



VENTURA COUNTY TRANSPORTATION COMMISSION
LOCAL TRANSPORTATION AUTHORITY
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
COUNCIL CHAMBERS
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, MARCH 6, 2020
9:00 AM**

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

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

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

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

8A. [APPROVE SUMMARY FROM FEBRUARY 7, 2020 VCTC MEETING](#) – PG. 5

Recommended Action:

Approve

Responsible Staff: Vera Vega

8B. [MONTHLY BUDGET REPORT](#) – PG. 11

Recommended Action:

Receive and file the monthly budget report

Responsible Staff: Sally DeGeorge

8C. [CONTRACT FOR FINANCIAL AUDITORS](#) – PG. 19

Recommended Action:

- Approve the contract (Attachment A) with Eide Bailly, LLP for professional auditing services including one single audit at an annual cost of \$46,000 for Fiscal Years 2019/2020 through 2021/2022 with one (1) – two (2) year optional extension period for Fiscal Year 2022/2023 at a cost of \$46,920 and for Fiscal Year 2023/2024 at a cost of \$47,859. Cost for additional single audits if more than one is needed would be at \$3,000 per single audit for Fiscal Years 2019/2020 through 2021/2022 and \$3,060 for Fiscal Year 2022/2023 and \$3,121 for Fiscal Year 2023/2024 if exercised.

Responsible Staff: Sally DeGeorge

8D. [LOS ROBLES REGIONAL MEDICAL CENTER HELIPORT EXPANSION](#) – PG. 21

Recommended Action:

- The Airport Land Use Commission (ALUC) advise the California Division of Aeronautics that the ALUC has reviewed the plans for expansion of the Los Robles Regional Medical Center Heliport in Thousand Oaks and makes no recommendation or assessment of the viability of the proposed plans.

Responsible Staff: Amanda Fagan

8E. VALLEY EXPRESS OUTREACH AND MARKETING CONTRACT EXTENSION – PG. 23

Recommended Action:

- Approve extension of the Agreement for Marketing and Outreach Services with Celtis Ventures, and, authorize the Executive Director to execute an amendment for one-year extension of the Agreement as recommended by the Heritage Valley Policy Advisory Committee (HVPAC).

Responsible Staff: Aaron Bonfilio

8F. KPI QUARTERLY REPORT – PG. 25

Recommended Action:

Receive and file

Responsible Staff: Heather Miller

8G. APPROVAL OF ANNUAL 13(c) LABOR AGREEMENT – PG. 37

Recommended Action:

- Approve the attached agreement with the Service Employees International Union (SEIU), Local 721, as required for VCTC's Fiscal Year 2019/20 federal transit grant applications with the Federal Transit Administration.

Responsible Staff: Peter De Haan

9. LEGISLATIVE UPDATE AND POSITION ON BILL – PG. 55

Recommended Action:

- Adopt "Oppose" position on AB 2011 (Holden), which would require the San Bernardino County Transportation Authority to hand over implementation of a specific project to a joint powers authority.

Responsible Staff: Peter De Haan

10. RECOMMENDATION FOR ADA PARATRANSIT CONTRACTOR – PG. 81

Recommended Action:

- Approve the Contract Award for Americans with Disabilities Act (ADA) Paratransit Certification Services to Mobility Management Partners, Incorporated.

Responsible Staff: Aaron Bonfilio

11. 101 COMMUNITIES CONNECTED (U.S. 101 MULTI-MODAL CORRIDOR STUDY) – PG. 85

Recommended Action: Receive and File

Responsible Staff: Caitlin Brooks

12. UPDATE ON PROPOSED METROLINK SATURDAY SERVICE/PROVIDE DIRECTION CONCERNING DISCUSSION WITH UNION PACIFIC RAILROAD – PG. 87

Recommended Action:

- Receive an update on the proposed Metrolink Saturday service, and seek Commission direction regarding future discussions with Union Pacific.

Responsible Staff: Martin Erickson

13. VCTC OFFICE SPACE LEASE APPROVAL – PG. 89

Recommended Action: Approve

1. Approve Lease with 751 Daily L.P., A Delaware Limited Partnership for approximately 6,514 square feet of professional office space.
2. Approve a budget amendment to the FY 2019/2020 Budget increasing revenues in the amount of \$400,000 from VCTC's State Transit Assistance (STA) fund balance and increasing the

Management and Administration Office Relocation, Furniture & Equipment expenditure line item in a like amount of \$400,000 for a total budget expenditure of \$500,000.

3. Amend the STA fund budget by increasing the STA Fund Transfers expenditures by \$400,000.

Responsible Staff: Darren Kettle

14. VCTC GENERAL COUNSEL'S REPORT

15. AGENCY REPORTS

16. CLOSED SESSION –

Conference with Labor Negotiator

(Pursuant to Government Code Section 54759.6)

Agency Designated Representative: Darren Kettle

Unrepresented Employees: All positions other than Executive Director

17. ADJOURN to 9:00 a.m. Friday, April 3, 2020.



Item #8A

VENTURA COUNTY TRANSPORTATION COMMISSION

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

**CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, FEBRUARY 7, 2020
9:00 AM**

Meeting Summary

MEMBERS PRESENT:

Manuel Minjares, City of Fillmore, Chair
Claudia Bill-de la Peña, City of Thousand Oaks, Vice Chair
Linda Parks, County of Ventura
Tony Trembley, City of Camarillo
Randy Haney, City of Ojai
Will Berg, City of Port Hueneme
Cheryl Heitmann, City of San Buenaventura
Jenny Crosswhite, City of Santa Paula
Mike Judge, City of Simi Valley
Steve Bennett, County of Ventura
Robert Huber, County of Ventura
Kelly Long, County of Ventura
John Zaragoza, County of Ventura
John Bulinski, Caltrans District 7

ABSENT:

Bryan MacDonald, City of Oxnard
Ken Simons, City of Moorpark
Brian Humphrey, Citizen Rep., Cities
Jim White, Citizen Rep., County

CALL TO ORDER

PLEDGE OF ALLGIANCE

ROLL CALL

March 6, 2020
Item #8A
Page #2

ELECTION OF VICE CHAIR

Commissioner Parks nominated **Commissioner Huber** and seconded by **Commissioner Judge**. **Commissioner Minjares** nominated **Commissioner Long** and seconded by **Commissioner Haney**. **Commissioner Long** withdrew her name and supported **Commissioner Huber**, as he was nominated first. **Commissioner Huber** was elected Vice Chair by acclamation.

PUBLIC COMMENTS – None

CALTRANS REPORT –

John Bulinski announced the appointment of Ms. Gloria Roberts as new Chief Deputy for District 7 Caltrans.

COMMISSIONERS REPORT

Commissioner Judge attended the Southern California Association Government (SCAG) meeting, and during the Transportation Committee, the Los Angeles World Airports (LAWA) made a presentation on the airport expansion project currently underway. He mentioned there was discussion amongst board members expressing concerns on the stacking of vehicles at airports that may cause air quality numbers in SCAG regions to go down.

Commissioner Parks attended the SCAG Energy and Environment Committee meeting. She mentioned South Coast Air Quality Management District (South Coast AQMD), stated due to state law, communities in the Los Angeles County are now taking complaints of idling trucks, and would like this Commission to recommend Ventura County Air Pollution Control District also take this into consideration.

EXECUTIVE DIRECTOR REPORT

101 Communities Connected Multi-Modal Corridor Study – During January, VCTC initiated public outreach for 101 Communities Connected, a plan to improve mobility for everyone who travels in the U.S. Highway 101 corridor through the cities of Ventura, Oxnard, Camarillo, and Thousand Oaks. The Study Area includes U.S. 101 between State Routes 23 and 33, and a 3-miles radius on either side of the 101. VCTC hosted two public workshops on January 28th and 30th, with a total of 41 attendees. VCTC also released an online survey, and has received more than 200 responses to date. The online survey will be available to complete through February 7th, and can be accessed at <https://www.surveymonkey.com/r/101CommunitiesConnected>. Workshops will also be held in May in Oxnard and Thousand Oaks to share the draft study and to receive public feedback. VCTC Staff is planning to present an overview of the 101 Communities Connected study to the Commission at the March meeting, and anticipates presenting the full draft to the Commission in May for final adoption in June 2020.

AMTRAK San Joaquins route via bus expanding service in Ventura County – You may or may not know this but the California intercity rail system includes Amtrak's Central Valley San Joaquin route and while the train terminates in Bakersfield the service continues through Ventura County via thruway bus service. Before recent state legislation (SB 742) trips on such thruway bus service was unavailable to passengers unless they desired to continue their journey onward by transferring onto the train itself. With the passage of SB 742 rides may now utilize thruway services from "bus stop to bus stop". For the San Joaquins line, this includes Ventura County stops along its route #10, which connects Santa Barbara to Bakersfield via US 101/126. While there are only three trips per day that will travel through Ventura county, this will allow passengers to take the service not just to the train line in the Central Valley but between points such as Ventura and Bakersfield, or even Fillmore to Oxnard.

The trip pricing and available station pairing may be adjusted subject to concerns raised by local transit operators, such as VCTC, should this negatively impact our routes in any way. At this time however, staff finds the offering as a net-benefit to passengers in the region and we look forward to working with the San Joaquin Joint-Powers-Authority (SJJPA, which runs the line).

NEW CTC EXECUTIVE DIRECTOR – I am pleased to report that after concluding a recruitment, the California Transportation Commission has selected Chief Deputy Director Mitch Weiss as its new Executive Director, replacing Susan Branson who has retired. Mitch Weiss is a veteran CTC staff member, and we have significant experience in working with him.

ADDITIONS/REVISIONS – *None*

9. CONSENT CALENDAR –

Commissioner Minjares made a motion to approve all items on the Consent Calendar as recommended. The motion was seconded by Commissioner Zaragoza and passed unanimously.

9A. APPROVE SUMMARY FROM JANUARY 10, 2020 VCTC MEETING – *Receive and File*

9B. APPROVE SUMMARY FROM January 10, 2020 VCTC SPECIAL MEETING – *Receive and File*

9C. MONTHLY BUDGET REPORT – *Receive and File*

9D. REVISION TO LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) –

- *Approve reprogramming the remaining balance of FY17/18 Low Carbon Transit Operations Program (LCTOP) funds and interest of approximately \$8,935 from the Oxnard to Camarillo Employment Connector Pilot Project to the East-West Connector Service Project.*
- *Amend the FY19/20 Ventura County Transportation Commission (VCTC) budget to increase the LCTOP revenue and interest line item and the contract expenditure line item by \$8,935.*
- *Authorize the Executive Director to execute all grant documents to transfer the funds.*

9E. TRANSPORTATION DEVELOPMENT ACT (TDA), LOCAL TRANSPORTATION FUND (LTF), DRAFT APPORTIONMENT FOR FISCAL YEAR 2020/2021 –

- *Approve the Local Transportation Fund Draft Apportionment for Fiscal Year 2020/2021 apportioning \$39.45 million as shown in Attachment 1.*

9F. 2021 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM FINANCIAL RESOLUTION –

- *Adopt attached Resolution No. 2020-01 certifying that there are sufficient financial resources to fund projects in the 2021 Federal Transportation Improvement Program (2021 FTIP).*

9G. REVISION TO CAMARILLO CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM

- *Approve reprogramming \$635,783 in CMAQ funds from the Las Posas Road Bike Lanes project in Camarillo to the Pleasant Valley Road Bike Lanes project.*

9H. REVISION TO GOLD COAST TRANSIT DISTRICT CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FUNDS –

- *Approve the request from Gold Coast Transit District (GCTD) to repurpose \$1.48 million of unexpended CMAQ funds approved for the Bus Repowering Project, and to reduce the number of repowered buses by 12 and instead replace 3 buses.*

10. LEGISLATIVE UPDATE AND POSITIONS ON BILLS –

- *Staff offered a modified recommendation that the Commission adopt a policy to direct staff to “work with author” on any bill requiring free transit fares for a designated group, as a condition for receipt of state transit funding.*

Commissioner Minjares moved the modified staff recommendation. The motion was seconded by Commissioner Judge and passed unanimously.

11. FISCAL YEAR 2020/2021 TRANSPORTATION DEVELOPMENT ACT (TDA) UNMET TRANSIT NEEDS PUBLIC HEARING – No speakers, no action required

12. NEW POSITION ALLOCATION REQUEST TITLED PROGRAM MANAGER – GOVERNMENT AND COMMUNITY RELATIONS

- *Approve a new position allocation titled Program Manager- Government and Community Relations that will report to the Executive Director.*
- *Amend the VCTC FY 2019/20 Budget as follows:*
 - *Increase the State and Federal Governmental Relations budget to include an additional \$22,700 in LTF –General Fund balance for the additional staff costs.*

Commissioner Huber moved the staff recommendation. The motion was seconded by Commissioner Heitmann and passed unanimously.

**13. CITY OF CAMARILLO REQUEST FOR FUTURE AGENDA ITEM TO CONSIDER PROJECT CONSISTENCY REVIEW BY THE VENTURA COUNTY AIRPORT LAND USE COMMISSION –
Public Comments:**

Mark Sullivan spoke to support that VCTC require Ventura County Department of Airports to include certified maximum take-off weight of 115,000 pounds in Cloud Nine lease.

Brian Pierik, Camarillo City Attorney, spoke and referenced correspondence from the City of Camarillo having a different opinion of that of VCTC General Counsel regarding mandatory review of project environmental document by VCTC in its capacity as Ventura County Airport Land Use Commission.

Kip Turner, Director of Airports, County of Ventura, commented on the size of plane for which the Camarillo Airport is designed to accommodate.

Moved by Commissioner Trembley, Second by Commissioner Heitmann,

Commission defers decision on whether to schedule a consistency determination until the County has opportunity to:

1. *Amend the proposed lease with the project applicant to specifically exclude large D-IV aircraft like the Boeing Business Jet 737-8000 and Gulfstream G650 and require the applicant to comply with the restrictions in the 1976 agreement*
2. *Remove the Large D-IV aircraft like the Boeing Business Jet 737-8000 and Gulfstream G650 from the mitigated negative declaration and require in the MAND that the applicant comply with the restrictions in the 1976 agreement.*

Yes: *Commissioners Trembley, and Heitmann*

No: *Commissioners Zaragoza, Haney, Bennett, Judge, Crosswhite, Berg, Huber, Parks, Minjares, and Bill-de la Peña*

Abstain: *None*

Absent: *Long*

Motion Fails

March 6, 2020
Item #8A
Page #5

Moved by Commissioner Minjares, Second by Commissioner Bennett, the Staff Recommendation,

1. *The Executive Director and General Counsel concur in a recommendation that the Commission not schedule the matter for future consideration.*

Yes: Commissioners Zaragoza, Bennett, Crosswhite, Huber, Minjares, and Bill-de la Peña

No: Commissioners Haney, Judge, Heitmann, Berg, Trembley, and Parks

Abstain: None

Absent: Long

Motion Fails

Moved by Commissioner Parks, Second by Commissioner Judge,

1. *Commission defers decision on whether to schedule a consistency determination until the County has an opportunity to amend the proposed lease with the project applicant to specifically exclude aircraft exceeding 115,000 lbs as specified in the 1976 agreement.*

Yes: Commissioners Judge, Heitmann, Berg, Trembley, and Parks

No: Commissioners Zaragoza, Haney, Bennett, Crosswhite, Huber, Minjares, and Bill-de la Peña

Abstain: None

Absent: Long

Motion Fails

14. VCTC GENERAL COUNSEL'S REPORT – None

15. AGENCY REPORTS - None

16. CLOSED SESSION – None

17. ADJOURN to 9:00 a.m. Friday, March 6, 2020

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Item #8B

March 6, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for January 2020

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 seven funds presented consisting of the General Fund, the Local Transportation Fund (LTF), the State Transit Assistance (STA) fund, the State of Good Repair (SGR) fund, the Service Authority for Freeway Emergencies (SAFE) fund, the Santa Paula Branch Line (SPBL) fund, the VCTC Intercity fund and the Valley Express fund. The Statement of Revenues, Expenditures and Changes in Fund Balance also includes the annual budgeted numbers that are updated as the Commission approves budget amendments or administrative budget amendments are approved by the Executive Director. Staff monitors the revenues and expenditures of the Commission on an on-going basis.

The January 31, 2020 budget report indicates that the revenues were approximately 34.16% of the adopted budget while expenditures were approximately 40.10% of the adopted budget. The revenues and expenditures are as expected at this time. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on an even percentage or monthly basis. Furthermore, revenues are often billed and reimbursed in arrears.

Some revenues are received at the beginning of the year while other revenues are received after grants are approved. In many instances, the Ventura County Transportation Commission (VCTC) incurs 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, SGR, 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 and SGR 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 and SGR 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.

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 (pensions) and Statement 75 (other postemployment benefits). 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.

**VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF JANUARY 31, 2020**

Assets and Deferred Outflows

Cash and Investments	\$ 30,542,974
Petty Cash	130
Receivables/Due from other funds	3,353,516
Prepays and Deposits	74,892
Capital Assets, undepreciated	26,496,812
Capital Assets, depreciated, net	31,324,877
Deferred Outflows	724,799
Total Assets and Deferred Outflows	<u><u>\$ 92,518,000</u></u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:

Accrued Expenses and Due to Other	\$ 2,763,620
Deferred Revenue	3,936,525
Deposits	67,059
Accrued Vacation	168,123
Pension Liability	1,933,376
OPEB Liability	319,425
Deferred Inflows	146,000
Total Liabilities and Deferred Inflows:	<u><u>\$ 9,334,128</u></u>

Net Position:

Invested in Capital Assets	\$ 57,428,081
Fund Balance	25,755,791
Total Net Position	<u><u>\$ 83,183,872</u></u>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE SEVEN MONTHS ENDED JANUARY 31, 2020**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	SGR Actual	SPBL Actual	VCTC Intercity Actual	Valley Actual Express	Fund Totals Actual	Budgeted Actual	Variance Actual	% Year
Revenues												
Federal Revenues	\$ 3,555,130	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	1,479,980	\$ 287,843	\$ 5,322,953	\$ 23,781,542	(18,458,589)	22.38
State Revenues	629,714	15,592,255	1,762,188	333,546	547,757	0	384,650	0	19,250,110	53,725,850	(34,475,740)	35.83
Local Revenues	187,334	0	0	0	0	293,570	1,667,647	1,134,048	3,282,599	4,671,499	(1,388,900)	70.27
Other Revenues	1,938	0	0	0	0	0	57,964	802	60,704	20,174	40,530	300.90
Interest	27,083	72,306	89,797	51,735	29,432	193	5,852	2,721	279,119	344,000	(64,881)	81.14
Total Revenues	4,401,199	15,664,561	1,851,985	385,281	577,189	293,763	3,596,093	1,425,414	28,195,485	82,543,065	(54,347,580)	34.16
Expenditures												
Administration												
Personnel Expenditures	1,501,616	0	0	0	0	0	144,785	29,483	1,675,884	3,212,000	(1,536,116)	52.18
Legal Services	8,232	0	0	0	0	0	0	0	8,232	26,000	(17,768)	31.66
Professional Services	65,747	0	0	0	0	0	0	0	65,747	134,200	(68,453)	48.99
Office Leases	88,188	0	0	0	0	0	0	0	88,188	151,900	(63,712)	58.06
Office Expenditures	298,778	0	0	0	0	0	74,087	15,087	387,952	303,900	84,052	127.66
Total Administration	1,962,561	0	0	0	0	0	218,872	44,570	2,226,003	3,828,000	(1,601,997)	58.15
Programs and Projects												
Transit & Transportation Program												
Regional Transit Technology	193,502	0	0	0	0	0	0	0	193,502	2,745,717	(2,552,215)	7.05
Senior-Disabled Transportation	133,161	0	0	0	0	0	0	0	133,161	303,500	(170,339)	43.88
VCTC Intercity Bus Services	0	0	0	0	0	0	9,915,428	0	9,915,428	15,606,799	(5,691,371)	63.53
Valley Express Bus Services	0	0	0	0	0	0	0	686,550	686,550	1,837,600	(1,151,050)	37.36
Transit Grant Administration	458,488	0	0	0	0	0	0	0	458,488	6,891,900	(6,433,412)	6.65
Total Transit & Transportation	785,151	0	0	0	0	0	9,915,428	686,550	11,387,129	27,385,516	(15,998,387)	41.58
Highway Program												
Motorist Aid Services	0	0	0	1,086,698	0	0	0	0	1,086,698	1,524,220	(437,522)	71.30
Highway Program Management	2,111,098	0	0	0	0	0	0	0	2,111,098	9,798,883	(7,687,785)	21.54
SpeedInfo Highway Speed Sensor	0	0	0	52,000	0	0	0	0	52,000	144,000	(92,000)	36.11
Total Highway	2,111,098	0	0	1,138,698	0	0	0	0	3,249,796	11,467,103	(8,217,307)	28.34

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE SEVEN MONTHS ENDED JANUARY 31, 2020**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	SGR Actual	SPBL Actual	VCTC Intercity Actual	Valley Actual Express	Fund Totals Actual	Budgeted Actual	Variance Actual	% Year
Rail Program												
Metrolink & Commuter Rail	3,550,805	0	0	0	0	0	0	0	3,550,805	12,703,574	(9,152,769)	27.95
LOSSAN & Coastal Rail	3,002	0	0	0	0	0	0	0	3,002	9,400	(6,398)	31.94
Santa Paula Branch Line	0	0	0	0	0	245,368	0	0	245,368	811,000	(565,632)	30.25
Total Rail	3,553,807	0	0	0	0	245,368	0	0	3,799,175	13,523,974	(9,724,799)	28.09
Commuter Assistance Program												
Reg Transit Information Center	1,152	0	0	0	0	0	0	0	1,152	43,500	(42,348)	2.65
Rideshare Programs	76,522	0	0	0	0	0	0	0	76,522	291,000	(214,478)	26.30
Total Commuter Assistance	77,674	0	0	0	0	0	0	0	77,674	334,500	(256,826)	23.22
Planning & Programming												
TDA Administration	113,000	15,494,891	121,394	0	32,819	0	0	0	15,762,104	33,344,066	(17,581,962)	47.27
Transportation Programming	3,425	0	0	0	0	0	0	0	3,425	64,400	(60,975)	5.32
Regional Transportation Planni	39,739	0	0	0	0	0	0	0	39,739	570,300	(530,561)	6.97
Airport Land Use Commission	5,107	0	0	0	0	0	0	0	5,107	14,000	(8,893)	36.48
Regional Transit Planning	363,600	0	0	0	0	0	0	0	363,600	1,520,106	(1,156,506)	23.92
Freight Movement	1,804	0	0	0	0	0	0	0	1,804	12,200	(10,396)	14.79
Total Planning & Programming	526,675	15,494,891	121,394	0	32,819	0	0	0	16,175,779	35,525,072	(19,349,293)	45.53
General Government												
Community Outreach	126,882	0	0	0	0	0	0	0	126,882	264,400	(137,518)	47.99
State & Federal Relations	59,633	0	0	0	0	0	0	0	59,633	105,200	(45,567)	56.69
Management & Administration	97,743	0	0	0	0	0	0	0	97,743	326,700	(228,957)	29.92
Total General Government	284,258	0	0	0	0	0	0	0	284,258	696,300	(412,042)	40.82
Total Expenditures	9,301,224	15,494,891	121,394	1,138,698	32,819	245,368	10,134,300	731,120	37,199,814	92,760,465	(55,560,651)	40.10

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE SEVEN MONTHS ENDED JANUARY 31, 2020**

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley Actual	Fund	Budgeted	Variance	% Year
	Fund Actual	Actual	Actual	Actual	Actual	Actual Intercity	Actual	Express	Totals Actual	Actual	Actual	
Revenues over (under) expenditures	(4,900,025)	169,670	1,730,591	(753,417)	544,370	48,395	(6,538,207)	694,294	(9,004,329)	(10,217,400)	1,213,071	88.13
Other Financing Sources												
Transfers Into GF From LTF	5,812,634	0	0	0	0	0	0	0	5,812,634	5,701,343	111,291	101.95
Transfers Into GF From STA	244,713	0	0	0	0	0	0	0	244,713	6,887,543	(6,642,830)	3.55
Transfers Into GF From SAFE	22,431	0	0	0	0	0	0	0	22,431	34,200	(11,769)	65.59
Transfers Into GF from SGR	17,818	0	0	0	0	0	0	0	17,818	0	17,818	0.00
Transfers Into GF From SPBL	28,810	0	0	0	0	0	0	0	28,810	128,100	(99,290)	22.49
Transfers Into SPBL From LTF	0	0	0	0	0	28,810	0	0	28,810	128,100	(99,290)	22.49
Transfers Into SPBL From STA	0	0	0	0	0	0	0	0	0	524,200	(524,200)	0.00
Transfers Into VI From STA	0	0	0	0	0	0	6,988,893	0	6,988,893	9,707,630	(2,718,737)	71.99
Transfers Out of LTF Into GF	0	(5,812,633)	0	0	0	0	0	0	(5,812,633)	(5,701,343)	(111,290)	101.95
Transfers Out of LTF Into SPBL	0	(28,810)	0	0	0	0	0	0	(28,810)	(128,100)	99,290	22.49
Transfers Out of STA Into GF	0	0	(244,713)	0	0	0	0	0	(244,713)	(2,672,169)	2,427,456	9.16
Transfers Out of STA Into SPBL	0	0	0	0	0	0	0	0	0	(524,200)	524,200	0.00
Transfers Out of STA Into VI	0	0	(6,988,893)	0	0	0	0	0	(6,988,893)	(9,707,630)	2,718,737	71.99
Transfers Out of SAFE Into GF	0	0	0	(22,432)	0	0	0	0	(22,432)	(34,200)	11,768	65.59
Transfers Out SPBL Into GF	0	0	0	0	0	(28,810)	0	0	(28,810)	(128,100)	99,290	22.49
Transfers Out of SGR into GF	0	0	0	0	(17,818)	0	0	0	(17,818)	(3,789,531)	3,771,713	0.47
Total Other Financing Sources	6,126,406	(5,841,443)	(7,233,606)	(22,432)	(17,818)	0	6,988,893	0	0	425,843	(425,843)	0.00
Net Change in Fund Balances	1,226,381	(5,671,773)	(5,503,015)	(775,849)	526,552	48,395	450,686	694,294	(9,004,329)	(9,791,557)	787,228	91.96
Beginning Fund Balance w/o capi	2,297,167	11,311,532	15,217,900	5,141,310	25,362	0	2,608,974	36,602,245	33,572,663	3,029,582	109.02	
Long-term Pension/OPEB/Vacatic	(1,723,355)	0	0	0	0	0	(118,770)	0	(1,842,125)	0	(1,842,125)	0.00
Ending Fund Balance	\$ 1,800,193	\$ 5,639,759	\$ 9,714,885	\$ 4,365,461	\$ 551,914	\$ 48,395	\$ 331,916	\$ 3,303,268	\$ 25,755,791	\$ 23,781,106	\$ 1,974,685	108.30

*Government Accounting Standards Board (GASB) Statements 68 and GASB 75 require full accrual of pension and OPEB liabilities, deferred inflows and deferred outflows on financial statements. These calculations are updated annually.

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF JANUARY 31, 2020**

As stated in the Commission's investment policy, the Commission's investment objectives are safety, liquidity, return on investment, prudence, diversification 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 comply 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	\$3,208.62	0.01%	\$ 1,328,826.73
County of Ventura	Treasury Pool	N/A	242,085.52	2.13%	21,835,014.24
LAIF	State Pool	N/A	33,824.95	2.29%	7,234,194.52
Total			\$279,119.09		\$30,398,035.49

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, SGR 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.

Wells Fargo Bank, County of Ventura and LAIF statements are the source for provided information.

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Item #8C

March 6, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: SALLY DEGEORGE, FINANCE DIRECTOR
SUBJECT: CONTRACT FOR PROFESSIONAL AUDITING SERVICES

RECOMMENDATION:

- Approve the contract (Attachment A) with Eide Bailly, LLP for professional auditing services including one single audit at an annual cost of \$46,000 for Fiscal Years 2019/2020 through 2021/2022 with one (1) – two (2) year optional extension period for Fiscal Year 2022/2023 at a cost of \$46,920 and for Fiscal Year 2023/2024 at a cost of \$47,859. Cost for additional single audits if more than one is needed would be at \$3,000 per single audit for Fiscal Years 2019/2020 through 2021/2022 and \$3,060 for Fiscal Year 2022/2023 and \$3,121 for Fiscal Year 2023/2024 if exercised.

BACKGROUND:

The Ventura County Transportation Commission (VCTC) is required to have a financial and Federal Single audit(s) conducted each year by an independent auditing firm. VCTC's contract with auditors the Pun Group, LLP, was for five years and was completed with the audit of Fiscal Year 2018/2019's financials requiring VCTC to issue a new RFP for professional auditing services.

DISCUSSION:

In December, the Commission authorized staff to issue a Request for Proposals (RFP) for professional financial auditing services for the financial and single audits. The RFP was sent to twenty-five audit firms as well as posted on VCTC's website to reach as many qualified auditors as possible. Seven proposals were submitted by the deadline and one firm notified VCTC they would not be providing a proposal due to limited experience auditing transit federal funds.

Following standardized RFP practices four firms (DavisFarr, LLP, Eide Bailly, LLP, the Pun Group, LLP, and Rogers, Anderson, Malody & Scott, LLP) were selected to be interviewed by a selection committee. The selection committee consisted of Jill Ward, Deputy Director, Auditor-Controller - County of Ventura, Earl Garland, City Auditor – City of Thousand Oaks and Sally DeGeorge, Finance Director – VCTC.

The committee reviewed and evaluated the proposals and interviewed the four firms on February 12th. The committee evaluated the proposing firms understanding and approach of the engagement, the firm's auditing experience with transit and transportation and the associated funds, the adequacy of the staffing and associated hours, and the costs to perform the audits.

Based on the evaluations and interviews, the selection committee felt the firm Eide Bailly, LLP best met the criteria of the RFP and the needs of VCTC. Eide Bailly has significant governmental auditing experience throughout Southern California including performing audits for Orange County Transportation Authority (OCTA), San Bernardino County Transportation Authority (SBCTA), and Southern California Regional Rail Authority (SCRRA) to name a few. The committee recommends that the firm Eide Bailly, LLP, be retained to conduct the audits for Fiscal Years ending June 30, 2020, 2021, 2022 with years 2023 and 2024 being optional.

The audit work performed by Eide Bailly is proposed at an annual fee per year. These fees are within the estimated budget for the work required. The contract term is for three (3) years with possible extensions for Fiscal Years 2022/2023 and 2023/2024. Below are the proposed audit fees for VCTC for the next five years:

<u>Audit Fee</u>	<u>Additional Single Audit Fee</u>	<u>Fiscal Year</u>
\$46,000	\$3,000	2019/2020
\$46,000	\$3,000	2020/2021
\$46,000	\$3,000	2021/2022
\$46,920	\$3,060	2022/2023 (optional)
\$47,859	\$3,121	2023/2024 (optional)

As a further cost clarifying measure, the contract includes a total not-to-exceed amount for the initial three year term of the Contract of \$156,000 and a not-to-exceed amount of \$264,000 for a five year term if VCTC exercises its two year extension option. These not-to-exceed amounts are calculated by adding up the annual fees for each fiscal year and adding the costs of two additional Single Audits per year if required. General Counsel reviewed and approved the contract (see separate Attachment A). The cost of the audits will be funded from the General Fund and included in future year's budgets.



Item #8D

March 6, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AMANDA FAGAN, PLANNING & POLICY DIRECTOR

SUBJECT: LOS ROBLES REGIONAL MEDICAL CENTER HELIPORT EXPANSION

RECOMMENDATION:

- The Airport Land Use Commission (ALUC) advise the California Division of Aeronautics that the ALUC has reviewed the plans for expansion of the Los Robles Regional Medical Center Heliport in Thousand Oaks and makes no recommendation or assessment of the viability of the proposed plans.

BACKGROUND:

The State Aeronautics Act requires special-use heliports, such as those at hospitals, to obtain a Heliport Permit from the Caltrans Division of Aeronautics. According to the Caltrans *Airport Compatibility Planning Handbook*, the ALUC is not required to adopt an Airport Land Use Compatibility Plan (ALUCP) for special-use heliports. However, the ALUC is required to review all applications for airports in Ventura County, including heliports.

In 1990, the Ventura County ALUC, on the recommendation of legal counsel, established a policy for review of heliports, which has been applied to all heliport reviews since that time. Legal counsel found that the Aeronautics Act requires the ALUC to review all applications for airports in Ventura County, and heliports are defined as an airport within the Act. While the ALUC is required to review heliports, no criteria govern private heliports upon which to base a finding, and the ALUC is not required to approve or deny them. Application authority rests with the State Division of Aeronautics.

On the advice of legal counsel, the Commission established a policy to place heliport permit applications on the consent agenda for review by the ALUC with no formal action taken other than to inform the State Division of Aeronautics that the proposal has been reviewed.

Ventura County Aviation Unit is a joint venture between the Ventura County Sheriff's Office and Ventura County Fire District. Aviation Unit missions include law enforcement, search and rescue, emergency medical services, and fire suppression. In 2019, the Aviation Unit upgraded its fleet of helicopters to include two Sikorski S-70 (UH-60) Firehawks to provide increased wildland fire-fighting capacity and improve range, speed, and safety with more modern aircraft.

DISCUSSION:

Hospital Corporation of America (HCA), owner of the Los Robles Regional Medical Center in Thousand Oaks, proposes to expand its existing heliport to accommodate the Firehawk helicopters recently acquired by the Ventura County Aviation Unit. The heliport supports the hospital's Level II trauma center. The existing heliport has neither the dimensions nor the structural capacity to handle the new Firehawk helicopters.

The Ventura County ALUC reviewed the existing heliport in 2004. The existing heliport is located above a parking structure and consists of a 50' x 50' concrete deck.



Aerial Image of Existing Heliport at Los Robles Regional Medical Center

Source: Google Earth



Aerial Image of Los Robles Regional Medical Center Vicinity

Source: Google Earth

The proposed expansion provides for a new 65' x 65' aluminum helideck, increased loadbearing capacity, and upgraded perimeter lighting to current LED technology compatible with night vision goggles. No modifications to the existing flight paths are proposed. No changes to current operational levels are proposed. The number of helicopter operations are not expected to increase over current levels, which average five helicopter landings per month, or approximately one landing every six days.

The Noise Report accompanying the application indicates that helicopter approach/departure to the west would increase off-site noise levels by a maximum of 4.2 decibels (dB) Community Noise Equivalent Level (CNEL). Approach/departure to the northwest would increase off-site noise levels by a maximum of 3.8 dB CNEL. Maximum impacts are derived from a worst-case scenario of larger weight-class helicopters operating for 30-minutes within every hour of a 24-hour period. Noise level increases from ambient conditions would not exceed thresholds of significance for surrounding sensitive receptors for either approach/departure direction. Noise analysis and findings are further described in the attached "Noise Study for the Los Robles Medical Center Helipad Expansion Project" dated January 2020.

In addition to this review by the ALUC, the proposed heliport expansion is undergoing review by the Federal Aviation Administration, Caltrans Division of Aeronautics, and City of Thousand Oaks. Staff recommends that the ALUC advise the Caltrans Division of Aeronautics that the ALUC has reviewed the plans for Los Robles Regional Medical Center Heliport Expansion and makes no recommendation or assessment of the viability of the proposed plans.



Item #8E

March 6, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AARON B. BONFILIO, PROGRAM MANAGER

SUBJECT: MARKETING AND OUTREACH SERVICES FOR THE VALLEY EXPRESS

RECOMMENDATION:

- Approve extension of the Agreement for Marketing and Outreach Services with Celtis Ventures, and, authorize the Executive Director to execute an amendment for one-year extension of the Agreement as recommended by the Heritage Valley Policy Advisory Committee (HVPAC).

BACKGROUND:

In April 2017 the Heritage Valley Policy Advisory Committee (HVPAC) recommended that Celtis Ventures (Celtis) be awarded the Valley Express marketing and outreach services agreement (Agreement). This followed a competitive procurement, during which representatives from each of the Heritage Valley Transit Services (“HVTS” or “Valley Express”) member-agencies evaluated proposals for the service. The full Commission subsequently approved the HVPAC’s recommendation to award the Agreement to Celtis and the term began July 1, 2017. Since that time Celtis has been engaged and provided its service as the exclusive firm responsible for marketing, advertising, graphic design, web design, online social media and outreach services for the Valley Express bus service. While staff completes certain tasks from time to time, Celtis has been the primary entity responsible for the Valley Express marketing and outreach program.

There are two one-year extension options under the agreement. Should there be desire to extend the agreement, notice must be provided of the Commission’s desire to extend approximately 90 days prior to June 30th. Pursuant to the Memorandum of Understanding (MOU) that governs the HVTS, the HVPAC is to make recommendations to the full Commission prior to the Commission taking action. The HVPAC is made up of the VCTC representatives from the City of Fillmore, City of Santa Paula and the County of Ventura representing the Heritage Valley area.

At the January 22, 2020, Heritage Valley Technical Advisory Committee (HVTAC) considered the marketing and outreach contract extension with Celtis. The HVTAC is a technical committee of agency staff that makes recommendations to the HVPAC regarding planning, service levels, budget and policy matters. The HVTAC recommended to exercise the first of the two one-year extension options with Celtis. As noted by HVTAC, Celtis’ performance has been well received by the member-agencies and public, alike. The recommendation by the HVTAC was presented to the Heritage Valley Policy Advisory Committee (HVPAC) at its next meeting, which was March 4, 2020, just prior to the March 6, 2020 Commission meeting.

If the extension option is exercised, the current terms and conditions of the Agreement will remain in place. The extension term of the Agreement would be July 1, 2020, through June 30, 2021. Rates for service and the total annual contract not-to-exceed would remain the same.

Pursuant to the HVTS MOU, staff's recommendation is, that, following concurrent recommendation by the Heritage Valley Policy Advisory Committee, approve extension of the Agreement for Marketing and Outreach Services with Celtis Ventures, and, authorize the Executive Director to execute an amendment for the one-year extension of the Agreement.



