0	9,597	110,700	(101,103)	8.67
Office Leases	41,344	0	0	0	0	0	0	41,344	145,100	(103,756)	28.49
Office Expenditures	59,968	0	0	0	0	37,536	9,557	107,061	534,812	(427,751)	20.02
Total Administration	647,754	0	0	0	0	101,656	25,882	775,292	3,882,512	(3,107,220)	19.97
Programs and Projects											
Transit and Transportation Program											
Regional Transit Technology	7,922	0	0	0	0	0	0	7,922	351,100	(343,178)	2.26
Senior-Disabled Transportation	54,222	0	0	0	0	0	0	54,222	263,500	(209,278)	20.58
VCTC Intercity Bus Services	0	0	0	0	0	1,602,197	0	1,602,197	11,728,600	(10,126,403)	13.66
Valley Express Bus Services	0	0	0	0	0	0	306,326	306,326	1,843,400	(1,537,074)	16.62
Transit Grant Administration	228,456	0	0	0	0	0	0	228,456	8,084,000	(7,855,544)	2.83
Total Transit and Transportation	290,600	0	0	0	0	1,602,197	306,326	2,199,123	22,270,600	(20,071,477)	9.87
Highway Program											
Motorist Aid Call Box System	0	0	0	56,790	0	0	0	56,790	470,500	(413,710)	12.07
Highway Project Management	0	0	0	0	0	0	0	0	4,604,500	(4,604,500)	0.00
SpeedInfo Highway Speed Sensor	0	0	0	10,400	0	0	0	10,400	144,000	(133,600)	7.22
Total Highway	0	0	0	67,190	0	0	0	67,190	5,219,000	(5,151,810)	1.29

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE THREE MONTHS ENDED SEPTEMBER 30, 2018**

	General Fund	LTF	STA	SAFE	SPBL	VCTC	Valley	Fund	Budgeted	Variance	% Year
	Actual	Actual	Actual	Actual	Actual	Intercity	Express	Totals	Actual	Actual	Actual
Rail Program											
Metrolink and Commuter Rail	1,048,140	0	0	0	0	0	0	1,048,140	9,184,627	(8,136,487)	11.41
LOSSAN and Coastal Rail	522	0	0	0	0	0	0	522	5,800	(5,278)	9.00
Santa Paula Branch Line	0	0	0	0	117,598	0	0	117,598	721,000	(603,402)	16.31
Total Rail	1,048,662	0	0	0	117,598	0	0	1,166,260	9,911,427	(8,745,167)	11.77
Commuter Assistance Program											
Transit Information Center	215	0	0	0	0	0	0	215	19,800	(19,585)	1.09
Rideshare Programs	66,409	0	0	0	0	0	0	66,409	257,000	(190,591)	25.84
Total Commuter Assistance	66,624	0	0	0	0	0	0	66,624	276,800	(210,176)	24.07
Planning and Programming											
Transportation Development Act	0	4,779,731	0	0	0	0	0	4,779,731	31,253,472	(26,473,741)	15.29
Transportation Improvement Program	423	0	0	0	0	0	0	423	45,600	(45,177)	0.93
Regional Transportation Planning	13,230	0	0	0	0	0	0	13,230	431,000	(417,770)	3.07
Airport Land Use Commission	0	0	0	0	0	0	0	0	9,000	(9,000)	0.00
Regional Transit Planning	34,762	0	0	0	0	0	0	34,762	1,197,584	(1,162,822)	2.90
Freight Movement	858	0	0	0	0	0	0	858	11,800	(10,942)	7.27
Total Planning and Programming	49,273	4,779,731	0	0	0	0	0	4,829,004	32,948,456	(28,119,452)	14.66
General Government											
Community Outreach and Marketing	61,606	0	0	0	0	0	0	61,606	262,800	(201,194)	23.44
State and Federal Relations	38,515	0	0	0	0	0	0	38,515	110,100	(71,585)	34.98
Management and Administration	44,781	0	0	0	0	0	0	44,781	76,000	(31,219)	58.92
Total General Government	144,902	0	0	0	0	0	0	144,902	448,900	(303,998)	32.28
Total Expenditures	2,247,815	4,779,731	0	67,190	117,598	1,703,853	332,208	9,248,395	74,957,695	(65,709,300)	12.34

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE THREE MONTHS ENDED SEPTEMBER 30, 2018**

	General Fund	LTF	STA	SAFE	SPBL	VCTC	Valley	Fund Totals	Budgeted Actual	Variance Actual	% Year
	Actual	Actual	Actual	Actual	Actual	Intercity Actual	Express Actual				
Revenues over (under) expenditures	(1,432,525)	(1,714,726)	0	609	118,923	(106,641)	838,875	(2,295,485)	(1,697,758)	(597,727)	135.21
Other Financing Sources											
Transfers Into GF From LTF	3,109,827	0	0	0	0	0	0	3,109,827	4,546,630	(1,436,803)	68.40
Transfers Into GF From STA	7,589	0	0	0	0	0	0	7,589	4,650,708	(4,643,119)	0.16
Transfers Into GF From SAFE	8,483	0	0	0	0	0	0	8,483	30,000	(21,517)	28.28
Transfers Into GF From SPBL	13,848	0	0	0	0	0	0	13,848	120,000	(106,152)	11.54
Transfers Into SPBL From LTF	0	0	0	0	11,838	0	0	11,838	120,000	(108,162)	9.87
Transfers Into SPBL From STA	0	0	0	0	0	0	0	0	434,200	(434,200)	0.00
Transfers Into VI From LTF	0	0	0	0	0	2,514	0	2,514	72,980	(70,466)	3.44
Transfers Into VI From STA	0	0	0	0	0	1,500,000	0	1,500,000	4,210,842	(2,710,842)	35.62
Transfers Out of LTF Into GF	0	(3,124,179)	0	0	0	0	0	(3,109,827)	(4,546,630)	1,436,803	68.40
Transfers Out of LTF Into SPBL	0	0	0	0	0	0	0	(11,838)	(120,000)	108,162	9.87
Transfers Out of LTF Into VI	0	0	0	0	0	0	0	(2,514)	(72,980)	70,466	3.44
Transfers Out of STA Into GF	0	0	(7,589)	0	0	0	0	(7,589)	(4,650,708)	4,643,119	0.16
Transfers Out of STA Into SPBL	0	0	0	0	0	0	0	0	(434,200)	434,200	0.00
Transfers Out of STA Into VI	0	0	(1,500,000)	0	0	0	0	(1,500,000)	(4,210,842)	2,710,842	35.62
Transfers Out of SAFE Into GF	0	0	0	(8,483)	0	0	0	(8,483)	(30,000)	21,517	28.28
Transfers Out SPBL Into GF	0	0	0	0	(13,848)	0	0	(13,848)	(120,000)	106,152	11.54
Total Other Financing Sources	3,139,747	(3,124,179)	(1,507,589)	(8,483)	(2,010)	1,502,514	0	0	0	0	0.00
Net Change in Fund Balances	1,707,222	(4,838,905)	(1,507,589)	(7,874)	116,913	1,395,873	838,875	(2,295,485)	(1,697,758)	(597,727)	135.21
Beginning Fund Balance w/o capital assets	2,124,655	9,043,014	12,742,549	4,894,909	-	-	-	28,805,127	33,572,663	(4,767,536)	86
Long-term Pension/OPEB/Vacation Adjustment*	(1,869,458)	-	-	-	-	(133,379)	-	(2,002,837)	-	(2,002,837)	0
Ending Fund Balance	<u>\$ 1,962,419</u>	<u>\$ 4,204,109</u>	<u>\$ 11,234,960</u>	<u>\$ 4,887,035</u>	<u>\$ 116,913</u>	<u>\$ 1,262,494</u>	<u>\$ 838,875</u>	<u>\$ 24,506,805</u>	<u>\$ 31,874,905</u>	<u>\$ (7,368,100)</u>	<u>77</u>

*Government Accounting Standards Board Statement 68 and GASB 75 require the full pension liability, inflows and outflows be accrued on financial statements.

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF SEPTEMBER 30, 2018**

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

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo	Government Checking	N/A	\$1,298.64	0.18%	\$ 2,236,302.56
County of Ventura	Treasury Pool	N/A	0.0		20,360,966.86
LAIF	State Pool	N/A	\$14,960.51	2.16%	7,506,599.67
Total			\$16,259.15		\$30,103,869.09

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. Small portion of interest earned in the Wells Fargo accounts is for unearned revenues and the interest is not recognized until the revenues are recognized.

The Commission's pooled checking account is swept daily into a money market account. The interest earnings are deposited the following day. The first \$250,000 of the combined balance is federally insured and the remaining balance is collateralized by Wells Fargo bank.

The Commission's LTF, STA and a portion of the SAFE funds received from the State 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 above are not adjusted for fair market value.

The Commission's funds not needed for immediate use are invested in the California Local Agency Investment Fund (LAIF). Interest is apportioned quarterly, in arrears, based on the average daily balance. The investment earnings are generally deposited into the account the month following the quarter end. Amounts shown above are not adjusted for fair market value.

VCTC has not received the County's investment report for the first quarter.

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Item #8C

November 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

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

SUBJECT: PASSENGER RAIL UPDATE

RECOMMENDATION:

- Receive and file.

BACKGROUND:

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

DISCUSSION:

SCRRA (Metrolink) Commuter Rail

Ridership and On-time Performance

Based on data provided by Metrolink, system-wide ridership on commuter rail increased by 6% compared to last year's average in the same month, averaging 39,166 daily passenger trips for the month of September. This is a significant year over year increase that compares positively to the more characteristic -2% year over year trending average. The Ventura County Line, which includes both Ventura County and Los Angeles County stations, averaged 3,384 daily passenger trips for September, a 1% increase from the previous year's average during the same month, and a 9% increase from last month. A "10 Year Snapshot" of September ridership trends is provided in Attachment A.

Metrolink ridership originating from Ventura County stations on the Ventura County Line for the month of September averaged 736 total boardings per weekday. This represents a decrease of 3% compared to the same month in the previous year, but a 7% increase from last month. Ventura County boardings represented approximately 21.75% of all boardings on the Ventura County line, with LA stations averaging approximately 78.25%. Ventura County stations' proportion continues to decline. To address dropping ridership systemwide, Metrolink implemented a robust summer marketing campaign, targeting riders who live and work throughout the service area, especially near a rail station. Systemwide ridership has experienced recent increased ridership, however, the same increases have not been seen at Ventura County Stations.

Metrolink on-time performance (OTP), which denotes trains arriving within five minutes of the scheduled time, averaged 97% “on-time” arrival on the Ventura County Line for the month of September, an improvement in performance from the 93% OTP recorded in August. Of the 380 trains (14 daily) operated in the month of September, 369 arrived “on-time” while 11 were late and 153 arrived early. A total of 64,288 passengers traveled on the Ventura County line for the month. “On-time” performance on the Ventura County Line continues to outperform the system-wide average which was 93% for September.

Metrolink Chief Executive Officer Art Leahy announces Retirement

Metrolink CEO Art Leahy announced he will retire January 4, 2019. A 47-year transportation industry veteran, Leahy became Metrolink’s CEO in 2015 after leading the Los Angeles County Metropolitan Transportation Authority. Metrolink’s board appointed General Counsel Don Del Rio and Chief Financial Officer Ronnie Campbell as interim co-CEOs.

LOSSAN Intercity Rail Corridor (Amtrak Pacific Surfliner)

Performance of Amtrak’s peak-period train

Attachment C provides the ridership of Amtrak’s peak period service from Ventura County to Santa Barbara County since its launch in April. Ridership is averaging 119 riders daily on the early morning Amtrak train to date for October, trending upward from the August and September averages. Amtrak Train 759 has improved on-time performance with routine early arrivals averaging more than 10 minutes for the past month. No delays were experienced for the months of August and September. On-time performance for the last two months is shown in Attachment C.

Coast Rail Coordinating Council (CRCC)

Interregional Policy Board Established to Improve Passenger Rail Service along California’s Central Coast

After 25 years of planning as a consensus-building coalition, the San Luis Obispo Council of Governments (SLOCOG), Santa Barbara County Association of Governments (SBCAG), Santa Cruz County Regional Transportation Commission (SCCRTC), Transportation Agency for Monterey County (TAMC), and Ventura County Transportation Commission (VCTC) formalized their relationship through a Memorandum of Understanding establishing themselves as the Coast Rail Coordinating Council (CRCC). The mission of CRCC is to improve the frequency, speed, reliability, and ease of use of passenger trains on the coastal route between San Francisco and Los Angeles.

“This is an important step toward planning and implementing robust passenger rail service along the Central Coast and throughout California,” said former Monterey County Supervisor Dave Potter.

“Improving routes, frequency, and schedules along our coast will provide locals, tourists, and commuters with a breadth of transportation options for exploring the Central Coast and California as a whole, while also boosting economic development for many coastal communities that need it.”

This interregional forum discusses intercity rail issues of mutual concern, including, but not limited to, intercity rail plans, local and state rail plans, freight railroad issues, and capital improvement projects. Recent CRCC actions include: working with the Caltrans Rail Program, Amtrak, and Union Pacific to initiate a new train from downtown San Francisco to downtown Los Angeles – the Coast Daylight train; working with Caltrans to program \$11.3 million in Federal Railroad Administration grant funds to design and install positive train control (PTC) signal systems at 30 existing control points and 111 intermediate signal locations from Oakland to San Luis Obispo; and two rail extension projects already underway to ease commuting congestion on U.S. Highway 101 and encourage tourism. The Salinas rail extension project will offer two round-trip Caltrain passenger trains on weekdays from Salinas to Gilroy, San Jose, and San Francisco by 2021. The Grover Beach rail extension project will incorporate a bus passenger loading/unloading area, additional parking, and improved accessibility, providing direct connections to San Luis Obispo, Los Angeles, and San Diego on Amtrak’s Pacific Surfliner service.

