



VENTURA COUNTY TRANSPORTATION COMMISSION

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

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AGENDA*

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

The meeting will be live-streamed via www.goventura.org/live

FRIDAY, APRIL 3, 2020

9:00 AM

In light of Governor Newsom's State of Emergency declaration regarding the COVID-19 outbreak and in accordance with Executive Order N-29-30 and the Guidance for Gatherings issued by the California Department of Public Health commissioners will primarily participate in the meeting from individual remote locations, which is in accordance with the Governor's Executive Order. Members of the public are encouraged to attend the meeting remotely via location. Capacity at the Ventura location is limited and may not provide for the recommended amount of social distancing. The meeting will be live streamed via youtube live at www.goventura.org/live. Persons who wish to address the Committee on an item to be considered at this meeting are asked to submit comments in writing to the Committee at vvega@goventura.org by 9:00 AM, Thursday, April 2, 2020. Due to the current circumstances there may be limited opportunity to provide verbal comments during the meeting. 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 VCTC staff (805) 642-1591 ext 118. 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 – 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 MARCH 6, 2020 VCTC MEETING – PG. 5

Recommended Action:

Approve

Responsible Staff: Vera Vega

8B. MONTHLY BUDGET REPORT – PG. 9

Recommended Action:

Receive and file the monthly budget report

Responsible Staff: Sally DeGeorge

8C. OJAI BICYCLE/PEDESTRIAN PROJECT FUNDING REVISION – PG. 17

Recommended Action:

- Approve programming a total of \$250,000 in Transportation Development Act (TDA) Article 3 funds for the City of Ojai Pedestrian and Bike Safety Improvement Project on Ojai Avenue and Maricopa Highway as follows:
 - \$204,000 of FY 19/20 TDA Article 3 funds,
 - \$30,000 of FY 05/06 TDA Article 3 funds from the City of Ojai Bike Trail Bridge at Fox Canyon Barranca project, and
 - \$16,000 of unexpended TDA Article 3 interest accrued by the City of Ojai.
- Approve reducing the amount of Congestion Mitigation and Air Quality (CMAQ) funds programmed for the Pedestrian and Bike Safety Project by \$250,000.
- Amend the Fiscal Year 2019/2020 TDA Administration Budget by \$204,000 to increase the LTF Fund Transfer revenues and the Article 3 Bicycle/Pedestrian Expenditure Line Item by the same amount.

Responsible Staff: Judith Johnduff

8D. LEGISLATIVE UPDATE – PG. 19

Recommended Action: Receive and File

Responsible Staff: Peter De Haan

8E. FISCAL YEAR (FY) 2019/20 LOW CARBON TRANIST OPERATIONS PROGRAM (LCTOP) ALLOCATION – PG. 39

Recommended Action:

- Approve the Ventura County Transportation Commission (VCTC) FY 2019/20 Low Carbon Transit Operations Program (LCTOP) Allocation Request of \$1,587,844 for the following projects:
 - \$550,000 for the Cross-County Limited,
 - \$737,844 for the College Ride Transit Fare Promotion Project (includes a total of \$21,049 of 2019 LCTOP funds contributed by the cities of Camarillo, Moorpark, Simi Valley and Thousand Oaks), and
 - \$300,000 for Metrolink Saturday Service.
- Adopt Resolution 2020-02 in Attachment 1, authorizing the Executive Director to execute all required documents including the Certifications and Assurances and Authorized Agent Form (Exhibits A and B) to receive VCTC's FY 2019/20 Low Carbon Transit Operations Program funds.
- Approve programming Southern California Regional Rail Authority's (SCRRA) LCTOP revenue formula amount for the portion of the service within Ventura County which totals \$164,435, to provide limited term discounted ticket fares for high potential riders.

Responsible Staff: Judith Johnduff

8F. TRANSPORTATION DEVELOPMENT ACT (TDA) AUDITS FOR FISCAL YEAR (FY) 2018/2019 TDA AUDITS – PG. 47

Recommended Action:

- Receive and file the Transportation Development Act (TDA) Audits for Fiscal Year 2018/2019.

Responsible Staff: Sally DeGeorge

8G. SANTA PAULA BRANCH LINE RAILROAD CROSSING AND UTILITIES EASEMENT AT TRESTLE WAY (MILE POST 425.81), CITY OF FILLMORE – PG. 49

Recommended Action:

- Approve the Construction and Non-Exclusive Easement Agreement (Rail Crossing and Utilities) with Hearthstone Multi-Asset Entity C, L.P. and the City of Fillmore to provide for access and utilities for the Heritage Valley Parks Project in the City of Fillmore.
- Approve an amendment to the Santa Paula Branch Line Budget to increase the Local Fees – Permits Revenue Line Item by \$10,675.

Responsible Staff: Amanda Fagan

8H. SURFACE TRANSPORTATION PROGRAM (STP) FUNDS FOR THE US-101 PROJECT MANAGEMENT STAFF – PG. 51

Recommended Action:

- Approve \$328,000 in Surface Transportation Program (STP) funding for VCTC project management staff for the US-101 project.

Responsible Staff: Peter De Haan

8I. APPROVE FEDERAL OBLIGATIONAL AUTHORITY LOAN TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY – PG. 53

Recommended Action:

- Ratify the Executive Director's approval of a loan of \$7 million of federal obligational authority to the Orange County Transportation Authority, to be repaid in Fiscal Year 2022/23.

Responsible Staff: Peter De Haan

8J. INVESTMENT POLICY – PG. 55

Recommended Action:

- Adopt the Investment Policy as shown in Attachment 1.

Responsible Staff: Sally DeGeorge

8K. CELTIS VENTURES CONTRACT AMENDMENT – PG. 57

Recommended Action:

- Approve Amendment No. 6 with Celtis Ventures for Public Outreach Program services extending the current contract by six (6) months to December 31, 2020 in amount not to exceed \$275,000.

Responsible Staff: Darren Kettle

8L. COOPERATIVE AGREEMENT WITH COUNTY OF VENTURA FOR PROJECT MANAGEMENT SERVICES – PG. 61

Recommended Action:

- Authorize the Executive Director to execute a Cooperative Agreement with the County of Ventura for project management services to be provided by the Engineering Services Division of the County Public Works Agency in an amount not to exceed \$30,000.

Responsible Staff: Darren Kettle

8M. CONTRACT AMENDMENT WITH WILSON AND COMPANY – PG. 63

Recommended Action:

- Approve Amendment No. 1 with Wilson & Company for Plan Check and Engineering Services on the Santa Paula Branch Line extending the current contract by twenty (20) months to June 30, 2021.

Responsible Staff: Amanda Fagan

9. FISCAL YEAR 2020/2021 DRAFT BUDGET – PG. 67

Recommended Action:

- Conduct a Public Hearing to receive testimony on the Draft Fiscal Year 2020/2021 Budget.
- Receive the Fiscal Year 2020/2021 Draft Budget.

Responsible Staff: Sally DeGeorge

10. VCTC GENERAL COUNSEL'S REPORT

11. AGENCY REPORTS

12. CLOSED SESSION

13. ADJOURN to 9:00 a.m. Friday, May 1, 2020.



Item #8A

VENTURA COUNTY TRANSPORTATION COMMISSION

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CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, MARCH 6, 2020
9:00 AM

Meeting Summary

MEMBERS PRESENT:

Claudia Bill-de la Peña, City of Thousand Oaks, Chair
Robert Huber, County of Ventura, Vice Chair
Tony Trembley, City of Camarillo
Manuel Minjares, City of Fillmore
Ken Simons, City of Moorpark
Randy Haney, City of Ojai
Bryan MacDonald, City of Oxnard
Cheryl Heitmann, City of San Buenaventura
Jenny Crosswhite, City of Santa Paula
Mike Judge, City of Simi Valley
John Zaragoza, County of Ventura
Brian Humphrey, Citizen Rep., Cities
John Bulinski, Caltrans District 7

ABSENT:

Will Berg, City of Port Hueneme
Steve Bennett, County of Ventura
Kelly Long, County of Ventura
Linda Parks, County of Ventura
Jim White, Citizen Rep., County

CALL TO ORDER

PLEDGE OF ALLGIANCE

ROLL CALL

PUBLIC COMMENTS – Mr. Keith Millhouse spoke and noted this month is Colorectal Cancer Awareness and stressed how important to get colorectal cancer screening to increase your chances of prevention and early detection.

CALTRANS REPORT –

John Bulinski provided an update on the latest projects taking place in the next few months. He mentioned they are in the final stages of the I-5 North HOV project (removal of the Burbank Boulevard bridge) which will take place in April. There will be a full freeway closure beginning April 25th thru April 27th (they will continue to provide alerts to the public of the closure).

COMMISSIONERS REPORT

Commissioner MacDonald announced Donna DeMartino is now the new Managing Director of LOSSAN.

Commissioner Judge attended the SCAG meeting, and there was discussion on the Automated Bus Consortium program (they are currently assessing the feasibility of implementing automated bus pilots).

EXECUTIVE DIRECTOR REPORT

VCTC Response to COVID 19 – As the Commission is well aware, recent events concerning the novel (new) Coronavirus (COVID-19) have caused the general public and more specifically, public transit agencies to examine its practices and make adjustments accordingly to address the spread of the virus. Earlier this week, VCTC contacted our transit providers, MV Transportation and RATP-Dev USA regarding their operations and current planning efforts. The plans outline the steps that operations will take for the safety of our contractors' employees and the customers and the impact on operations. In addition VCTC has itself begun the process to reinforce existing best-practices and make adjustments where needed. Our foremost concern is for the safety and well-being of employees and our passengers. These plans are "working plans" and as such will evolve as more details and potentially as more severe conditions arise concerning the outbreak. Presently, regarding transit operators—memoranda, handouts, safety meetings and updates to personnel policy have been implemented that reinforce existing practices and address certain contingencies. For example, our paratransit operator, MV Transportation has instituted paid administrative leave for employees who believe that they have been exposed to a passenger or patient with the virus so that they may stay home and attend to health concerns.