Item #8F

March 6, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: HEATHER MILLER, TRANSIT PLANNER
SUBJECT: QUARTERLY VCTC BUS AND RAIL TRANSIT RIDERSHIP AND PERFORMANCE MEASURES REPORT

RECOMMENDATION:

- Receive and File

DISCUSSION:

In an effort to continue VCTC's objective to become a more data driven and transparent organization, VCTC provides quarterly reports that detail ridership, performance measures, and goals for the VCTC Intercity Bus transit and Metrolink/LOSSAN rail services. In March 2019, VCTC presented its first comprehensive bus and rail combined report; this report covers the second quarter of the new fiscal year.

Overall, Intercity ridership declined 4% compared to the same quarter in the previous year, with weekday service declining 2% and weekend service seeing steeper declines. The "College Ride" program, which allows locally enrolled college students to ride Ventura county transit free, continues to see climbing numbers, up 30% with over 56,000 passenger trips provided for the quarter. Without this program, it is highly likely that the ridership decrease would have been much more significant. Ridership losses are due in part to the discontinuation of the Oxnard-Camarillo Connector route and the decrease in ridership on the weekends. The January 20, 2020 schedule change reflect efforts to improve on-time performance and efficiencies of service and address increased costs with the implementation of the second phase of the fare increase.

The intent of presenting this report is twofold: 1. To establish a quarterly reporting method of the bus and rail ridership and performance measures to the Commission; and 2. to memorialize what has been internal staff practice over the years in tracking transit performance measures and utilizing planning guidelines to develop new service, and improve existing service. The data reports are built around the four following priorities of VCTC transit service provision:

1. Safety
2. Increasing Mobility and Transportation for as Many People as Possible
3. Providing Effective, Efficient and Reliable Service
4. Providing Outstanding Customer Service

The attached report includes Second Quarter FY 2019-2020 Performance Metrics.

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VCTC Transit Key Performance Measures Quarterly Report

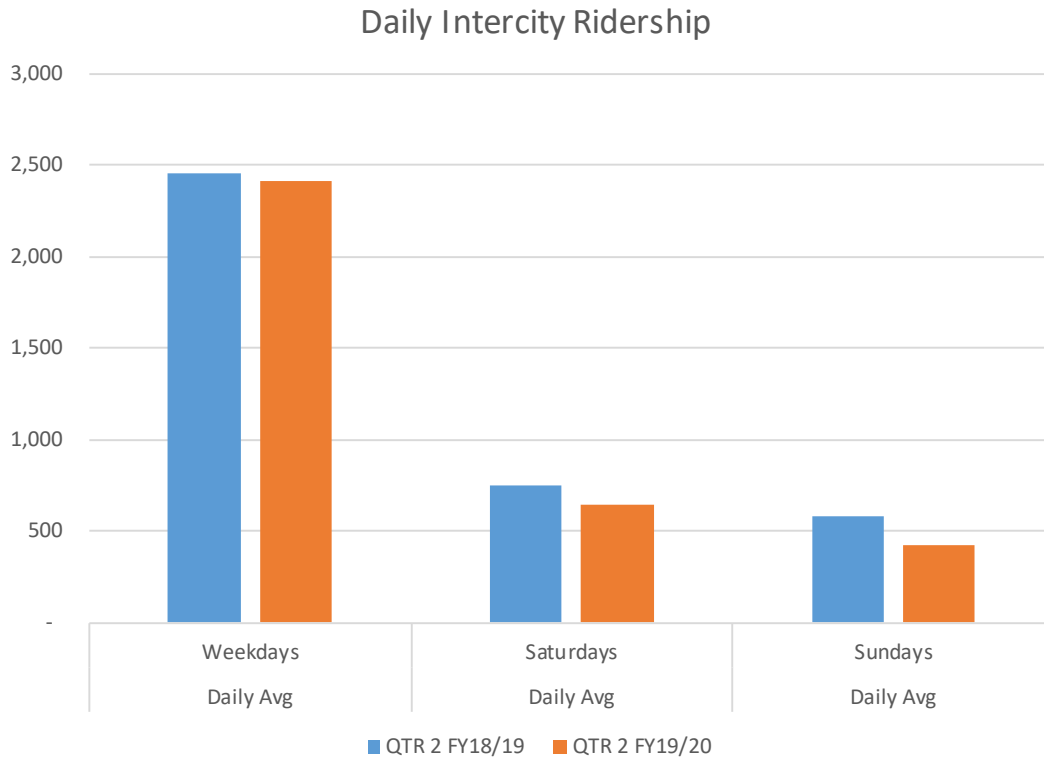
Second Quarter FY 2019-2020

Second Quarter FY 2019-2020 (OCT-NOV-DEC) Intercity Bus Performance Measures and Goals

Ridership

Performance goal: Increase in passengers quarter over quarter

The figure below provides 2nd quarter FY 2019-2020 Weekday, Saturday and Sunday system-wide daily ridership totals compared to the same quarter last year (which included an equal distribution of days). Overall, system ridership declined 4% compared to the same quarter last year from a total of approximately 175,000 to 168,000 passenger trips for the quarter; daily average weekday ridership decreased by 2% while weekend service declined 15% and 27% for Saturdays and Sundays respectively.



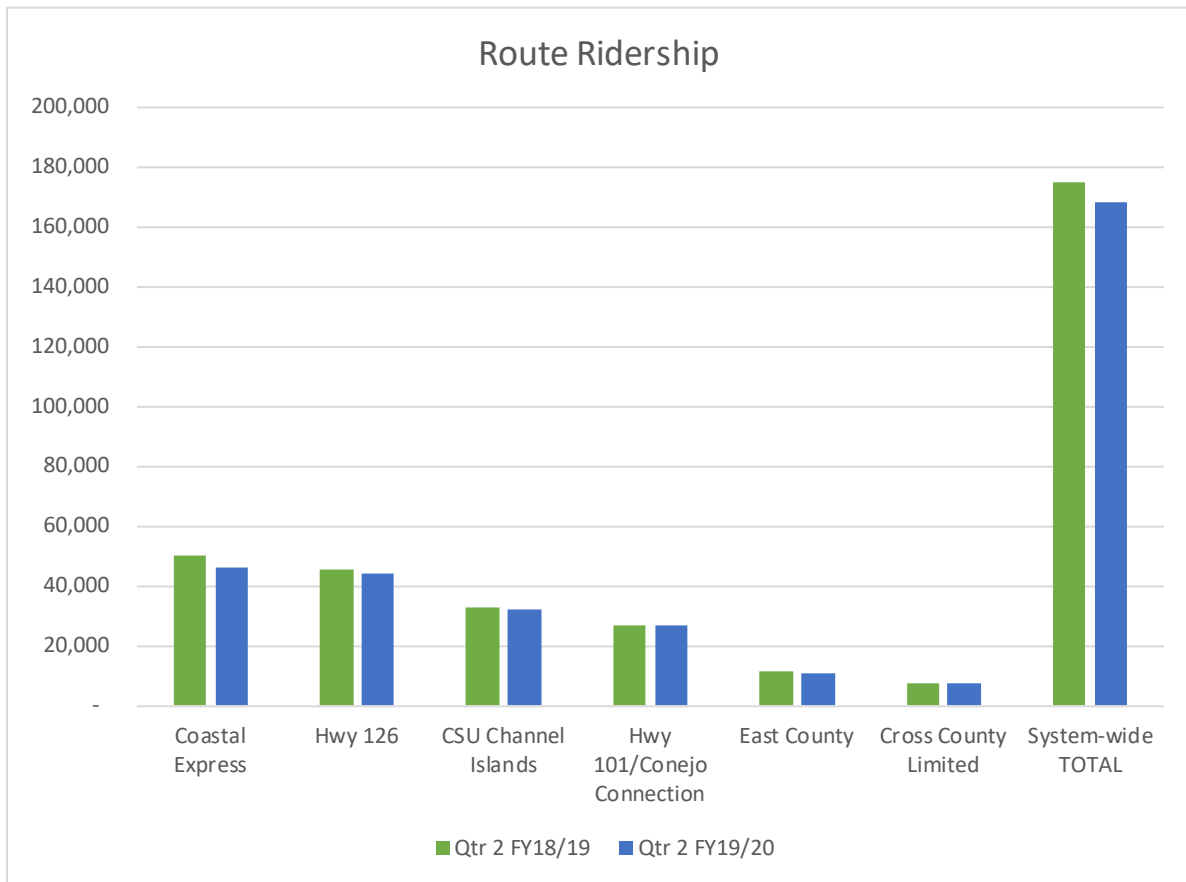
INTERCITY	DAY	QTR 2 FY18/19	QTR 2 FY19/20	% CHANGE
Daily Avg	Weekdays	2,460	2,412	-2%
Daily Avg	Saturdays	756	642	-15%
Daily Avg	Sundays	581	426	-27%

A major change to service in the past year included the discontinuation of the Oxnard-Camarillo Connector demonstration route in August 2019.

The quarter saw an 8% drop in ridership for the Coastal Express. Although this route serves students traveling to Santa Barbara, the College Ride program only allows students enrolled in Ventura County schools to ride free, so the Coastal did not experience a substantial boost in ridership from this program.

The East County route experienced a 7% decline this quarter. The Easy Fire in Simi Valley likely affected this route's ridership for the quarter with October seeing a 12% drop for that month alone.

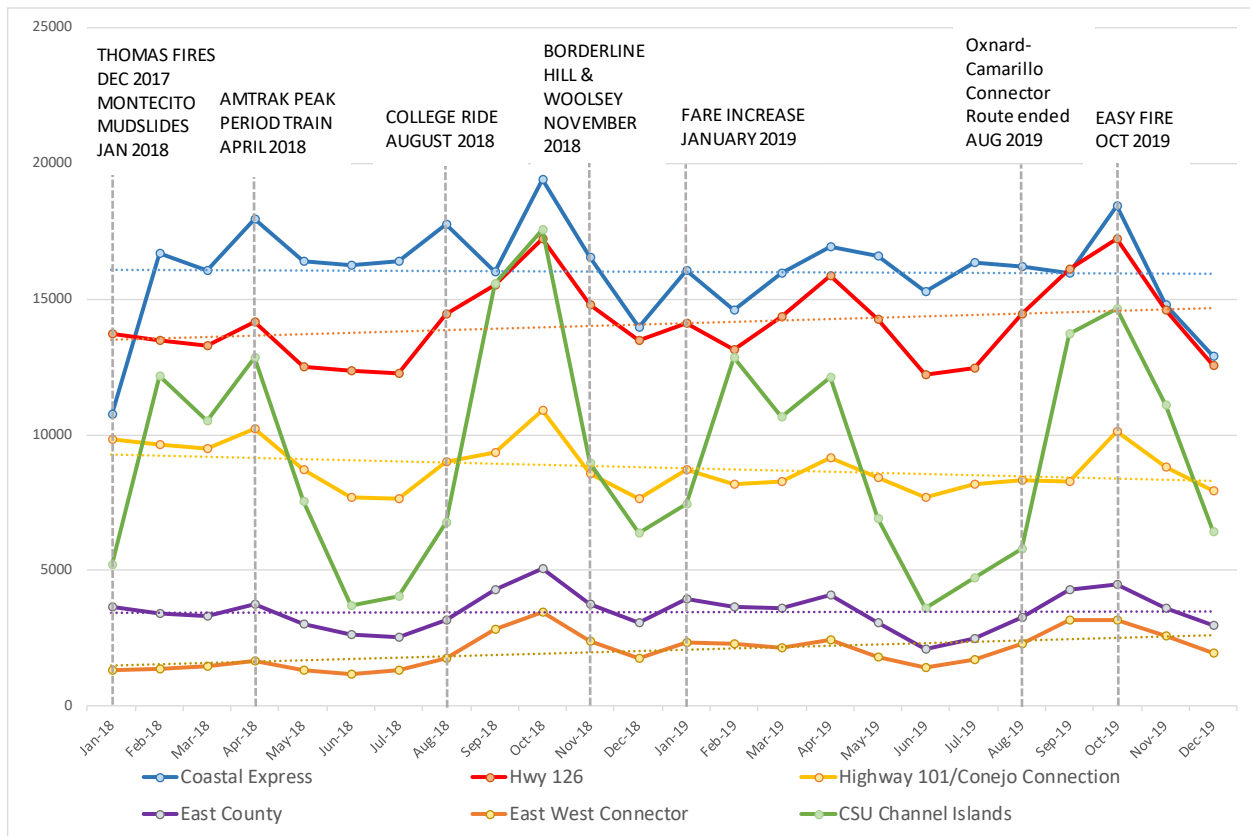
Other Intercity routes saw more modest declines of between 1% and 2%. The Cross County Limited (formerly East-West Connector) increased by 2%.






Route #	Line	Qtr 2 FY18/19	Qtr 2 FY19/20	% Change
80-89	Coastal Express	49,914	46,110	-8%
60-62	Hwy 126	45,423	44,361	-2%
90,97 (99)	CSU Channel Islands *	32,906	32,146	-2%
50-55	Hwy 101/Conejo Connection	27,102	26,877	-1%
70-73	East County	11,853	11,046	-7%
77	Cross County Limited	7,595	7,733	2%
System-wide TOTAL		174,793	168,273	-4%

* includes Oxnard-Camarillo-CSUCI Connector in FY18/19

The graph below shows ridership trends over a two-year period starting January 2018 through this quarter.

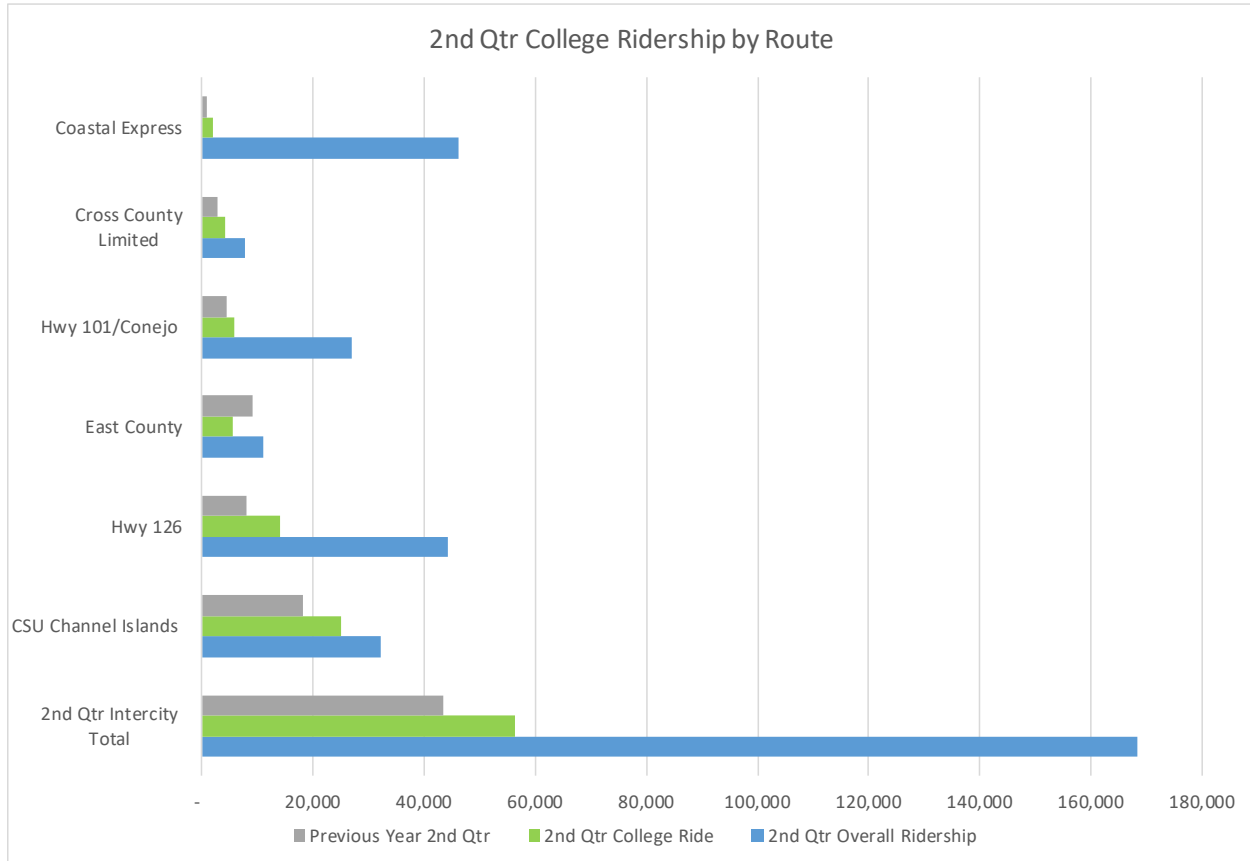


The following table provides additional information on Intercity Commuter boardings. Tracking these metrics helps VCTC understand the composition of ridership to better identify customer needs, transfer needs, potential contributing factors to on-time performance delays and other needed service improvements.

	2nd Quarter	Boardings	% of Ridership
	Wheelchair Boardings	1,054	1%
	Bicycle Boardings	6,361	4%
	Train Transfers	4,244	3%

College Ride Ridership

In the 2nd quarter of FY 2019-2020, 34% of Intercity passengers were “College Riders” with over 56,000 students participating for the quarter, an increase of 30% over the approximately 43,000 that participated last year in the same quarter. Seventy-eight percent of the CSU Channel Island route riders were college students with just over 25,000 passenger trips, roughly half of the overall participation. Approximately 50% of East County and Cross County Limited riders were college students.



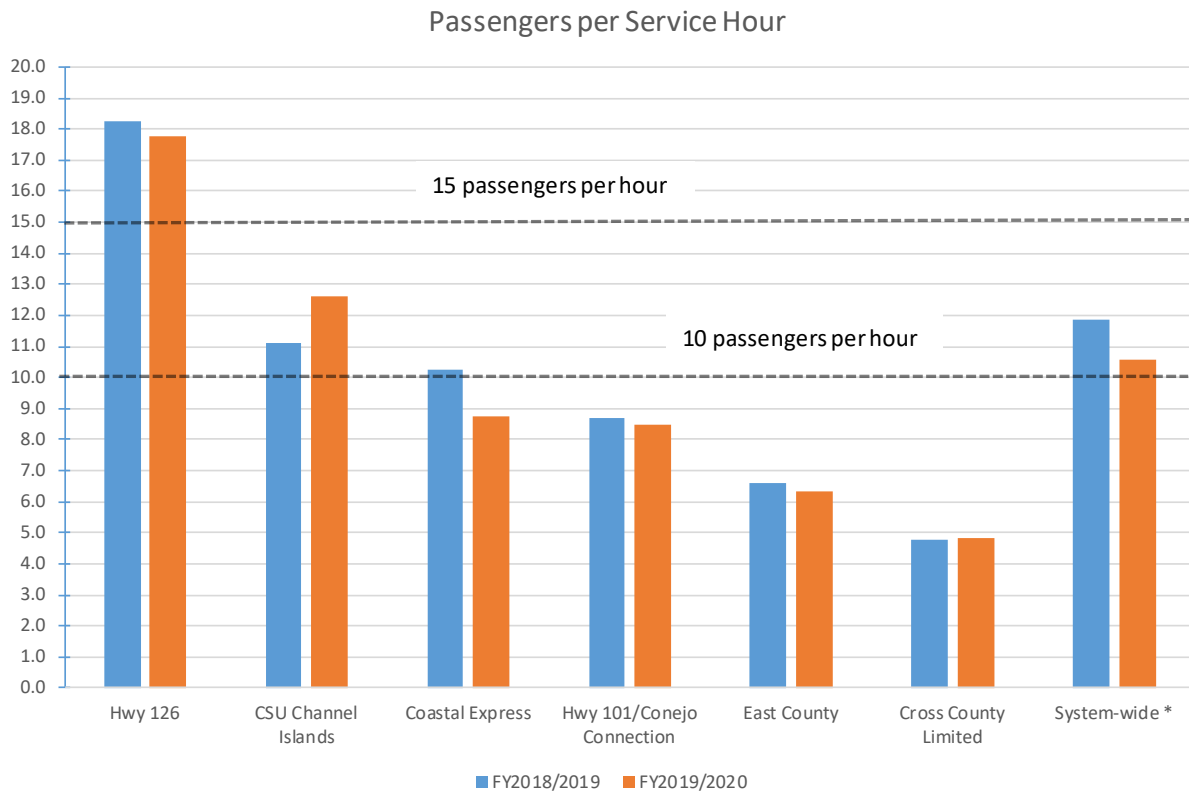
Second Quarter College Ride						
Route	Overall Ridership	College Ridership	% College Ride	Previous Year	Yr Over Yr Change	
CSU Channel Islands	32,146	25,124	78%	18,056	39%	
Hwy 126	44,361	14,049	32%	8,059	74%	
East County	11,046	5,574	50%	9,040	-38%	
Hwy 101/Conejo	26,877	5,692	21%	4,454	28%	
Cross County Limited	7,733	4,098	53%	2,744	49%	
Coastal Express	46,110	1,851	4%	936	98%	
2nd Qtr Intercity Total	168,273	56,388	34%	43,289	30%	

Productivity & Efficiency of Service

Performance goal: “Trunk” routes (designed to connect cities via local freeway and arterial streets and with few stops) carry at least 10 passengers per hour and “commuter” routes (peak period routes to employment centers with fewer stops and longer distances) carry at least 15 passengers per hour.