Attachment A
Metrolink Ridership

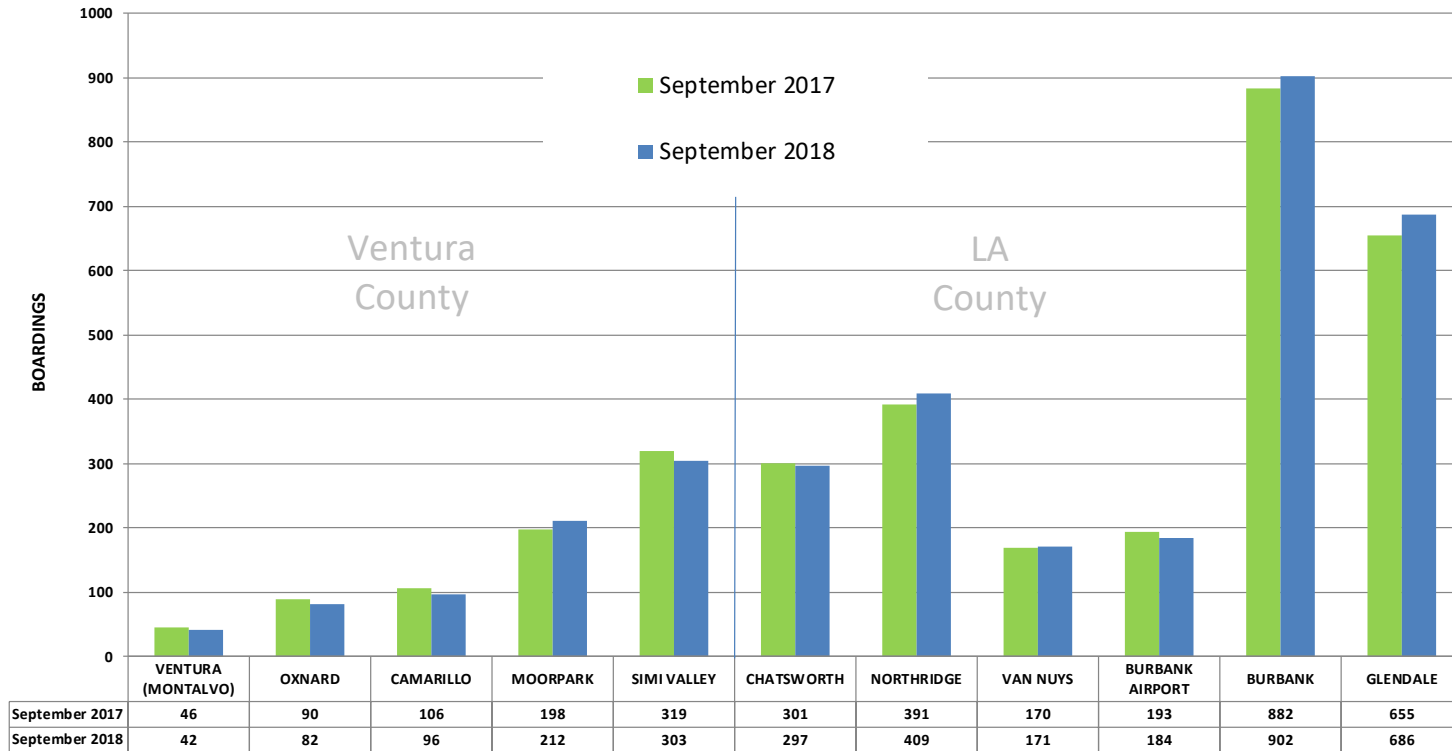
10 year Snapshot of Monthly Yr over Yr change in Average Weekday Ridership

Month Year	Ventura County Station Boardings*	% Change Ventura County Station Boardings	Ventura County Line Passenger Trips	% Change Ventura County Line	Metrolink System Passengers Grand Total	% Change Metrolink System Grand Total
September 2018	736	-3%	3,384	1%	39,166	6%
September 2017	758	-11%	3,349	-8%	36,825	-7%
September 2016	851	-6%	3,650	-2%	39,604	-4%
September 2015	904	-5%	3,738	-2%	41,375	-2%
September 2014	953	2%	3,803	1%	42,034	1%
September 2013	936	-3%	3,773	-3%	41,677	-3%
September 2012	968	0%	3,880	-5%	43,135	3%
September 2011	969	8%	4,066	13%	42,007	8%
September 2010	896	-3%	3,600	-5%	39,068	-4%
September 2009	923	-6%	3,782	-11%	40,878	-14%

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

Attachment B
Metrolink Ventura County Station Boardings for the month of August

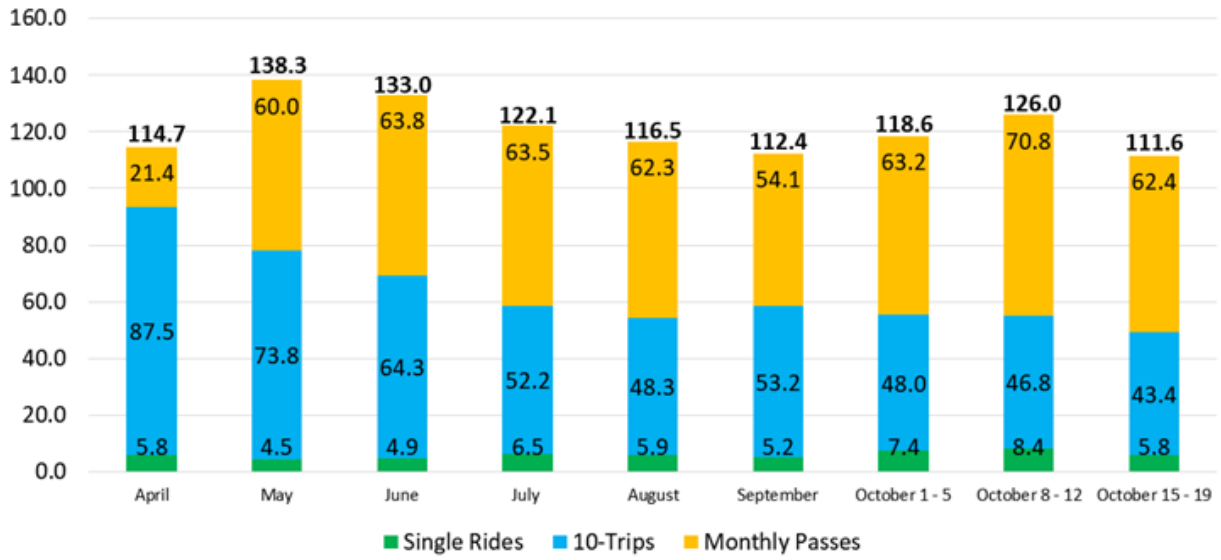
**Ventura County Line
Average Daily Station Boardings
Year over Year Comparison**



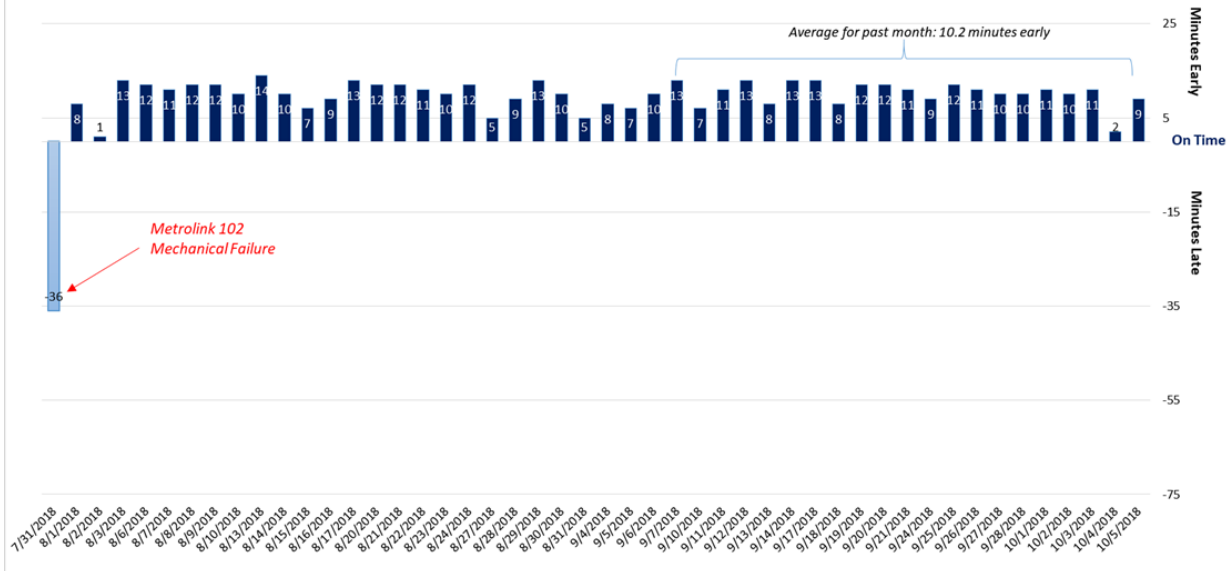
Source: SCRR TAC Reporting Portal.

Attachment C
Amtrak - Pacific Surfliner
Santa Barbara Commuter Friendly Service

Train 759 - Ridership Performance and Distribution



Train 759 - On-Time Performance - 2 Month Rolling



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Item #8D

November 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: LEGISLATIVE UPDATE

RECOMMENDATION:

- Receive and file.

DISCUSSION:

Attachment A is the monthly report of Delaney Hunter, the Commission's state lobbyist. Attachment B is a matrix providing the status of the bills being tracked by VCTC, with the only change from last month being that AB 1912 (Rodriguez) has been signed into law.



CALIFORNIA ADVISORS, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION MONTHLY STATE ADVOCACY REPORT OCTOBER 2018

Legislative Update

Governor Brown completed his final bill signing process on September 30. Over his career – spanning a total of four terms – he signed nearly 20,000 individual bills. In 2018, the number was 1016.

November Elections

Now that the legislative session has wrapped the focus turns to the November election. All Assembly seats and half of Senate seats will be on the ballot. Democrats will potentially be able to reestablish super majorities in each house pending final outcomes.

Also, there are key ballot measures to be decided by voters. Of most direct impact to VCTC is Proposition 6. If passed, Proposition 6 repeals Senate Bill 1 and also requires that any future gas, diesel or vehicle related tax or fee be passed by voters – NOT the Legislature.

Key Legislation

SB 502 (Portantino) provides the necessary statutory authorization for Metrolink to pursue a Construction Management/ General Contractor (CM/GC) approach to facilitate the delivery of the Southern California Optimized Rail Expansion (SCORE) program by 2028. SB 502 was a late amended bill – essentially being drafted the last week of the Session. SB 502 was signed by the Governor on September 20, 2018 – Chapter 602.

SB 1119 (Beall) which waives the requirement for transit agencies to spend 50% of funds from the Low Carbon Transit Operations Program (LCTOP) on projects or services that benefit disadvantaged communities (DACs), and deems that all applicable DAC and low-income requirements are met, if the funding is spent on certain transit activities, such as reduced fare student transit passes. SB 1119 moved through the Assembly Transportation Committee, Assembly Appropriations Committee and both the Assembly and Senate Floor's with strong support. SB 1119 was signed by the Governor on September 20, 2018 – Chapter 606.

Upcoming Bill Deadlines and Priority Legislation

November 6 – General Election

December 3 – 2019-20 Session Convenes

Below is the complete list of VCTC tracked bills and the final outcomes on each:

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

Introduced: 2/17/2017

Status: 8/17/2018-Failed Deadline pursuant to Rule 61(b) (15). (Last location was S. APPR. SUSPENSE FILE on 8/13/2018)

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

AB 1756 (Brough R) Transportation funding.

Introduced: 1/4/2018

Status: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. TRANS. on 1/16/2018)

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

AB 1759 (McCarthy D) Public trust lands: City of Sacramento.

Introduced: 1/4/2018

Status: Status: 9/5/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 250, Statutes of 2018.

Summary: Would grant and convey in trust in relation to real property known as the Sand Cove Parcels, as described, to the City of Sacramento, in the County of Sacramento, and to its successors, all of the rights, title, and interests of the state, to be held by the city in trust for the benefit of all the people of the state for public trust purposes, as provided. The bill would authorize the city to use the trust lands for the construction, reconstruction, repair, and maintenance of any transportation, utility, or other infrastructure that is incidental, necessary, or convenient to promote or accommodate uses consistent with the public trust doctrine.

AB 1866 (Fong R) Transportation funding.

Introduced: 1/12/2018

Status: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. TRANS. on 1/29/2018)

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

AB 1912 (Rodriguez D) Public Employees' retirement: joint powers agreements: liability.

Introduced: 1/23/2018

Status: 9/29/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 909, Statutes of 2018.

Summary: The Joint Exercise of Powers Act generally authorizes 2 or more public agencies, by agreement, to jointly exercise any common power. Under the act, if an agency is not one or more of the parties to the agreement but is a public entity, commission, or board constituted pursuant to the agreement, the debts, liabilities, and obligations of the agency are the debts, liabilities, and obligations of the parties to the agreement, unless the agreement specifies otherwise. The act also authorizes a party to a joint powers agreement to separately contract for, or assume responsibilities for, specific debts, liabilities, or obligations of the agency This bill would eliminate that authorization, and would specify that if an agency established by a joint powers agreement participates in, or contracts with, a public retirement

system, member agencies, both current and former to the agreement, would be required, upon termination or a decision to dissolve or cease operations of the agency, to mutually agree as to the apportionment of the agency's retirement obligations among themselves, within 60 calendar days, provided that the agreement equals the total retirement liability of the agency.

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

Introduced: 2/5/2018

Status: 8/17/2018-Failed Deadline pursuant to Rule 61(b) (15). (Last location was S. APPR. on 5/3/2018)

Summary: Current law prohibits a public employer, as defined, from deterring or discouraging public employees from becoming or remaining members of an employee organization. Under current law, a public employer is defined, for these purposes, to include counties, cities, districts, the state, schools, transit districts, the University of California, and the California State University, among others. Existing law grants the Public Employment Relations Board jurisdiction over violations of these provisions. This bill would include in the definition of "public employer" under these provisions those employers of excluded supervisory employees and judicial council employees.

AB 2034 (Kalra D) Human trafficking: notice.

Introduced: 2/6/2018

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 812, Statutes of 2018.

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

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

Introduced: 2/7/2018

Status: 9/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 580, Statutes of 2018.

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

AB 2062 (Maienschein R) State highways: landscaping.

Introduced: 2/7/2018

Status: 8/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 165, Statutes of 2018.

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

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

Introduced: 2/8/2018

Status: 9/13/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 365, Statutes of 2018.

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

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

Introduced: 2/13/2018

Status: 8/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 169, Statutes of 2018.

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

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

Introduced: 2/13/2018

Status: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 5/30/2018)

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

AB 2307 (Frazier D) High-speed rail.

Introduced: 2/13/2018

Status: 6/1/2018 – Vetoed by Governor.