Regarding preventative measures such as utilization of personal protective equipment (PPE) and additional/increased cleaning, all areas of our operations are engaged in assessing and increasing thoroughness of cleaning of workspaces, public facing offices and onboard and around the transit environments, when applicable. Specifically at VCTC offices, for example, a ready supply of hand sanitizer, sanitizing wipes, sprays, and traditional soap and water are available/provided to staff and in and around the office. In the public facing areas, staff are routinely wiping down countertops, doorways, and utilizing disinfectant sprays (in addition to the nightly cleaning operations). Similarly, hand sanitizer gel and tissues are available in spaces shared with passengers at the sales counter. Regarding transit operations, as noted detailed procedures have been developed by each of the operators specific to their company policy, as well as mode of service. Staff has begun the conversations with operators concerning contingency planning for service level disruption should more preventative measures be necessary.

Ventura County Freight Corridor Study. The purpose of the Freight Corridor Study is to facilitate safe and efficient goods movement throughout Ventura County. VCTC and our partners, including the Southern California Association of Governments, Caltrans, and the Port of Hueneme, will begin initial stakeholder outreach this month with support from our consultant team. A Draft Stakeholder Outreach Plan has been developed and reviewed by the project team. On March 10th, VCTC staff and consultant team will provide an overview of the Study to the Port of Hueneme's Port Operators Group. Additional meetings and phone interviews with a broad range of stakeholders and two public workshops will be scheduled and held between March and June. A Draft Data Collection Plan has also been developed, and locations have

been identified for vehicle and truck counts at key locations around the County.

GOVC Bus Launch - Earlier this month, VCTC began its full promotion of the new automatic vehicle location and real-time passenger information system, branded as GOVC Bus. The system gives passengers the ability to track their bus prior to its arrival, plan their trip across different operators, and receive alerts and “push” notifications through the Ventura county transit operator specific, GOVC bus app. While many of the transit operators have been utilizing this service and the system has been active in the background, most recently Gold Coast Transit District’s fleet was equipped, thus our coordinated promotional activities began in earnest. Through this system, VCTC’s planning staff will have access not just to arrival information of buses, but a countywide clearing house of ridership data as well as regularly updated route configuration and service design data. As we move ahead we look forward to the data, the convenience to the passengers and this coordinated system between the operators.

Judy Johnduff, Program Manager, has announced her retirement. She will continue to work part-time remotely for VCTC until her position has been filled.

ADDITIONS/REVISIONS – Mr. Kettle, Item #16 – Closed Session Item removed from the agenda.

8. CONSENT CALENDAR –

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

8A. APPROVE SUMMARY FROM FEBRUARY 7, 2020 VCTC MEETING – Approve

8B. MONTHLY BUDGET REPORT – Receive and file the monthly budget report

8C. CONTRACT FOR FINANCIAL AUDITORS – 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.

8D. LOS ROBLES REGIONAL MEDICAL CENTER HELIPORT EXPANSION – 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.

8E. VALLEY EXPRESS OUTREACH AND MARKETING CONTRACT EXTENSION – 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).

8F. KPI QUARTERLY REPORT – Receive and File

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

10. LEGISLATIVE UPDATE ON POSITION ON BILL – Commissioner Zaragoza made a motion to:

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

The motion was seconded by Commissioner Trembley and passed unanimously.

10. RECOMMENDATION FOR ADA PARATRANSIT CONTRACTOR –

Commissioner Zaragoza made a motion to:

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

The motion was seconded by Commissioner Trembley and passed unanimously.

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

The presentation was received and filed.

Ms. Caitlin Brooks made a presentation on the U.S. 101 Multi-Modal Corridor Study.

12. UPDATE ON PROPOSED METROLINK SATURDAY SERVICE/PROVIDE DIRECTION –

Commissioner Trembley made a motion to:

Continue the proposed Metrolink Saturday service, and directed staff to initiate strategy persuade Union Pacific RR to reconsider position to not allow Metrolink Saturday service on its Right of Way North of Moorpark to East Ventura Station.

The motion was seconded by Commissioner Simons.

13. VCTC OFFICE SPACE LEASE APPROVAL –

Commissioner Huber made a motion to:

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.*

The motion was seconded by Commissioner Judge and passed unanimously.

14. VCTC GENERAL COUNSEL'S REPORT – *None*

15. AGENCY REPORTS – *None*

16. CLOSED SESSION – *This item was pulled from the agenda*

17. ADJOURN to 9:00 a.m. Friday, May 1, 2020.



Item #8B

April 3, 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 February 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 February 29, 2020 budget report indicates that the revenues were approximately 40.59% of the adopted budget while expenditures were approximately 45.3% 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 FEBRUARY 29, 2020**

Assets and Deferred Outflows

Cash and Investments	\$ 31,573,783
Petty Cash	130
Receivables/Due from other funds	1,956,035
Prepays and Deposits	64,156
Capital Assets, undepreciated	26,496,812
Capital Assets, depreciated, net	31,324,877
Deferred Outflows	724,799
Total Assets and Deferred Outflows	<u><u>\$ 92,140,592</u></u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:

Accrued Expenses and Due to Other	\$ 2,106,225
Deferred Revenue	3,744,719
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>\$ 8,484,927</u></u>

Net Position:

Invested in Capital Assets	\$ 57,428,081
Fund Balance	26,227,584
Total Net Position	<u><u>\$ 83,655,665</u></u>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE EIGHT MONTHS ENDED FEBRUARY 29, 2020**

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley	Fund	Budgeted	Variance	%
	Fund Actual	Actual	Actual	Actual	Actual	Actual Intercity Actual	Express Actual	Totals	Actual	Actual	Actual	Year
Revenues												
Federal Revenues	\$ 3,950,870	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	1,501,701	\$ 344,952	\$ 5,797,523	\$ 23,781,542	(17,984,019)	24.38
State Revenues	826,267	20,020,546	1,762,188	400,298	547,757	0	384,650	0	23,941,706	53,734,785	(29,793,079)	44.56
Local Revenues	187,834	0	0	0	0	301,578	1,727,161	1,160,413	3,376,986	4,671,499	(1,294,513)	72.29
Other Revenues	1,938	0	0	0	0	0	107,477	1,610	111,025	20,174	90,851	550.34
Interest	27,086	72,306	89,797	51,737	29,432	194	5,854	2,725	279,131	344,000	(64,869)	81.14
Total Revenues	4,993,995	20,092,852	1,851,985	452,035	577,189	301,772	3,726,843	1,509,700	33,506,371	82,552,000	(49,045,629)	40.59
Expenditures												
Administration												
Personnel Expenditures	1,738,592	0	0	0	0	0	159,179	33,394	1,931,165	3,234,700	(1,303,535)	59.70
Legal Services	10,256	0	0	0	0	0	0	0	10,256	26,000	(15,744)	39.45
Professional Services	73,544	0	0	0	0	0	0	0	73,544	134,200	(60,656)	54.80
Office Leases	99,663	0	0	0	0	0	0	0	99,663	151,900	(52,237)	65.61
Office Expenditures	289,034	0	0	0	0	0	81,452	17,088	387,574	303,900	83,674	127.53
Total Administration	2,211,089	0	0	0	0	0	240,631	50,482	2,502,202	3,850,700	(1,348,498)	64.98
Programs and Projects												
Transit and Transportation Program												
Regional Transit Technology	194,364	0	0	0	0	0	0	0	194,364	2,745,717	(2,551,353)	7.08
Senior-Disabled Transportation	133,240	0	0	0	0	0	0	0	133,240	303,500	(170,260)	43.90
VCTC Intercity Bus Services	0	0	0	0	0	0	9,920,075	0	9,920,075	15,615,734	(5,695,659)	63.53
Valley Express Bus Services	0	0	0	0	0	0	0	811,860	811,860	1,837,600	(1,025,740)	44.18
Transit Grant Administration	480,361	0	0	0	0	0	0	0	480,361	6,891,900	(6,411,539)	6.97
Total Transit and Transportation	807,965	0	0	0	0	0	9,920,075	811,860	11,539,900	27,394,451	(15,854,551)	42.12
Highway Program												
Motorist Aid Services	0	0	0	1,113,808	0	0	0	0	1,113,808	1,524,220	(410,412)	73.07
Highway Program Management	2,328,724	0	0	0	0	0	0	0	2,328,724	9,798,883	(7,470,159)	23.77
SpeedInfo Highway Speed Sensor	0	0	0	52,000	0	0	0	0	52,000	144,000	(92,000)	36.11
Total Highway	2,328,724	0	0	1,165,808	0	0	0	0	3,494,532	11,467,103	(7,972,571)	30.47