2nd Quarter: 10.6 passengers per hour average system-wide

In the 2nd Quarter of FY 2019-2020, Highway 126 and CSU Channel Islands routes met or exceeded standards while remaining routes fell short of the performance goal. Overall, Intercity service met the performance goal, averaging 10.6 passengers per hour for the quarter, equal to last quarter, but down 11% from the previous year’s quarter. CSU Channel Island saw gains in efficiency of service while Coastal slipped 15% due to declining ridership on the route.



Route #	Line	2nd Quarter			Performance
		FY2018/2019	FY2019/2020	% Change	Goal
60-62	Hwy 126	18.2	17.8	-2%	10-15
90,97	CSU Channel Islands	11.1	12.6	13%	15
80-89	Coastal Express	10.2	8.8	-15%	10-15
50-55	Hwy 101/Conejo Connection	8.7	8.5	-2%	10-15
70-73	East County	6.6	6.3	-4%	10
77	Cross County Limited	4.8	4.8	1%	10
System-wide *		11.8	10.6	-11%	10-15

Operating Costs and Revenue

Operating Costs

Performance goal: Less than \$13.00 cost per passenger (adjusted annually according to CPI)

2nd Quarter: \$11.52 system-wide average cost per passenger

High ridership and/or shorter distance routes saw the lowest cost per passenger with Highway 126 and CSU Channel Islands meeting the cost per passenger performance goal. Longer distance routes to the East County with fewer passengers exceeded the cost per passenger goal but improved since the last quarter. Coastal Express crept above the performance goal this quarter with the effect of declining ridership for this route. With ridership/revenue declines coupled with increasing costs, Intercity cost per passenger increased 7% system-wide.



System-wide*	Qtr 2 FY2018/2019	Qtr 2 FY2019/2020	Qtr % Change
Revenue Miles	393,792	400,909	2%
Revenue Hours	16,822	16,820	0%
Operating Cost	\$ 2,156,279	\$ 2,195,415	2%
Passenger Revenue	\$ 276,640	\$ 256,412	-7%
Operating Cost less Revenue	\$ 1,879,639	\$ 1,939,003	3%
Cost per Hour	\$ 112	\$ 115	3%
Cost per Mile	\$ 4.77	\$ 4.84	1%
Passengers	174,793	168,273	-4%
Cost per Passenger	\$ 10.75	\$ 11.52	7%

* includes demonstration route Cross County Limited

Revenue

Performance goal: 25% farebox recovery ratio

2nd Quarter: 27.7%

Farebox recovery ratio (FRR) is the ratio of passenger fares and other locally generated revenues divided by operating costs. Revenue typically includes passenger fares but may also include revenue generated from other sources and are often referred to as “route guarantees.” Although the FRR is normally calculated on an annual basis and excludes demonstration routes, quarterly reporting of this metric does provide some indication of operational efficiency and includes the grant funded demonstration route Cross County Limited.

Operating costs increased 2% while revenue declined by 7%; as a result, the FRR dropped from 12.8% to 11.7% compared to the previous year’s quarter. With the addition of route guarantees, however, the FRR remained steady at 27.7%, above the required 15% for urban systems, and above the 25% performance goal.

Passenger Revenue, Operating Cost and Farebox Recovery Ratio:

System-wide*	Qtr 2 FY2018/2019	Qtr 2 FY2019/2020	% Change
Operating Cost	\$ 2,156,279	\$ 2,195,415	2%
Passenger Revenue	\$ 276,640	\$ 256,412	-7%
Farebox Recovery Ratio not including route guarantees	12.8%	11.7%	
Passengers	174,793	168,273	-4%
Revenue per Passenger	\$ 1.58	\$ 1.52	-4%
Cost per Passenger	\$ 11	\$ 12	7%
Subsidy per Passenger	\$ 9	\$ 10	9%
Passenger Revenue including Route Guarantees	\$ 599,085	\$ 607,162	1%
Farebox Recovery Ratio including route guarantees	27.8%	27.7%	

* includes demonstration route Cross County Limited

Intercity Service Customer Satisfaction

Performance goal: Valid complaints are not to exceed ten per 100,000 boarded passengers

2nd Quarter: 8 valid complaints per 100,000 passenger boardings

Customer complaints are documented by VCTC when a rider reports dissatisfaction with the service. The complaint is then investigated for validity. VCTC’s expectation is to respond to or resolve the complaint within five days of the reported incident.

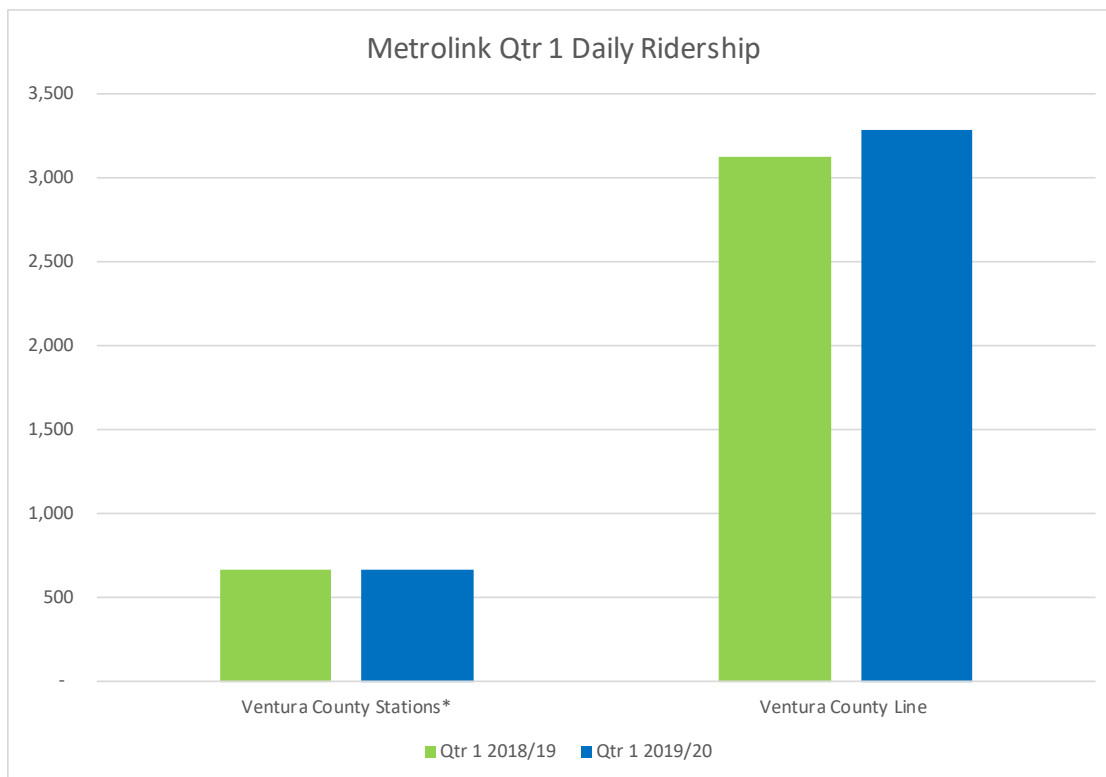
FY 2019-2020 Quarter 2 totaled thirteen (13) valid complaints for 168,273 passenger trips, equal to eight (8) complaints per 100,000 passengers. Of the valid complaints, eleven (11) were associated with driver activity (late bus, rude driver, unsafe driving); one related to the condition of the bus; and one referred to passenger activity. Drivers are counseled with respect to customer service and timely service; in the case of unsafe driving, the driver is both counseled and re-trained by the operator RATP Dev.

Second Quarter FY 2019-2020 Rail (Metrolink/Amtrak) Performance Measures

Metrolink Quarter over Quarter Ridership

Metrolink system-wide ridership in the 2nd quarter of FY 2019-2020 increased over 4% compared to the same quarter last year. The Ventura County Line, ending at LA Station and including both Ventura County and LA County stations, increased over 5% while stations within Ventura County saw decreases in ridership averaging just over 1%.

VCTC introduced a Saturday Metrolink train with an AM inbound trip from Moorpark to LA Station and an afternoon PM return trip on January 18, 2020, to help with the increased traffic demand expected the day of the Women's March in LA. Over 150 boardings were recorded for this train. Plans to introduce regular weekend service on the Ventura Line are anticipated to begin in April, 2020. Weekend train service is a common Unmet Transit Needs request for service by Ventura County residents.



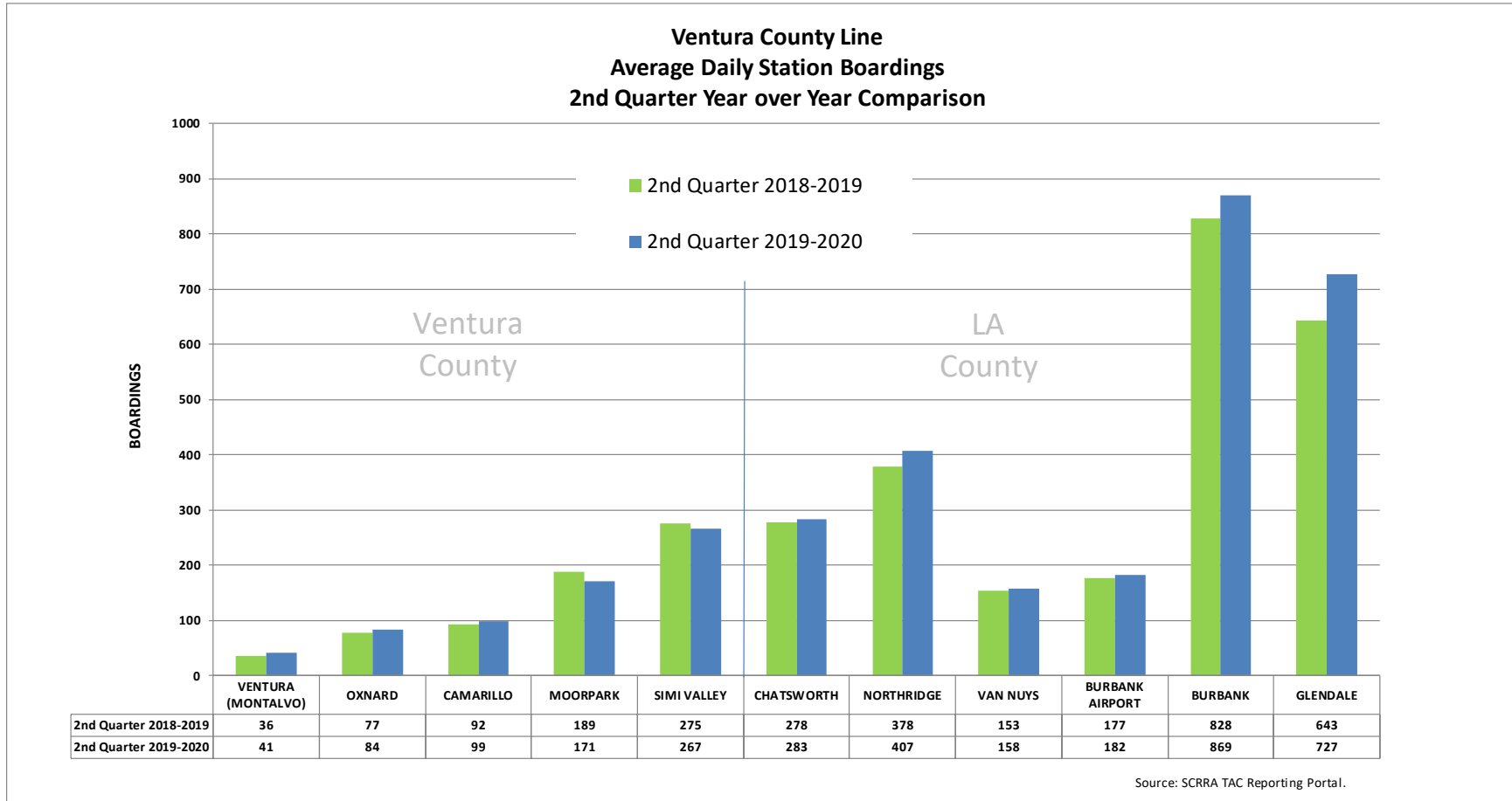
* East Ventura, Oxnard, Camarillo, Moorpark and Simi Valley.

Daily Passenger Trips

Qtr FY	Ventura County Stations	Ventura County Line	System Total
Qtr 1 2018/19	670	3,128	37,096
Qtr 1 2019/20	661	3,287	38,641
Change	-1.34%	5.08%	4.16%

Metrolink Ventura County Station 2nd Qtr Daily Boardings

Ventura County Stations comprise roughly 21% of overall boardings on the Ventura County Line and saw a decrease in ridership of 1% this quarter compared to the same quarter last year.

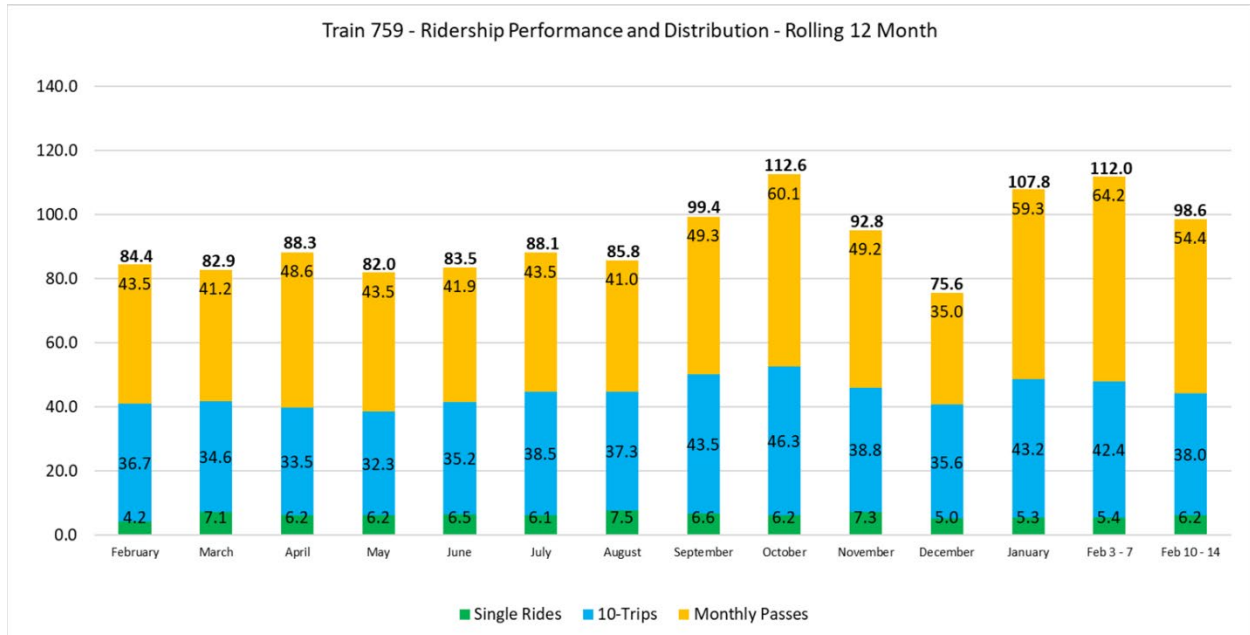


* East Ventura, Oxnard, Camarillo, Moorpark and Simi Valley.

Amtrak Peak Period Train

The following table provides rolling 12-month peak period train (#759) ridership to Santa Barbara County from Ventura County stations. Since the start of the year through February 14, the train had two major delays: a trespasser strike North of Oxnard and a debris strike North of Van Nuys.

On February 18, the LOSSAN board approved a new agreement with SBCAG for cost-sharing to continue the peak-period service through March 31, 2021.





Item #8G

March 6, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: SECTION 13(c) LABOR AGREEMENT

RECOMMENDATION:

- Approve the attached agreement with the Service Employees International Union (SEIU), Local 721, as required for VCTC's Fiscal Year 2019/20 federal transit grant applications with the Federal Transit Administration.

BACKGROUND:

VCTC staff will be filing grant applications with the Federal Transit Administration (FTA) to fund VCTC's FY 2019/20 federal transit projects and other local agency projects. As with all federal transit grant applications, we are required to enter into a U.S. Department of Labor certified agreement, commonly referred to as Section 13(c), with the SEIU which represents both Gold Coast Transit and Simi Valley Transit employees. Federal law requires that VCTC protect the jobs of union represented public transit workers and ensure that transit employees be compensated if jobs are lost as a direct result of proposed projects. Specifically, the federal government requires that the protective arrangements include:

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

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

VCTC staff's analysis indicates that none of the projects to be included in the grant application pose a risk to either Gold Coast Transit or Simi Valley Transit employees. All projects to be included in the grant applications are in VCTC's approved FY 2019/20 Program of Projects (POP).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) The Public Body, or other legally responsible party designated by the public Body, will be financially responsible for the application of these conditions and will make

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

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

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

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

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

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

(10) Any other union which is the collective bargaining representative of urban mass transportation employees in the service area of the Public Body who may be affected by

the assistance to the Public Body within the meaning of 49 U.S.C. §1609(c) other than those employed by a service contractor of the Public Body and working on the system, may become a party to this Agreement, by serving written notice of its desire to do so upon the other union representatives of the employees affected by the Project, the Public Body, and the Secretary of Labor. In the event of any disagreement that such labor organizations should become a party of this Agreement, then the dispute as to whether such labor organization shall participate shall be determined by the Secretary of Labor.

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

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

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their duly authorized representatives this _____ day of _____, 2020.