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

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

Introduced: 2/13/2018

Status: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. INACTIVE FILE on 8/16/2018)

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

AB 2530 (Melendez R) Bonds: transportation.

Introduced: 2/14/2018

Status: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. TRANS. on 3/5/2018)

Summary: Would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase I blended system. The bill, subject to the above exception, would require redirection of the unspent proceeds received from outstanding bonds issued and sold for other high-speed rail purposes prior to the effective date of these provisions, upon appropriation, for use in retiring the debt incurred from the issuance and sale of those outstanding bonds.

AB 2543 (Eggman D) State agencies: infrastructure project budget and schedule: report.

Introduced: 2/15/2018

Status: 9/29/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 918, Statutes of 2018.

Summary: Would require each state agency or department authorized to undertake large and complex infrastructure projects to develop and implement a policy for publicly reporting any significant change in the cost or schedule of a large and complex infrastructure project that would result in the project

exceeding its projected budget by 10 percent or more or being delayed by 12 months or longer. The bill would require that the report include documentation and an explanation justifying a decision to proceed with the large and complex infrastructure project.

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

Introduced: 2/15/2018

Status: 9/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 496, Statutes of 2018.

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

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

Introduced: 2/15/2018

Status: 9/17/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 436, Statutes of 2018.

Summary: Current law establishes the Department of Transportation and the California Transportation Commission and provides that the department has full possession and control of all state highways and all property and rights in property acquired for state highway purposes and authorizes and directs the department to lay out and construct all state highways between the termini designated by law and on the locations as determined by the commission. This bill would make nonsubstantive changes to these provisions.

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

Introduced: 2/15/2018

Status: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. TRANS. on 3/8/2018)

Summary: Would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase 1 blended system. The bill, subject to the above exception, would require redirection of the unspent proceeds received from outstanding bonds issued and sold for other high-speed rail purposes prior to the effective date of these provisions, upon appropriation, for use in retiring the debt incurred from the issuance and sale of those outstanding bonds.

AB 2734 (Frazier D) California Transportation Commission.

Introduced: 2/15/2018

Status: 9/14/2018-Vetoed by Governor.

Summary: Would exclude the California Transportation Commission from the Transportation Agency, establish it as an entity in state government, and require it to act in an independent oversight role. The bill would also make conforming changes.

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

Introduced: 2/16/2018

Status: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 8/28/2018)

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

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

Introduced: 2/16/2018

Status: 6/1/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 22, Statutes of 2018.

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

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

Introduced: 2/16/2018

Status: 9/19/2018-Vetoed by Governor.

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

AB 3246 (Committee on Transportation) Transportation: omnibus bill.

Introduced: 2/22/2018

Status: 8/24/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 198, Statutes of 2018.

Summary: Current law authorizes a county, upon the adoption of a resolution by its board of supervisors, to impose a fee on motor vehicles, as specified, that is paid quarterly to the Controller and continuously appropriated for disbursement to the county, as specified, to be used to fund programs relating to vehicle theft crimes. Existing law requires a county that imposes this fee to issue an annual report to the Controller on or before August 31. Existing law requires the Controller to suspend a county's fee for one year if the county fails to submit the report by November 30 and requires the Controller to inform the Department of Motor Vehicles on or before January 1 that a county's authority to collect the fee is suspended. This bill would instead require the Controller to inform the Department of Motor Vehicles on or before February 1 that a county's authority to collect the fee described above is suspended.

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

Introduced: 2/17/2017

Status: 6/29/2018-Failed Deadline pursuant to Rule 61(b)(13). (Last location was A. TRANS. on 4/19/2018)

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

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

Introduced: 1/30/2018

Status: 9/13/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 367, Statutes of 2018.

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

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

Introduced: 2/1/2018

Status: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 2/1/2018)

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

SB 993 (Hertzberg D) Sales tax: services.

Introduced: 2/5/2018

Status: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. GOV. & F. on 5/9/2018)

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

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

Introduced: 2/5/2018

Status: 9/13/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 368, Statutes of 2018.

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

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

Introduced: 2/8/2018

Status: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 2/8/2018)

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

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

Introduced: 2/12/2018

Status: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. INACTIVE FILE on 8/28/2018)

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

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

Introduced: 2/13/2018

Status: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 2/13/2018)

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

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

Introduced: 2/13/2018

Status: 9/20/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 606, Statutes of 2018.

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

SB 1153 (Stern D) Local initiatives: review.

Introduced: 2/14/2018

Status: 7/20/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 155, Statutes of 2018.

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

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

Introduced: 2/14/2018

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 790, Statutes of 2018.

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

SB 1262 (Beall D) Construction Manager/General Contractor project delivery method: Department of Transportation.

Introduced: 2/15/2018

Status: 9/17/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 465, Statutes of 2018.

Summary: Would remove the cap on the number of projects for which the Department of Transportation is authorized to use the CM/GC method, eliminate the minimum construction costs limitation, and make conforming changes to existing provisions. The bill would impose the requirement to use department employees or consultants to perform project design and engineering services on at least 2/3 of the projects delivered by the department utilizing the CM/GC method. The bill would delete the existing report requirements. This bill contains other related provisions and other existing laws.

SB 1328 (Beall D) Mileage-based road usage fee.

Introduced: 2/16/2018

Status: 9/22/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 698, Statutes of 2018.

Summary: Current law requires the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of the Transportation Agency. Under current law, the purpose of the technical advisory committee is to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system. Current law requires the technical advisory committee to study RUC alternatives to the gas tax and to make recommendations to the Secretary of the Transportation Agency on the design of a pilot program, as specified. Current law repeals these provisions on January 1, 2019. This bill would extend the operation of these provisions until January 1, 2023.

SB 1434 (Leyva D) Transportation electrification: electricity rate design.

Introduced: 2/16/2018

Status: 8/17/2018-Failed Deadline pursuant to Rule 61(b)(15). (Last location was A. APPR. SUSPENSE FILE on 8/8/2018)

Summary: Would require the PUC to direct electrical corporations with more than 100,000 service connections in California to file rate design applications, specific to transit agencies as commercial customers, that support and accelerate the deployment of zero-emission transit buses to reduce dependence on petroleum, meet air quality standards, and reduce emissions of greenhouse gases to 40% below 1990 levels by 2030 and to 80% below 1990 levels by 2050. The bill would authorize an electrical corporation with 100,000 or fewer service connections in California to file rate design applications for those purposes.

VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY October 1, 2018			
BILL/AUTHOR	SUBJECT	POSITION	STATUS
AB 1912 Rodriguez	Requires joint powers authority members to accept CalPERS pension liability for authority employees.	Oppose	Signed by Governor.
SB 1119 Beall	Simplifies the administration and tracking of the requirement to spend 50% of LCTOP apportionment to benefit disadvantaged communities.	Support	Signed by Governor.

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Item #8E

October 5, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: SUBRECIPIENT AGREEMENT WITH CALIFORNIA VANPOOL AUTHORITY

RECOMMENDATION:

- Authorize the Chair to execute the attached agreement with the California Vanpool Authority for administration Federal Transit Administration funds by VCTC.

BACKGROUND:

At the March 2018 meeting, the Commission selected projects for funding from the federal Jobs Access and Reverse Commute (JARC) program, with one of the selected recipients being the California Vanpool Authority, or CalVans. VCTC approved \$50,000 for CalVans to use for subsidized vanpool vouchers.

CalVans had previously received JARC funds, and at that time VCTC entered into a project-specific subrecipient agreement with CalVans. However, with most subrecipients receiving funds passed through by VCTC from the Federal Transit Administration (FTA), VCTC enters into a more general agreement applicable to all FTA-funded projects. Since CalVans has now received a new JARC grant, a new subrecipient agreement will be required.

DISCUSSION:

Attached is the CalVans subrecipient agreement recommended by staff for approval. Since CalVans now has an ongoing record of successfully applying for JARC funds, the subrecipient agreement will apply not only to the current grant but also to any future grants that VCTC might approve. The agreement has an effective date of August 2, 2018, the date that FTA awarded the JARC grant.

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COOPERATIVE AGREEMENT

BETWEEN

VENTURA COUNTY TRANSPORTATION COMMISSION

AND

CALIFORNIA VANPOOL AUTHORITY

THIS AGREEMENT ("Agreement") is entered into on this _____ day of _____ 2018 between Ventura County Transportation Commission (hereinafter referred to as VCTC) and California Vanpool Authority (hereinafter referred to as CALVANS) regarding the administration of the Department of Transportation (DOT) and Federal Transit Administration (FTA) funds for use in the provision of vouchers in support of public transit service provided by CALVANS.

WHEREAS Chapter 53 of Title 49, United States Code, as amended, authorizes the Secretary of Transportation to apportion funds for public transportation projects for planning, capital, and operating assistance purposes; and,

WHEREAS, VCTC serves as the administrator of federal funds apportioned by FTA to Ventura County; and,

WHEREAS, CALVANS is an eligible organization for FTA reimbursement funds for transit projects; and,

WHEREAS, VCTC authorized VCTC staff to apply for FTA funds on behalf of public transit operators including CALVANS, with the requirement that the local match funds be provided by the transit operators; and

WHEREAS, it is the intention of VCTC to enter into this Cooperative Agreement with CALVANS regarding the administration of funds obtained through the FTA Jobs Access and Reverse Commute program, as a mutually acceptable agreement is a pre-condition of acceptance of funding.

NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:

I. FUNDING/PROGRAM MANAGEMENT

1. Responsibilities of Participants: VCTC hereby agrees to engage CALVANS and CALVANS hereby agrees to carry out the work in connection with the administration of the FTA funds. CALVANS will be responsible for assuring that CALVANS meets all grant requirements placed on federal fund recipients.
2. Scope of Services:
 - a. Grant Administration: VCTC agrees to carry out the administrative requirements necessary to reserve, apply for, and receive FTA funds.
 - b. Contract Administration: CALVANS hereby agrees that CALVANS will provide the necessary local match funds and provide the necessary transit services to remain eligible for FTA reimbursement funds. CALVANS also agrees that it shall remain, during the term of this Agreement, in compliance with all applicable DOT assurances and requirements, including all applicable procurement requirements.

3. Duration of Agreement: This Agreement is effective as of August 8, 2018 and shall continue until the earlier of the following events: (1) the grant(s) has/have been exhausted, or (2) the Agreement is terminated by either party after thirty (30) days' written notice.
4. Amendments to the Agreement: The provisions of this Agreement may be amended upon written acceptance and ratification of any such amendment by both VCTC and the CALVANS.
5. Method of Payment: VCTC, as the grant applicant, shall receive reimbursement payment from FTA in accordance with FTA grant procedures. Upon CALVANS's submittal of an invoice for an eligible expense, VCTC will transfer the FTA funds to CALVANS within thirty (30) days. Notwithstanding the foregoing, if VCTC has not yet received funds from the FTA for the funding of the expenses covered by any such invoice when such invoice is received by VCTC from CALVANS, VCTC will transfer funds to CALVANS for any such invoice within five (5) working days after actual receipt of VCTC of such funds from FTA. CALVANS shall only invoice for the types of expenses specified in the grant(s), and shall furnish the required local match from its own sources.

VCTC shall not be held responsible or liable for any late or nonpayment from FTA for any reason.

6. Quarterly Reporting: CALVANS shall submit a quarterly report to VCTC of the CALVANS program funded under this Agreement, using the reporting template provided by VCTC. The reporting includes but is not limited to the number of vehicle miles and passenger trips provided by the grant activity, the status of activity milestones, and the status of any ongoing grant-funded procurements.

II. FEDERAL REQUIREMENTS

CALVANS shall note that the following provisions apply to grants-in-aid from DOT, and CALVANS must take all necessary action to ensure their compliance as though they were the grantee directly.

1. Equal Employment Opportunity: During the performance of this Agreement, CALVANS agrees as follows: CALVANS shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, political belief, marital status, age, national origin, sex, or handicap. CALVANS shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, marital status, religion, political belief, age, national origin, sex, or any handicap not limiting the ability of the person to perform the job contemplated. Such action shall include but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment, or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection of training, including apprenticeship. Such shall be in compliance with Executive Order 11246 amended by Executive Order 11375 and as supplemented in Department of Labor regulations (41 CFR, Part 60). CALVANS agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of the Equal Opportunity Clause.
2. Audit and Inspection: CALVANS shall permit, and shall require that its contractors permit, the authorized representatives of VCTC, the US DOT and the Controller General of the United States to inspect and audit all data and records of CALVANS relating to its performance under this Agreement, as required in FTA Circular 9030.1C, Chapter VI, Application Instruction, Section 9(d), Oversight.

CALVANS also agrees, and shall require that its contractor(s) agree, to maintain all required records relating to this project for at least three (3) years after the funds are expended under this Agreement.

3. Debarred Bidders: CALVANS shall require that its contractors funded by this Agreement, including any of its officers or holder of a controlling interest, inform CALVANS whether or not it is or has been or is on any debarred, suspended, proposed for debarment, or declared ineligible list, or voluntarily excluded from participation in any Federal Contracts. Should a contractor be included on such a list during the performance of this project, it should so inform CALVANS and CALVANS shall take appropriate action with respect to that contractor in accordance with federal law and regulations.
4. Title VI of the Civil Rights Act of 1964: During the performance of this Agreement, CALVANS, for itself, its assignees, and successors in interest agrees as follows:
 - a. Compliance with Regulations: CALVANS shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
 - b. Nondiscrimination: CALVANS with regard to the work performed by it during the Agreement, shall not discriminate on the grounds of race, color or national origin in the selection and retention of contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.56 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulation.
 - c. Solicitation for Subcontractors, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by CALVANS for work to be performed under a contract, including procurement of materials or leases of equipment, each potential contractor or supplier shall be notified by CALVANS of the contractor's obligations under this contract and regulations relative to non-discrimination on the grounds of race, color, national origin and other federally-protected categories.
 - d. Information and Reports: CALVANS shall require that subcontractor provide all information and reports required by the Regulations or directives issued pursuant thereto, and permit access to its books, record, accounts, other sources of information, and its facilities as may be determined by FTA to be pertinent to ascertain compliance with such regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to VCTC or FTA as appropriate, and shall set forth what efforts it has made to obtain the information.
 - e. Sanctions for Noncompliance: In the event of a contractor's noncompliance with nondiscrimination provisions of this Agreement, VCTC shall impose contract sanctions as it or the FTA may determine to be appropriate, including, but not limited to:
 - i. Withholding of payments to CALVANS until the contractor complies; and/or
 - ii. Cancellation, termination, or suspension of the contract, in whole or in part.
 - f. Incorporation of Provisions: CALVANS shall include the provisions of paragraphs "a" through "e" of this section 7 of Part II in every contract funded through this Agreement, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. CALVANS shall take such reasonable action with respect to any contract or procurement as VCTC or FTA may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, CALVANS may

request VCTC, and in addition, CALVANS may request the United States to enter into such litigation to protect the interest of the United States.