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE EIGHT MONTHS ENDED FEBRUARY 29, 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 and Commuter Rail	3,570,006	0	0	0	0	0	0	0	3,570,006	12,703,574	(9,133,568)	28.10
LOSSAN and Coastal Rail	4,226	0	0	0	0	0	0	0	4,226	9,400	(5,174)	44.96
Santa Paula Branch Line	0	0	0	0	0	320,436	0	0	320,436	811,000	(490,564)	39.51
Total Rail	3,574,232	0	0	0	0	320,436	0	0	3,894,668	13,523,974	(9,629,306)	28.80
Commuter Assistance Program												
Reg Transit Information Center	1,400	0	0	0	0	0	0	0	1,400	43,500	(42,100)	3.22
Rideshare Programs	114,272	0	0	0	0	0	0	0	114,272	291,000	(176,728)	39.27
Total Commuter Assistance	115,672	0	0	0	0	0	0	0	115,672	334,500	(218,828)	34.58
Planning and Programming												
TDA Administration	121,120	18,932,537	336,375	0	74,723	0	0	0	19,464,755	33,344,066	(13,879,311)	58.38
Transportation Programming	3,607	0	0	0	0	0	0	0	3,607	64,400	(60,793)	5.60
Regional Transportation Planning	165,094	0	0	0	0	0	0	0	165,094	570,300	(405,206)	28.95
Airport Land Use Commission	9,753	0	0	0	0	0	0	0	9,753	14,000	(4,247)	69.66
Regional Transit Planning	513,641	0	0	0	0	0	0	0	513,641	1,520,106	(1,006,465)	33.79
Freight Movement	1,804	0	0	0	0	0	0	0	1,804	12,200	(10,396)	14.79
Total Planning and Programming	815,019	18,932,537	336,375	0	74,723	0	0	0	20,158,654	35,525,072	(15,366,418)	56.74
General Government												
Community Outreach	164,232	0	0	0	0	0	0	0	164,232	264,400	(100,168)	62.11
State and Federal Relations	69,115	0	0	0	0	0	0	0	69,115	105,200	(36,085)	65.70
Management and Administration	99,932	0	0	0	0	0	0	0	99,932	326,700	(226,768)	30.59
Total General Government	333,279	0	0	0	0	0	0	0	333,279	696,300	(363,021)	47.86
Total Expenditures	10,185,980	18,932,537	336,375	1,165,808	74,723	320,436	10,160,706	862,342	42,038,907	92,792,100	(50,753,193)	45.30

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE EIGHT MONTHS ENDED FEBRUARY 29, 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	(5,191,985)	1,160,315	1,515,610	(713,773)	502,466	(18,664)	(6,433,863)	647,358	(8,532,536)	(10,240,100)	1,707,564	83.32
Other Financing Sources												
Transfers Into GF From LTF	5,806,666	0	0	0	0	0	0	0	5,806,666	5,713,343	93,323	101.63
Transfers Into GF From STA	248,663	0	0	0	0	0	0	0	248,663	2,672,169	(2,423,506)	9.31
Transfers Into GF From SAFE	25,714	0	0	0	0	0	0	0	25,714	34,200	(8,486)	75.19
Transfers Into GF from SGR	17,818	0	0	0	0	0	0	0	17,818	3,789,531	(3,771,713)	0.47
Transfers Into GF From SPBL	37,864	0	0	0	0	0	0	0	37,864	128,100	(90,236)	29.56
Transfers Into SPBL From LTF	0	0	0	0	0	34,777	0	0	34,777	128,100	(93,323)	27.15
Transfers Into SPBL From STA	0	0	0	0	0	48,664	0	0	48,664	524,200	(475,536)	9.28
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	(5,806,666)	0	0	0	0	0	0	(5,806,666)	(5,713,343)	(93,323)	101.63
Transfers Out of LTF Into SPBL	0	(34,777)	0	0	0	0	0	0	(34,777)	(128,100)	93,323	27.15
Transfers Out of STA Into GF	0	0	(248,663)	0	0	0	0	0	(248,663)	(2,672,169)	2,423,506	9.31
Transfers Out of STA Into SPBL	0	0	(48,664)	0	0	0	0	0	(48,664)	(524,200)	475,536	9.28
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	(25,714)	0	0	0	0	(25,714)	(34,200)	8,486	75.19
Transfers Out SPBL Into GF	0	0	0	0	0	(37,864)	0	0	(37,864)	(128,100)	90,236	29.56
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	6,136,725	(5,841,443)	(7,286,220)	(25,714)	(17,818)	45,577	6,988,893	0	0	0	0	0.00
Net Change in Fund Balances	944,740	(4,681,128)	(5,770,610)	(739,487)	484,648	26,913	555,030	647,358	(8,532,536)	(10,240,100)	1,707,564	83.32
Beginning Fund Balance w/o capital assets	2,297,167	11,311,532	15,217,900	5,141,310	25,362	0	0	2,608,974	36,602,245	33,572,663	3,029,582	109.02
Long-term Pension/OPEB/Vacation Adjustment*	(1,723,355)	0	0	0	0	0	(118,770)	0	(1,842,125)	0	(1,842,125)	0.00
Ending Fund Balance	<u>\$1,518,552</u>	<u>\$6,630,404</u>	<u>\$9,447,290</u>	<u>\$4,401,823</u>	<u>\$ 510,010</u>	<u>\$ 26,913</u>	<u>\$ 436,260</u>	<u>\$ 3,256,332</u>	<u>\$26,227,584</u>	<u>\$23,332,563</u>	<u>\$2,895,021</u>	<u>112.41</u>

*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 FEBRUARY 29, 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	\$3,220.31	0.01%	\$ 1,804,141.08
County of Ventura	Treasury Pool	N/A	242,085.52	2.13%	22,390,509.43
LAIF	State Pool	N/A	33,824.95	2.29%	7,234,194.52
Total			\$279,130.78		\$31,428,845.03

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

April 3, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: JUDITH JOHNDUFF, PROGRAM MANAGER
SUBJECT: FUNDING REVISION FOR THE CITY OF OJAI PEDESTRIAN AND BIKE SAFETY IMPROVEMENT PROJECT ON OJAI AVENUE AND MARICOPA HIGHWAY

RECOMMENDATION:

- Approve programming a total of \$250,000 in Transportation Development Act (TDA) Article 3 funds for the City of Ojai Pedestrian and Bike Safety Improvement Project on Ojai Avenue and Maricopa Highway as follows:
 - \$204,000 of FY 19/20 TDA Article 3 funds,
 - \$30,000 of FY 05/06 TDA Article 3 funds from the City of Ojai Bike Trail Bridge at Fox Canyon Barranca project, and
 - \$16,000 of unexpended TDA Article 3 interest accrued by the City of Ojai.
- Approve reducing the amount of Congestion Mitigation and Air Quality (CMAQ) funds programmed for the Pedestrian and Bike Safety Project by \$250,000.
- Amend the Fiscal Year 2019/2020 TDA Administration Budget by \$204,000 to increase the LTF Fund Transfer revenues and the Article 3 Bicycle/Pedestrian Expenditure Line Item by the same amount.

BACKGROUND:

The Ventura County Transportation Commission (VCTC) approved programming a total of \$500,000 of CMAQ funds for the Pedestrian and Bike Safety Improvement Project on Ojai Avenue and Maricopa Highway in the City of Ojai. The City of Ojai was also awarded \$2,333,000 by the State of California through the Active Transportation Program (ATP) for the project. The funds were programmed for the Preliminary Engineering (PE) and Construction (CON) phases of the project.

Caltrans has informed the City of Ojai that several tasks the City had planned to submit for reimbursement under the PE phase of the project, valued at roughly \$250,000, are ineligible because those activities fall under the definition of Right-of-Way (ROW). The ATP grant deadline is tight, and Ojai needs to move forward as soon as possible with right-of-way activities. Using the TDA Article 3 funding, which is State funding, allows for more flexibility than Federal CMAQ and ATP funds, and will allow the

City to cover the newly defined ROW expenditures and meet the tight deadlines required by the ATP grant program.

Therefore, staff recommends programming a total of \$250,000 in TDA Article 3 funds for the ROW phase and reducing the total amount of CMAQ funds programmed for the project by the same amount. The \$250,000 of TDA Article 3 funds will include \$30,000 of funds previously programmed by the Commission for the City of Ojai Bike Trail Bridge at Fox Canyon Barranca project plus \$16,000 of unexpended TDA Article 3 interest accrued by the City of Ojai for a total of \$46,000. The remaining \$204,000 of TDA Article 3 funds will be programmed from the County's FY19/20 TDA Article 3 Allocation.

This item was scheduled for the March 19, 2020 Transportation Technical Advisory Committee agenda, however that meeting was cancelled consistent with the Covid-19 guidance at the time.



Item #8D

April 3, 2020

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

RECOMMENDATION:

- Receive and file.

DISCUSSION:

Federal Issues

In November 2019, the U.S. Environmental Protection Agency (EPA) adopted the Safer Affordable Fuel Efficient (SAFE) Vehicles rule, which discontinues California's ability to set its own fuel emissions standards. This action was believed to threaten California's ability to demonstrate air quality conformity, which is a requirement for receipt of transportation funds. It was thought that it could take up to year for California to revise the air quality model and receive EPA approval. However, the California Air Resources Board developed a method to use "Adjustment Factors" for the model results and demonstrate conformity to account for the SAFE Rule. The EPA has now approved these Adjustment Factors, and it appears that the SCAG region can demonstrate conformity even with the increased vehicle emissions that are assumed. It is anticipated that the Administration will release a "Part 2" of this rule, which will result in further reduced fuel efficiency, thus increasing emissions, and air quality conformity could again be in question.

State Issues

Attachment A is the monthly report of Delaney Hunter, the Commission's state lobbyist. This report indicates that progress of bills in the State Legislature is on hold due to the emergency situation.

Attachment B provides the status of bills being tracked by the Commission. Status of all bills is unchanged since last month, due to no committee meetings being held.

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CALIFORNIA ADVISORS, LLC

**VENTURA COUNTY TRANSPORTATION COMMISSION
MONTHLY STATE ADVOCACY REPORT
MARCH 2020**

Legislative Update

February 21st marked the bill introduction deadline for the Legislature and more than 2,200 bills were introduced for the new legislative session. A significant portion of the bills that were put forward last month were in spot bill form, which means that they are essentially placeholders that do not contain substantive language. Normally, throughout the month of March, these bills would be amended to include more substantive content that would trigger the bill to be referred to the appropriate policy committees.

On March 4th the Governor declared a State of Emergency because of the threat COVID-19 posed to the state. Then on March 16th both the Assembly and the Senate agreed to take a three-week joint recess, beginning Thursday, March 19th and lasting through April 13th. This means that all budget and policy committees would be postponed until after they return from this recess. Before they adjourned, they did pass two pieces of emergency legislation related to the COVID-19 response. The first bill authorized the Governor \$500 million to spend in responding to the pandemic and that amount can increase up to \$1 billion if this continues to persist. The second bill was to ensure that schools would remain fully funded even though all school districts have been physically closed.