VENTURA COUNTY TRANSPORTATION COMMISSION

By _____ Date: _____
Claudia Bill-de la Peña, Chair

APPROVED AS TO FORM:

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

**SERVICE EMPLOYEES INTERNATIONAL UNION,
CTW, CLC LOCAL 721**

By _____
Danny Carrillo

Date: _____

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APPENDIX "A"

Carrier

**Gold Coast Transit
City of Simi Valley**

Union

**SEIU Local 721
SEIU Local 721**

Appendix "B"

EMPLOYEE PROTECTIONS DIGEST

APPENDIX C-1

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

ARTICLE I

1. DEFINITIONS – The definitions in Article I of the Agreement and in the Act apply in this Appendix and in the event of conflict in definitions, those in the Act shall be controlling. In addition, whenever used in this Appendix, unless its context requires otherwise:
 - (a) "Transaction" means a discontinuance of Intercity Rail Passenger Service pursuant to the provisions of the Act.
 - (b) "Displaced employee" means an employee of Railroad who, as a result of a transaction is placed in a worse position with respect to his compensation and rules governing his working conditions, unless changed by future collective bargaining agreements or applicable statutes.
 - (c) "Dismissed employee" means an employee of Railroad who, as a result of a transaction is deprived of employment with Railroad because of the abolition of his position or the loss thereof as the result of the exercise of seniority rights by an employee whose position is abolished as a result of a transaction.
 - (d) "Protective period" means that period of time during which a displaced or dismissed employee is to be provided protection hereunder and extends from the date on which an employee is displaced or dismissed to the expiration of 6 years therefrom, provided, however, that the protective period for any particular employee shall not continue for a longer period following the date he was displaced or dismissed than the period during which such employee was in the employ of Railroad prior to the date of his displacement or his dismissal. For purposes of this Appendix, an employee's length of service shall be determined in accordance with the

provisions of section 7 (b) of the Washington Job Protection Agreement of May, 1936.

2. The rates of pay, rules, working conditions and all collective bargaining and other rights, privileges and benefits (including continuation of pension rights and benefits) of Railroad's employees under applicable laws and/or existing collective bargaining agreements or otherwise shall be preserved unless changed by future collective bargaining agreements or applicable statutes.
3. Nothing in this Appendix shall be construed as depriving any employee of any rights or benefits or eliminating any obligations which such employee may have under any existing job security or other protective conditions or arrangements; provided, that there shall be no duplication or pyramiding of benefits to any employees, and, provided further, that the benefits under this Appendix, or any other arrangement, shall be construed to include the conditions, responsibilities and obligations accompanying such benefits.
4. When Railroad contemplates a transaction after May 1, 1971, it shall give at least twenty (20) days written notice of such intended transaction by posting a notice on bulletin boards convenient to the interested employees of Railroad (including terminal companies and other enterprises covered by Article III of this Appendix) and by sending registered mail notice to the representatives of such interested employees; if Railroad contemplates a transaction on May 1, 1971 it shall give the notice as soon as possible after the signing of this Agreement, prior to May 1, 1971. Such notice shall contain a full and adequate statement of the proposed changes to be effected by such transaction, including an estimate of the number of employees of each class affected by the intended changes.

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

- (a) Within five (5) days from the termination of negotiations, the parties shall select a neutral referee and in the event they are unable to agree

within said five (5) days upon the selection of said referee, then the National Mediation Board shall immediately appoint a referee.

- (b) No later than twenty (20) days after a referee has been designated a hearing on the dispute shall commence.
- (c) The decision of the referee shall be final, binding, and conclusive and shall be rendered within thirty (30) days from the commencement of the hearing of the dispute.
- (d) The salary and expenses of the referee shall be borne equally by the parties to the proceeding; all other expenses shall be paid by the party incurring them.

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

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

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

December 26, 1970 and December 25, 1972 and 12 hours limit for any allowances paid thereafter); provided further, that such allowance shall also be adjusted to reflect subsequent general wage increases.

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

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

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

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

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

(c) The dismissal allowance of any dismissed employee who is otherwise employed shall be reduced to the extent that his combined monthly earnings in such other employment, any benefits received under any unemployment insurance law, and his dismissal allowance exceed the amount upon which his dismissal allowance is based. Such employee, or his representative, and Railroad shall agree upon a procedure by which Railroad shall be currently informed of the earnings of such employee in employment other than with Railroad, and the benefit received.

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

7. SEPARATION ALLOWANCE – A dismissed employee entitled to protection under this Appendix, may, at his option within 7 days of his dismissal, resign and (in lieu of all other benefits and protections provided in this Appendix) accept a lump sum payment computed in accordance with Section 9 of the Washington Job Protection Agreement of May, 1936.
8. FRINGE BENEFITS – No employee of Railroad who is affected by a transaction shall be deprived during his protective period of benefits attached to his previous employment, such as free transportation, hospitalization, pensions, relief, et cetera, under the same conditions and so long as such benefits continue to be accorded to other employees of Railroad, in active service or on furlough as the case may be, to the extent that such benefits can be so maintained under present authority of law or corporate action or through future authorization which may be obtained.
9. MOVING EXPENSES – Any employee retained in the service of Railroad or who is later restored to service after being entitled to receive a dismissal allowance, and who is required to change the point of his employment as a result of the transaction, and who within his protective period is required to move his place of residence, shall be reimbursed for all expenses of moving his household and other personal effects, for the traveling expenses of himself and members of his family, including living expenses for himself and his family and for his own actual wage loss, not to exceed three working days, the exact extent of the responsibility of Railroad during the time necessary for such transfer and for a reasonable time thereafter and the ways and means of transportation to be agreed upon in advance by Railroad and the affected

employee or his representatives; provided, however, that changes in place of residence which are not a result of the transaction, which are made subsequent to the initial change or which grow out of the normal exercise of seniority rights, shall not be considered to be within the purview of this Section; provided further, that the Railroad shall, to the same extent provided above, assume the expenses, etc. for any employee furloughed within three (3) years after changing his point of employment as a result of a transaction, who elects to move his place of residence back to his original point of employment. No claim for reimbursement shall be paid under the provisions of this Section unless such claim is presented to Railroad within 90 days after the date on which the expenses were incurred.

10. Should Railroad rearrange or adjust its forces in anticipation of a transaction with the purpose or effect of depriving an employee of benefits to which he otherwise would have become entitled under this Appendix, this Appendix will apply to such employee.

11. ARBITRATION OF DISPUTES – (a) In the event Railroad and its employees or their authorized representatives cannot settle any dispute or controversy with respect to the interpretation, application or enforcement of any provision of this Appendix, except Section 4 and 12 of this Article I, within 20 days after the dispute arises, it may be referred by either party to an arbitration committee. Upon notice in writing served by one party to refer a dispute or controversy to an arbitration committee, each party shall, within 10 days, select one member of the committee and the members thus chosen shall select a neutral member who shall serve as chairman. If any party fails to select its member of the arbitration committee within the prescribed time limit, the general chairman of the involved labor organization or the highest officer designated by Railroad, as the case may be, shall be deemed the selected member, and the committee shall then function and its decision shall have the same force and effect as though all parties had selected their members. Should the members be unable to agree upon the appointment of the neutral member within 10 days, the parties shall then within an additional 10 days endeavor to agree to a method by which a neutral member shall be appointed, and, failing such agreement, either party may request the National Mediation Board to designate within 10 days the neutral member whose designation will be binding upon the parties.

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

(c) The decision, by majority vote, of the arbitration committee shall be final, binding, and conclusive and shall be rendered within 45 days after the

hearing of the dispute or controversy has been concluded and the record closed.

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

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

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

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

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

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

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

ARTICLE II

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

ARTICLE III

Subject to this Appendix, as if employees of Railroad, shall be employees, if affected by a transaction, of separately incorporated terminal companies which are owned (in whole or in part) or used by Railroad and employees of any other enterprise within the definition of common carrier by railroad in Section 1(3) of Part I of the Interstate Commerce Act, as amended, in which Railroad has an interest, to which Railroad provided facilities, or with which Railroad contracts for use of facilities, or the facilities of which Railroad otherwise uses; except that the provisions of this Appendix shall be suspended with respect to each such employee until and unless he

applies for employment with each owning carrier and each using carrier and to the National Railroad Passenger Corporation; provided that said carriers and the National Railroad Passenger Corporation shall establish one convenient central location for each terminal or other enterprise for receipt of one such application which will be effective as to all said carriers and the Corporation and Railroad shall notify such employees of this requirement and of the location for receipt of the application. Such employees shall not be entitled to any of the benefits of this Appendix in the case of failure, without good cause, to accept comparable employment, which does not require a change in place of residence, under the same conditions as apply to other employees under this Appendix, with the National Railroad Passenger Corporation or any carrier for which application for employment has been made in accordance with this section.

ARTICLE IV

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

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

ARTICLE V

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



Item #9

March 6, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: LEGISLATIVE UPDATE AND POSITION ON BILL

RECOMMENDATION:

- Adopt "Oppose" position on AB 2011 (Holden), which would require the San Bernardino County Transportation Authority to hand over implementation of a specific project to a joint powers authority.

DISCUSSION:

State Issues

Attachment A is the monthly report of Delaney Hunter, the Commission's state lobbyist. The report describes the current status of bills potentially affecting transportation agencies.

The lobbyist has provided in Attachment B an analysis of AB 2011 (Chris Holden, D-Pasadena). Staff is concerned that this bill establishes an inappropriate precedent in that it prevents a board that is similar to VCTC from exercising its discretion regarding who should implement a regional project. In this case, the Board of the San Bernardino County Transportation Authority had intended to directly oversee the project, as it has other projects, and is opposed to setting up a project-specific joint powers authority; yet AB 2011 would require that the separate project authority be established. Staff therefore recommends the Commission register its opposition to this bill.

Attachment C provides the status of bills being tracked by the Commission. At the last meeting, the Commission approved the revised staff recommendation to adopt a "Work with Author" position on any bills that mandate provision of free transit fares to a specific group as a condition for receipt of state transit funding apportionments. The staff report analyzed one such bill, AB 1350 (Gonzalez), which requires free transit passes for youth. During the meeting staff informed the Commission of another such bill, AB 2012 (Chu) which requires free transit for seniors. A third bill, AB 2176 (Holden) has now been introduced, making the same requirement applicable to students at community colleges, California State University, and the University of California. Based on the Commission's action, all three bills are shown as having the "Work with Author" position.

The matrix also includes ACA 1, on which the Commission last year adopted a “Support” position. This bill would place on the statewide ballot a constitutional amendment to reduce the supermajority requirement for new local taxes funding specified infrastructure including housing and transportation. This bill last year cleared the Assembly committees, was voted down on the Assembly floor, and was granted reconsideration, so it remains in place this year for another possible Assembly vote.



CALIFORNIA ADVISORS, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION MONTHLY STATE ADVOCACY REPORT FEBRUARY 2020

Legislative Update

The focus of the Legislature in January was moving all the “two-year” bills that were still in their house of origin into the second house. As a result, the first month back in session resulted in a number of policy and fiscal committee hearings to advance these bills. The bulk of those two-year bills were issues that needed additional time to be worked out or last attempts to move the bills against opposition. However, after the January 31st deadline, the focus of the Legislature shifted to newly introduced bills. The deadline to introduce bills for the 2020 legislative session was February 21st, so the weeks prior consisted mostly of initial groundwork and informational hearings to set the table for new bills. After being introduced, bills must be in print for 30 days before being taken up in committee, so the policy committee process will commence starting in March and all of the new bills will begin to be scheduled for their first policy hearings. Finally, these bills will have to be out of the first house policy committee before Friday, April 24th.

Transportation Related Reports

On February 10th the Legislative Analysts’ Office (LAO) has published the review of the Governor’s 2020-21 budget proposals for the state’s transportation departments and programs.

In total, the proposed budget includes \$26.9 billion for transportation programs, including the California Department of Transportation, local streets and roads, the high-speed rail project, California Highway Patrol (CHP), and Department of Motor Vehicles. This total is \$3.4 billion higher than estimated current-year spending for these programs. One contributor to the increase in state transportation spending is the passage of SB 1 (Beall). LAO found that since the enactment of SB 1, state revenue collected from fuel taxes and certain vehicle fees has doubled, growing from \$6.4 billion in 2016-17 to \$12.7 billion in 2020-21.

The LAO reviews and provides independent recommendations related to the Governor’s budget proposals. For example, LAO found that it is unclear if the Governor’s proposal to create a \$7 million CHP-led task force is the most effective way to address the problem of illicit vaping. They recommend the Legislature consider a range of issues in determining what approach it wants to take to reduce the public health effects of illicit vaping products—such as available information on the scope of the problem, potential effectiveness of alternative strategies, and the relative merits of having other entities lead the task force.

In several cases, they found that the administration's proposals do address legitimate programmatic and fiscal challenges facing the state, including the future insolvency of the Motor Vehicle Account, increasing quantities of litter on state highways, and a high rate of collisions with pedestrians and bicyclists on the state highways. In each of these cases, LAO recommends ongoing legislative oversight to better ensure that the underlying causes of these problems are clearly defined and can inform future policy and fiscal decisions.

Transportation Related Hearings

On February 11th the Senate Transportation Committee held an informational hearing on the progress of SB 1. The purpose of a hearing was to receive an update on the Road Repair and Accountability Act of 2017 (SB 1) and to hear what the funds have accomplished around the state. Panelists included members from California State Transportation Agency, California Department of Transportation, California Transportation Commission, some local agencies (SCVTA, Self Help Counties, League of California Cities), and Transportation California. One of the highlights was that while California did its part to provide funding to improve transportation infrastructure, it was stressed that the federal government has not. In January, the House Transportation and Infrastructure Committee released its framework for significant new infrastructure investment. If this becomes law, it will provide a significant funding boost for roads, transit agencies, and rail lines.

Legislation for Consideration

Listed below is newly introduced bill that may be of interest to the Commission (analysis attached separately).

AB 2011 by Assembly Member Holden creates the West San Bernardino Construction Authority responsible for creating rail access to the Ontario International Airport.

Upcoming Bill Deadlines and 2 Year Bills

January 31 – Deadline for 2-year bills to make it out of house of origin.

February 21 – Deadline for bill introductions

April 2 - 13 – Spring Recess

April 24 – Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house

May 1 – Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house

May 15 - Last day for fiscal committees to hear and report to the floor bills introduced in their house

May 26-29 – Floor Sessions Only

May 29 - Last day for each house to pass bills introduced in that house

Below is a list of VCTC tracked bills:

AB 145 (Frazier D) High-Speed Rail Authority: Senate confirmation.

Introduced: 12/13/2018

Status: 1/17/2020-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Committee on Rules for assignment.

Summary: Current law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 11 members, including 5 voting members appointed by the Governor, 4 voting members appointed by the Legislature, and 2 nonvoting legislative members. This bill would provide that the members of the authority appointed by the Governor are subject to appointment with the advice and consent of the Senate.

AB 148 (Quirk-Silva D) Regional transportation plans: sustainable communities strategies.

Introduced: 12/14/2018

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Current law requires the regional transportation plan to include, if the transportation planning agency is also a metropolitan planning organization, a sustainable communities strategy. This bill would require each sustainable communities strategy to identify areas within the region sufficient to house an 8-year projection of the emergency shelter needs for the region, as specified.

AB 246 (Mathis R) State highways: property leases.

Introduced: 1/22/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would authorize the Department of Transportation to offer a lease on a right of first refusal basis of any airspace under a freeway, or real property acquired for highway purposes, located in a disadvantaged community, that is not excess property to the city or county in which the disadvantaged community is located for purposes of an emergency shelter or feeding program, or for park, recreational, or open-space purposes for a rental amount of \$1 per month, subject to certain conditions.

AB 287 (Voepel R) Public employees' retirement: annual audits.

Introduced: 1/28/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Current law requires each state and local public pension or retirement system, on and after the 90th day following the completion of the annual audit of the system, to provide a concise annual report on the investments and earnings of the system, as specified, to any member who makes a request and pays a fee, if required, for the costs incurred in preparation and dissemination of that report. This bill would also require each state and local pension or retirement system to post a concise annual audit of the information described above on that system's internet website no later than the 90th day following the audit's completion.

AB 313 (Frazier D) Road Maintenance and Rehabilitation Account: University of California: California State University: reports.

Introduced: 1/30/2019

Status: 5/29/2019-Referred to Committee on Rules.

Summary: Would require the University of California and the California State University, on or before January 1 of each year, to each submit a report to the Transportation Agency and specified legislative committees detailing its expenditures of those moneys for the previous fiscal year, including, but not limited to, research activities and administration.

AB 315 (Garcia, Christina D) Local government: lobbying associations: expenditure of public funds.

Introduced: 1/30/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Current law authorizes the legislative body of a local agency, defined as a county, city, or city and county, or a district, defined broadly to include other political subdivisions or public corporations in the state other than the state or a county, city and county, or city, to attend the Legislature and the Congress of the United States, and any committees thereof, and to present information regarding legislation that the legislative body or the district deems to be beneficial or detrimental to the local agency or the district. Current law also authorizes the legislative body of a local agency or a district to enter into an association for these purposes and specifies that the cost and expense incident to the legislative body's or district's membership in the association and the activities of the association are proper charges against the local agencies or districts comprising the association. This bill, with respect to moneys paid to or otherwise received by an association from a local agency or district member of the association, would prohibit an association of local agencies or districts from expending those moneys for any purpose other than the above-described activities and educational activities.

AB 322 (Gallagher R) Political Reform Act of 1974: online filing and disclosure system.

Introduced: 1/30/2019

Status: 2/3/2020-Died on third reading file.

Summary: Would require a local government agency to post on its internet website a copy of any specified statement, report, or other document filed with that agency in paper format. This bill would require that the statement, report, or other document be made available for four years from the date of the election associated with the filing. By imposing a new duty on local government agencies, this bill would impose a state-mandated local program.

AB 352 (Garcia, Eduardo D) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.

Introduced: 2/4/2019

Status: 8/14/2019-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Committee on Environmental Quality.

Summary: Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,920,000,000 pursuant to the State General Obligation Bond Law to finance a wildfire prevention, safe drinking water, drought preparation, and flood protection program. The bill would provide for the submission of these provisions to the voters at the November 3, 2020, statewide general election. The bill would provide that its provisions are severable.

AB 371 (Frazier D) Transportation: freight: statewide economic vitality assessment.

Introduced: 2/5/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would require GO-Biz, in consultation with the State Air Resources Board, the California Transportation Commission, and the Transportation Agency, to prepare a statewide economic vitality

assessment of the California freight industry on or before December 31, 2021, and to update the assessment at least once every five years. The bill would require the assessment to identify specified information, and would require the office, in developing the assessment, to consult with representatives from a cross section of public and private sector freight stakeholders.

AB 380 (Frazier D) Office of the Transportation Inspector General.

Introduced: 2/5/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would eliminate the Independent Office of Audits and Investigations and would instead create the Independent Office of the Transportation Inspector General in state government, as an independent office that would not be a subdivision of any other government entity, to ensure that specified state agencies and all external entities that receive state and federal transportation funds are operating efficiently, effectively, and in compliance with federal and state laws.