5. Bid Protest Procedures: CALVANS shall adopt bid award Protest Procedures for any Federal Grants-In-Aid Procurement of over \$25,000 as required by FTA.
6. Accessibility of Transit System Vehicles: The Americans with Disabilities act (ADA) and Section 504 of the Rehabilitation Act of 1973, 29 USC 794, prohibits discrimination on the basis of handicap by recipients of federal financial assistance. This extends to public transit service in that special efforts must be made to provide transportation that handicapped persons, including but not limited to, wheelchair users and semi-ambulatory person, can use.
7. Federal Privacy Act: CALVANS hereby agrees to comply with, and assures the compliance of its employees with, the information, restrictions, and other applicable requirements of the Privacy Act of 1974, 5 USC 552a. CALVANS agrees to obtain the express consent of the Federal Government before operating a system of records on behalf of the Federal Government. CALVANS shall include this requirement in each subcontract to administer any system of records on behalf of the Federal Government, financed in whole or in part with FTA funds.

III. MISCELLANEOUS PROVISIONS

1. Insurance

A. **LIABILITY INSURANCE**

Before operating any equipment or vehicle purchased pursuant to this Agreement and before distribution of any funds pursuant to this Agreement, CALVANS, at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the operation by CALVANS, its agents, representatives, employees, and subcontractors of vehicles or equipment purchased pursuant to this Agreement. Consistent with the following provisions, CALVANS shall provide proof satisfactory to VCTC of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects, and that such insurance is in effect prior to operating any vehicle or equipment purchased pursuant to this Agreement and prior to receiving any funds pursuant to this Agreement. CALVANS shall not allow any subcontractor to commence work on any subcontract funded through this Agreement until CALVANS has obtained all insurance required herein for the subcontractor(s). CALVANS shall maintain all required insurance listed herein for the duration of this Agreement.

B. **COMMERICAL GENERAL INSURANCE**

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

C. **AUTOMOBILE COLLISION INSURANCE**

CALVANS will provide collision coverage for partial and total repair/replacement of any vehicles, as per FTA requirements set forth in FTA Circular 5010. ISO Form Number CA 00 01 covering vehicles (Code 1), with limit no less than **\$2,000,000** per accident for bodily injury

and property damage. This shall be noted by the equipment inventory/management certification which must be filed with VCTC at least once every two years.

D. WORKERS' COMPENSATION INSURANCE

RECIPIENT will provide 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.

E. ALL POLICIES REQUIREMENTS

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

Verification of coverage. Prior to beginning operations of any vehicles or equipment purchased under this Agreement and prior to any disbursement of funds pursuant to this Agreement, CALVANS shall furnish VCTC with complete copies of all policies delivered to RECIPIENT by the insurer, including complete copies of all endorsements attached to those policies. All copies of policies and certified endorsements shall show the signature of a person authorized by that insurer to bind coverage on its behalf. If VCTC does not receive the required insurance documents prior to CALVANS beginning equipment or vehicle operation, this shall not waive CALVAN's obligation to provide them. VCTC reserves the right to require complete copies of all required insurance policies at any time.

Notice of Reduction in or Cancellation of Coverage. A certified endorsement shall be attached to all insurance obtained pursuant to this Agreement stating that coverage shall not be suspended, voided, canceled by either party, or reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to VCTC. In the event that any coverage required by this section is reduced, limited, cancelled, or materially affected in any other manner, CALVANS shall provide written notice to VCTC at CALVAN's earliest possible opportunity and in no case later than ten (10) working days after CALVANS is notified of the change in coverage.

Any failure of CALVANS to comply with reporting provisions of the policies shall not affect coverage provided to VCTC and its officers, employees, agents, and volunteers.

Occurrence or accident basis. The insurance coverage required by this Section shall cover on an occurrence or an accident basis, and not on a claims-made basis.

Additional insured; primary insurance. VCTC and its officers, employees, agents, and volunteers shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of CALVANS, including VCTC's general supervision of CALVANS; products and completed operations of CALVANS, as applicable; premises owned, occupied, or used by CALVANS; and automobiles and equipment owned, leased, or used by the CALVANS in the course of providing services pursuant to this Agreement. The coverage shall contain no special limitations on the scope of protection afforded to VCTC or its officers, employees, agents, or volunteers. General liability coverage can be provided in the form of an endorsement to CALVAN'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).

A certified endorsement must be attached to all policies stating that coverage is primary insurance with respect to VCTC and its officers, officials, employees and volunteers, and that no insurance or self-insurance maintained by VCTC shall be called upon to contribute to a loss under the coverage.

Deductibles and Self-Insured Retentions. CALVANS shall disclose to and obtain the approval of VCTC for the self-insured retentions and deductibles before beginning any of the activities contemplated by any term of this Agreement. Further, if CALVAN's insurance policy 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.

During the period covered by this Agreement, only upon the prior express written authorization of Agreement Administrator, CALVANS may increase such deductibles or self-insured retentions with respect to VCTC, its officers, employees, agents, and volunteers. The Agreement Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that CALVANS procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.

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

Wasting Policy. No insurance policy required by Section III, subsection (1) shall include a "wasting" policy limit.

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

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

Obtain such insurance and charge CALVANS the cost of such premiums; and/or terminate this Agreement.

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

2. **Legal Title to Vehicles**

CALVANS shall be the registered, legal owner of vehicles purchased with FTA funds. VCTC will have no ownership or interest in, or responsibility for, the vehicles either for their operation or maintenance.

3. Indemnification

To the fullest extent permitted by law, CALVANS shall defend, indemnify and hold harmless VCTC, its officers, employees, and agents, from all liability costs, damages, or expenses, including attorneys' fees arising out of or incurred in connection with CALVANS and its employees'/agents' and subcontractors' acts or omissions in the performance of activities contemplated in and pursuant to this Agreement, and agrees at its own cost, expense and risk to defend any and all resulting actions, suits, or other legal proceedings brought or instituted against VCTC arising out of its performance of any activities contemplated under this Agreement, and to pay and satisfy any resulting judgments, claims, damages and costs.

To the fullest extent permitted by law, CALVANS agrees to defend and pay the entire cost of defending any claim or suit whenever or wherever made or brought against the VCTC based upon an infringement or alleged infringement of any such letters patent arising out of the activities contemplated by this Agreement, and to indemnify and save harmless the VCTC from and against any and all liability, damage, loss or injury adjudged or sustained in any such claim or suit, or adjudged or sustained by reason of the equipment to be furnished hereunder constituting an infringement of any letters patent or adjudged or sustained by reason of inability of the VCTC to use said equipment because of any infringement or alleged infringement of any letters patent.

4. No Joint Venture or Partnership

This Agreement is not intended to create a partnership or joint venture between VCTC and CALVANS. VCTC is serving as the administrator of federal funds apportioned by FTA to Ventura County and CALVANS is an eligible organization to receive FTA reimbursement funds for transit projects.

5. Attorney's Fees

If a party to this Agreement brings any action, including arbitration or an action for declaratory relief, to enforce or interpret the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

6. Severability

If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

7. Agreement Administration

This Agreement shall be administered by Peter De Haan ("Agreement Administrator"). All correspondence shall be directed to or through the Agreement Administrator or his or her designee.

CALIFORNIA VANPOOL
AUTHORITY

VENTURA COUNTY TRANSPORTATION
COMMISSION

Linda Parks
Chair

Approved as to Content:

Darren M. Kettle
Executive Director

APPROVED AS TO FORM:

Steven T. Mattas
General Counsel



Item #8F

November 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: STATE ADVOCACY SERVICES CONTRACT

RECOMMENDATION:

- Approve attached agreement with California Advisors, LLC, for State Advocacy Services for a four-year period, with two optional two-year extensions, with the base period cost to be \$4,500 per month plus expenses.

BACKGROUND:

At the September meeting the Commission approved the release of a Request for Proposals for Sacramento representation. Proposals were due to VCTC on September 28th. The only firm to propose was the existing lobbying firm, California Advisors, LLC, with a proposed cost of \$4,500 per month plus expenses.

DISCUSSION:

VCTC staff remains very pleased with the service provided by Ms. Hunter and California Advisors. Staff recommends approval of the proposal based on the proposed price, which \$4,500 per month plus expenses, the same as VCTC is currently paying. (Allowable expenses include travel outside of Sacramento, and are subject to prior VCTC staff authorization.) The approved VCTC budget contains sufficient funds for this contract. The proposed contract is attached. Under this contract, California Advisors will carry out various functions on behalf of the Commission, including communicating with Legislature members and staff on behalf of VCTC with regard to the Commission's legislative positions; coordinating testimony by the firm's representatives with VCTC Board Members and/or staff; providing written and/or verbal reports to VCTC; and assisting VCTC in developing strategy on legislation.

California Advisors also provides state advocacy for other transportation agencies, namely the San Bernardino County Transportation Authority and the Santa Clara Valley Transportation Authority.

**AGREEMENT
BETWEEN THE VENTURA COUNTY TRANSPORTATION COMMISSION
AND CALIFORNIA ADVISORS, LLC, LLC, FOR PROFESSIONAL SERVICES**

This agreement ("Agreement") is made and entered into this second day of November, 2018, by and between the Ventura County Transportation Commission (hereinafter referred to as VCTC), and California Advisors, LLC (hereinafter referred to as CONSULTANT) for state advocacy services.

VCTC and CONSULTANT agree as follows:

1. STATEMENT OF AGREEMENT

VCTC hereby engages CONSULTANT, and CONSULTANT hereby accepts such engagement, to perform the services on the terms and conditions herein described, and as set forth in the Scope of Services in Exhibit 1 to this Agreement. In the event of any conflict between this Agreement and Exhibit 1, this Agreement shall prevail. CONSULTANT hereby warrants that it has the qualifications, experience and facilities to properly perform said services and hereby agrees to undertake and complete the performance thereof as an independent contractor.

2. TERM

This Agreement shall be effective as of January 1, 2019 ("Effective Date"), and shall expire December 31, 2022. At VCTC's sole discretion, this Agreement may be extended for two extensions, each of two years, with the second optional extension ending December 31, 2026. Such extensions by VCTC must be exercised in writing.

3. COMPLETE AGREEMENT

This Agreement, including all exhibits and documents incorporated herein and made applicable by reference, constitutes the complete and exclusive statement of the term(s) and condition(s) of the Agreement between VCTC and CONSULTANT and it supersedes all prior representations, understandings and communications. The invalidity in whole or in part of any term or condition of this Agreement shall not affect the validity of other term(s) or condition(s).

VCTC's failure to insist in any one or more instances upon CONSULTANT'S performance of any term(s) or condition(s) of this Agreement shall not be construed as a waiver or relinquishment of VCTC's right to such performance or to future performance of such term(s) or condition(s) and CONSULTANT'S obligation in respect thereto shall continue in full force and effect. Changes to any portion of this Agreement shall not be binding upon VCTC except when specifically confirmed in writing by an authorized representative of VCTC by way of written amendment to this Agreement and issued in accordance with the provisions of this Agreement.

4. VCTC DESIGNEE

The Executive Director of VCTC, or designee, shall have the authority to act for and exercise any rights of VCTC as set forth in this Agreement.

5. PROGRESS AND PAYMENT

CONSULTANT shall commence work on the services to be performed upon the Effective Date of this Agreement. All services shall be completed in accordance with the Scope of Services in Exhibit 1 to this Agreement.

For CONSULTANT'S full and complete performance of its obligations under this Agreement, VCTC shall pay CONSULTANT on a monthly fixed-price basis in accordance with the following provisions:

5.1 – For each calendar month of work performed by CONSULTANT under this Agreement, VCTC shall pay CONSULTANT \$4,500.00. In addition to the monthly fee, VCTC shall reimburse CONSULTANT for extraordinary expenses incurred with prior written VCTC staff approval, including special printing of brochures or other similar goods, and travel to meetings out of the greater Sacramento region. The monthly fee is subject to renegotiation for the optional contract extension periods beyond December, 2022.

5.2 – CONSULTANT shall invoice VCTC on a monthly basis for payments corresponding to the work performed by CONSULTANT. Work performed shall be documented in a monthly progress report prepared by CONSULTANT, which shall accompany each invoice submitted by CONSULTANT. CONSULTANT shall also furnish such other information as may be requested by VCTC to substantiate the validity of an invoice.

5.3 – VCTC shall remit payment within thirty (30) calendar days of the receipt and approval of each invoice.

5.4 - No retainage will be held by VCTC from payments due the CONSULTANT.

6. ASSIGNMENT AND SUBCONTRACTING

This agreement is for professional services and CONSULTANT may not assign its rights under this agreement nor delegate the performance of its duties without the VCTC's prior written consent.

CONSULTANT shall complete all work under this Agreement and as set forth in Exhibit 1. CONSULTANT may assign duties to another subcontractor upon prior written consent of the VCTC. Any assignment or delegation without VCTC's prior written consent shall be void and shall constitute a breach of this Agreement.

Nothing contained in this Agreement or otherwise, shall create any contractual relation between VCTC and any subcontractors, and no subcontract shall relieve the CONSULTANT of his/her responsibilities and obligations hereunder. The CONSULTANT agrees to be as fully responsible to VCTC for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the CONSULTANT. The CONSULTANT's obligation to pay its subcontractors is an independent obligation from VCTC's obligation to make payments to the CONSULTANT .

Any substitution of subcontractors must be approved in writing by VCTC in advance of assigning work to a substitute subcontractor.

Any retainage held by the CONSULTANT or subcontractors from progress payments due to subcontractors shall be promptly paid in full to subcontractors within 30 days after the subcontractor's work is satisfactorily completed. To the extent applicable to this Agreement, Federal law (49CFR26.29) requires that any delay or postponement of payment over the 30 days may take place only for good cause and with VCTC's prior written approval. Any violation of this provision shall subject the violating CONSULTANT or subcontractor to the penalties, sanctions and other remedies specified in Section 7108.5 of the Business and Professions Code. These requirements shall not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise, available to the CONSULTANT or subcontractor in the event of a dispute involving late payment or nonpayment by the CONSULTANT, deficient subcontract performance, or noncompliance by a subcontractor. This provision applies to both DBE and non-DBE prime contractors and subcontractors. Any subcontract entered into as a result of this Agreement shall contain this provision.