With the statewide shelter in home being announced, the Capitol and other legislative buildings have been closed. However, Legislators and staff have continued to work remotely and are adapting to the challenging times. It remains unclear how long the Legislature will remain on recess and how that will affect legislative deadlines when they return. There is some thought that this year will only focus on the response to this pandemic and a few other key priorities.

California Advisors will continue to update VCTC on the status of the Legislature as the state progresses through these difficult times.

Review of the Draft 2020 High-Speed Rail Business Plan

On February 12, 2020, the California High-Speed Rail Authority (HSRA) released a draft of its 2020 business plan, which provides updated information on its approach to delivering the state's high-speed rail project. Specifically, the draft plan continues HSRA's proposal—first articulated in 2019—to construct a rail segment from Merced to Bakersfield. Additionally, it describes HSRA's plan to use a third-party public entity to run interim high-speed rail service on that segment. HSRA's plan to focus on the Merced-to-Bakersfield segment is informed by its updated estimates of project costs and funding availability, as well as by the results of a study performed by its consultant, the Early Train Operator (ETO), which concluded that Merced to Bakersfield was preferable to the other alternatives it considered for launching interim high-speed rail service.

In the Legislative Analyst's Office (LAO) report they identified a number of key issues for legislative oversight. First, LAO pointed out that the near- and long-term schedules identified in the draft 2020 business plan appear ambitious. Second, they identified some near- and long-term funding challenges confronting the project. Third, LAO raised concerns that HSRA's plan to use a third-party public entity to operate interim service from Merced to Bakersfield appears to be inconsistent with the spirit of Proposition 1A. Fourth, they identified some of the key assumptions made by the ETO that affect its assessment of alternatives. Fifth, LAO identified some key actions that HSRA plans to take in the coming months that will significantly limit the state's flexibility to change its approach to the project in the future.

The LAO also concluded that the Legislature will want to consider whether it is comfortable with HSRA's proposed approach, would like an alternative approach, or would like to preserve its flexibility to change the project in the future. It will be important for the Legislature to provide direction soon given that HSRA is poised to make key decisions—such as entering into major contracts—that will reduce flexibility to change the project if in the future legislative priorities change, costs increase, or planned funding does not materialize.

Important Legislation

California Advisors is continuing to advocate VCTC's positions on a few important bills that are continuing to move through the legislative process.

AB 2011 by Assembly Member Holden creates the West San Bernardino Construction Authority responsible for creating rail access to the Ontario International Airport. Bill was referred to the Assembly Transportation Committee, hearing will be scheduled after spring recess is over.

SB 1390 by Senator Portantino creates a statutory construction authority in western San Bernardino County to build rail access to Ontario Airport. Bill was referred to the Senate Transportation Committee, hearing will be scheduled after spring recess is over.

Upcoming Bill Deadlines and 2 Year Bills

April 13 – Spring Recess Ends

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 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 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 wildlife 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 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 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 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 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 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 toll-free telephone number for processing a credit card payment and onsite capacity for credit card payment, as defined.

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 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 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: 2/27/2020-Referred to Committees on Transportation and Human Services

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: 3/17/2020-In committee: Hearing postponed by committee.

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: 3/12/2020-Re-referred to Committee on Transportation

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 2011 (Holden D) West San Bernardino County Rail Construction Authority.

Introduced: 1/28/2020

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

Summary: Would create the West San Bernardino County Rail Construction Authority for purposes of awarding and overseeing all design and construction contracts for completion of an extension of the Metro Gold Line light rail project from the duties of the construction authority.

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: 3/17/2020-In committee: Hearing postponed by committee.

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: 2/27/2020-Referred to Committees on Transportation and Higher Education

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: 2/24/2020-Referred to Committees on Transportation and Natural Resources.

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: 2/24/2020-Referred to Committee on Local Government.

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: 3/17/2020-In committee: Hearing postponed by committee.

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: 3/17/2020-In committee: Hearing postponed by committee.

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

Introduced: 2/19/2020

Status: 3/17/2020-In committee: Hearing postponed by committee.

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: 2/21/2020-From printer. May be heard in committee March 22.

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: 3/12/2020-Re-referred to Committee on Transportation.

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: 2/21/2020-From printer. May be heard in committee March 22.

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: 3/2/2020-Referred to Committee on Transportation.

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: 2/21/2020-From printer. May be heard in committee March 22.

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.

AB 2828 (Friedman D) Traffic Safety.

Introduced: 2/20/2020

Status: 3/2/2020-Referred to Committee on Transportation

Summary: Would require, beginning June 1, 2022, and every 6 months thereafter, Caltrans to convene a committee of external design experts to advise on revisions to the Highway Design Manual.

AB 2860 (O'Donnell D) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program

Introduced: 2/21/2020

Status: 3/5/2020-Referred to Committees on Transportation and Natural Resources.

Summary: The California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program provides that projects eligible for funding include, among others, technology development, demonstration, precommercial pilots, and early commercial deployments of zero- and near-zero-emission medium- and heavy-duty truck technology, and requires, until December 31, 2020, no less than 20% of funding made available for that purpose to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology. The program defines "zero- and near-zero-emission" for its purposes. This bill would extend the requirement that 20% of that funding be made available for that same purpose until

December 31, 2025. The bill would create a separate definition for “near-zero emission” and revise the definition for “zero-emission,” as provided.

AB 2873 (Kalra D) Public transit operators: bus procurement: new technology considerations.

Introduced: 2/21/2020

Status: 3/5/2020-Referred to Committee on Transportation.

Summary: Current law requires a public transit operator, before the procurement of a new bus to be used in revenue operations, to take into consideration recommendations of, and best practices standards developed by, the exclusive representative of the recognized organization representing bus operators of the transit operator for specified purposes, including, among other purposes, preventing accidents caused by blind spots created by bus equipment or bus design. This bill would require a public transit operator, for these purposes, to also take into consideration recommendations of, and best practices standards developed by, that exclusive representative for the purpose of changing or introducing new technology that can affect the nature of work for employees of the transit operator or require job training for employees of the transit operator.

AB 3209 (Aguir-Curry D) Local alternative transportation improvement program: County of Napa.

Introduced: 2/21/2020

Status: 3/16/2020-Referred to Committee on Transportation.

Summary: Would, for state transportation facilities at the intersection of State Route 29 and State Route 221 in the County of Napa that are no longer planned to be constructed, authorize the transportation planning agency having jurisdiction over the facilities, acting jointly with the County of Napa, to develop and file with the California Transportation Commission a local alternative transportation improvement program that addresses transportation problems and opportunities in the county. The bill would give the commission the final authority regarding the content and approval of the local alternative, and would prohibit the commission from approving the local alternative if it is submitted after July 1, 2022.

AB 3213 (Rivas, Luz D) High-Speed Rail Authority: high-speed rail service: priorities.

Introduced: 2/21/2020

Status: 3/9/2020-Referred to Committee on Transportation.

Summary: Current law establishes the High-Speed Rail Authority within the state government with various powers and duties related to developing and implementing high-speed passenger rail service. Current law requires the authority to direct the development and implementation of intercity high-speed rail service that is fully integrated with specified forms of transit. This bill would require the authority, in directing the development and implementation of intercity high-speed rail service, to prioritize projects based on specified criteria.

AB 3280 (Chu D) Trade Corridor Enhancement Account.

Introduced: 2/21/2020

Status: 2/24/2020-Read first time.

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. Existing 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 make nonsubstantive changes to

this provision.

AB 3335 (Friedman D) California Environmental Quality Act: transit priority projects.

Introduced: 2/21/2020

Status: 2/24/2020-Read first time.

Summary: CEQA provides for limited CEQA review or exempts from its requirements transit priority projects meeting certain requirements, including the requirement that the project be within 1/2 mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. CEQA specifies that a project is considered to be within 1/2 mile of a major transit stop or high-quality transit corridor if, among other things, all parcels within the project have no more than 25% of their area farther than 1/2 mile from the stop or corridor. This bill, for a transit priority project to meet the requirements for limited CEQA review, would increase that percentage to 50%.

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 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 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 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 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: 3/5/2020-March 18 hearing postponed by committee.

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: 2/27/2020-Referred to Committee on Rules

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.

SB 1283 (Beall D) Transit buses: Counties of Monterey and Santa Cruz.

Introduced: 2/21/2020

Status: 3/5/2020-Referred to Committee on Rules

Summary: Current law authorizes the Monterey-Salinas Transit District and the Santa Cruz Metropolitan Transit District to conduct a transit bus-only program using the shoulders of certain state highways as transit bus-only traffic corridors, subject to approval by the Department of Transportation and the Department of the California Highway Patrol. Current law requires that the highway segments to be used for the program are to be jointly determined by the districts, the department, and the Department of the California Highway Patrol, as provided. This bill would make nonsubstantive changes to these provisions.

SB 1291 (Beall D) State highway system.

Introduced: 2/21/2020

Status: 3/5/2020-Referred to Committee on Rules

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, and in certain other cases. This bill would make nonsubstantive changes to the provision relating to the routes in the state highway system.

SB 1351 (Beall D) Department of Transportation: state highways.

Introduced: 2/21/2020

Status: 3/12/2020-Referred to Committee on Rules

Summary: Current law establishes the Department of Transportation and the California Transportation Commission and vests the department with full possession and control of all state highways and all property and rights in property acquired for state highway purposes. This bill would make nonsubstantive changes to the latter provision.

SB 1372 (Monning D) Wildlife corridors and connectivity: Wildlife and Biodiversity Protection and Movement Act of 2020.

Introduced: 2/21/2020

Status: 3/12/2020-Referred to Committees on Transportation and Natural Resources & Water.