AB 421 (Waldron R) Transportation finance: De Luz Community Services District

Introduced: 2/7/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: With respect to the portion of revenues that is derived from increases in the motor vehicle fuel excise tax beginning in 2010, current law requires, after certain allocations are made, the Controller to allocate the remaining amount of this portion of revenues 44% to the state transportation improvement program, 12% to the State Highway Operation and Protection Program, and 44% to cities and counties for local street and road purposes. This bill would require the Controller to allocate a portion of these revenues available for counties to the De Luz Community Services District for local street and road purposes as though the De Luz Community Services District were a county. The bill would thereby make an appropriation.

AB 422 (Frazier D) High-speed rail: performance measurement dashboards.

Introduced: 2/7/2019

Status: 7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was TRANS. on 5/8/2019) (May be acted upon Jan 2020)

Summary: Current law requires the High-Speed Rail Authority to establish an independent peer review group for purposes 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, including the funding plan for each corridor. This bill would require the authority, in consultation with the peer review group, to develop and update quarterly a set of summary performance measurement dashboards that show ongoing performance of the project and post on its internet website full sets of the summary performance measurement dashboards.

AB 510 (Cooley D) Local government records: destruction of records.

Introduced: 2/13/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Current law authorizes the head of a department of a county or city, or the head of a special district to destroy recordings of telephone and radio communications maintained by that county, city, or special district after 100 days if that person receives approval from the legislative body and the written consent of the agency attorney. This bill would exempt the head of a department of a county or city, or the head of a special district from these recording retention requirements if the county, city, or special district

adopts a records retention policy governing recordings of routine video monitoring and recordings of telephone and radio communications.

AB 553 (Melendez R) High-speed rail bonds: housing.

Introduced: 2/13/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

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.

AB 554 (Chen R) Traffic control devices: flares.

Introduced: 2/13/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would prohibit the Department of Transportation or persons contracting with the department for the construction, maintenance, or repair of a highway from using flares as a traffic control device, as defined. The bill would exclude the Department of the California Highway Patrol's use of flares from this prohibition when it cooperates with the Department of Transportation in the enforcement of the closing, or restriction of use, of any state highway.

AB 652 (Mayes R) Supplemental destination highway signs

Introduced: 2/15/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would require the Department of Transportation to include a private stadium or sports arena as a facility that qualifies for supplemental destination signs in its regulations if the stadium otherwise meets the criteria for supplemental destination signs described in the California Manual on Uniform Traffic Control Devices.

AB 659 (Mullin D) Transportation: emerging transportation technologies: California Smart City Challenge Grant Program.

Introduced: 2/15/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would establish the California Smart City Challenge Grant Program to enable municipalities to compete for grant funding for emerging transportation technologies to serve their transportation system needs and would specify certain program goals. The bill would require the commission to form the California Smart City Challenge Workgroup on or before July 1, 2020, to guide the commission on program matters, as specified. The bill would require the commission, in consultation with the workgroup, to develop guidelines on or before March 1, 2021, for the program, which would not be subject to the Administrative Procedure Act and would authorize the commission to revise them as necessary.

AB 676 (Frazier D) California Transportation Commission: annual report.

Introduced: 2/15/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Current law requires the California Transportation Commission to adopt and submit to the Legislature, by December 15 of each year, an annual report summarizing the commission's prior-year decisions in allocating transportation capital outlay appropriations and identifying timely and relevant

transportation issues facing the state. This bill would instead require the commission to adopt and submit the annual report by December 31 of each year.

AB 802 (Stone, Mark D) Reports to the Legislature.

Introduced: 2/20/2019

Status: 8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/12/2019) (May be acted upon Jan 2020)

Summary: Would require state and local agencies to submit all reports to the Secretary of the Senate, the Chief Clerk of the Assembly, and the Legislative Counsel electronically, rather than submitting a printed copy, and would eliminate the requirement that state agencies separately submit the summary of the report directly to Members of the Legislature. For reports involving data collection or analysis, the bill would require a state agency to post all data used to generate the report on the agency's internet website at the time the report is posted.

AB 821 (O'Donnell D) Transportation: Trade Corridor Enhancement Account: project nomination: California Port Efficiency Program.

Introduced: 2/20/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Current law creates the Trade Corridor Enhancement Account to receive revenues attributable to 50% of a \$0.20 per gallon increase in the diesel fuel excise tax imposed by the Road Repair and Accountability Act of 2017 for corridor-based freight projects nominated by local agencies and the state. Current law makes these funds and certain federal funds apportioned to the state available upon appropriation for allocation by the California Transportation Commission for trade infrastructure improvement projects that meet specified requirements. This bill would require the commission to allocate not less than 10% of the funds that are required to be allocated to projects nominated by the department to projects nominated pursuant to the California Port Efficiency Program, which this bill would create.

AB 847 (Grayson D) Housing: transportation-related impact fees grant program.

Introduced: 2/20/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would require the Department of Housing and Community Development, on or before June 30, 2020, and on or before June 30 every year thereafter, to review each production report submitted by a city or county in accordance with the provisions described above to determine if that city or county has met its very low, low-, and moderate-income housing goals, as defined, for that reporting period. The bill would require the department, if it determines that a city or county has met one of those housing goals, to submit a certification of that result to the Controller by no later than June 30 of that year.

AB 905 (Chen R) Department of Transportation: Highway Design Manual: fire prone areas.

Introduced: 2/20/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Current law provides that the Department of Transportation has full possession and control of the state highway system and associated property. Current law vests various powers in the department including, among others, the planning, designing, constructing, maintaining, and operating of transportation systems under its jurisdiction. This bill would require the department to update the Highway Design Manual to incorporate the use of k-rails, weed mats, or other fire proofing devices in fire prone areas.

AB 992 (Mullin D) Open meetings: local agencies: social media.

Introduced: 2/21/2019

Status: 1/30/2020-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Summary: The Ralph M. Brown Act generally requires that the meetings of legislative bodies of local agencies be conducted openly. That act defines “meeting” for purposes of the act and prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. This bill would provide that the prohibition described above does not apply to the participation, as defined, in an internet-based social media platform, as defined, by a majority of the members of a legislative body, provided that a majority of the members do not discuss among themselves, as defined, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

AB 1056 (Garcia, Eduardo D) Speed laws: residence districts.

Introduced: 2/21/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would authorize the County of Imperial to implement a demonstration project to expand the definition of a residence district for purposes of existing speed laws to include any portion of a highway and the property contiguous to that highway, with at least 13 separate dwelling houses or business structures located upon both sides of the property contiguous to the highway, collectively, within a distance of 1/4 mile.

AB 1112 (Friedman D) Shared mobility devices: local regulation.

Introduced: 2/21/2019

Status: 7/12/2019-Failed Deadline pursuant to Rule 61(a)(11). (Last location was TRANS. on 5/29/2019) (May be acted upon Jan 2020)

Summary: Current law generally regulates the operation of bicycles, electric bicycles, motorized scooters, and electrically motorized boards. Current law allows local authorities to regulate the registration, parking, and operation of bicycles and motorized scooters in a manner that does not conflict with state law. This bill would define a “shared mobility device” as a bicycle, electric bicycle, motorized scooter, electrically motorized board, or other similar personal transportation device, that is made available to the public for shared use and transportation, as provided.

AB 1142 (Friedman D) Regional transportation plans.

Introduced: 2/21/2019

Status: 8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/19/2019)(May be acted upon Jan 2020)

Summary: Current law requires a regional transportation plan to include a policy element, an action element, a financial element, and, if the transportation planning agency is also a metropolitan planning organization, a sustainable communities strategy. Under current law, the policy element describes the transportation issues in the region, identifies and quantifies regional needs, and describes the desired short-range and long-range transportation goals, as well as pragmatic objective and policy statements.

Current law authorizes the policy element of transportation planning agencies with populations that exceed 200,000 persons to quantify a set of specified indicators. This bill would authorize the inclusion of an additional indicator regarding measures of policies to increase use of existing transit.

AB 1148 (Patterson R) High-speed rail: independent peer review group.

Introduced: 2/21/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would require the independent peer review group to study and annually report to the Legislature on alternative uses for high-speed rail project infrastructure that is located in the project's Central Valley corridor and the construction of which the group anticipates will be completed by the end of the calendar year in which the report will be submitted to the Legislature.

AB 1167 (Mathis R) Greenhouse Gas Reduction Fund: high-speed rail: forestry and fire protection.

Introduced: 2/21/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would no longer continuously appropriate 25% of the annual proceeds of the Greenhouse Gas Reduction Fund for certain components of a specified high-speed rail project. The bill, beginning with the 2021–22 fiscal year, would continuously appropriate 25% of the annual proceeds of the Greenhouse Gas Reduction Fund to the Department of Forestry and Fire Protection to purchase new engines and equipment, hire new firefighters, and clear overgrowth or tree mortality and to the Firefighter Home Relief Trust Fund Program.

AB 1243 (Fong R) Traffic Relief and Road Improvement Act.

Introduced: 2/21/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

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, and certain miscellaneous State Highway Account revenues.

AB 1277 (Oberholte R) Transportation projects: oversight committees.

Introduced: 2/21/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would require a public agency administering a megaproject, which the bill would define as a transportation project with total estimated development and construction costs exceeding \$1,000,000,000, to take specified actions to manage the risks associated with the megaproject, including establishing a comprehensive risk management plan and regularly reassessing its reserves for potential claims and unknown risks. The bill would require a public agency administering a megaproject to establish a project oversight committee composed of specified individuals to review the megaproject and perform other specified duties.

AB 1350 (Gonzalez D) Youth Transit Pass Pilot Program.

Introduced: 2/22/2019

Status: 1/28/2020-In Senate. Read first time. To Committee on Rules for assignment.

Summary: Would require transit agencies to offer free youth transit passes to persons 18 years of age and under in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program. The bill would also require a free youth transit pass to count as a full price fare for purposes of calculating the ratio of fare revenues to operating costs.

AB 1374 (Fong R) Department of Transportation: state highways.

Introduced: 2/22/2019

Status: 2/3/2020-Died at Desk.

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 1402 (Petrie-Norris D) Active Transportation Program.

Introduced: 2/22/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would require the Department of Transportation, instead of the California Transportation Commission, to award funds to projects in the statewide and small urban and rural region distribution categories and to adopt a program of projects for those distribution categories. The bill would require that 75% of available funds be awarded to MPO's in urban areas with populations greater than 200,000, in proportion to their relative share of the population, 15% to small urban and rural regions with populations of 200,000 or less, competitively awarded by the department to projects in those regions, and 10% to projects competitively awarded by the department, in consultation with the commission, on a statewide basis.

AB 1411 (Reyes D) Integrated action plan for sustainable freight.

Introduced: 2/22/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would establish as a state goal the deployment of 100,000 zero-emission medium- and heavy-duty vehicles and off-road vehicles and equipment, and the corresponding infrastructure to support them, by 2030.

AB 1424 (Berman D) Electric Vehicle Charging Stations Open Access Act.

Introduced: 2/22/2019

Status: 8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/19/2019) (May be acted upon Jan 2020)

Summary: Would require an electric vehicle charging station to provide to the general public a minimum of 2 out of a list of 4 specified options for payment, in addition to a toll-free telephone number for processing a credit card payment. The bill would prohibit a state agency from requiring a credit card payment, as defined, to be through a physical credit card or magstripe reader on electric vehicle service equipment.

AB 1430 (Garcia, Eduardo D) State government: public investment opportunities: cost-effective definition.

Introduced: 2/22/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Current law authorizes the Public Utilities Commission, the State Air Resources Board, the California Transportation Commission, and the Labor and Workforce Development Agency to invest public moneys on various project and programs. Current law requires some of those investments to be cost effective. This bill would require these agencies, by January 1, 2021, to provide a joint assessment of options for redefining the term “cost-effective” to the Legislature for the purposes of prioritizing public investment opportunities.

AB 1442 (Rivas, Luz D) Income taxes: credits: Share Our Values Tax Credit.

Introduced: 2/22/2019

Status: 8/30/2019-In committee: Held under submission.

Summary: The Personal Income Tax Law and the Corporation Tax Law allow a motion picture credit for taxable years beginning on or after January 1, 2020, to be allocated by the California Film Commission on or after July 1, 2020, and before July 1, 2025. This bill, for taxable years beginning on or after January 1, 2020, would allow an additional tax credit, for qualified motion pictures in the same manner as described above, with modifications including revising the definition of “qualified motion picture” to mean a qualified motion picture that either relocated to California from, or chose not to pay or incur qualified expenditures for a qualified motion picture in, a state that has pending legislation or existing law that prohibits access to, criminalizes the provision of, or otherwise restricts a woman’s access to abortion services after 8 weeks from the beginning of the pregnancy or earlier and would limit on the aggregate amount of these new credits to be allocated in each fiscal year to \$50,000,000 plus additional specified amounts.

AB 1543 (Holden D) Transportation funds: transit operators: fare revenues.

Introduced: 2/22/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would require a fare paid pursuant to a reduced fare transit program to be counted as a full adult fare for purposes of calculating any required ratios of fare revenues to operating costs specified in the Transportation Development Act, except for purposes of providing information in a specified annual report to the Controller or providing information to the entity conducting a fiscal or performance audit pursuant to specified provisions.

AB 1568 (McCarty D) Housing law compliance: prohibition on applying for state grants.

Introduced: 2/22/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: The Housing Element Law, prescribes requirements for the preparation of the housing element, including a requirement that a planning agency submit a draft of the element or draft amendment to the element to the Department of Housing and Community Development prior to the adoption of the element or amendment to the element. Current law requires the department to review the draft and report its written findings, as specified. Current law also requires the department, in its written findings, to determine whether the draft substantially complies with the Housing Element Law. This bill would authorize the city or county to submit evidence that the city or county is no longer in violation of state law to the department and to request the department to issue a finding that the city or county is no longer in violation of state law.

AB 1580 (Levine D) Major infrastructure construction projects: oversight committees.

Introduced: 2/22/2019

Status: 8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/12/2019) (May be acted upon Jan 2020)

Summary: Current law requires the Department of Transportation and the Bay Area Toll Authority to establish the Toll Bridge Program Oversight Committee, as provided, to review and provide program direction for seismic retrofit and replacement projects on toll bridges within the geographic jurisdiction of the committee. This bill, except as specified, would similarly require state agency undertaking a publicly funded major infrastructure construction project that is estimated to cost \$1,000,000,000 or more to form an oversight committee, as provided, and to develop and use risk management plans throughout the course of the project.

AB 1717 (Friedman D) Transit-Oriented Affordable Housing Funding Program Act.

Introduced: 2/22/2019

Status: 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Summary: Would establish the Transit-Oriented Affordable Housing Funding Program, to be administered by the California Housing Finance Agency (CalHFA). The bill would authorize the city council of a city, or the board of supervisors of a city and county, to participate in the program by enactment of an ordinance establishing a transit-oriented affordable housing district, as provided.

AB 1848 (Lackey R) High-speed rail: Metrolink commuter rail system.

Introduced: 1/6/2020

Status: 1/17/2020-Referred to Committee on Transportation

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. The Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9,000,000,000 in general obligation bonds for high-speed rail purposes and \$950,000,000 for other related rail purposes. This bill would appropriate \$4,000,000,000 of those bond revenues to the Southern California Regional Rail Authority to fund improvements to the Metrolink commuter rail system.

AB 1908 (Chen R) Department of Transportation: Homeless Encampment and Litter Program.

Introduced: 1/8/2020

Status: 1/9/2020-From printer. May be heard in committee February 8.

Summary: Would require the Department of Transportation, within its maintenance program, to establish a Homeless Encampment and Litter Program to provide timely abatement and cleanup of homeless encampments on department property and expedited and coordinated access to housing and supportive services. The bill would require the department to coordinate with homeless service provider agencies and to establish homeless adult and family multidisciplinary personnel teams. The bill would require the department, upon receiving a report of a homeless encampment, to deploy a multidisciplinary personnel team to expedite and coordinate access to housing and supportive services for occupants of the encampment.

AB 1991 (Friedman D) Transit and Intercity Rail Capital Program: passenger tramways.

Introduced: 1/27/2020

Status: 2/6/2020-Referred to Committees on Transportation and Natural Resources.

Summary: Would expand the purpose of the Transit and Intercity Rail Capital Program to authorize funding for passenger tramway transit systems. By expanding the purposes for which continuously appropriated moneys may be used, the bill would make an appropriation.

AB 1992 (Friedman D) Transportation: asset management plan: California Transportation Plan: transportation infrastructure: climate change.

Introduced: 1/27/2020

Status: 2/6/2020-Referred to Committees on Transportation and Natural Resources.

Summary: Would state the intent of the Legislature to enact legislation that would establish a new program to fund climate change adaptation planning for transportation impacts, data collection, modeling, and training. The bill would require the department, in consultation with the commission, to update the asset management plan on or before December 31, 2022, and for the update to also address the forecasted transportation infrastructure impacts of climate change. The bill would require both the 3rd update to the California Transportation Plan, which is due in 2025, and the Strategic Growth Council's report to include a forecast of the transportation impacts of climate change and measures to address those impacts.

AB 2012 (Chu D) Free senior transit passes: eligibility for state funding.

Introduced: 1/28/2020

Status: 2/14/2020-Referred to Committee on Transportation.

Summary: Would require transit agencies to offer free senior transit passes to persons over 65 years of age in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, and the Low Carbon Transit Operations Program. The bill would require those free senior transit passes to count as full price fares for purposes of calculating the ratio of fare revenues to operating costs.

AB 2062 (Boerner Horvath D) San Diego Association of Governments: LOSSAN Rail Corridor: study.

Introduced: 2/4/2020

Status: 2/14/2020-Referred to Committee on Transportation.

Summary: Would appropriate \$5,000,000 from the General Fund to the San Diego Association of Governments to conduct a study of higher speed and safety alternatives for the LOSSAN Rail Corridor in the County of San Diego. As a condition of receiving the funding, the bill would require the San Diego Association of Governments to conduct the study, as specified, and would require the San Diego Association of Governments to submit a report to specified committees of the Legislature summarizing the results of the study.

AB 2176 (Holden D) Free student transit passes: eligibility for state funding.

Introduced: 2/11/2020

Status: 2/12/2020-From printer. May be heard in committee March 13.

Summary: Would require transit agencies to offer free student transit passes to persons attending the California Community Colleges, the California State University, or the University of California in order to be eligible for state funding under the Mills-Alquist-Deddeh Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program. The bill would also require a free student transit pass to count as a full price fare for purposes of calculating the ratio of fare revenues to operating costs.

AB 2186 (Grayson D) Public contracting: contractor retention withholding.

Introduced: 2/11/2020

Status: 2/20/2020-Referred to Committee on Local Government

Summary: Current law authorizes the legislative body of a local agency, as defined, to prescribe how the local agency makes payment on a contract with the local agency for the creation, construction, alteration,

repair, or improvement of any public structure, building, road, or other improvement of any kind that will exceed a total of \$5,000. Current law limits this authority by requiring progress payments on the contract to not be made in excess of 95% of the percentage of actual work completed plus a like percentage of the value of material delivered on the ground or stored subject to, or under the control of, the local agency, and unused. Current law also requires the local agency to not withhold less than 5% of the contract price until final completion and acceptance of the project, unless, at any time after 50% of the work has been completed, the local agency finds that satisfactory progress is being made. This bill would eliminate the above described limitations on a local agency's authority to prescribe payments on these contracts.

AB 2249 (Mathis R) High-speed rail: legislative oversight.

Introduced: 2/13/2020

Status: 2/14/2020-From printer. May be heard in committee March 15.