7. COVENANT AGAINST CONTINGENT FEES

CONSULTANT warrants that he/she has not employed or retained any company or person, other than a bona fide employee working for the consultant, to solicit or secure this Agreement, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or formation of this agreement. For breach or violation of this warranty, VCTC shall have the right to annul this Agreement without liability or at its discretion to deduct from the Agreement price or consideration, or otherwise recover the full amount of such fee, commission, percentage, brokerage fee, gift, or contingency fee.

8. INDEPENDENT CONTRACTOR

CONSULTANT'S relationship to VCTC in the performance of this Agreement is that of an independent contractor. CONSULTANT's personnel performing services under this Agreement shall at all times be under CONSULTANT'S exclusive direction and control and shall be employees of CONSULTANT and not employees of VCTC. CONSULTANT shall pay all wages, salaries and other amounts due its employees in connection with this Agreement and shall be responsible for all reports and obligations respecting them, such as social security, income tax withholding, unemployment compensation, worker's compensation and similar matters.

9. OWNERSHIP OF DOCUMENTS

The originals of all letters, documents, reports and other products and data produced under this Agreement shall be delivered to, and become the property of VCTC. Copies may be made for CONSULTANT'S records but shall not be furnished to others without written authorization from VCTC. Such deliverables shall be deemed works made for hire and all rights in copyright therein shall be retained by VCTC.

All ideas, memoranda, specifications, plans, manufacturing, procedures, drawings, descriptions, and all other written information submitted to CONSULTANT in connection with the performance of this Agreement shall not, without prior written approval of VCTC, be used for any purpose other than the performance under this Agreement, nor be disclosed to an entity not connected with the performance of the project. CONSULTANT shall comply with VCTC's policies regarding such material. Nothing furnished to CONSULTANT that is otherwise known to CONSULTANT or is or becomes generally known to the relative industry shall be deemed confidential. CONSULTANT shall not use VCTC's name, photographs of the project, or any other publicity pertaining to the project in any professional publication, magazine, trade paper, newspaper, seminar or other medium without the express written consent of VCTC.

No copies, sketches, computer graphics or graphs, including graphic artwork, are to be released by CONSULTANT to any other person or agency except after prior written approval by VCTC, except as necessary for the performance of services under this Agreement. All press releases, including graphic display information to be published in newspapers, magazines, etc., are to be handled by VCTC unless otherwise agreed to by CONSULTANT and VCTC.

10. CONFLICT OF INTEREST

CONSULTANT affirms that it is not aware of any existing conflict of interest between VCTC and its other current clients. Should an unanticipated conflict occur over the course of this contract, CONTRACTOR shall inform VCTC of the conflict and take proactive steps to resolve or eliminate the conflict, including, but not limited to evaluating whether one client can have other representation, or recusing itself from representing one or both clients on the conflicted issue.

11. INSURANCE

CONSULTANT shall procure and maintain insurance coverage during the entire term of this Agreement, as specified in Exhibit 2.

12. INDEMNIFICATION

Notwithstanding the existence of insurance coverage required of CONSULTANT pursuant to this Agreement, CONSULTANT shall to the fullest extent allowed by law, save, keep, indemnify, and hold harmless 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 any loss to, damage to the property of, or personal injury to, any person, occurring or arising out of CONSULTANT's, its officers, agents, employees or subcontractors, negligent or wrongful acts in the performance of the work required pursuant to this Agreement. The obligation of Consultant to indemnify VCTC as outlined in this section includes indemnification for any liability imposed by reason of any infringement of rights of any person or persons, firm or corporation, in consequence of the use in the performance of CONSULTANT of the work hereunder of any article or material supplied or installed pursuant to this Agreement.

CONSULTANT will, at the election of, and using counsel approved by, VCTC, defend any action or actions filed in connection with any of said claims, damages, penalties, obligations or liabilities. CONSULTANT will pay all costs and expenses, incurred in connection herewith, including attorney's fees and costs.

CONSULTANT agrees to pay VCTC, its Commissioners, officers, agents and employees, as the case requires, all damages and other expenses incurred by them or any of them, without limitation, including reasonable attorney's fees and costs, arising out of or in connection with the negligence or wrongful acts of CONSULTANT in the performance of the work required pursuant to this Agreement.

13. DISPUTES

This Agreement shall be construed and all disputes hereunder shall be settled in accordance with the laws of the State of California with venue in Ventura County. The parties may mutually agree to engage in mediation and binding or nonbinding arbitration in an effort to resolve any dispute. Pending final resolution of a dispute hereunder, CONSULTANT shall proceed diligently with the performance of this Agreement and in accordance with VCTC's instructions.

14. ATTORNEY'S FEES

In the event an action, including a request for mediation and arbitration, is filed by either party to enforce rights under this Agreement, the prevailing party shall be entitled to recover a reasonable attorney's fees and costs in addition to any other relief granted by the court.

15. TERMINATION

This Agreement may be terminated by VCTC or the CONSULTANT at any time upon ninety (90) days' written notice. In full discharge of any obligation to CONSULTANT in respect of this Agreement and such termination, the VCTC shall pay for the costs and non-cancelable commitments incurred prior to the date of termination and fair closeout costs in accordance with Article 4. CONSULTANT shall take all reasonable steps to minimize termination costs. In no event, however, shall the VCTC be obligated to pay CONSULTANT any amount in excess of the total funds committed by the VCTC up to the time of termination to support the work

16. NOTICES

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

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

With copies to: Steven T. Mattas, General Counsel

Meyers Nave
555 12th Street, Suite 1500
Oakland, CA 94607

All notices to the CONSULTANT under this Agreement shall be in writing and sent to:

Delaney Hunter
California Advisors, LLC
915 L Street, Suite 1270
Sacramento, CA 95814

17. ENTIRE AGREEMENT AND MODIFICATION

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.

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

18. FEDERAL, STATE AND LOCAL LAWS

CONSULTANT warrants that in the performance of this Agreement, it shall comply with all applicable federal, state and local laws, statutes and ordinances and all lawful orders, rules and regulations promulgated thereunder.

19. EQUAL EMPLOYMENT OPPORTUNITY

In connection with its performance under this Agreement, CONSULTANT shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age or national origin. CONSULTANT shall take action to ensure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion, color, sex or national origin. Such actions shall include, but not limited to, the following: employment, upgrading, demotion or transfer; recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

20. PROHIBITED INTERESTS

CONSULTANT covenants that, for the term of this Agreement, no director, member, officer or employee of VCTC during his/her tenure in office or for one (1) year thereafter shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

21. **SEVERABILITY**

If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

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

“VCTC”: VENTURA COUNTY TRANSPORTATION COMMISSION

Linda Parks, Chair

Date

APPROVED AS TO FORM:

Steven T. Mattas, General Counsel

Date

“CONSULTANT”: CALIFORNIA ADVISORS, LLC

Delaney Hunter
Managing Partner

Date

Exhibit 1

**Scope of Services
Ventura County Transportation Commission
State Advocacy Services**

Overall Goal

Successfully achieve the intended results of the Ventura County Transportation Commission (VCTC) State Legislative Program. Continue to establish and maintain positive working relationships with the Ventura County State Legislative delegation and members of the gubernatorial administration.

Required Tasks/Activities

Tasks will include, but not be limited to the following:

Routinely communicate with delegation members, and members of related Assembly or Senate Committees on legislation sponsored by VCTC and legislative positions adopted in response to specific legislative or budget proposals. This will occur through both written and oral communication.

Provide information, copies of introduced legislation, relevant testimony and any analysis of legislation relative to VCTC.

Coordinate advocacy efforts which may include testimony by the selected firm's representatives, and/or VCTC Board members and/or staff.

Advise and assist VCTC in developing strategy on legislation, regulations and actions contemplated at any government level.

Provide a written monthly update to the VCTC Board of Directors which summarizes the firm's most recent efforts on behalf of VCTC, including but not limited to: testimony before committee, individual meetings with Legislators, and written correspondence on behalf of VCTC. This report shall also contain any relevant information regarding the Legislature's activities/progress on moving legislation, adopting a budget, and general activities or action of State government that could impact VCTC's interests.

Provide oral reports to the VCTC Board of Directors which offer insight into the activities of the Legislature as they relate to the VCTC Legislative Program. The dates of these visits will be determined at a later date, based upon the Legislative Session Calendar.

Exhibit 2

Insurance Requirements

CONSULTANT shall procure and maintain for the duration of the Agreement 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 CONSULTANT, 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, including products and completed operations, property damage, bodily injury and personal & 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 (ISO CG 25 03 or 25 04) 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 CONSULTANT 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.

If the CONSULTANT maintains broader coverage and/or higher limits than the minimums shown above, VCTC requires and shall be entitled to the broader coverage and/or higher limits maintained by the CONSULTANT. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to VCTC.

Other Insurance Provisions

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

Additional Insured Status

VCTC, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the CONSULTANT 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 CONSULTANT's insurance (at least as broad as ISO Form CG 20 10 11 85 or **both** CG 20 10, CG 20 26, CG 20 33, or CG 20 38; **and** CG 20 37 forms if later revisions used).

Primary Coverage

For any claims related to this contract, the **CONSULTANT's insurance coverage shall be primary** insurance primary coverage at least as broad as ISO CG 20 01 04 13 as respects VCTC, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by VCTC, its officers, officials, employees, or volunteers shall be excess of the CONSULTANT'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 7 days' prior notice to VCTC.**

Waiver of Subrogation

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

Self-Insured Retentions

Self-insured retentions must be declared to and approved by VCTC. VCTC may require the CONSULTANT to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or VCTC.

Acceptability of Insurers

Insurance is to be placed with insurers authorized to conduct business in the state with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the Entity.

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 CONSULTANT must purchase "extended reporting" coverage for a minimum of **five (5) years** after completion of contract work.

Verification of Coverage

CONSULTANT shall furnish VCTC with original Certificates of Insurance including all required amendatory endorsements (or copies of the applicable policy language effecting coverage required by this clause) and a copy of the Declarations and Endorsement Page of the CGL policy listing all policy endorsements to VCTC before work begins. However, failure to obtain the required documents prior to the work beginning shall not waive the CONSULTANT's obligation to provide them. VCTC reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Subcontractors

CONSULTANT shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that VCTC is an additional insured on insurance required from subcontractors.

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.



Item 8G

November 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: DONNA COLE ZIMMERMANN, CLERK OF THE BOARD
SUBJECT: 2019 VCTC REGULAR MEETING SCHEDULE

RECOMMENDATION:

- Adopt the following schedule of regular monthly VCTC meeting dates for 2019

BACKGROUND:

It is recommended the following meeting date schedule be adopted for 2019. The July meeting will be held on the second Friday of the month as the first Friday falls during the week of Independence Day.

VCTC REGULAR MEETING SCHEDULE 2019

January 11*** (pushed to second week)
February 1
March 1
April 5
May 3
June 7
July 12*** (pushed to second week due to July 4th holiday)
August – dark
September 6
October 4
November 1
December 6

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Item #8H

November 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: INSURANCE COVERAGE RENEWAL

RECOMMENDATION:

- Approve the insurance renewal as presented for a total insurance cost of \$241,997 funded as part of the operational cost/indirect cost allocation plan in the Fiscal Year 2018/2019 Budget

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 transfer 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 the State Compensation Insurance Fund. In September 2012 the Commission engaged Alliant Insurance Services, Inc. to be VCTC's insurance broker. Since then Alliant has assisted VCTC in obtaining insurance through several providers. In November 2017 after another request for proposal process, the Commission contracted for an additional five years with Alliant. Alliant continues to expertly assist VCTC staff by providing recommendations for activity appropriate coverage.

DISCUSSION:

In mid-October, Alliant provided VCTC with an insurance proposal (see attachment) for General Liability, Excess Liability, Public Officials Liability, and Crime after marketing VCTC's insurance needs. The property insurance was renewed with the Alliant Special Property Insurance Program on July 1, 2018. The remaining insurances are set to be renewed on November 20, 2018. Detailed information is provided in the 2018/2019 proposals as separate attachments. The following is a summary of the insurance renewals:

- Property – The current policy is with the Alliant Special Property Insurance Program and Alliant recommended renewing with the current provider with a premium of \$6,698, an increase of \$754 due to an increase in insured values. There were no significant changes to the policy.

General Liability – The current provider is Indian Harbor Insurance Company (XL Catlin). Alliant recommends renewing with Indian Harbor/XL Catlin Insurance for the general liability insurance with a

premium of \$93,333, an increase of \$2,635 from the previous year. This policy continues to exclude claims arising out of train and bus operations, but VCTC is covered through SCRRA for Metrolink and through MV and Roadrunner for bus operations. There are no significant changes to the policy.

- Excess Liability – The current provider is Indian Harbor Insurance Company (XL Catlin) and Arch Specialty Company. Alliant recommends renewing with Indian Harbor/XL Catlin and Arch Specialty Insurance for excess liability insurance with a premium of \$62,140, an increase of \$3,532 from the previous year. Alliant has indicated that the excess liability market has limited capacity for VCTC's unique risk profile and VCTC is currently seen as higher risk due to multiple general liability claims and recent law suits over the last few years. There are no significant changes to the policy.
- Public Officials Liability (POL), Public Entity Liability (PEL) and Employment Practices Liability (EPL) – The current policy is with Allied World Surplus Lines. The underwriter of Allied World Surplus Lines recently moved their program to Indian Harbor Insurance Company. Therefore, Alliant is recommending a change to Indian Harbor Insurance Company with a premium of \$75,880, the same costs as last year. There are no significant changes to the policy.
- Crime – The current policy is with National Union Fire Insurance Company. Alliant recommends renewing with National with a premium of \$3,946, an increase of \$126. There are no significant changes to the policy.

The overall premium increase for the five insurances presented above is 3% or \$7,047 for a total of \$241,997. Ms. Renetta Poncy from Alliant Insurance Services, Inc. will be attending the meeting to answer questions as needed.