Summary: Current law requires the Department of Fish and Wildlife, contingent upon funding being provided by the Wildlife Conservation Board or from other appropriate bond funds, upon appropriation by the Legislature, to investigate, study, and identify those areas in the state that are most essential as wildlife corridors and habitat linkages, as well as the impacts to those wildlife corridors from climate change, and requires the department to prioritize vegetative data development in these areas. This bill would additionally require the department to investigate, study, and identify impacts to those wildlife corridors from state infrastructure projects, including transportation and water projects, large-scale development projects not covered by an existing natural community conservation plan or habitat conservation plan, and planned or potential land conversions.

SB 1390 (Portantino D) Montclair to Ontario Airport Construction Authority.

Introduced: 2/21/2020

Status: 3/12/2020-Referred to Committee on Transportation.

Summary: Would create the Montclair to Ontario Airport Construction Authority for purposes of awarding and overseeing all design and construction contracts for completion of an extension of the Metro Gold Line light rail project from the City of Montclair to the Ontario International Airport. The bill would prescribe the powers and duties of the construction authority.

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VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY March 23, 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 – awaiting committee assignment
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. Prohibits community colleges and state universities from charging transit fees.	Work with Author	In Assembly Transportation and Higher Education Committees.
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.
SB 1390 Portantino	Requires that a specific project in San Bernardino County be implemented by a separate joint powers authority.	Oppose	In Senate Transportation Committee.

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Item #8E

April 3, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: JUDITH JOHNDUFF, PROGRAM MANAGER
AARON BONFILIO, PROGRAM MANAGER
CLAIRE GRASTY, PLANNING MANAGER**

**SUBJECT: FY 2019/20 LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)
ALLOCATION**

RECOMMENDATION:

- Approve the Ventura County Transportation Commission (VCTC) FY 2019/20 Low Carbon Transit Operations Program (LCTOP) Allocation Request of \$1,587,844 for the following projects:
 - \$550,000 for the Cross-County Limited,
 - \$737,844 for the College Ride Transit Fare Promotion Project (includes a total of \$21,049 of 2019 LCTOP funds contributed by the cities of Camarillo, Moorpark, Simi Valley and Thousand Oaks), and
 - \$300,000 for Metrolink Saturday Service.
- Adopt Resolution 2020-02 in Attachment 1, authorizing the Executive Director to execute all required documents including the Certifications and Assurances and Authorized Agent Form (Exhibits A and B) to receive VCTC's FY 2019/20 Low Carbon Transit Operations Program funds.
- Approve programming Southern California Regional Rail Authority's (SCRRA) LCTOP revenue formula amount for the portion of the service within Ventura County which totals \$164,435, to provide limited term discounted ticket fares for high potential riders.

BACKGROUND:

The Low Carbon Transit Operations Program (LCTOP) is one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program established by the California Legislature in 2014 by Senate Bill 862.

The amount of FY 19/20 LCTOP funds to be programmed at VCTC's discretion, not including Metrolink's revenue formula amount, is \$1,566, 795. The City of Camarillo's LCTOP allocation for FY 19/20 is \$2,850, Gold Coast Transit's is \$76,290, the City of Moorpark's is \$3,767, the City of Simi Valley's is \$6,780, the City of Thousand Oaks' is \$7,652. The Southern California Regional Rail Authority direct LCTOP allocation for the portion of the service within Ventura County is \$164,435.

DISCUSSION:

Staff recommends the following three projects for VCTC's FY 19/20 Allocation Request, which TRANSCOM approved at their March 12, 2020 meeting:

Cross-County Limited (\$550,000): This project would fund a continuation of the bus service formally called the East-West County Connector Service. The service began operation in the fall of 2017 and has 12 stops located within Simi Valley, Moorpark, Somis, Camarillo, Oxnard and Ventura. The service operates 5 days a week and has 8 westbound and 6 eastbound trips daily and currently has a total daily ridership of 155 boarding's with an average trip length of 12 miles.¹ The route provides service to low-income communities and connects with transit service serving disadvantaged communities. In addition, this route provides the only fixed route public transit option to/from Somis. Staff recommends programming \$550,000 of FY19/20 funds to continue the service from July 1, 2020 through June 30, 2021. Approximately \$10,000 will be set aside for outreach and promotion of the service.

"College Ride Pilot Program" Transit Fare Promotion (\$737,844): The College Ride Pilot Program provides free or reduced fares for eligible (enrolled) college/university students attending Ventura College, Oxnard College, Moorpark College, California State University at Channel Islands or California Lutheran University. The goal is to increase the transit mode share of this growing, but financially impacted, demographic. The College Ride Pilot Program has had great success since it began, providing over 427,000 free rides to college students in the first year of the program. The program was expanded to include summer school 2019 and has continued to grow, providing over 262,000 free rides in the first semester of the 19/20 school year.

This year, staff recommends programming a third year of LCTOP funding in the amount of \$737,844. The cities of Camarillo, Moorpark, Simi Valley and Thousand Oaks are continuing to co-sponsor the project by contributing their LCTOP funds for FY19/20 totaling \$21,049. The funds will be used to support the fare buy-down or reimbursement of fares on fixed route transit fleets, and the two general-public dial-a-ride services.² Approximately \$25,000 will be dedicated to support to outreach and promotion of the Free Ride program by VCTC and the participating colleges, universities and operators. The proposed term of the program would begin in July 2020 and end August 2021. This program serves both disadvantages and low-income populations.

Metrolink Saturday Service (\$300,000): VCTC is proposing to expand the Seasonal Metrolink Saturday service to provide year round service starting in April 2021 through June 30, 2022. The purpose of this service is to allow Ventura County residents who do not use Metrolink for weekday commuter trips to give the train a try. Passengers will be able to purchase a \$10 weekend pass, providing County residents an affordable option to get to Los Angeles on Saturdays. It is anticipated that the year-round service beginning in April 2021 will run between East Ventura and Union Station. The Unmet Needs Process identified Metrolink weekend service and increased frequency on the line as two of the most requested system improvements in the County.

SCRRA's LCTOP Revenue Formula Project:

In addition to the three VCTC projects listed above, staff recommends approving SCRRA's request to use the FY 19/20 LCTOP revenue formula amount for the portion of the service within Ventura County, in the amount of \$161,248, to provide a limited term offer of discounted ticket fares for high potential riders. This discount is expected to attract new riders to the Metrolink system.

All of the recommended projects are eligible for funding under the LCTOP guidelines and meet the goals and requirements of the LCTOP program.

¹ 4th Quarter 2019

² Fixed route operators include*: VCTC, Gold Coast Transit, Thousand Oaks Transit, Moorpark City Transit, Simi Valley Transit, Camarillo Area Transit, Ojai Trolley, and Valley Express; General-public DAR operators include: Camarillo Area Transit and Valley Express. *Kanan Shuttle is not included as it is currently free.

RESOLUTION NO. 2020-02

A RESOLUTION AUTHORIZING THE SUBMITTAL OF ALLOCATION REQUESTS FOR THE VENTURA COUNTY TRANSPORTATION COMMISSION FY 19/20 LOW CARBON TRANSIT OPERATIONS PROGRAM FUNDS

WHEREAS, the Ventura County Transportation Commission (“VCTC”) is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (“LCTOP”) for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a VCTC to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (“Department”) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors; and

WHEREAS, these guidelines include a Certification and Assurances document (Exhibit A) that must be executed in order to receive funds; and

WHEREAS, VCTC wishes to delegate authorization to execute these documents and any amendments thereto to the VCTC Executive Director (Exhibit B).

NOW THEREFORE BE IT RESOLVED that, VCTC hereby authorizes the submittal of allocation requests for FY 19/20 LCTOP funds for the following projects:

- \$550,000 for the Cross-County Limited,
- \$737,844 for the College Ride Transit Fare Promotion Project (includes a total of \$21,049 of LCTOP funds contributed by the cities of Camarillo, Moorpark, Simi Valley and Thousand Oaks, co-sponsors of the project), and
- \$300,000 for Metrolink Saturday Service.

BE IT FURTHER RESOLVED that VCTC approves of and agrees to comply with all conditions and requirements set forth in the Certification and Assurances attached hereto as Exhibit A and all applicable statutes, regulations and guidelines for all LCTOP funded transit projects, appoints the Executive Director as the Authorized Agent for purposes of the LCTOP program, and authorizes the Executive Director to execute the Certifications and Assurances and all required documents of the LCTOP program and any amendments thereto with the California Department of Transportation.

PASSED AND ADOPTED by the VCTC at its regular meeting this 3th day of April 2020.

Claudia Bill-de la Peña, CHAIR, VCTC

ATTEST:

Roxanna Ibarra, Clerk of the Commission

APPROVED AS TO FORM:

Steven Mattas, General Counsel



FY 2019-2020 LCTOP

Certifications and Assurances

Lead Agency: Ventura County Transportation Commission
Cross County Limited, College Ride Transit Fare Promotion Project,

Project Title: Metrolink Saturday Service

Prepared by: Judith Johnduff, Program Manager

The California Department of Transportation (Caltrans) has adopted the following Certifications and Assurances for the Low Carbon Transit Operations Program (LCTOP). As a condition of the receipt of LCTOP funds, Lead Agency must comply with these terms and conditions.

A. General

1. The Lead Agency agrees to abide by the current LCTOP Guidelines and applicable legal requirements.
2. The Lead Agency must submit to Caltrans a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

B. Project Administration

1. The Lead Agency certifies that required environmental documentation is complete before requesting an allocation of LCTOP funds. The Lead Agency assures that projects approved for LCTOP funding comply with Public Resources Code § 21100 and § 21150.
2. The Lead Agency certifies that a dedicated bank account for LCTOP funds only will be established within 30 days of receipt of LCTOP funds.
3. The Lead Agency certifies that when LCTOP funds are used for a transit capital project, that the project will be completed and remain in operation for its useful life.
4. The Lead Agency certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.
5. The Lead Agency certifies that they will notify Caltrans of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.
6. The Lead Agency must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
7. Any interest the Lead Agency earns on LCTOP funds must be used only on approved LCTOP projects.