Summary: Would create the Joint Legislative Committee on High-Speed Rail Oversight consisting of 3 Members of the Senate and 3 Members of the Assembly and would require the committee to ascertain facts, review documents, and take action thereon, and make recommendations to the Legislature concerning the state's programs, policies, and investments related to high-speed rail, as specified. The bill would require the authority and any entity contracting with the authority to give and furnish to the committee upon request information, records, and documents as the committee deems necessary and proper to achieve its purposes.

AB 2262 (Berman D) Regional transportation plans: sustainable communities strategies: zero-emission vehicle readiness plan.

Introduced: 2/14/2020

Status: 2/15/2020-From printer. May be heard in committee March 16.

Summary: Current law requires the sustainable communities strategy to, among other things, identify a transportation network to service the transportation needs of the region. After adopting a sustainable communities strategy, current law requires a metropolitan planning organization to submit the strategy to the state board for review to determine whether the strategy, if implemented, would achieve the greenhouse gas emission reduction targets. Current law requires each transportation planning agency to adopt and submit to the California Transportation Commission and the Department of Transportation an updated regional transportation plan every 4 or 5 years, as specified. This bill would require each sustainable communities strategy to also include a zero-emission vehicle readiness plan, as specified. By imposing new requirements on local agencies, the bill would impose a state-mandated local program.

AB 2284 (Calderon D) Local Agency Public Construction Act: change orders.

Introduced: 2/14/2020

Status: 2/15/2020-From printer. May be heard in committee March 16.

Summary: The Local Agency Public Construction Act, for a county, imposes a \$5,000 cap when the total amount of the original contract does not exceed \$50,000. For any original contract that exceeds \$50,000, but does not exceed \$250,000, the cap is 10% of the amount of the original contract. For contracts whose original cost exceeds \$250,000, the cap is \$25,000 plus 5% of the amount of the original contract cost in excess of \$250,000, and prohibits a change or alteration cost from exceeding \$210,000. This bill would require that the existing caps be adjusted annually to reflect the percentage change in the California Consumer Price Index. The bill would modify the cap applicable to contracts exceeding \$250,000 to apply only to contracts exceeding that amount but not exceeding \$25,000,000. The bill would add a new change order cap of \$500,000 for contracts whose original cost exceeds \$25,000,000 and of \$1,000,000 for

contracts whose original cost exceeds \$50,000,000, both of which would be adjusted annually to reflect the percentage change in the California Consumer Price Index.

AB 2285 (Committee on Transportation) Right of way.

Introduced: 2/14/2020

Status: 2/15/2020-From printer. May be heard in committee March 16.

Summary: Would require a person driving a vehicle on a highway approaching, among other things, a stationary authorized emergency vehicle that is displaying emergency lights to approach with due caution and, before passing in a lane immediately adjacent to one of those specified vehicles, absent other direction by a peace officer, either proceed to make a lane change into an available lane not immediately adjacent to one of those specified vehicles, or slow to a reasonable and prudent speed that is safe for existing weather, road, and vehicular or pedestrian traffic conditions, as specified. Because this bill would expand the application of this provision from highways to freeways, it would expand the scope of an existing crime and would impose a state-mandated local program.

AB 2305 (Ting D) Vehicles: local regulation of traffic: private roads.

Introduced: 2/14/2020

Status: 2/15/2020-From printer. May be heard in committee March 16.

Summary: Current law authorizes a local entity to declare by ordinance that there are privately owned and maintained roads within the jurisdiction that are generally held open for use by the public for vehicular travel or for vehicular travel to serve commercial establishments, or that there are privately owned and maintained offstreet parking facilities that are generally held open for use of the public for purposes of vehicular parking, or that there are privately owned and maintained roads that are not generally held open for use of the public for purposes of vehicular travel but, in the interests of any residents residing along the roads and the motoring public will best be served by application of the provisions of the Vehicle Code to those roads. Current law requires that, before such an ordinance is passed, a public hearing be held and notice be given to the owners or occupants of a privately owned road or parking facility 10 days before the public hearing. This bill would increase the notice of hearing requirement to 15 days.

AB 2310 (Daly D) Road Maintenance and Rehabilitation Account: apportionment of funds: accrued interest.

Introduced: 2/14/2020

Status: 2/15/2020-From printer. May be heard in committee March 16.

Summary: Would continuously appropriate interest earnings derived from revenues deposited in the Road Maintenance and Rehabilitation Account to the Department of Transportation for maintenance of the state highway system or for purposes of the State Highway Operation and Protection Program.

AB 2499 (Oberholte R) Buses: axle weight.

Introduced: 2/19/2020

Status: 2/20/2020-From printer. May be heard in committee March 21.

Summary: Current law prohibits the maximum gross weight on any one axle of a bus from exceeding 20,500 pounds, except as specified, and sets forth maximum limits for curb weight on any one axle of a transit bus, as specified. This bill would make technical, nonsubstantive changes to that provision.

AB 2542 (Kalra D) Local transportation funds: State Transit Assistance Program: reports.

Introduced: 2/19/2020

Status: 2/20/2020-From printer. May be heard in committee March 21.

Summary: Current law, for purposes of the State Transit Assistance Program, requires local transportation agencies to report to the Controller by June 15 of each year the public transportation operators within its jurisdiction that are eligible to claim specified local transportation funds. This bill would instead require local transportation agencies to report this information within 7 months after the end of each fiscal year.

AB 2620 (Boerner Horvath D) North County Transit District: pilot program.

Introduced: 2/20/2020

Status: 2/20/2020-Read first time. To print.

Summary: Current law creates the North County Transit District, with various powers and duties relative to the planning and operation of a transit system in north San Diego County. This bill would state the intent of the Legislature to enact subsequent legislation that would allocate funding to the North County Transit District to purchase shuttles for use in a 3-year pilot program to implement and operate an on-demand shared ride service as a transit option for specified cities within the district.

AB 2698 (Gray D) High-Speed Rail Authority: locomotives.

Introduced: 2/20/2020

Status: 2/20/2020-Read first time. To print.

Summary: Would prohibit the High-Speed Rail Authority from directly or indirectly using local, state, federal, or any other public or private funding to purchase, lease, operate, or maintain a diesel passenger locomotive engine or a passenger locomotive engine that directly emits particulate matter from the onboard combustion of fossil fuels for propulsion.

AB 2730 (Cervantes D) Paratransit providers.

Introduced: 2/20/2020

Status: 2/20/2020-Read first time. To print.

Summary: Would express the intent of the Legislature to enact legislation that would establish memoranda of understanding and mutual aid agreements with paratransit providers to aid in the evacuation of the access and functional needs population in an emergency.

AB 2738 (Quirk-Silva D) Highway Users Tax Account: apportionment to counties: expenditure.

Introduced: 2/20/2020

Status: 2/20/2020-Read first time. To print.

Summary: Would expand the purposes for which a county may spend moneys deposited into its road fund to include any street or road within the county. If a county expends moneys received from the Highway Users Tax Account for streets and roads within the county, the bill would require the county to use those funds equitably throughout the county to identify and improve streets and roads that have the highest need.

AB 2773 (Burke D) Los Angeles County Metropolitan Transportation Authority.

Introduced: 2/20/2020

Status: 2/20/2020-Read first time. To print.

Summary: Current law vests the Los Angeles County Metropolitan Transportation Authority with specified powers and duties relative to transportation planning, programming, and operations in the County of Los Angeles. Current law provides that, on the date of the merger of the Los Angeles Metropolitan Transit Authority with the Southern California Rapid Transit District, which occurred in 1964, all employees of the transit authority became employees of the district with all of the same rights, privileges, and compensation they had as employees of the authority. This bill would make nonsubstantive changes to the latter provision.

ACA 1 (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.

Introduced: 12/3/2018

Status: 8/19/2019-Read third time. Refused adoption. Motion to reconsider made by Assembly Member Aguiar-Curry.

Summary: The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

SB 147 (Beall D) High-Speed Rail Authority.

Introduced: 1/18/2019

Status: 7/12/2019-Failed Deadline pursuant to Rule 61(a)(11). (Last location was TRANS. on 5/2/2019) (May be acted upon Jan 2020)

Summary: 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 website.

SB 152 (Beall D) Active Transportation Program.

Introduced: 1/22/2019

Status: 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

Summary: Current law establishes the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, such as biking and walking. Existing law requires specified funds for the program to be appropriated to the department in the annual Budget Act and allocated to eligible projects by the California Transportation Commission. This bill would require that 60% of available funds be awarded to projects selected by metropolitan planning organizations (MPO) in urban areas with populations greater than 200,000, with the available funds distributed to each MPO based on its relative share of the population, 15% to fund projects in small urban and rural regions, and 25% to projects competitively awarded by the commission on a statewide basis.

SB 168 (Wieckowski D) Climate change: Chief Officer of Climate Adaptation and Resilience.

Introduced: 1/28/2019

Status: 8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/21/2019) (May be acted upon Jan 2020)

Summary: Would establish the Chief Climate Resilience Officer, appointed by the Governor and subject to confirmation by the Senate, in the Office of Planning and Research to serve as the statewide lead for planning and coordination of climate adaptation policy and implementation in California, and would specify the duties of the chief officer. The bill would make the chief officer, or the chief officer's designee, a

member of the advisory council and would designate the chief officer, or the chief officer's designee, as the chair of the advisory council.

SB 241 (Moorlach R) Personal Income Tax: California Voluntary Contribution Program.

Introduced: 2/11/2019

Status: 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

Summary: Current law contains administrative provisions generally applicable to a new or extended voluntary tax contribution. Current law provides for various voluntary contribution funds to be listed on the personal income tax return, including the California Firefighters' Memorial Fund and the California Peace Officer Memorial Foundation Fund, which are both repealed on January 1, 2021, except as otherwise provided. This bill would remove the repeal dates for the California Firefighters' Memorial Fund and the California Peace Officer Memorial Foundation Fund, thereby allowing those voluntary contribution funds to be listed on the personal income tax return indefinitely.

SB 279 (Galgiani D) High-Speed Rail Authority: supplemental business plan.

Introduced: 2/13/2019

Status: 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

Summary: Would require the High-Speed Rail Authority to develop and adopt a supplemental business plan for the estimated cost of completing the section of the high-speed rail system located between the City of Merced and the northern end of the initial operating segment in the County of Madera on or before February 1, 2020, and submit the supplemental business plan to the Director of Finance, a specified peer review group, and certain legislative committees.

SB 336 (Dodd D) Transportation: fully-automated transit vehicles.

Introduced: 2/19/2019

Status: 7/12/2019-Failed Deadline pursuant to Rule 61(a)(11). (Last location was TRANS. on 5/24/2019) (May be acted upon Jan 2020)

Summary: Would require a transit operator, as defined, until January 1, 2025, to ensure each of its fully-automated transit vehicles, as defined, is staffed by at least one of its employees, who has had specified training, while the vehicle is in service. The bill would require a transit operator that deploys a fully-automated transit vehicle to report the results of that deployment to the Legislature on or before March 31, 2025.

SB 340 (Stone R) High-speed rail bonds.

Introduced: 2/19/2019

Status: 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

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 before the effective date of these provisions, upon appropriation, for use in retiring the debt incurred from the issuance and sale of those outstanding bonds.

SB 498 (Hurtado D) Trade Corridors Improvement Fund: grant program: short-line railroads.

Introduced: 2/21/2019

Status: 7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was TRANS. on 6/6/2019) (May be acted upon Jan 2020)

Summary: Would require the California Transportation Commission, upon appropriation by the Legislature of funds resulting from TCIF program savings, to establish a competitive grant program to provide grants from those funds in the 2020–21 and 2021–22 fiscal years to the Department of Transportation or regional transportation planning agencies, or both, for short-line railroad projects such as railroad reconstruction, maintenance, upgrade, or replacement. The bill would require the commission to adopt guidelines, in consultation with representatives from specified government and industry entities, by July 1, 2020, to be used by the commission to select grant recipients.

SB 526 (Allen D) Regional transportation plans: greenhouse gas emissions: State Mobility Action Plan for Healthy Communities.

Introduced: 2/21/2019

Status: 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

Summary: Would require the State Air Resources Board to adopt a regulation that requires a metropolitan planning organization to provide any data that the state board determines is necessary to fulfill the requirements of the above-described report and to determine if the metropolitan planning organization is on track to meet its 2035 greenhouse gas emission reduction target. After completing each report, the bill would require the state board to determine if each metropolitan planning organization is on track to meet its 2035 target.

SB 659 (Borgeas R) California Environmental Quality Act: attorney's fees: infill housing.

Introduced: 2/22/2019

Status: 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

Summary: Would, in an action or proceeding related to a project involving the development of housing at an infill site brought pursuant to CEQA, authorize the court, upon motion of a party, to award reasonable attorney's fees to a party if the court makes certain findings. The bill would require the Judicial Council to adopt a rule of court to implement this provision.

SB 736 (Umberg D) Creative Economy Task Force.

Introduced: 2/22/2019

Status: 8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/21/2019) (May be acted upon Jan 2020)

Summary: Would, until January 1, 2031, establish the Creative Economy Incentive Act, which would be administered by GO-Biz, for the purpose of providing financial support to any nonprofit organization, city, county, special district, or any political subdivision of state or local government, including a department, agency, commission, district, joint powers authority, or a combination thereof for the purpose of assisting in financing a creative economy event, as defined.

SB 757 (Allen D) State highways: relinquishment.

Introduced: 2/22/2019

Status: 1/30/2020-In Assembly. Read first time. Held at Desk.

Summary: Current law vests the Department of Transportation with full possession and control of all state highways. Current law describes the authorized routes in the state highway system and establishes a process for adoption of a highway on an authorized route by the California Transportation Commission. Current law also provides for the commission to relinquish to local agencies state highway segments that have been deleted from the state highway system by legislative enactment or have been superseded by

relocation, and in certain other cases. This bill would revise and recast these provisions to delete the requirement that the portion to be relinquished be deleted from the state highway system by legislative enactment, except as provided with respect to a specified segment of Route 710.

SB 931 (Wieckowski D) Local government meetings: agenda and documents.

Introduced: 2/5/2020

Status: 2/12/2020-Referred to Committee on Governance and Finance

Summary: The Ralph M. Brown Act requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a legislative body to email a copy of the agenda or a copy of all the documents constituting the agenda packet if so requested. By requiring local agencies to comply with these provisions, this bill would impose a state-mandated local program.

SB 992 (Beall D) Road Repair and Accountability Act of 2017: reporting website.

Introduced: 2/12/2020

Status: 2/20/2020-Referred to Committee on Transportation

Summary: Would require the Transportation Agency to oversee the development and implementation of a comprehensive one-stop reporting interface available to the public through an internet website maintained by the agency. The bill would require the interface to provide timely fiscal information regarding the development and implementation status of each transportation program or project funded, at least in part, by revenues from the Road Repair and Accountability Act of 2017.

SB 1040 (McGuire D) Department of Transportation.

Introduced: 2/18/2020

Status: 2/19/2020-From printer. May be acted upon on or after March 20.

Summary: Current law vests the Department of Transportation with full possession and control of the state highway system, including associated property. This bill would declare the intent of the Legislature to enact future legislation relating to the Department of Transportation.

AB 2011 (Holden)**Summary:**

AB 2011 by Assemblymember Chris Holden would create the West San Bernardino Construction Authority responsible for creating rail access to the Ontario International Airport. The authority would be responsible for competing an extension of the Metro Gold Line from the City of Montclair to the airport.

Key Provisions:

The San Bernardino County Transportation Authority (SBCTA) is responsible for planning and constructing transportation projects and maintaining the fiduciary responsibility for managing the voter approved Measure I funds. This legislation would create a duplicate governmental entity. AB 2011 seeks to create a separate construction authority that would divert resources away from the region and divert control authority from local policy makers.

The creation of a dependable transit/rail service is important to facilitate movement to the Ontario International Airport in San Bernardino County. The SBCTA's 29-member Board represents every city and supervisorial district in San Bernardino County. SBCTA is very deliberate and thoughtful in its contemplation of all major transportation projects, including how they fit into the regional transportation program goals and the manner in which they are funded. AB 2011 would bypass SBCTA Board's Authority to develop a plan that meets the needs of the San Bernardino taxpayers. It also requires funding administrative overhead of a duplicate construction authority as well as capital costs of a project that is not approved by the full Board of the county's representatives.

Existing Law:

Existing law creates the Metro Gold Line Foothill Extension Construction Authority for the purpose of awarding and overseeing all design and construction contracts for completion of the Los Angeles-Pasadena Foothill Extension Gold Line light rail project extending from Union Station in the City of Los Angeles to Sierra Madre Villa Boulevard in the City of Pasadena and any mass transit guideway that may be planned east of Sierra Madre Villa Boulevard along the rail right-of-way extending to the City of Montclair.

Authors Statement:

The Ontario Airport is the primary airport for San Bernardino, Riverside and parts of Los Angeles County. However, there is currently no rail transit to the airport. The I-210 Freeway runs along the foothills of the San Gabriel Mountains and connects the San Gabriel Valley to the Inland Empire and the Ontario Airport. This freeway is one of the busiest corridors in Southern California. Currently, no rail lines connect directly to the Ontario Airport. Rail to airport connectivity has been a topic of discussion since 2013. According to the author, AB 2011 will create a rail line to the airport that serves the local community.

Light-rail is playing a critical role in reducing our carbon footprint, improving air quality, and connecting communities throughout the region. These benefits will expand into San Bernardino County once the Metro Gold Line Extension to Montclair is completed and have a greater impact if extended to Ontario Airport.

Previous measures:

SB 1847 (1998) - Schiff: Created the Pasadena Metro Blue Line Construction Authority which ultimately built the Gold Line. Chaptered.

Chapter 827, Statutes of 2003: Exposition Metro Line Construction Authority which completed the Los Angeles-Exposition Metro Line light rail project to Santa Monica. Chaptered.

Chapter 189, Statutes of 2012: Authorized the Metro Gold Line Foothill Extension Construction Authority to extend the line to the City of Montclair. Chaptered.

AB 2417 (2018) - Rodriguez: Increased to 6 the voting members of the Metro Gold Line Foothill Extension Construction Authority board by adding one voting member appointed by the City of Montclair. Held in Appropriations Committee.

Support/Opposition (as of 2/20/2020):

Support: Not known

Opposition: San Bernardino County Transportation Authority (SBCTA), Mobility 21, The City of Rancho Cucamonga, Inland Action, City of Upland

VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY February 25, 2020			
BILL/AUTHOR	SUBJECT	POSITION	STATUS
AB 1350 Gonzalez	Requires free youth transit passes as a condition for receipt of state transit funds.	Work with Author	In Senate.
AB 2011 Holden	Requires that a specific project in San Bernardino County be implemented by a separate joint powers authority.	Oppose	In Assembly Transportation Committee.
AB 2012 Chu	Requires free senior transit passes as a condition for receipt of state transit funds.	Work with Author	In Assembly Transportation Committee.
AB 2176 Holden	Requires free community college and state university student transit passes as a condition for receipt of state transit funds.	Work with Author	In Assembly.
ACA 1 Aguiar-Curry	Places measure before voters to lower to 55% the supermajority requirement for new local taxes funding specified infrastructure including housing and transportation.	Support	In Assembly.

Staff-recommended Commission position shown in **bold**.