Item #81

November 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: ANDREW KENT, PLANNING/GIS ANALYST

SUBJECT: MEMORANDUM OF UNDERSTANDING WITH THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

RECOMMENDATION:

- Authorize the Executive Director to execute the Memorandum of Understanding with the Southern California Association of Governments

DISCUSSION:

During the Spring of Fiscal Year 17/18, the Commission authorized staff to apply for a Caltrans' Strategic Partnership Grant to secure additional funding for the US101 Multi-Modal Corridor Study, a comprehensive plan of road, transit and active transportation infrastructure improvements. The project is designed to align with potential sources of funding for capital projects and to augment the US101 HOV Lane Project.

The Caltrans' grant was awarded to VCTC with the Southern California Association of Governments (SCAG) acting as the grant administrator. A Memorandum of Understanding (MOU) is required with SCAG so that the grant and match funds can be administered. Staff is recommending that the Executive Director be authorized to execute the attached MOU with SCAG.

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Item #8J

November 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: STEVE DEGEORGE, PLANNING AND TECHNOLOGY DIRECTOR
**SUBJECT: HEARTHSTONE MULTI-ASSET ENTITY C, L.P. /CITY OF FILLMORE
CONSTRUCTION AND NON-EXCLUSIVE EASEMENT AGREEMENT**

RECOMMENDATION:

- Approve the Construction and Non-exclusive Easement Agreement (Storm Drain and Temporary Grading Easement) with Hearthstone Multi-Asset Entity C, L.P. and the City of Fillmore to provide storm water drainage for the Heritage Valley Parks Project in the City of Fillmore.
- Amend the Fiscal Year 2018/2019 Santa Paula Branch Line Budget increasing the Local Fee – Permits Revenue Line Item by \$25,359.

DISCUSSION:

Over the course of Fiscal Years 2017/2018 and 2018/2019 staff has worked with the City of Fillmore, Hearthstone Multi-Asset Entity C, L.P., and VCTC's General Counsel to develop easement agreements on the Santa Paula Branch Line for the Heritage Valley Park Project in the City of Fillmore. The Construction and Non-exclusive Easement Agreement (Storm Drain and Temporary Grading), provided under separate cover, will allow Hearthstone to construct drainage facilities for storm water runoff that will cross under the Santa Paula Branch Line just south of Highway 126 see Figure 1.

To value the easement, staff required the developer to hire an independent appraiser to determine an appropriate fee. The appraisal completed by Bender Rosenthal Inc., placed a value of \$25,359 on the drainage easement. A second easement will be required later in the project to complete the at-grade crossing for vehicles and Bender Rosenthal Inc., has appraised that easement to be value at \$10,675. Staff is recommending that the Commission amend the Fiscal Year 2018/2019 Santa Paula Branch Line Task Budget, increasing the Local Fee - Permits Revenue Line Item by \$25,359 and because there is no corresponding expense the fees will be placed in the Santa Paula Branch Line Fund Balance.



Figure 1 Location

The City of Fillmore City Attorney participated in the preparation of this easement and is in concurrence with the terms. Staff is recommending that the Commission approve the Construction and Non-exclusive Easement Agreement (Storm Drain and Temporary Grading Easement) with Hearthstone Multi-Asset Entity C, L.P. and the City of Fillmore to provide storm water drainage for the Heritage Valley Parks Project in the City of Fillmore.



Item 9

November 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DONNA COLE ZIMMERMANN, CLERK OF THE BOARD

SUBJECT: OXNARD HARBOR DISTRICT UPDATE

RECOMMENDATION:

- Receive and file

BACKGROUND:

Kristin Decas, CEO and Port Director will provide an update on the significant role the Port plays in transporting goods from the Port to the nation.

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Item #10

November 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: PROGRAMMING OF CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROJECTS; REPROGRAMMING OF PROPOSITION 1B TRANSIT PROJECTS APPROVAL OF REVISED FINAL FISCAL YEAR (FY) 2018/19 PROGRAM OF PROJECTS – PUBLIC HEARING

RECOMMENDATION:

- Approve a total of \$6,588,512 in CMAQ funds for the projects shown in Attachment A, including \$3,069,142 in CMAQ Shelf List projects and \$3,519,370 in cost increases to previously approved CMAQ and Proposition 1B projects, contingent upon these funds either being obligated in federal FY 2018/19 or ready to obligate pending fund availability.
- Transfer \$801,877 in Proposition 1B Transit Capital funds from the Simi Valley CNG project to the Moorpark Metrolink Station Parking project, contingent upon approval of the transfer by Caltrans and approval of a subsequent agreement with Moorpark and Simi Valley.
- Approve revised FY 2018/19 Program of Projects (POP) provided in Attachment B.

BACKGROUND:

The federal transportation authorization act, Fixing America's Surface Transportation, or FAST, provides for a rescission based on the unobligated apportionment balance at the end of federal FY 2018/19. Any remaining unobligated CMAQ balance is subject to a proportional share in the rescission scheduled in the FAST Act. The actual proportion of the unobligated balances to be rescinded will be based on the nationwide unobligated balance, which will not be known until that time. As a result, VCTC should consider how to reduce the Ventura County unobligated CMAQ balance to minimize the impact of the rescission on the county.

Based on the information provided by project sponsors and summarized in Attachment C, if no action is taken the estimated CMAQ balance at the end of the fiscal year will be \$8,535,000. To attempt to reduce that balance, project sponsors were asked to inform VCTC of additional funds that can be obligated during FY 2018/19, including projects on VCTC's approved CMAQ Shelf List as well as projects selected in prior call for projects which require additional funds. By allocating the currently-available CMAQ funds to ready-to-go projects, rather than through a multi-year call for projects, VCTC will prevent a likely loss of funds from the pending rescission.

DISCUSSION:

Attachment A summarizes the agency responses identifying potential additional CMAQ programming. There is one pending deobligation for \$284,000, a total of \$3,069,142 from the Shelf List that can be obligated in FY 2018/19, and a total of \$3,519,370 in cost increases from existing projects, with the combined result lowering the estimated unobligated balance to about \$2,230,000. The projects with cost increases include six CMAQ projects and two Proposition 1B Transit Capital projects that were also selected through a competitive VCTC call for projects. Since one of the Prop 1B projects requesting more funds, the Moorpark Station Parking Lot Resurfacing, is ineligible for CMAQ, it is recommended that the funds needed by that project be provided by replacing with CMAQ the Proposition 1B required for construction of the Simi Valley Transit CNG Infrastructure project.

Staff will continue to work over the next month to identify additional opportunities for obligating the remaining \$2,230,000 balance, possibly including a loan to another county, with repayment in FY 2019/20 after the rescission has happened. In addition, depending on the results of the vote on Proposition 6, there might be additional short-term needs for the use of CMAQ. Staff will come back at the December meeting with an update and possible additional recommendations.

Last month the Commission approved the Final FY 2018/19 Program of Projects (POP) containing the programmed federal transit funding for this year. Since this month's recommended action will add CMAQ funds to the transit program, it is necessary to hold a public hearing and adopt the revised POP (Attachment B) containing the additional funds. A public notice was published October 30th in the Ventura County Star.

The staff recommendation was approved by TRANSCOM at its October 11th meeting, and by TTAC at its October 18th meeting.

VCTC PLAN TO REDUCE FY 2018/19 CMAQ BALANCE

Estimated end-of-year balance, based on committed projects only	\$8,535,000
Pending Santa Paula Deobligation	284,000
Additional Projects Than Can Be Obligated In FY 2018/19 –	
<u>Shelf List Projects</u>	
Gold Coast Transit - Bus Repowering / Ventura Road Service	2,669,142
Camarillo - Springville Road Bike Path Design	400,000
<u>Cost Increases to Approved CMAQ / Prop 1B Projects</u>	
Thousand Oaks – Rancho Road Bike/Ped Construction	280,370
Camarillo – Las Posas / Pleasant Valley Bike Lanes Design	500,000
Thousand Oaks – Transit Center Improvement Construction	825,000
County Unincorporated – Camarillo Heights Project Construction	341,000
County Unincorporated – Kenney Street Ped Project Design	23,000
County Unincorporated – Central Avenue Ped Project Design	150,000
Simi Valley – CNG Fueling System Upgrade	598,123
<u>Replacement of Prop 1B PTMISEA with CMAQ*</u>	
Simi Valley CNG Fueling Upgrade	<u>801,877</u>
 <u>Total Additional 2018/19 Obligations</u>	 <u>\$6,588,512</u>
 ESTIMATED REMAINING 2018/19 BALANCE	 <u>\$2,330,488</u>

*Prop 1B \$801,877 from Simi Valley to be transferred to Moorpark for Metrolink Station North Parking Lot Resurfacing. (Previously-approved Prop 1B project not eligible for CMAQ)

Program of Projects

The Ventura County Transportation Commission (VCTC) will hold a public hearing on the Program of Projects (POP) for the Oxnard, Thousand Oaks, Camarillo and Simi Valley Urbanized Areas (UAs) for projects to be funded with Federal Transit Administration funds in the 2018/19 Fiscal Year (FY 2019). The funds available in FY 2019 are estimated to be \$425,000 in Section 5310 funds and \$25,630,000 in other funds for the Oxnard UA, \$170,000 in Section 5310 funds and \$8,025,000 in other funds for the Thousand Oaks UA, \$2,615,000 for the Camarillo UA, and \$4,725,000 for the Simi Valley UA, based on anticipated FY 2019 funds, prior year carry-over funds, and federal discretionary funds. The public hearing will be held at 9:00 a.m. on Friday, November 2, 2018, in the Camarillo City Council Chamber, 601 Carmen Drive, in Camarillo. The POP is available for public inspection at 950 County Square Drive, Suite 207, Ventura CA 93003. Unless a subsequent list is published, this list will become the final Program of Projects for inclusion in the Southern California Association of Governments Federal Transportation Improvement Program.

FY 2018/19 Federal Transit Program of Projects

	Total Cost	Federal Share	Local Share & Other
OXNARD/VENTURA URBANIZED AREA			
Gold Coast Transit			
<u>Operating Assistance</u>			
Ventura Road Transit Service (FY 18/19, 19/20 & 20/21)(CMAQ Funds)	\$ 4,127,575	\$ 3,654,142	\$ 473,433
Operating Assistance	\$ 2,500,000	\$ 1,250,000	\$ 1,250,000
	<u>\$ 6,627,575</u>	<u>\$ 4,904,142</u>	<u>\$ 1,723,433</u>
<u>Capital Assistance</u>			
Preventive Maintenance	\$ 1,662,895	\$ 1,330,316	\$ 332,579
Midlife Bus Refurbishment & Engine Replacement for 14 buses (CMAQ Funds)	\$ 3,696,082	\$ 3,272,141	\$ 423,941
Operations and Maintenance Facility Debt Service	\$ 486,815	\$ 389,452	\$ 97,363
Operations and Maintenance Facility Debt Service (5339 Funds)(FY 17/18)	\$ 282,545	\$ 226,036	\$ 56,509
Operations and Maintenance Facility Debt Service (5339 Funds)	\$ 888,185	\$ 710,548	\$ 177,637
ADA Paratransit Service	\$ 1,147,500	\$ 918,000	\$ 229,500
	<u>\$ 8,164,022</u>	<u>\$ 6,846,493</u>	<u>\$ 1,317,529</u>
Total Gold Coast	\$ 14,791,596	\$ 11,750,635	\$ 3,040,961
Ventura County Transportation Commission			
<u>Operating Assistance</u>			
VCTC Intercity Operating Assistance (FY 19/20)	\$ 2,449,156	\$ 1,224,578	\$ 1,224,578
CalVans Vanpool (JARC funds)	\$ 100,000	\$ 25,000	\$ 75,000
County Human Services Agency Work Reliability Transport (FY 2017/18 - JARC funds)	\$ 36,000	\$ 30,000	\$ 6,000
County Human Services Agency Work Reliability Transport (FY 2018/19 - JARC funds)	\$ 72,000	\$ 60,000	\$ 12,000
	<u>\$ 2,657,156</u>	<u>\$ 1,339,578</u>	<u>\$ 3,996,734</u>
<u>Planning Assistance</u>			
Transit Planning and Programming (FY 19/20)	\$ 393,783	\$ 315,026	\$ 78,757
Regional Transit Information Center (FY 19/20)	\$ 280,000	\$ 224,000	\$ 56,000
Countywide Outreach Activities (FY 19/20) (CMAQ Funds)	\$ 600,000	\$ 600,000	\$ -
Fare Collection/Passenger Counting Data Management (FY 19/20)	\$ 350,000	\$ 280,000	\$ 70,000
Elderly/Disabled Planning/Evaluation (FY 19/20)	\$ 278,750	\$ 223,000	\$ 55,750
Bus Service Planning (FY 19/20)	\$ 565,000	\$ 452,000	\$ 113,000
	<u>\$ 2,467,533</u>	<u>\$ 2,094,026</u>	<u>\$ 373,507</u>
<u>Capital Assistance</u>			
Regional Transit Tech Equipment (FY 19/20)	\$ 118,750	\$ 95,000	\$ 23,750
Purchase 3 VCTC Intercity Buses (CMAQ Funds)	\$ 2,138,099	\$ 1,892,859	\$ 245,240
Metrolink Preventive Maintenance (FY 19/20)	\$ 1,820,228	\$ 1,820,228	\$ -
Metrolink Capital Rehab (Sec 5337)	\$ 737,861	\$ 737,861	\$ -
Metrolink Capital Rehab (FY 19/20)(Sec 5337)	\$ 2,477,608	\$ 2,477,608	\$ -
Metrolink Prev Maintenance (FY 19/20)(Sec 5337)	\$ 2,460,937	\$ 2,460,937	\$ -
	<u>\$ 9,634,733</u>	<u>\$ 9,389,493</u>	<u>\$ 245,240</u>
Total VCTC	\$ 14,759,421	\$ 12,823,097	\$ 4,615,480

