



**VENTURA COUNTY TRANSPORTATION COMMISSION  
LOCAL TRANSPORTATION AUTHORITY  
AIRPORT LAND USE COMMISSION  
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES  
CONSOLIDATED TRANSPORTATION SERVICE AGENCY  
CONGESTION MANAGEMENT AGENCY**  
[www.goventura.org](http://www.goventura.org)

**AGENDA\***

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

**The meeting will be via ZOOM Webinar**

<https://us02web.zoom.us/j/88396784939?pwd=Tk43dlRXa3pubFIJdGJpTStCcnZDQT09>

**FRIDAY, OCTOBER 2, 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-29-20 and the Guidance for Gatherings issued by the California Department of Public Health commissioners will 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. Persons who wish to address the commission on an item to be considered at this meeting are asked to submit comments in writing to the commission at [ribarra@goventura.org](mailto:ribarra@goventura.org) by 4:30PM, Thursday, October 1, 2020. Due to the current circumstances if you would like to participate in a verbal public comment on any item on the agenda during the meeting, please email your public comment to [ribarra@goventura.org](mailto:ribarra@goventura.org) or via telephone at 805-642-1591 ext. 101. Any public comment received will be read into the record during the public comment portion of this meeting. In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in the Commission meeting, please contact VCTC staff (805) 642-1591 ext. 101. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility to 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 MINUTES FROM SEPTEMBER 11, 2020 VCTC MEETING- PG.5](#)**

**Recommended Action:**

- Approve the summary minutes of SEPTEMBER 11, 2020.

**Responsible Staff:** Roxanna Ibarra

**8B. [MONTHLY BUDGET REPORT FOR JULY- PG.9](#)**

**Recommended Action:**

- Receive and file the monthly budget report for JULY 2020

**Responsible Staff:** Sally DeGeorge

**8C. [MONTHLY BUDGET REPORT FOR AUGUST- PG.17](#)**

**Recommended Action:**

- Receive and file the monthly budget report for AUGUST 2020

**Responsible Staff:** Sally DeGeorge

**8D. [FISCAL YEAR 2020/2021 CARRY-OVER BUDGET AMENDMENTS- PG.25](#)**

**Recommended Action:**

- Amend the VCTC Fiscal Year 2020/2021 budget revenues and expenditures as stated in Attachment-Carry-over Budget Amendments from Fiscal Year 2019/2020 to 2020/2021.

**Responsible Staff:** Sally DeGeorge

**8E. [AUTHORIZATION FOR DESTRUCTION OF RECORDS- PG.29](#)**

**Recommended Action:**

- Approve the destruction of itemized records

**Responsible Staff:** Roxanna Ibarra

**8F. [2021 VCTC REGULAR MEETING SCHEDULE - PG.31](#)**

**Recommended Action:**

- Adopt the schedule of regular monthly VCTC meeting dates for CY 2021

**Responsible Staff:** Roxanna Ibarra

**8G. AMENDMENT TO FY 2018/2019 STATE OF GOOD REPAIR- PG.33**

**Recommended Action:**

- Approve change in scope for FY 2018/2019 State of Good Repair (SGR) Southern California Regional Rail Authority (SCCRA) Arroyo Simi Crossing Scour Protection Project to encompass repairs to four bridges rather than one.

**Responsible Staff: Heather Miller**

**8H. VCTC INTERCITY TRANSIT SERVICES PROGRAM FISCAL YEAR 2020/2021 BUDGET AMENDMENT -PG.35**

**Recommended Action:**

- Approve Amendment to Fiscal Year 2020-2021 VCTC Intercity Transit Services Budget Task as follows:
  - by adding \$373,258 of carryover FTA CARES revenues to the FTA CARES revenues line-item, and \$125,000 to the Bus and Equipment expenditures line-item, and \$125,00 to the Contract Services line-item, and by reducing \$123,258 from the Local Fee-Farebox revenues line-item;
  - by creating a new revenue line item, "Other-Fuel Credits" in the amount of 108,098 and creating a new expenditures line-item, "Scheduling Software", in the amount of \$50,000, and by reducing the STA Fund Transfer revenues line item by \$52,098, and correspondingly adjust the STA Fund by reducing the STA Fund Transfer out; and,
  - by creating a new revenues line-item, "Other-Insurance Proceeds" in the amount of \$3,790 and adding \$3,790 to Bus and Equipment expenditures line-item.