8. The Lead Agency must notify Caltrans of any changes to the approved project with a Corrective Action Plan (CAP).
9. Under extraordinary circumstances, a Lead Agency may terminate a project prior to completion. In the event the Lead Agency terminates a project prior to completion, the Lead Agency must (1) contact Caltrans in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.

C. Reporting

1. The Lead Agency must submit the following LCTOP reports:
 - a. Semi-Annual Progress Reports by May 15th and November 15th each year.
 - b. A Final Report within six months of project completion.
 - c. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of LCTOP funds. A copy of the audit report must be submitted to Caltrans within six months of the close of the year (December 31) each year in which LCTOP funds have been received or expended.
 - d. Project Outcome Reporting as defined by CARB Funding Guidelines.
2. Other Reporting Requirements: CARB is developing Funding Guidelines that will include reporting requirements for all State agencies that receive appropriations from the Greenhouse Gas Reduction Fund. Caltrans and project sponsors will need to submit reporting information in accordance with CARB's Funding Guidelines, including reporting on greenhouse gas reductions and benefits to disadvantaged communities.

D. Cost Principles

1. The Lead Agency agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
2. The Lead Agency agrees, and will assure that its contractors and subcontractors will be obligated to agree, that:
 - a. Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allow ability of individual project cost items and



FY 2019-2020 LCTOP

- b. Those parties shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements

for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving LCTOP funds as a contractor or sub-contractor shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

3. Any project cost for which the Lead Agency has received funds that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 2 CFR, Part 200, are subject to repayment by the Lead Agency to the State of California (State). All projects must reduce greenhouse gas emissions, as required under Public Resources Code section 75230, and any project that fails to reduce greenhouse gases shall also have its project costs submit to repayment by the Lead Agency to the State. Should the Lead Agency fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the Lead Agency from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

A. Record Retention

1. The Lead Agency agrees and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the Lead Agency, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP) and enable the determination of incurred costs at interim points of completion. All accounting records and other supporting papers of the Lead Agency, its contractors and subcontractors connected with LCTOP funding shall be maintained for a minimum of three (3) years after the "Project Closeout" report or final Phase 2 report is submitted (per ARB Funding Guidelines, Vol. 3, page 3.A-16), and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the Lead Agency, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the Lead Agency pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the Lead Agency's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
2. For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected



FY 2019-2020 LCTOP

with the performance of the Lead Agency’s contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and

subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the Lead Agency shall furnish copies thereof if requested.

3. The Lead Agency, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

F. Special Situations

Caltrans may perform an audit and/or request detailed project information of the project sponsor’s LCTOP funded projects at Caltrans’ discretion at any time prior to the completion of the LCTOP.

I certify all of these conditions will be met.

Darren M. Kettle

(Print Authorized Agent)

Executive Director

(Title)

(Signature)

(Date)



FY 2019-2020 LCTOP

Exhibit B

Authorized Agent

AS THE Darren M. Kettle, Executive Director
(Chief Executive Officer/Director/President/Secretary)

OF THE Ventura County Transportation Commission
(Name of County/City/Transit Organization)

I hereby authorize the following individual(s) to execute for and on behalf of the named Regional Entity/Transit Operator, any actions necessary for the purpose of obtaining Low Carbon Transit Operations Program (LCTOP) funds provided by the California Department of Transportation, Division of Rail and Mass Transportation. I understand that if there is a change in the authorized agent, the project sponsor must submit a new form. This form is required even when the authorized agent is the executive authority himself. I understand the Board must provide a resolution approving the Authorized Agent. The Board Resolution appointing the Authorized Agent is attached.

Darren M. Kettle, Executive Director OR
(Name and Title of Authorized Agent)

Click here to enter text. OR
(Name and Title of Authorized Agent)

Click here to enter text. OR
(Name and Title of Authorized Agent)

Click here to enter text. OR
(Name and Title of Authorized Agent)

Darren M. Kettle Executive Director
(Print Name) (Title)

(Signature)

Approved this 3 day of April, 2020



Item #8F

April 3, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: TRANSPORTATION DEVELOPMENT ACT (TDA) AUDITS FOR FISCAL YEAR 2018/2019

RECOMMENDATION:

- Receive and file the Transportation Development Act (TDA) Audits for Fiscal Year 2018/2019.

BACKGROUND:

The Ventura County Transportation Commission (VCTC) is the Regional Transportation Planning Agency (RTPA) for Ventura County. As the RTPA, the Commission is responsible for authorizing Transportation Development Act (TDA) funding to local agencies. The Commission is also responsible for ensuring that an annual financial and compliance audits are conducted for all TDA claimants including Local Transportation Fund (LTF), State Transit Assistance (STA) and State of Good Repair (SGR) and Proposition 1B Public Transportation, Modernization, Improvement, and Service Enhancement Account (PTMISEA) and Low Carbon Transit Operation Program (LCTOP) recipients to ensure program compliance. State law requires that the TDA and Proposition 1B PTMISEA and LCTOP fiscal audits be submitted to the State Controller's Office and the Regional Transportation Planning Agency within six months of the close of each fiscal year (unless an extension is granted not to exceed 90-days).

DISCUSSION:

In March 2019, the Commission contracted with Conrad, LLP to perform the TDA, Proposition 1B and LCTOP audits for all TDA claimants except the Gold Coast Transit District (GCTD) and City of Moorpark who also had their TDA audits performed by their financial auditors. For Fiscal Year 2018/2019, Conrad performed thirty-four audits for local agencies and VCTC, the County of Ventura had one audit prepared, Gold Coast Transit District (GCTD) had seven audit reports prepared, and Moorpark had six audits prepared by their respective auditors for a total of forty-eight audits..

All audits received a "clean" audit opinion and "the financial statements were presented fairly in all material respects." However, the City of Ojai-GCTD Article 4 audit reported non-compliance with respect to its farebox recovery ratio requirement. VCTC staff has had several discussions with GCTD regarding

the non-compliant farebox recovery ratio, the need for Ojai to return to compliance and the potential penalty process to GCTD, the claimant. The City of Simi Valley's Article 3 audit had three findings.

The audits were completed and filed on-time with the State Controller's Office. Extensions were granted to the City of Simi Valley and GCTD and associated city audits. The audits that received extensions were filed within the granted extension.

The following TDA, Proposition 1B and LCTOP audits are separate attachments to the agenda:

City of Camarillo – Article 3 and Article 8a

City of Fillmore - Article 3, Article 8a, and Article 8c

City of Moorpark - Article 3, Article 8a, Article 8c, STA, SGR, and Proposition 1B

City of Ojai - Article 3 and Proposition 1B

City of Oxnard - Article 3, Article 8a, and Article 8c

City of Port Hueneme - Article 3

City of San Buenaventura - Article 3

City of Santa Paula - Article 3, Article 8a, and Article 8c

City of Simi Valley - Article 3, Article 4, and Proposition 1B

City of Thousand Oaks - Article 3, Article 4/8c, Article 8a ECTA, STA, SGR and Proposition 1B

County of Ventura – Article 3

Gold Coast Transit District – CAFR, Article 4/Proposition 1B, STA, SGR and five-member agency (Ojai, Oxnard, Port Hueneme, San Buenaventura and Ventura County) audits

LTF audit from the County of Ventura

VCTC - Article 3, Article 6.5, Proposition 1B, LCTOP, Valley Express, VCTC Intercity, STA Transfer and SGR

These reports are available upon request from VCTC, the local agency or can be found on the Commission's website at www.goventura.org as agenda attachments.



Item # 8G

April 3, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AMANDA FAGAN, DIRECTOR OF PLANNING & POLICY

SUBJECT: SANTA PAULA BRANCH LINE RAILROAD CROSSING AND UTILITIES EASEMENT AT TRESTLE WAY (MILE POST 425.81), CITY OF FILLMORE

RECOMMENDATION:

- Approve the Construction and Non-Exclusive Easement Agreement (Rail Crossing and Utilities) with Hearthstone Multi-Asset Entity C, L.P. and the City of Fillmore to provide for access and utilities for the Heritage Valley Parks Project in the City of Fillmore.
- Approve an amendment to the Santa Paula Branch Line Budget to increase the Local Fees – Permits Revenue Line Item by \$10,675.

BACKGROUND:

Hearthstone Multi-Asset Entity C., L.P., developer of The Bridges community in Fillmore requested to construct an additional at-grade rail crossing with associated easements for vehicular traffic, storm water drainage, and utilities at Mile Post 425.81 on the VCTC Santa Paula Branch Line (SPBL). The developer requested from VCTC the right to install and obtain easements for construction, maintenance, and operation of an at-grade public vehicular, bicycle, and pedestrian crossing of the railroad tracks and related crossing-gates and signals, which require approval by the California Public Utilities Commission (CPUC), and utilities (electrical, gas, water, reclaimed water, sewer, telephone, and cable utilities).

VCTC staff worked with General Counsel to negotiate with representatives of Hearthstone, and in November 2018, the Commission approved the construction and a non-exclusive Easement Agreement to provide for storm water drainage for the project. The Drainage Easement Agreement separated the storm water drainage from an at-grade crossing and utilities easement pending approval by the CPUC. The Drainage Easement Agreement included provisions for the content and form of the Rail and Utilities Crossing Easement. The Drainage Easement Agreement also requires VCTC to consider the Rail Crossing and Utilities Easement for approval within two Commission meetings of CPUC approval.

On February 27, 2020, the CPUC approved a decision granting authorization to the City of Fillmore to construct a new at-grade crossing at Mile Post 425.81 on the VCTC SPBL, now known as Trestle Way.