Valley Express			
<u>Operating Assistance</u>			
Operating Assistance (FY 19/20)	\$ 1,254,396	\$ 627,198	\$ 627,198
Total Valley Express	\$ 1,254,396	\$ 627,198	\$ 627,198
TOTAL	\$ 30,805,414	\$ 25,200,930	\$ 8,283,640
THOUSAND OAKS/MOORPARK URBANIZED AREA			
Ventura County Transportation Commission			
<u>Planning Assistance</u>			
Transit Planning and Programming (FY 19/20)	\$ 570,971	\$ 456,777	\$ 114,194
	\$ 570,971	\$ 456,777	\$ 114,194
<u>Capital Assistance</u>			
VCTC Svcs - Cap Leases (FY19/20)	\$ 352,981	\$ 282,385	\$ 70,596
VCTC Svcs - Cap Leases (FY19/20) (Sec 5339)	\$ 166,735	\$ 166,735	\$ -
Regional Transit Tech Equipment (FY 19/20)	\$ 37,500	\$ 30,000	\$ 7,500
Regional Transit Tech Equipment (FY 19/20) (Sec 5339)	\$ 144,600	\$ 144,600	\$ -
Metrolink Preventive Maintenance (FY 19/20)	\$ 742,381	\$ 742,381	\$ -
Metrolink Capital Rehab (Sec 5337)	\$ 515,786	\$ 515,786	\$ -
Metrolink Capital Rehab (FY 19/20)(Sec 5337)	\$ 1,694,545	\$ 1,694,545	\$ -
Metrolink Prev Maintenance (FY 19/20)(Sec 5337)	\$ 1,683,883	\$ 1,683,883	\$ -
	\$ -	\$ -	\$ -
	\$ 5,338,411	\$ 5,260,315	\$ 78,096
Total VCTC	\$ 5,909,383	\$ 5,717,092	\$ 192,291
City of Thousand Oaks			
<u>Planning Assistance</u>			
Transit Planning & Education	\$ 187,500	\$ 150,000	\$ 37,500
	\$ 187,500	\$ 150,000	\$ 37,500
<u>Capital Assistance</u>			
Transit Center Improvements (CMAQ Funds)	\$ 825,000	\$ 825,000	\$ -
Transit Vehicle Maintenance	\$ 500,000	\$ 400,000	\$ 100,000
Transit Facilities / Bus Stops Maintenance	\$ 187,500	\$ 150,000	\$ 37,500
Transit Vehicle Capital Lease	\$ 187,500	\$ 150,000	\$ 37,500
Inter-City ADA	\$ 62,500	\$ 50,000	\$ 12,500
	\$ 1,762,500	\$ 1,575,000	\$ 187,500
Total Thousand Oaks	\$ 1,950,000	\$ 1,725,000	\$ 225,000
City of Moorpark			
<u>Operating Assistance</u>			
Fixed Route/Paratransit Operating Assistance	\$ 240,000	\$ 120,000	\$ 120,000
	\$ 240,000	\$ 120,000	\$ 120,000
<u>Capital Assistance</u>			
Metrolink Station South Entrance + Other Station Improvements / Upgrades	\$ 126,928	\$ 101,542	\$ 25,386
Dial-a-Ride Capital Leases / Cap Maint	\$ 93,750	\$ 75,000	\$ 18,750
	\$ 220,678	\$ 176,542	\$ 44,136
Total Moorpark	\$ 460,678	\$ 296,542	\$ 164,136
TOTAL	\$ 8,320,060	\$ 7,738,634	\$ 581,426
CAMARILLO URBANIZED AREA			
Ventura County Transportation Commission			
<u>Planning Assistance</u>			
Transit Planning and Programming (FY 19/20)	\$ 164,430	\$ 131,544	\$ 32,886
	\$ 164,430	\$ 131,544	\$ 32,886
<u>Capital Assistance</u>			
VCTC Svcs - Cap Leases (FY18/19) (Sec 5339)	\$ 186,125	\$ 186,125	\$ -
VCTC Svcs - Cap Leases (FY19/20) (Sec 5339)	\$ 169,392	\$ 169,392	\$ -
	\$ 355,517	\$ 355,517	\$ -
Total VCTC	\$ 519,947	\$ 487,061	\$ 32,886
City of Camarillo			
<u>Operating Assistance</u>			

Camarillo Area Transit Operating Assistance	\$ 924,100	\$ 462,050	\$ 462,050
	\$ 924,100	\$ 462,050	\$ 462,050
<u>Capital Assistance</u>			
Metrolink Quiet Zone Improvements	\$ 400,000	\$ 400,000	\$ -
Bus Capital Maintenance	\$ 728,500	\$ 582,800	\$ 145,700
Rail Station Capital Maintenance	\$ 83,780	\$ 67,024	\$ 16,756
	\$ 1,212,280	\$ 1,049,824	\$ 162,456
Total Camarillo	\$ 2,136,380	\$ 1,511,874	\$ 624,506
TOTAL	\$ 2,656,327	\$ 1,998,935	\$ 657,392
SIMI VALLEY URBANIZED AREA			
Ventura County Transportation Commission			
<u>Planning Assistance</u>			
Transit Planning and Programming (FY 19/20)	\$ 277,282	\$ 106,653	\$ 170,629
	\$ 277,282	\$ 106,653	\$ 170,629
<u>Capital Assistance</u>			
VCTC Svcs - Cap Leases (FY18/19) (Sec 5339)	\$ 280,557	\$ 280,557	\$ -
VCTC Svcs - Cap Leases (FY19/20) (Sec 5339)	\$ 326,533	\$ 326,533	\$ -
	\$ 326,533	\$ 326,533	\$ -
Total VCTC	\$ 603,815	\$ 433,186	\$ 170,629
City of Simi Valley			
<u>Operating Assistance</u>			
Simi Valley Transit Operating Assistance	\$ 4,151,850	\$ 2,075,925	\$ 2,075,925
	\$ 4,151,850	\$ 2,075,925	\$ 2,075,925
<u>Capital Assistance</u>			
CNG Fueling System Upgrade (CMAQ Funds)	\$ 1,400,000	\$ 1,400,000	\$ -
Preventive Maintenance	\$ 280,400	\$ 224,320	\$ 56,080
Non Fixed-Route ADA Paratransit Capital	\$ 339,291	\$ 271,433	\$ 67,858
Dispatch Software	\$ 45,000	\$ 36,000	\$ 9,000
	\$ 2,064,691	\$ 1,931,753	\$ 132,938
Total Simi Valley	\$ 6,216,541	\$ 4,007,678	\$ 2,208,863
TOTAL	\$ 6,820,356	\$ 4,440,864	\$ 2,379,492
FY 2018/19 SECTION 5310 / NEW FREEDOM PROGRAM OF PROJECTS			
OXNARD/VENTURA URBANIZED AREA			
<u>Planning Assistance</u>			
Program Administration	\$ 27,326	\$ 27,326	\$ -
	\$ 27,326	\$ 27,326	\$ -
<u>Operating Assistance</u>			
Gold Coast Access Direct Service to Camarillo	\$ 101,333	\$ 81,066	\$ 20,267
Area Agency on Aging MediRide	\$ 157,500	\$ 105,000	\$ 52,500
	\$ 258,833	\$ 186,066	\$ 72,767
<u>Capital Assistance</u>			
		\$ -	\$ -
Gold Coast Young Adult Mobility Education	\$ 60,000	\$ 48,000	\$ 12,000
	\$ 60,000	\$ 24,000	\$ 12,000
Total Enhanced Mobility	\$ 346,159	\$ 237,392	\$ 84,767
THOUSAND OAKS/MOORPARK URBANIZED AREA			
<u>Planning Assistance</u>			
Program Administration	\$ 17,040	\$ 17,040	\$ -
	\$ 17,040	\$ 17,040	\$ -
<u>Operating Assistance</u>			
Moorpark Free Senior/Disabled Fares	\$ 12,750	\$ 10,200	\$ 2,550
ECTA Saturday Senior ADA Service	\$ 25,000	\$ 20,000	\$ 5,000
Thousand Oaks Free Rides ADA/DAR	\$ 25,000	\$ 20,000	\$ 5,000
Area Agency on Aging MediRide	\$ 105,000	\$ 70,000	\$ 35,000
	\$ 167,750	\$ 120,200	\$ 47,550
<u>Capital Assistance</u>			
ECTA Intercity Service Vehicle Lease	\$ 25,000	\$ 20,000	\$ 5,000
	\$ 25,000	\$ 20,000	\$ 5,000
Total Enhanced Mobility	\$ 209,790	\$ 157,240	\$ 52,550



November 2, 2018

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: JUDITH JOHNDUFF, PROGRAM MANAGER
**SUBJECT: ACTIVE TRANSPORTATION PROGRAM (ATP) CYCLE 4 LOCAL PRIORITIZATION
METHODOLOGY**

RECOMMENDATION:

- Approve methodology to prioritize local projects for funding under the Metropolitan Planning Organization (MPO) Component of the ATP Cycle 4 Call-for-Projects (Attachment 1).

BACKGROUND:

The California Transportation Commission (CTC) issued the ATP Cycle 4 Call-for-Projects on May 16, 2018. A synopsis of the ATP Cycle 4 Program is provided in the Fact Sheet in Attachment 2. The budget for Cycle 4 is anticipated to be approximately \$440 million and will cover fiscal years 19/20, 20/21, 21/22 and 22/23. Applications were due to Caltrans by July 31, 2018. Eleven (11) applications were submitted from Ventura County jurisdictions requesting a total of \$15,195,000. See Attachment 3.

How projects are selected for funding: Caltrans/CTC reviews all ATP project applications and scores are assigned to each application based on the adopted CTC Scoring Criteria. 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 \$220 million)
- 10% to small urban and rural regions (does not apply to Ventura County)
- 40% to Metropolitan Planning Organizations (MPO) (Southern California Association of Governments (SCAG) share is estimated is \$87.5 million)

Statewide Competitive Program: Once the applications are scored by Caltrans/CTC, the projects are ranked. Those projects with the highest ranking that can be funded with the roughly \$220 million available will receive funding through the statewide competitive program.

Regional Program (Ventura County's Estimated Population Share is \$3.7 Million): If projects do not score high enough to be funded under the Statewide Program they are reconsidered for funding through the MPO regional project selection process. For Ventura County the MPO Project Selection process is administered by SCAG.

DISCUSSION:

As in past years SCAG has developed Regional Guidelines for distribution of the region's estimated \$87.5 million share. Ventura County's share (based on population) is estimated to be roughly \$3.7 million according to SCAG estimates.

VCTC's role in the regional project selection process:

- The SCAG guidelines allow VCTC to develop a methodology to prioritize local projects for funding that flows through SCAG. As a means of prioritizing projects, Counties can add up to twenty (20) points to supplement the CTC scores.
- The Commission is required to adopt the final recommended project list for the County, and
- This year staff is also recommending VCTC adopt a Contingency List of Projects that will allow VCTC to substitute unfunded projects that are ready to proceed in case not enough funds are available to allow the threshold project to advance or if funds are made available through project cancellations or savings (subject to CTC approval).

Recommended 20 Point Methodology:

In the past cycles, VCTC has awarded points based on two criteria:

1. If a project was identified in an adopted plan, and
2. If the project was a Safe Routes to Schools Project.

This methodology did not address planning projects which are also eligible for funding under the ATP program. Therefore, staff recommends modifying the methodology to include allowing up to 10 points for projects that develop a community wide or area wide Active Transportation Plan. This would allow planning projects to compete on an even playing field with other ATP eligible projects. Under the revised methodology, the maximum allowable points for both infrastructure and planning projects would be 20 points.

The recommended 20-point award criteria are provided in the Table in Attachment 1.

The Transportation Technical Advisory Committee (TTAC) reviewed the proposed methodology at their October 18, 2018 meeting and recommends the Commission approve the methodology to prioritize local projects for funding as presented in Attachment 1.

Next Steps:

1. Statewide Competitive Program: The CTC will adopt the list of projects to be funded under the Statewide Competitive Program in January 2019.
2. MPO Component: In February, VCTC adopts a prioritized list of projects for the County for funding under the MPO Component of the ATP Program.
3. In June of 2019, the CTC Adopts the MPO Selected Projects.

ACTIVE TRANSPORTATION PROGRAM (ATP) CYCLE 4 LOCAL PRIORITIZATION METHODOLOGY	
Proposed 10 Point Award Consideration for Infrastructure Projects	
10 points awarded if project is identified in 1 or more of the following plans:	<ul style="list-style-type: none"> • Adopted 5-Year Capital Improvement Plans – Unfunded Projects • City of Camarillo Bikeway Master Plan (2017) • Camarillo Commons Strategic Plan (2007) • Fillmore Business Park Master Plan (2008) • Heritage Valley Parks Specific Plan, Fillmore CA (2002) • Moorpark College Facilities Master Plan (2015) • Moorpark Master Bicycle Transportation Plan (2008) • City of Ojai Bicycle and Pedestrian Master Plan (1999) • Ojai Complete Streets Master Plan (2017) • City of Oxnard Bicycle and Pedestrian Master Plan (2011) • Oxnard Corridor Transportation Improvement Plan – A Livable Oxnard (2016) • City of Port Hueneme Bicycle Master Plan • Santa Clara River Trail Master Plan (2011) • 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) • ADA Transition Plan (2016) • Missing Sidewalk Priority List (2017) • City of Ventura Bicycle Master Plan (2011) • Ventura County Bike Plan (2007) • County of Ventura Transportation Strategic Master Plan (2012) • Ventura County Prioritized List for Construction of Category B Bike Lanes (2017) • Santa Paula Branch Line Recreational Trail Compatibility Survey (2015) • VCTC Bicycle Wayfinding Plan (2017)
Proposed 10 Point Award Consideration for Planning Projects	
10 points awarded if:	the proposed project will develop a community wide or area wide Active Transportation Plan
Proposed 10 Points Awarded if the Project or Plan has a Safe Routes to Schools Component: Ten (10) points awarded if the project is identified in the ATP Cycle 4 Application as a Safe Routes to School Project	

**Active Transportation Program Cycle 4
Fact Sheet**

ATP Program Goals:

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.

- Increase the proportion of trips accomplished by biking and walking,
- Increase safety and mobility for non-motorized users,
- Advance the active transportation efforts of regional agencies to achieve greenhouse gas reduction goals,
- Enhance public health,
- Ensure that disadvantaged communities fully share in the benefits of the program, and
- Provide a broad spectrum of projects to benefit many types of active transportation users.

Eligible Applicants:

- Local, Regional or State Agencies
- California Department of Transportation (Caltrans)
- Transit Agencies
- Public Schools and School Districts
- Public land and Natural Resource Agencies including Park Districts
- Tribal governments
- Non-profits eligible for Recreational Trail Program funds for projects that benefit the general public

Eligible Projects:

- Bicycle and Pedestrian infrastructure projects
- Non-infrastructure projects - including education, encouragement, enforcement, and Safe Route to Schools Programs.
- Active Transportation Plans

Cycle 4 Funding Estimate:

The budget for Cycle 4 is anticipated to be approximately \$440 million and will cover fiscal years 19/20, 20/21, 21/22 and 22/23.