**Responsible Staff: Aaron Bonfilio**

**8I. AGREEMENT WITH INNOVATIVE TDM SOLUTIONS (ITS) FOR RIDESHARE- PG.37**

**Recommended Action:**

- Authorize a fifteen (15) month extension of a sole source, contract with Innovative TDM Solutions (ITS) not to exceed \$95,575 for rideshare database management services. Because this is a sole source procurement, a 2/3 Commission vote is required for approval.

**Responsible Staff: Martin Erickson**

**FORMAL ITEMS FOR DISCUSSION:**

**9. LEGISLATIVE UPDATE AND POSITION ON BILLS – PG.41**

**Recommended Action:**

- Receive and File update on legislation regarding federal and state transportation issues.

**Responsible Staff: Darrin Peschka**

**10. SANTA PAULA BRANCH LINE REQUEST FOR PROPOSAL - PG.59**

**Recommended Action:**

- Authorize release of a Request for Proposals for Santa Paula Branch Line Railroad Right of Way lease and operations.

**Responsible Staff: Darren Kettle**

**11. VCTC GENERAL COUNSEL'S REPORT**

**12. AGENCY REPORTS**

**13. ADJOURN to 9:00 a.m. Friday November 6, 2020**



**[This page intentionally left blank.]**



Item #8A

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

[www.goventura.org](http://www.goventura.org)

**MEETING MINUTES OF SEPTEMBER 11, 2020 VCTC COMMISSION MEETING  
AT 9:00AM VIA ZOOM**

**CALL TO ORDER:**

Chair Bill-de la Peña called the regular meeting of the Ventura County Transportation Commission to order at 9:02 A.M. VIA-ZOOM.

**ROLL CALL/MEMBERS PRESENT:**

Claudia Bill-de la Peña, City of Thousand Oaks, Chair  
Robert Huber, County of Ventura, Vice-Chair  
Tony Trembley, City of Camarillo  
Lynn Edmonds, City of Fillmore (arrival 9:39 A.M.)  
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  
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  
John Bulinski, Caltrans District 7

**PLEDGE OF ALLEGIANCE** was led by Chair Bill-de la Peña followed with a moment of silence remembering the lives lost and victims of 9/11.

**PUBLIC COMMENTS FOR THOSE ITEMS NOT LISTED ON THIS AGENDA:** There were none.

**5. CALTRANS REPORT-** CALTRANS Director John Bulinski gave the update report regarding Caltrans projects, the report was distributed via-email to the Commissioners. Director John Bulinski stated he would be retiring at the end of October. The Commissioners thanked Director John Bulinski for his many years of service and dedication to the VCTC Commission and the County.

**6. COMMISSIONERS/EXECUTIVE DIRECTOR REPORT-** Executive Director Darren Kettle reported on a few items:

- 101 Connected Communities Draft Plan is up for its final review, it's also available on the VCTC Website
- VCTC will be relocating to its new Administration office in Camarillo in October.
- Introduced newly appointed Commissioner Lynn Edmonds with the City of Fillmore.
- Mr. Kettle announced Commissioner Manuel Minjares would be relocating and would no longer be able to service the VCTC Commission at this time. Mr. Kettle thanked Commissioner Manuel Minjares for his many years of service and support to the Commission.

Commissioner Judge reported SCAG approved and passed at its last meeting the Connect SoCal Project.

**7. ADDITIONS/REVISIONS-** None

**8. CONSENT CALENDAR-** Commissioner MacDonald made a motion to approve items 8A thru 8K on the Consent Calendar as recommended. The motion was seconded by Vice-Chair Huber and passed unanimously.