DISCUSSION:

The developer now requests VCTC approval of the aforementioned Rail Crossing and Utilities Easement Agreement in accordance with the plans and specifications approved by the CPUC. Per an independent appraisal conducted as part of the Drainage Easement Agreement approval process, Hearthstone will provide to VCTC consideration in the amount of \$10,675. The Rail Crossing and Utilities Easement is provided at Attachment A.

The City of Fillmore participated in the preparation of the Rail Crossing and Utilities Easement Agreement during development of the Drainage Easement Agreement, which contained the Rail Crossing and Utilities Easement as Exhibit G. Staff recommends that the Commission approve the Rail Crossing and Utilities Easement with Hearthstone Multi-Asset Entity C, L.P. and the City of Fillmore to provide access and utilities to the Heritage Valley Parks Project in the City of Fillmore. Staff also recommends the Commission approve an increase to the SPBL Task Budget, Local Fees – Permits Revenue Line Item by \$10,675, to be placed in the SPBL Fund Balance, to be held for future needs.



Figure 1. Location



Item #8H

April 3, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: SURFACE TRANSPORTATION PROGRAM FUNDING FOR US-101 PROJECT MANAGEMENT STAFF

RECOMMENDATION:

- Approve \$328,000 in Surface Transportation Program (STP) funding for VCTC project management staff for the US-101 project.

BACKGROUND:

In May, 2015, VCTC approved the programming of \$17 million of the Ventura County STP apportionment for the first phase of the US-101 project. This phase encompasses both preliminary engineering and environmental document preparation. Then in May, 2016, the Commission approved the repurposing of \$496,750 in federal earmark funds, to also use for the first phase of the US-101 project, as allowed under federal legislation that authorized the reprogramming of old earmarks.

Based on the price of VCTC's consultant contract with WSP, the total of \$17,496,750 is sufficient for both the WSP contract and the Caltrans oversight costs. VCTC has thus far been funding its project staff time with Planning Programming and Monitoring funds. However, as a project expense the documented staff costs for project management are an eligible use for STP funds, and the recommended FY 2021/22 budget specifies that VCTC will commence using STP funds for this purpose. To provide for the STP funding for staff as set forth in the budget, the Commission must approve an increase in the project's STP funds, to cover the VCTC staff project management cost for the duration of the project, scheduled to extend until late 2022.

The recommended project action will increase the approved project funding from \$17,497,000 to \$17,825,000, but will also eliminate by an estimated \$328,000 the need to use future Planning Programming and Management funds to pay for the staff support of this project. The FY 2020/21 budget will fully-utilize the available Planning Programming and Management funds for other uses.

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Item #81

April 3, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: OBLIGATIONAL AUTHORITY LOAN TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY

RECOMMENDATION:

- Ratify the Executive Director's approval of a loan of \$7 million of federal obligational authority to the Orange County Transportation Authority, to be repaid in Fiscal Year 2022/23.

BACKGROUND:

California apportions certain federal funds, including Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Program (STP), to counties by formula, with Regional Transportation Planning Agencies such as VCTC designated to select projects for each program. The state also receives a specific amount of "obligational authority" each year for authorization of federal transportation funds, and Caltrans in its role as the administrator of these funds will restrict the amount of obligational authority that each county can use in accessing their CMAQ and STP apportionments. To help facilitate project delivery the regional agencies often work together to loan apportionments and/or obligation authority to facilitate delivery of ready-to-go projects, with repayment at a future date. In the past few years VCTC has approved several apportionment loans, but has not before loaned obligational authority.

VCTC has been approached by the Orange County Transportation Authority (OCTA) with a request to loan \$7 million in obligational authority which will allow a project to move forward rather than wait two months when more obligation authority will be made available by Caltrans. Unlike apportionments, the obligation authority is not associated with either CMAQ or STP but covers both types of funds. Because the Orange County project was ready to go immediately, the Executive Director approved the request, thus allowing the funds to be obligated. OCTA has agreed to repay the loan in FY 2022/23, when VCTC is scheduled to require a large obligation of funds for the final design of the Route 101 project.

DISCUSSION:

VCTC currently has ample obligational authority to loan \$7 million to OCTA and still have a more than adequate reserve for the projects anticipated to come in the next two months, after which time Caltrans will increase the available obligation authority. However, depending on the selected alternative and early

improvement measures of the Route 101 project, the final design for the project could require a significant obligation of funds in FY 2022/23 which could be subject to delay should there be insufficient obligational authority at the time the funds are requested. Therefore, besides helping the OCTA project to avoid a delay at this time, the approval of this loan will also help prevent a potential future delay to the commencement of the Route 101 final design. Staff therefore recommends the Commission ratify the loan that was recently approved by the Executive Director.



Item #8J

April 3, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: INVESTMENT POLICY UPDATE

RECOMMENDATION:

- Adopt the Investment Policy as shown in Attachment 1.

BACKGROUND:

An Investment Policy provides an agency guidance to comply with state and local laws. It ensures prudent money management and provides for daily cash flow requirements. The Investment Policy defines the primary objectives of safety, liquidity and return on investment and applies to all investment activities and financial assets of the Commission unless noted. The funds covered by this policy are accounted for and incorporated into the investment report provided to the Commission with the monthly budget report and in the Comprehensive Annual Financial Report (CAFR).

The last Commission review and adoption of the Investment Policy occurred in January 2019 with only minor updates. The Investment Policy adopted in September 2017 was submitted to the California Municipal Treasurers Association (CMTA) and received the "Investment Policy Certification" award. VCTC's investment policy conforms to State code and reflects recommended best practices as suggested by the California Municipal Treasurers Association (CMTA), California Debt and Investment Advisory Commission (CDIAC) and Government Finance Officers Association (GFOA).

DISCUSSION:

The Ventura County Transportation Commission (VCTC) Investment Policy (see Attachment 1) contains the same investment vehicles previously approved by the Commission. All investments comply with the California Investment Code. The investment policy requires an annual review and approval by the Commission; therefore, the Investment Policy is submitted to the Commission for re-approval even though there are no changes to the policy since the last adoption.

Because the majority of funds received by the Commission are reimbursed by the federal and state governments, the majority of the cash need to be kept liquid to meet cashflow needs. These funds are invested and held in the Ventura County Pooled Investment Fund (VCPPIF), the Local Agency Investment Fund (LAIF) and Wells Fargo Bank. At this time, the Commission does not have long term investments.

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Item #8K

April 3, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN M. KETTLE, EXECUTIVE DIRECTOR

SUBJECT: CONTRACT AMENDMENT WITH CELTIS VENTURES

RECOMMENDATION:

- Approve Amendment No. 6 with Celtis Ventures for Public Outreach Program services extending the current contract by six (6) months to December 31, 2020 in amount not to exceed \$275,000.

DISCUSSION:

Public Interest Finding

VCTC utilizes a third-party contractor for outreach services to inform the public on an ongoing basis of the availability of transportation options including public transit, bicycling, and ridesharing. The current contract expires June 30, 2020. The VCTC staff person who manages this outreach contract recently retired with very short notice, and VCTC staff is also reduced due to a second staff person who has gone to part time to transition to retirement. As a result, VCTC does not currently have the staff to manage a competitive contract procurement. The additional work load to address the COVID-19 emergency is further constricting the availability of VCTC staff time to initiate a competitive procurement.

To ensure that the outreach program can continue pending VCTC staff recruitment, it is necessary to enter into a six-month extension of the current contract as a sole source contract extension with the existing outreach services consultant, Celtis Ventures. This amendment, for the period of July 1, 2020 through December 31, 2020, should provide sufficient time for VCTC to recruit the staff to replace the retirees and then proceed with a competitive procurement for a multi-year outreach consultant.

The only alternative to this sole source contract extension is for the outreach program to be suspended for approximately six months. Such a suspension is not in the public interest due to opportunities that would be lost to inform the public of the availability of transportation options that in many cases can bring a significant benefit.

Cost-Effectiveness Analysis

The cost of the contract is \$90 per hour which is unchanged from the rate of the prior competitively-procured multi-year outreach services contract. VCTC believes that this price remains competitive as several years have passed since that procurement during which time professional salaries have generally

increased. Furthermore, that price was for a long-term contract, while a short-term contract such as this proposed sole source agreement can be expected if anything to have a higher hourly price.

VCTC's Draft FY 2020/21 Budget includes funding in several tasks to fund this contract amendment including Community Outreach, Rideshare, Metrolink, LOSSAN, and Regional Transit Planning.

CONTRACT AMENDMENT NO. 6

VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)

PUBLIC OUTREACH PROGRAM

This Contract Amendment No. 6 ("Amendment") by and between the Ventura County Transportation Commission ("VCTC"), herein referred to as "VCTC" and Celtis Ventures, hereinafter referred to as "CONTRACTOR", is entered into as of this 3rd day of April, 2020.

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

NOW, THEREFORE, VCTC and CONTRACTOR agree as follows:

1. Section 4 of the Contract is hereby amended to set a term of July 1, 2020 to December 31, 2020 with the cost of this amendment not to exceed \$275,000.
2. Except to the extent amended hereby, the Contract remains in full force and effect.

VENTURA COUNTY

TRANSPORTATION COMMISSION

By: _____

Claudia Bill de la Pena, Chair

APPROVED AS TO FORM:

By: _____

Steve Mattas, General Counsel

CONTRACTOR: CELTIS VENTURES

By: _____

Matt Raymond

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Item #8L

April 3, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN M. KETTLE, EXECUTIVE DIRECTOR

SUBJECT: COOPERATIVE AGREEMENT WITH COUNTY OF VENTURA FOR PROJECT MANAGEMENT SERVICES

RECOMMENDATION:

- Authorize the Executive Director to execute a Cooperative Agreement with the County of Ventura for project management services to be provided by the Engineering Services Division of the County Public Works Agency in an amount not to exceed \$30,000.