Funding Breakdown:

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

- 50% to the state for the statewide competitive program
- 10% to small urban and rural regions with populations under 200,000
- 40% to Metropolitan Planning Organizations (MPO) with populations over 200,000.
 - SCAG is the MPO for Ventura County
 - SCAG estimates indicates approximately \$87.5 million will be available for the SCAG region
 - Ventura County's population based share is roughly \$3.7 million

Schedule:

- May 16, 2018 -- Call-for-Projects Issued
- July 31, 2018 -- Applications Due to Caltrans
- January 2019 -- California Transportation Commission (CTC) Adopts the Statewide and Small Urban and Rural Portions of the program
- January 2019 -- Projects not Programmed by the CTC are distributed to the large MPOs for Consideration under the MPO Portion of the Program
- February 2019 -- MPO's Submit Draft Project Recommendations to the CTC
- June 2019 -- CTC Adopts the MPO Selected Projects

Summary of how projects are selected for funding:

Applications were due to Caltrans /CTC on July 31, 2018. Caltrans/CTC reviews 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.

Statewide Competitive Program (50% of funding): Once the applications are scored by Caltrans/CTC, the projects are ranked. Those projects with the highest ranking that can be funded with the approximately \$220 million available will receive funding through the statewide competitive program.

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.

Additional Information is available at:

Caltrans: <http://www.dot.ca.gov/hq/LocalPrograms/atp/cycle-4.html>

SCAG: <http://www.scag.ca.gov/programs/Pages/ActiveTransportationFunding.aspx?opentab=8>

ATTACHMENT 3

ATP Cycle 4 Applications - Ventura County Jurisdictions				
Implementing Agency	Project Title	Project Description	Requested ATP Funds	Total Cost
City of Camarillo	Springville Multi-use Path Improvements	Construct approximately 10,300 feet of multi-use path, pavement markings and signing, intersection improvements, flashing beacon crossings, amenities and way-finding	\$5,970,000	\$6,290,000
City of Oxnard	Hemlock Street and Driskill Street Safe Routes to Schools Project	Pedestrian improvements at seven intersections on Hemlock St. and Driskill St., curb extensions, ADA curb ramps, crosswalk improvements, signage, and flashing beacons	\$1,551,000	\$1,551,000
City of Oxnard	Oxnard Boulevard Gap Closure Project	Class I bikeway gap closure and ADA improvements parallel to Oxnard Boulevard between Gonzales Road and Camino Del Sol	\$860,000	\$860,000
City of San Buenaventura	City-wide Active Transportation Mobility Plan	Prepare Active Transportation Plan for City of Ventura, including Safe Routes to Schools Plan for Ventura Unified School District, increasing low cost mobility options and access for all residents	\$950,000	\$950,000
City of Thousand Oaks	Gainsborough Road Sidewalk and Curb Ramp Project	Construct sidewalk, curb, gutter, accessible ramps and bike lanes on the south side of Gainsborough Road between Jeanine Drive and Camino Manzanas (2,170 feet)	\$588,000	\$647,000
City of Thousand Oaks	Los Feliz Sidewalk Improvement Project - Phase II	Construct sidewalk, curb, gutter and accessible ramps on the north & south side of Los Feliz Drive between Thousand Oaks Blvd. & Conejo School Road (4,680 ft.)	\$1,051,000	\$1,495,000
Ventura County	El Rio Area Pedestrian Improvements and Traffic Calming for Safe Routes to Schools – Phase I	Phase I Pedestrian Improvements and traffic Calming for Safe Routes to School in El Rio, a disadvantaged community; collaboration with Ventura County Public Health	\$6,254,000	\$6,950,000
Ventura County	Potrero Road Bike Lane Improvements-Phase II	Construct 3.2 bike lane miles (Class II) on Potrero Road-Phase II by adding 5 feet of pavement to either side of the roadway. Westerly extension of Phase I which was funded by ATP Cycle 3	\$1,265,000	\$1,515,000
Ventura County	Rice Road Bike Lane Improvements	Construct 2.4 bike lane miles on Rice Road, including 1.6 miles of Class II bike lanes & 0.8 miles Class IV bike lanes, from Baldwin Road to Lomita Avenue	\$1,063,000	\$1,294,000

Ventura County	Rose Avenue Bike Lane Improvement	Construct 2.28 bike lane miles of Class II bike lanes on Rose Avenue from Simon Way to Central Avenue. Widen pavement 8-10 feet for 6-foot bike lanes, install Wayfinding signs	\$743,000	\$743,000
Ventura County	Ventura Avenue Pedestrian and Bike Lane Improvements	Construct 1,135 feet of sidewalk on east side; 1,580 feet of Class II bike lanes on west side; 1580 feet of Class III bike lanes on east side; access ramps; traffic calming measures	\$870,000	\$870,000

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Item #12

November 2, 2018

MEMO TO: SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
FROM: STEVE DEGEORGE, PLANNING AND TECHNOLOGY DIRECTOR
SUBJECT: MOTORIST-AID OPTIONS AND EXPENDITURES

RECOMMENDATION:

- Adopt a policy of maintaining a \$1.5 million reserve in the fund balance for the purpose of use during extraordinary events to ensure that the callbox system, the Advance Traveler Information System, and other emergency services, as determined by the Executive Director, can be provided to motorists on the Ventura County's highways.
- Authorize staff to seek consultant assistance to initiate a Freeway Service Patrol Program in Ventura County
- Authorize staff to consult with Ventura County's first responders in order to define the scope of First Responder grant program.
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BACKGROUND:

The California Streets and Highway Code, Division 3, Chapter 14, beginning with Section 2555 authorizes the establishment of a Service Authority for Freeway Emergencies (SAFE) in any county. The Chapter further authorizes counties to purchase, install, operate and maintain motorist-aid services including callboxes, Freeway Service Patrol (FSP), incident detection systems and wide array of motorist aid services. In Ventura County, VCTC is the Service Authority for Freeway Emergencies (SAFE) and collects a one dollar (\$1) per vehicle fee for vehicles registered in Ventura County. Currently in Ventura County, SAFE operates 427 Callboxes and a roadway monitoring system which provides input to Caltrans District 7's Traffic Management Center (TMC).

In July, staff presented the Ventura County Grand Jury's 2017/2018 Report along with SAFE's response on the collection and use of Department of Motor Vehicle (DMV) fees. At that time staff committed to bring the SAFE Board options for additional or alternative uses for SAFE funds to provide services to Ventura County motorists. The discussion below contains a brief narrative of SAFE's current motorist aid services, the Fiscal Year 2018/2019 Budget and status of the SAFE fund balance, and staff's recommendations for additional motorist aid programs based on the report by SAFE's call box consultant TeleTranTek Services Inc. provided under separate cover.

DISCUSSION:

Current SAFE Programs

Two years ago in response to declining usage, the SAFE Board approved of downsizing the call box system from 560 call boxes to the current 428 callboxes distributed throughout Ventura County. Despite the proliferation of cellular phones, the callbox system continues to provide service to between two and three thousand motorists a year, averaging 2,729 calls over the past five years. The cost to operate and maintain the call box system averages between \$350,000 and \$400,000 per year depending on the number of knockdowns and removals/replacements for construction each year. Using the average number of motorists assisted and the average cost to operate and maintain the system, the cost to provide motorist assistance is \$137.4 per call. The Fiscal Year 2018/2019 Call Box Budget also contains approximately \$400,000 for the modification of the remaining call box locations to comply with the American with Disability Act (ADA).

SAFE also operates and maintains an Advanced Traveler Information System (ATIS), SpeedInfo, on Ventura County's freeways and primary State highways. The system is comprised of 104 pole mounted sensors spaced at approximately one mile intervals. By aggregating lane speed the system provides data to Caltrans District 7's Traffic Management Center (TMC) enabling the TMC to detect incidents and predict travel time on Ventura County's highways. Travel time is then fed back to motorists through Caltrans' Changeable Message Signs (CMS) and LA Metro 511. This system is especially critical because of the small number of fielded devices such as loop detectors, cameras, and other detection devices in Ventura County. The cost to provide this service is approximately \$153,000 per year.

SAFE Revenues and Expenditures

As described above SAFE collects a one (1) dollar fee per vehicle registration in Ventura County. In Fiscal Year 2017/2018 a total of \$802,797 was collected in DMV fees. The fees collected last fiscal year are approximately \$250,000 more than required for the operation and maintenance of the two SAFE systems described above. The excess SAFE funds have been used in two ways, first to fund required upgrades to the call boxes in terms of technical attributes and site configuration, and secondly the expansion of motorist services to include the ATIS system for traveler information. Historically SAFE has maintained a \$1.5 million reserve for catastrophic events or unanticipated upgrades.

Across the nearly thirty year history of SAFE, a substantial SAFE fund balance has accrued. As of June 30, 2018 the SAFE Fund Balance was \$4,894,909 including the \$1,500,000 reserve. Subtracting the reserve from the Fund Balance leaves \$3,394,909 that could be used to support additional motorist aid activities.

Motorist Aid Options

To better understand the changes in SAFE legislation and the options available to SAFE, staff engaged its call box consultant, TeleTranTek Services Inc. (T-Cubed), to report services that other SAFE's throughout the State are delivering to their motorists. The T-Cubed report has been provided under separate cover and it details the changes in SAFE expenditure legislation and a wide variety of implemented programs. The most significant change in SAFE legislation is that the individual SAFE agencies now have the ability to define their motorist aid programs rather than having the programs dictated by the State. This change allows a great deal of flexibility in the services provided.

The T-Cubed report provides descriptions of a wide array of services, some of which would only apply to specific geographic areas of the State and some of which can be applied to any region. From the T-Cubed report and discussions with other SAFEs, staff is recommending three additions to the SAFE program to better serve Ventura County residents and to address the Ventura County Grand Jury's concern about excessive reserves. Staff is recommending expanding the use of the \$1.5 million in reserves for extraordinary circumstances on the highway network, establishing a Freeway Service Patrol (FSP), and a First Responder Grant Program. Greater detail on the proposed program additions is provided below.

SAFE Reserve Policy

Historically SAFE has had a policy of maintaining a Fund Balance of \$1.5 million to ensure that in a catastrophic event such as an earthquake or fire, the callbox and Advance Traveler Information System could be replaced. In recent years events such as the Thomas Fire and Montecito mudslides have illustrated other needs that SAFE could have funded and been a direct service to Ventura County Motorists.

During last year's emergencies, VCTC was called upon to provide services to shuttle motorists trapped on the highway out of harm's way and to provide an ongoing connection around the freeway closure. VCTC answered the call for service but was then faced with securing funding for the service it provided. SAFE's reserves could provide funding for such emergency services thereby reducing the impact on limited transit funding.

Staff is recommending that the SAFE Board adopt a policy of maintaining a \$1.5 million fund balance for the purpose of use during extraordinary events to ensure that the callbox system, the Advance Traveler Information System, and other emergency services, as determined by the Executive Director, can be provided to motorists on the Ventura County's highways.

Freeway Service Patrol (FSP)

Freeway Service Patrol is a joint program provided by Caltrans, the California Highway Patrol (CHP), and a local transportation agency such as a SAFE. FSP is a free to the motorist service that assists with disabled vehicles on portions of congested highways. State funds are available to operate FSP with a required minimum local match of twenty-five percent (25%).

Typically FSP consists of privately owned tow trucks contracted to patrol congested areas of the highway during peak hours, five days a week. Normally FSP does not operate mid-day or on weekends. The value of FSP is the safe removal of disabled vehicles and their drivers from congested highway segments. The expeditious removal of disabled vehicles helps to reduce the duration of congestion events allowing the highway to operate in a more efficient manner. FSP can only provide a limited number of services and is primarily to assist disabled vehicles as opposed to vehicles involved in accidents. FSPs:

- Will provide a gallon of gasoline should a motorist run out
- Will attempt to restart/revive a vehicle if it has stalled or ceased operation
- Will contact additional assistance, such as the Auto Club for the motorist
- Will tow a disabled vehicle to a designated location approved by the CHP
- Will report any accident to the CHP
- Will not tow a vehicle to a residence or private repair facility
- Will not recommend repair companies or other tow services

- Will not tow motorcycles
- Will not tow vehicles involved in accidents unless directed by the CHP

As detailed in the T-Cubed report, FSP has specific criteria which must be approved by Caltrans and the California Highway Patrol (CHP) in order to receive state funding. The analysis and approval process leads to a relatively lengthy start up time. Once the program is approved, the State funds startup FSPs incrementally over three years to smooth the flow of funds statewide. Staff recommends that once the FSP program is approved, Ventura County SAFE use its reserves to fully fund the program at its inception and as State funding is increased over the three year period, reduce the amount taken from reserves. To ensure the long term sustainability of the program the required analysis takes into account the annual safe funding and all costs of the existing program so that the costs of the FSP program do not overtake the available ongoing funds. Staff is seeking authorization for consultant assistance to prepare the required analysis and submission to the State for approval

First Responder Grants/Emergency Preparedness

The T-Cubed report describes a number of grant programs that have been enacted for motorist emergency first responders. Ventura County does not have to reach too far into the past to see opportunities where this type of grant may have been of great assistance to many agencies in direct service to the motorists of Ventura County. Staff is recommending that the fund balance in excess of those specified in the reserve policy, required for existing programs, and required for the FSP program be used for direct grants to Ventura County first responders to purchase equipment and/or training related to highway incidents. Staff is seeking authorization to consult with the County's first responders in order to define the scope of grant program. It is envisioned that any SAFE revenues in excess of the established reserves and those needed for established programs are designated for the grant program and allocated when sufficient funds exist for grants to be issued.

Prior to the initiation of any of the above programs staff would return to the SAFE Board for a full discussion and approval of the program specifics. The programs described above would not limit SAFE's ability to add or revise SAFE programs in the future. It is anticipated that SAFE program changes will occur more frequently as technology advances and motorists needs change. Staff is requesting that the Board approve the following recommendations:

- Adopt a policy of maintaining a \$1.5 million reserve in the fund balance for the purpose of use during extraordinary events to ensure that the callbox system, the Advance Traveler Information System, and other emergency services, as determined by the Executive Director, can be provided to motorists on the Ventura County's highways.
- Authorize staff to seek consultant assistance to initiate a Freeway Service Patrol Program in Ventura County.
- Authorize staff to consult with Ventura County's first responders in order to define the scope of First Responders grant program.