**8A. APPROVE SUMMARY MEETING MINUTES FROM JULY 10, 2020 VCTC MEETING-**

- *Approve the summary minutes from the JULY 10, 2020 Commission meeting.*

**8B. MONTHLY BUDGET REPORT-**

- *Receive and file the monthly budget report for the month JULY 2020.*

**8C. RESOLUTION 2020-04 APPROVING VENTURA COUNTY'S FY 2020/2021 STATE OF GOOD REPAIR PROJECT LIST**

- *Adopt Resolution 2020-04 (Attachment 1) approving the project list for the FY20-21 State of Good Repair funds for a total of \$1,449,168 and authorizing the Executive Director to submit all required documents to receive the funds.*

**8D. QUARTERLY VCTC BUS AND RAIL TRANSIT RIDERSHIP AND PERFORMANCE MEASURES REPORT**

- *Receive and File*

**8E. CALTRANS SUSTAINABLE TRANSPORTATION PLANNING GRANT PROGRAM-COMPREHENSIVE TRANSPORTATION PLAN UPDATE**

- *Accept Caltrans Sustainable Transportation Planning Grant Funds and enter a contract with Caltrans to prepare an update to the Ventura County Comprehensive Transportation Plan (CTP)*
- *Approve Resolution 2020-05 to authorize the Executive Director to execute the Grant Agreement and any amendments thereto with the California Department of Transportation. (Attachment A)*

**8F. UPDATES AND ACCESS TO VENTURA COUNTY TRAFFIC MODEL AND SENATE BILL 743 IMPLEMENTATION SUPPORT**

- *Receive and file a report on updates to the Ventura County Traffic Model (VCTM) and VCTC support for local agency implementation of Senate Bill 743.*

**8G. REQUEST FOR PROPOSALS-MARKETING AND COMMUNITY OUTREACH PROGRAM-**

- *Authorize release of Request for Proposals (RFP) for VCTC's Marketing and Community Outreach Program.*

**8H. COAST MAIN LINE ANNEXATION WITHIN CITY OF MOORPARK BY COUNTY OF VENTURA WATERWORKS DISTRICT NO.1**

- *Approve the request by Ventura County Waterworks District No.1 (District) for VCTC's consent for annexation of the portion of the Coast Main Line located in the City of Moorpark to the District currently under consideration for annexation by the Local Agency Formation Commission (LAFCo)*

**8I. AMENDMENT TO LOSSAN AMTRAK PACIFIC SURFLINER PASSENGER TRANSFER AGREEMENT**

- *Approve Amendment No.5 Cooperative Agreement between LOSSAN and VCTC for facilitating passenger transfers between Pacific Surfliner Intercity Rail Service and VCTC Intercity Transit Service.*

**9. APPROVAL FISCAL YEAR 2020/2021 PROGRAM OF PROJECTS PUBLIC HEARING**

- *Open Public Hearing and Receive Testimony*
- *Approve the Program of Projects (POP) for federal transit operating, planning and capital assistance for Fiscal Year (FY) 2020-2021 (Attachment A)*

**Commissioner Zaragoza** moved staff recommendation. The motion was seconded by **Vice-Chair Huber** and passed unanimously.

**10. AGREEMENT FOR FREEWAY SERVICE PATROL TOW TRUCK CONTRACTORS**

- *Approve Agreement with Platinum Tow & Transport Inc. for Freeway Service Patrol (FSP) tow truck services on Beat No.1 on US-101 for a three-year term with a two-year option, in an amount of \$982,300, plus an extra work amount of \$20,000, for a total amount not to exceed \$1,002,300;*
- *Approve Agreement with Platinum Tow & Transport, Inc for FSP tow truck services on Beat No.2 on US-101 for a three-year term with a two-year option, in an amount of \$982,399, plus an extra work amount of \$20,000, for a total amount not to exceed \$1,002,399*
- *Approve Agreement with Platinum Tow & Transport, Inc for FSP tow truck services on Beat No.3 on CA-118 for a three-year term with a two-year option, in an amount of \$1,007,304, plus an extra work amount of \$20,000, for a total amount not to exceed \$1,027,304*

**Commissioner Zaragoza** moved staff recommendation. The motion was seconded by **Commissioner Berg** and passed unanimously.

**11. LEGISLATIVE UPDATE AND POSITION ON BILLS-**

- *Received and Filed*

**Commissioner Zaragoza** moved staff recommendation. The motion was seconded by **Vice-Chair Huber** and passed unanimously.