DISCUSSION:

The Commission approved a lease for new office space that will serve as the VCTC's new headquarters at the March 6, 2020 Commission meeting. The new office space location is at 751 Daily Drive in Camarillo with occupancy anticipated in late 2020. Discussions have been held between the VCTC and the Ventura County Public Works Agency (PWA) relating to PWA's availability to provide project management services for the tenant improvement at VCTC's office space during the renovation.

VCTC and PWA have developed a general agreement (Agreement) to provide project management services. The Agreement is included as Attachment "A".

For background, the tenant improvement office space remodel project for VCTC will be executed by the property owner. The property owner will have the plans prepared and permitted. The property owner will solicit three separate bids for the construction work and will execute the construction contract. VCTC's role during this project is mainly general oversight and awareness. However, VCTC will be responsible for procuring the office furniture for this space. VCTC will use PWA's office furniture procurement expertise to develop a furniture plan but will procure the furniture separately from a furniture vendor.

The Agreement provides the opportunity for PWA to support VCTC with their role on an as need basis. PWA will assist with coordination necessary for the furniture procurement and will provide general oversight during design and construction of the project. Either party in this Agreement may terminate the contract for any reason.

VCTC staff and General Counsel and County PWA staff and County Counsel have reviewed the Agreement. The Agreement has a not to exceed amount of \$30,000 and is included in the FY 2019/2020 VCTC budget Management and Administration Task.



Item #8M

April 3, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AMANDA FAGAN, DIRECTOR OF PLANNING AND POLICY

SUBJECT: CONTRACT AMENDMENT WITH WILSON & COMPANY

RECOMMENDATION:

- Approve Amendment No. 1 with Wilson & Company for Plan Check and Engineering Services on the Santa Paula Branch Line extending the current contract by twenty (20) months to June 30, 2021.

DISCUSSION:

In November 2016, VCTC entered into a contract with Wilson & Company for plan check and engineering services on the Santa Paula Branch Line. Wilson & Company provides these services to ensure proposed rail modifications are within industry and California Public Utility Code standards and that proposed drainage structures along the Santa Paula Branch Line are sufficient to accommodate anticipated flows and protect VCTC's property. Development projects for which plan check and engineering services are provided have included East Area 1 in Santa Paula, Hearthstone in Fillmore, and Haun Creek Bridge replacement, for example.

The contract expired November 1, 2019. With this amendment, the period of performance will be extended by an additional twenty (20) months through June 30, 2021. The VCTC point of contact has also been updated to reflect a change in staff. The remainder of the contract remains in effect.

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CONTRACT AMENDMENT NO. 1

VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)

PLAN CHECK AND ENGINEERING SERVICES ON THE SANTA PAULA BRANCH LINE

This Contract Amendment No. 1 ("Amendment") by and between the Ventura County Transportation Commission ("VCTC"), herein referred to as "VCTC" and Wilson & Company, hereinafter referred to as "CONTRACTOR", is entered into as of this 3rd day of April, 2020.

WHEREAS, on November 1, 2016, VCTC entered into a consulting contract ("Contract") for plan check and engineering services on the Santa Paula Branch Line.

NOW, THEREFORE, VCTC and CONTRACTOR agree as follows:

1. Section 4 of the Contract is hereby amended to set a term of November 1, 2016 to June 30, 2021.
2. Section 15 of the Contract is hereby amended to update the VCTC point of contact such that all notices to the VCTC under this Agreement shall be in writing and sent to: Ms. Amanda Fagan, Director of Planning and Policy.
3. Except to the extent amended hereby, the Contract remains in full force and effect.

VENTURA COUNTY

TRANSPORTATION COMMISSION

By: _____
Claudia Bill de la Pena, Chair

APPROVED AS TO FORM:

By: _____
Steve Mattas, General Counsel

CONTRACTOR: WILSON & COMPANY

By: _____
Andrew Liefert, Principal-in-Charge

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Item #9

April 3, 2020

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: DARREN KETTLE, EXECUTIVE DIRECTOR
SALLY DEGEORGE, FINANCE DIRECTOR**

SUBJECT: FISCAL YEAR 2020/2021 DRAFT BUDGET – PUBLIC HEARING

RECOMMENDATION:

- Conduct a Public Hearing to receive testimony on the Draft Fiscal Year 2020/2021 Budget.
- Receive the Fiscal Year 2020/2021 Draft Budget.

DISCUSSION:

The Draft Fiscal Year 2020/2021 Budget is divided into two main sections: the Main Budget and the Program Task Budgets. The Main Budget contains the program overviews and projections and is intended to provide a general understanding of VCTC's budgeted activities and programs for the coming fiscal year. The Program Task Budgets contain task level detail of the projects including objectives and accomplishments. This task driven budget is designed to provide fiscal transparency and clarity of VCTC's programs and services to the region.

The Draft Budget is in many ways a "continuation" budget for the majority of VCTC programs and projects. At \$82,536,515, the Fiscal Year 2020/2021 Draft Budget is \$10,655,585 or 11.4% lower than Fiscal Year 2019/2020. The Draft budget is a balanced budget with an estimated spendable ending fund balance of \$16,875,131. The draft budget contains six programs:

- Transit and Transportation program at \$20,798,500
- Highway program at \$5,954,500
- Rail program at \$15,364,474
- Commuter Assistance program at \$650,300
- Planning and Programming program at \$38,361,741
- General Government program at \$1,407,000

Personnel costs for Fiscal Year 2020/2021 are budgeted at \$3,848,900 or 4.7% of the budget, which is an increase of \$614,200 from the previous fiscal year. The increase is largely due to an increase in wages, associated two new positions and taxes and employee insurances of all positions. The wage cost of \$2,480,700 includes approximately a \$70,500 pool for merit increases for employees not at the top of their range and \$68,900 as a salary/benefit placeholder while the budget is being developed. Benefits account for 1.7% of the Draft Budget. Further information about personnel can be found within the Personnel Section of the budget.

Below are some of the major changes in the Draft Fiscal Year 2020/2021 budget as compared to last fiscal year. Additional details of these major changes, as well as smaller changes to all budgets, can be found within the individual budget tasks. The major changes that occurred from last fiscal year include:

- The Regional Transit Technology budget decreased by \$2,141,017 in anticipation that the CAD/AVL equipment project will be completed in Fiscal Year 2019/2020.
- The Senior and Disabled Transportation Services budget increased by \$154,100 for increased consultant costs.
- The Transit Grant Administration budget decreased by \$1,533,100 as pass-through projects were completed. It is expected to increase with the final budget when new pass-through funds to local agencies are included.
- The Valley Express budget increased by \$69,200 for increased contract costs to operate the buses.
- The VCTC Intercity Service budget decreased by \$4,235,934 due to the completion of the bus purchase in Fiscal Year 2019/2020 offset by increased depreciation expense as VCTC now owns the whole fleet.
- The Motorist Aid Services budget has been combined with the SpeedInfo budget and decreased by \$230,020 due to the one-time Incident Responder Grant in the previous year offset by 9 months of the new FSP program.
- The Highway Project Management budget decreased by \$5,436,583 for the partial completion of consultant work on the U.S. 101 preliminary engineering and environmental documents.
- The Metrolink Commuter Rail budget increased by \$1,522,900 largely due to carry-over of the capital rehabilitation projects.
- The Regional Transit Planning budget decreased by \$117,144 largely due to the completion of consultant studies and completion of outreach.
- The Regional Transportation Planning budget has been combined with the Freight Movement budget and has increased by \$453,300 for consultant assistance to prepare a Congestion Management Plan and Comprehensive Transportation Plan.
- The Transportation Development Act budget increased \$1,060,813 for additional pass-through funding to local agencies including Article 3, Bicycle and Pedestrian funds.
- The Transportation Programming and Reporting budget increased by \$105,000 large due to increased staffing costs including the new program analyst position.
- The Management and Administration budget decreased by \$400,900 in anticipation of expenditures associated with the office relocation and furniture and equipment for the new office occurring in the prior year.

The estimated ending Fiscal Year 2020/2021 fund balance (after contingency set aside) is expected to be \$16.8 million. The Commission's available General Fund balance is estimated at \$58,968. The other

funds are restricted and the estimated fund balance are \$79,332 for the Local Transportation Fund, \$13.6 million for the State Transit Assistance fund, \$2.97 million for the Service Authority for Freeway Emergencies fund, \$101,697 for the State of Good Repair Fund, \$25,362 for the Santa Paula Branch Line fund, and a zero balance for the VCTC Intercity Services and Valley Express funds.

It is important to note a few reasons the STA fund balance is at \$13.6 million. First, the STA fund balance is used for on-going cash flow needs when State and Federal grants are delayed as well as cashflow for the Highway 101 study. Also, these funds although not currently budgeted, could be used for nonrecurring capital costs associated with Metrolink capital and rehabilitation expenditures, possible bus purchases for the VCTC Intercity Service or other transit projects benefiting the County.

The Draft Budget is a “work-in-progress” for VCTC as tasks are fine-tuned. Staff will update the final budget with input received from the Commission and new information as it becomes available from local partners such as Metrolink and funding information from the State and Federal governments.

As required by the VCTC Administrative Code, the proposed Draft Fiscal Year 2020/2021 budget was submitted to the Finance Committee (Chair Bill de la Pena, Vice-Chair Huber, and Past-Chair Minjares) for review. At the March 25, 2020 Finance Committee meeting, the details of the Draft Budget were discussed and the Committee recommended forwarding the Draft Budget to the full Commission for review and a public hearing.

As required by the Administrative Code, a public hearing will be held at the April meeting. The final budget is scheduled for adoption at the Commission’s June 2020 meeting, at which time a second public hearing will be held pursuant to the VCTC Administrative Code.

The proposed Draft Fiscal Year 2020/2021 Budget is a balanced budget and is a separate attachment to the agenda. A copy of the Draft Fiscal Year 2020/2021 budget is available on the VCTC website at www.goventura.org.