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Item #10

March 6, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AARON B. BONFILIO, PROGRAM MANAGER

SUBJECT: AMERICANS WITH DISABILITY ACT PARATRANSIT CERTIFICATION SERVICES

RECOMMENDATION:

- Approve the Contract Award for Americans with Disabilities Act (ADA) Paratransit Certification Services to Mobility Management Partners, Incorporated.

BACKGROUND:

At the December 2020 Commission Meeting, the Commission authorized the release of a Request for Proposals (RFP) for Americans with Disabilities Act (ADA) Paratransit Certification Services. The ADA civil rights legislation mandates that complementary accessible bus service, i.e. "paratransit" be provided to those individuals for whom a disability or disabling health condition prevents them from using public fixed-route bus service. Each public transit agency is then required to have a program to certify those users eligible for the service. To provide conformity in the process and an economies of scale for multiple paratransit operators in the county, VCTC manages a single countywide program. The current Agreement for services with Mobility Management Partners (MMP) expires June 30, 2020.

The RFP for ADA Paratransit Certification Services was released December 16, 2020. Prior to releasing the RFP, a scope of work was prepared by VCTC staff and reviewed by the public transit operators. A pre-proposal conference was held January 7, 2020, during which three interested firms attended. Questions were then solicited regarding the RFP, and on February 3, 2020, proposals were due to VCTC. Four firms submitted proposals.

An evaluation committee was convened and oral interviews were conducted with each of the proposers on February 19, 2020. That committee included staff from VCTC regional transit planning, a social service provider, and transit operators. The selection committee then scored each of the proposals based on specification and criteria according to the RFP. The four firms which submitted proposals were: *ADARide, CARE Evaluators, Mobility Management Partners, and Paratransit Inc.* The selection committee recommended the proposal by Mobility Management Partners. The selection committee's recommendation was reviewed by VCTC staff and general counsel.

DISCUSSION

As noted above, four firms submitted proposals in response to the RFP. The firms included:

- ADARide
- CARE Evaluators
- Mobility Management Partners, and
- Paratransit Inc.

Proposals were evaluated and scored using the following criteria and weighting from the RFP.

- | | |
|--|--------------------------|
| ✓ Experience of Firm with Similar Projects | 20% (20 points) |
| ✓ Qualifications of Proposed Staff | 25% (25 points) |
| ✓ Understanding of Work & Proposed Approach | 20% (20 points) |
| ✓ Firm and Project Manager Demonstrated Familiarity with Applicable Federal Requirements | 10% (10 points) |
| ✓ Cost | 25% (25 points) |
| Total | 100% (100 points) |

Each of the four evaluators assigned up to a total of 100 points, with one point equal to one percent (100% = 100 points).

After consideration of the specified criteria, the firm with the most points was Mobility Management Partners. The average score of all four evaluators combined is reflected below:

<u>Evaluation Criteria</u>		<i>Mobility Mgmt Partners</i>	<i>ADA Ride</i>	<i>Paratransit Inc.</i>	<i>CARE Evaluators</i>
<i>Experience of Firm with Similar Projects</i>	20	18.25	19.00	19.50	19.00
<i>Qualifications of Proposed Staff</i>	25	24.75	22.00	21.25	23.25
<i>Understanding of Work and Proposed Approach</i>	20	19.00	15.50	19.00	18.00
<i>Firm and Project Manager Demonstrated Familiarity with Applicable Federal Regulations</i>	10	9.75	9.75	9.50	9.75
<i>Cost</i>	25	19.50	24.25	21.00	15.50
Total	100	91.25	90.50	90.25	85.50

Mobility Management Partners (MMP) currently provides the service and has provided it for approximately ten years. Located in Camarillo, MMP was formed shortly before first providing services to the Commission. Over the years, they have provided services ranging from travel training to administration of a volunteer rides program in addition to the ADA Paratransit Certification Services. The team has developed VCTC’s program in direct coordination with the county’s transit operators and has been accommodating to process changes and improvements. The Commission appreciates MMP’s close connection to the community and strong understanding of the specific needs of and challenges faced by the transit operators. Over the past two years, the Commission has chosen to exercise the extension options with MMP during both available opportunities.

MMP’s proposed pricing is effectively the same as it is currently, with a *decrease* of approximately 1% year over year.² While MMP’s pricing was not the lowest between the bidders, their proposed value

² Fiscal Year 2019/2020 pricing was \$303,664 for 1,550 evaluations; proposed 2020/2021 is \$299,984 (i.e. a -1%).

relative to cost, i.e. team, approach and demonstrated understanding of the project earned them the highest score. Additionally, MMP's proposal took no exceptions with the scope of work or desired contract terms.

The proposed Agreement includes a three (3) year base term with two one (1) year extension options for a total maximum term of five (5) years. The total not to exceed amount for the base term is \$1,080,132 and the total not to exceed amount for the extension options is \$381,862 year one, and \$393,319 year two. If both extension options are exercised, the total not to exceed amount for the maximum term of five (5) years is \$1,855,313.

Attachment(s): Agreement for Americans with Disabilities Act Paratransit Certification Services

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Item #11

March 6, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: CAITLIN BROOKS, PROGRAM MANAGER- TRANSPORTATION PLANNING

SUBJECT: 101 COMMUNITIES CONNECTED (U.S. 101 MULTI-MODAL CORRIDOR STUDY)

RECOMMENDATION:

- Receive and file

DISCUSSION:

In July 2019, with funding from Caltrans and in partnership with the Southern California Association of Governments (SCAG), VCTC kicked off the 101 Communities Connected Study, formerly known as the U.S. 101 Multimodal Corridor Study, a plan to improve mobility for everyone who travels in the U.S. Highway 101 corridor through the cities of Ventura, Oxnard, Camarillo, and Thousand Oaks. This multimodal transportation study is focused on the 28-miles long and 6-miles wide corridor along the U.S. Highway 101 from State Route (SR) 23 to SR 33, where nearly half of the County's population lives and works. A multimodal corridor study is required for Ventura County to be eligible to compete for Senate Bill 1 (SB-1) Solutions for Congested Corridors Program funding.

Iteris, Inc. is the prime consultant firm leading the multi-disciplinary team for this project. It is anticipated that the Study will be finalized in July, 2020. The study will assemble a comprehensive list of potential transportation improvements from various sources for all modes of transportation within the study area with assistance and guidance from community stakeholders, including the VCTC's Transportation Technical Advisory Committee (TTAC). These potential improvements will be grouped into three (3) alternative packages with consideration to achieve a balance between cost, feasibility and anticipated benefits. Projects will be evaluated by their potential to improve safety, congestion, accessibility, economic development, air quality, including reduction in greenhouse gas emissions, and efficient land use.

These alternative packages will be presented to project and community stakeholders to gain feedback on the individual elements of the alternatives and the packages as a whole. The completed Final 101 Communities Connected Study will provide a clear vision and roadmap for the US-101 corridor in Ventura County with systematic strategies to achieve greater mobility, increased economic opportunity, and better quality of life for all of the corridor's residents, employees, visitors and travelers.

Public and stakeholder involvement and engagement is key to the process. The Iteris Team, in close coordination with SCAG and VCTC, hosted two public workshops in January 2020 in Ventura and Camarillo. Two additional workshops will be held in May in Thousand Oaks and Oxnard. In January, the project team hosted a digital public engagement campaign (e.g. Website, Surveys, newspaper ads, social media posts, etc.) which was conducted in order to reach a wide range of community stakeholders. VCTC

received over 200 responses from the online survey released in January, and plans to implement a similar outreach strategy for the public workshops in May. The project team has also engaged TTAC and the Transit Operators Advisory Committee (TRANSCOM) to update the Committees on progress and to solicit feedback at key intervals.

At this point in the process, the project team has identified and compiled a list of data, which has been incorporated into a final draft of the Existing Conditions Report, including employment by type, population by age groups, disadvantaged communities, traffic volumes and patterns, transit ridership, non-motorized travel, land use/zoning plans, roadways, interchanges, ramps and right-of-way widths, public utilities, crash data, aerial photography and contours, and GIS maps.

VCTC Staff will present an overview of the public outreach findings, future conditions of the corridor, and final project list to TTAC on March 19, 2020 and tentatively plans to return to the VCTC Board with a Final Draft of the Study in June, 2020.



Item #12

March 6, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR
SUBJECT: UPDATE ON PROPOSED METROLINK SATURDAY SERVICE/PROVIDE DIRECTION CONCERNING DISCUSSIONS WITH UNION PACIFIC RAILROAD

RECOMMENDATION:

- Receive an update on the proposed Metrolink Saturday service, and seek Commission direction regarding future discussions with Union Pacific.

BACKGROUND:

In April 2019, the Commission approved VCTC's Low Carbon Transit Operations Program (LCTOP) allocation for transit projects. A proposal to introduce "Saturday service" on Metrolink between Ventura County and Union Station in Los Angeles to begin in April 2020 was approved as part of the submission. The grant proposal envisioned initiating the service at the station in East Ventura, to serve all five of Ventura County's station cities (Ventura, Oxnard, Camarillo, Moorpark, and Simi Valley). The service would offer one round trip, departing in the morning and returning in the evening and would mark the first time a sustained weekend Metrolink service was offered in Ventura County. Previous one-day Metrolink Saturday services over the last two years have proven popular, and demonstrate a demand for more weekend service. Moreover, weekend Metrolink service has consistently come up as one of the top requests in the annual Unmet Transit Needs process.

VCTC owns the operating rights for the Coast mainline rail line between Los Angeles County and the City of Moorpark; the rail line operating rights north of Moorpark are owned by Union Pacific (UP). In the past, UP has allowed VCTC to operate occasional weekend service between Ventura and Moorpark (in the case of Ventura County Fair Train) and it was generally understood that the one round Saturday service would not present an issue with UP.

Subsequent to the Commission's approval of the grant for the Saturday Metrolink one year ago, Metrolink and UP have been involved in on-going litigation over a dispute concerning fees due to Metrolink from UP. Recently, a preliminary decision was rendered in favor of Metrolink concerning these disputed fees; and it appears, coincidentally, that UP has unfortunately determined to not allow the Saturday service to operate from the East Ventura station through Camarillo as a result of that decision. Therefore, unless an accommodation is reached very quickly, VCTC will need to begin the weekend service out of Moorpark. This is unfortunate in that it appears that UP's decision is not motivated by any reasonable operational issues regarding the project. Additionally, the intent of the LCTOP grant is to reduce greenhouse gas (GHG) emissions and this development would limit the potential effectiveness of the grant by limiting the scope of the stations it potentially serves.

Based on this development, VCTC staff can continue to work with Metrolink and UP, and plan for the revised service to begin at Moorpark rather than East Ventura. However, staff is also seeking Commission direction whether to engage in direct communications (which could include reaching out to the Congressional and State delegations) with the objective that UP modify their position and allow the Saturday Metrolink service to operate from the East Ventura station as originally planned. VCTC has enjoyed a positive and productive relationship with UP for many years, and it is hoped that this situation can be resolved in the interests of all Ventura County residents to enjoy the opportunity to utilize weekend Metrolink service.

Commissioner Humphrey serves as the primary member representing VCTC on the Metrolink Board of Directors (where he is also the Chair). Commissioner Trembley serves as the alternate.



March 6, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN KETTLE, EXECUTIVE DIRECTOR

SUBJECT: VCTC OFFICE SPACE LEASE AT 751 DAILY DRIVE, CAMARILLO

RECOMMENDATION:

1. Approve Lease with 751 Daily L.P., A Delaware Limited Partnership for approximately 6,514 square feet of professional office space.
2. Approve a budget amendment to the FY 2019/2020 Budget increasing revenues in the amount of \$400,000 from VCTC's State Transit Assistance (STA) fund balance and increasing the Management and Administration Office Relocation, Furniture & Equipment expenditure line item in a like amount of \$400,000 for a total budget expenditure of \$500,000.
3. Amend the STA fund budget by increasing the STA Fund Transfers expenditures by \$400,000.

BACKGROUND:

The Commission occupies 6,750 square feet of office space at 950 County Square Drive, a professional office building known as Lincoln's Inn. VCTC has been at this location since its inception in 1989 and actually assumed space of its predecessor agency, the Ventura County Association of Governments. Originally, VCTC's staff of 2-3 employees occupied one office suite. Over time, as VCTC took on additional responsibilities and added personnel, space needs expanded accordingly. The office space is on two floors and has three different entrance points. The space and floor plan is very inefficient with a substantial amount of square footage being under-utilized yet still part of the per square foot lease rate. The current monthly rate is \$12,100 (\$1.79/square foot). VCTC's current lease expired January 31, 2020, and we are now in holdover status. VCTC's current landlord is aware that VCTC intends to relocate.

The Commission initiated the process of purchasing office space in early 2013 at a time when Southern California was coming out of the "great recession" and property and construction costs were relatively low. VCTC had been working toward the purchase and renovation of a new main office located at 2220 Ventura Boulevard in Camarillo. When VCTC entered into the purchase agreement with the City of Camarillo for 2220 Ventura Boulevard, the opportunity with the City to purchase the building for \$1 and renovate for \$3.5 million was a very good deal for the 12,500 square foot building. The primary funding source for the renovation construction is State Transit Assistance (STA) funds. Unfortunately, the estimated cost of the project increased significantly and several financial risk factors arose that lead to VCTC formally notifying the City of Camarillo it would not move forward with the purchase and renovation of the building.

In summer 2019, at no cost to VCTC, I retained the services of office space real estate broker Tom Dwyer with CBRE to facilitate VCTC's search for new office space. Mr. Dwyer has provided office space location services for a number of public and quasi-public agencies including most recently the Ventura County Employee Retirement Association.

The parameters I provided Mr. Dwyer was the need of approximately 6,000 square feet of professional office space within ½ mile of the US 101 corridor within the cities of Camarillo, Oxnard, or Ventura. Mr. Dwyer's initial market survey consisted of 38 properties for lease and two (2) properties for sale. After qualifying availability of the 40 properties, 31 properties were available. Of the 31 available properties, VCTC toured eight properties and ultimately sent four Request for Proposals (the "RFPs") to the properties that best met VCTC needs, two in Camarillo, one in Oxnard, and one in Ventura. Three of the four responded with proposals. The property in Ventura elected not to respond to the RFP due to VCTC being a quasi-government entity and the requirement of prevailing wage labor. During the counter proposal process, one of the Camarillo properties elected not to respond to a counter proposal due to family issues that took the principal away from business matters. In addition, during the counter proposal period, The Collection in Oxnard provided an updated proposal to lease space to VCTC but due to the lease rate and other project economics The Collection was determined to be too expensive for VCTC. All told, the broker and Executive Director analyzed five locations in earnest.

After the exchange of counter proposals, two properties remained in the process, 751 Daily Drive (4th Floor), Camarillo and 300 Esplanade (14th Floor), Oxnard. Both spaces start at \$2.15 per square foot and have a 3% annual inflation escalation.

The 751 Daily Drive premises consists of 6,514 rentable square feet / 5,677 usable square feet located on the 4th floor of a multi-tenant office building accessible by multiple elevators and two stairwells. In summary, the final terms consist of a seven (7) year lease term with a one-time right to terminate the lease at the end of the fifth year and an option to renew the lease for five (5) years. The base rental obligation for the term is \$1,203,732 which reflects six (6) months of free rent provided during months two (2) through seven (7). This is a Full Service Gross lease, which includes the cost of utilities and janitorial services provided by the landlord. Prevailing wage labor will be used for the improvements and the landlord is providing a build allowance equal to \$423,410.00. Following completion of the improvements and prior to the rent commencement date, VCTC is provided thirty (30) days access to install furniture, fixtures and equipment free of charge. Furthermore, VCTC will receive prominent exterior building signage facing the Ventura (101) Freeway.

The 300 Esplanade Drive premises consists of 6,603 rentable square feet / 5,644 usable square feet located on the 14th floor of a multi-tenant office building accessible by multiple elevators and two stairwells. In summary, the final terms consist of a seven (7) year lease term with a one-time right to terminate the lease at the end of the fifth year and an option to renew the lease for five (5) years. The base rental obligation for the term is \$1,219,965 which reflects twelve (12) months of 50% rent abatement provided during months two (2) through thirteen (13). This is also a Full Service Gross lease. Prevailing wage labor will be used for the improvements and the landlord is proposing to build the improvements at their cost. The Landlord's capital contribution to these improvements are not known as of yet and will be determined once a final Pricing Plan is agreed upon between VCTC and this landlord. Following completion of the improvements and prior to the rent commencement date, VCTC is provided thirty (30) days access to install its furniture, fixtures and equipment free of charge. Exterior signage is not available.

In October 2019, the Administrative Committee reviewed in greater depth the two above options and consensus was to finalize negotiations with the landlord of 751 Daily Drive, Camarillo. The Administrative Committee did have consensus that an initial lease term of five (5) years, rather than seven (7), would be preferred, and that through lease negotiations, the terms might be adjusted to reflect a shorter term.

In summary, the final terms consist of a five (5) year lease term. The rental obligation for the term is \$972,141 which reflects four (4) months of free rent provided during months two (2) through five (5) equivalent to \$58,626. This is a Full Service Gross lease, which includes the cost of utilities and janitorial provided by the landlord. Prevailing wage labor will be used for the improvements, and the landlord will provide a build allowance equal to \$325,700. Following completion of the improvements and prior to the rent commencement date, VCTC is provided thirty (30) days access to install furniture, fixtures and

equipment free of charge (additional savings of \$14,657). Furthermore, VCTC will receive prominent exterior building signage facing the Ventura (101) Freeway.

The landlord's total concession package to VCTC is estimated at \$400,000, which is approximately 41% of the rental obligation. The Lease Agreement has been heavily negotiated by VCTC legal counsel in conjunction with CBRE's input:

- Landlord is responsible for ADA improvements outside of VCTC's premises triggered by the initial construction permit;
- No operating expense pass throughs for the first twelve months of the Term;
- All operating expenses, with the exception of real property taxes, insurance policies maintained by landlord and utilities, will not exceed 6% per annum;
- Landlord cannot pass through capital improvements with a useful life of 5-years or more, nor can landlord pass through any structural improvements to VCTC. Furthermore, Exhibit E consists of a host of exclusions the landlord cannot pass through as operating expenses
- VCTC has a right to audit landlord's books and records;
- Landlord does not have a right to relocate VCTC;
- The tenant improvement costs will be bid by three (3) General Contractors in accordance with prevailing wage labor. VCTC's project manager will assist with leveling the General Contractor estimates to ensure an apples-to-apples approach is utilized
- Landlord will not charge a landlord supervision fee for performing the improvements; and
- Landlord will execute the General Contractor agreement, which will be supervised by VCTC's project manager.

BUDGET ACTION

It is anticipated that VCTC will incur the cost of approximately \$500,000 for the additional cost of tenant improvements, furniture, IT/AV, project management and move expenses not funded by the build allowance. The current fiscal year budget (2019/2020) included a placeholder expenditure line item for Office Relocation, Furniture & Equipment within the Management and Administration Task of \$100,000. This amount was set to simply establish the line item within the budget with anticipation that a budget amendment would be necessary once a location was identified and a lease negotiated. The recommended budget amendment increases revenues in the amount of \$400,000 from VCTC's State Transit Assistance fund balance and increases the Management and Administration Office Relocation, Furniture & Equipment line item in a like amount of \$400,000, for a total budget expenditure of \$500,000.