**12. RELEASE AN RFP TO REVIEW TRANSIT OPERATIONS AND STRUCTURE IN VENTURA COUNTY**

- *Release a Request for Proposal (RFP) to review transit operations and structure in Ventura County.*

**Commissioner Long** moved staff recommendations and modifications discussed on item 12. The motion was seconded by **Commissioner Huber** and passed unanimously.

**13. CLOSED SESSION-**

**Public Employee Performance Evaluation  
(Pursuant to Government Code Section 54957)  
Title Executive Director  
General Counsel**

At 10:44 A.M. Chair Bill-de la Peña announced the Commission would now move into closed session. At this time there will be no anticipated announcements from closed session.

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

**15. AGENCY REPORTS-** None.

**16. Adjourn-** The meeting was adjourned in honor of all the victims of September 11, 2001 and victims of the Metrolink/Chatsworth train tragedy to **9:00 a.m. Friday October 2, 2020.**





Item #8B

October 2, 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 July 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 July 31, 2020 budget report indicates that the revenues were approximately 0.5% of the adopted budget while expenditures were approximately 2.64% 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.

It should be noted that the Fiscal Year 2019/2020 is in the process of being finalized and has not yet been audited. The fund balances and accruals are considered estimates until Fiscal Year 2019/2020 is closed, and the audit is final. Because of the lengthy and time-consuming year-end closing process, the invoicing for July reimbursements have not been processed. These revenues will be reflected in the September financials.

Some revenues are received at the beginning of the year while other revenues are received after grants are approved. In many instances, 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 JULY 31, 2020**

**Assets and Deferred Outflows**

Cash and Investments	\$ 29,501,610
Petty Cash	130
Receivables/Due from other funds	11,524,694
Prepays and Deposits	186,411
Capital Assets, undepreciated	25,971,001
Capital Assets, depreciated, net	35,191,932
Deferred Outflows	879,100
<b>Total Assets and Deferred Outflows</b>	<b><u>\$ 103,254,878</u></b>

**LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE**

**Liabilities and Deferred Inflows:**

Accrued Expenses and Due to Other	\$ 6,082,347
Deferred Revenue	3,015,882
Deposits	67,059
Accrued Vacation	183,709
Pension Liability	2,143,432
OPEB Liability	352,734
Deferred Inflows	291,147
<b>Total Liabilities and Deferred Inflows:</b>	<b><u>\$ 12,136,310</u></b>

**Net Position:**

Invested in Capital Assets	\$ 60,892,975
Fund Balance	30,225,593
<b>Total Net Position</b>	<b><u>\$ 91,118,568</u></b>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION  
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
FOR THE ONE MONTH ENDED JULY 31, 2020**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	SGR Actual	SPBL Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals	Budgeted Actual	Variance Actual	% Year
<b>Revenues</b>												
Federal Revenues	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	29,805,991	(29,805,991)	0.00
State Revenues	0	0	0	0	0	0	0	0	0	42,908,226	(42,908,226)	0.00
Local Revenues	50,685	0	0	0	0	220,625	0	100,000	371,310	1,877,813	(1,506,503)	19.77
Other Revenues	60	0	0	0	0	0	0	0	60	0	60	0.00
Interest	0	0	0	0	0	0	0	0	0	235,000	(235,000)	0.00
<b>Total Revenues</b>	<b>50,745</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>220,625</b>	<b>0</b>	<b>100,000</b>	<b>371,370</b>	<b>74,827,030</b>	<b>(74,455,660)</b>	<b>0.50</b>
<b>Expenditures</b>												
<b>Administration</b>												
Personnel Expenditures	171,205	0	0	0	0	0	0	0	171,205	3,648,200	(3,476,995)	4.69
Legal Services	0	0	0	0	0	0	0	0	0	40,000	(40,000)	0.00
Professional Services	6,641	0	0	0	0	0	0	0	6,641	139,500	(132,859)	4.76
Office Leases	11,475	0	0	0	0	0	0	0	11,475	134,800	(123,325)	8.51
Office Expenditures	105,283	0	0	0	0	0	0	0	105,283	440,200	(334,917)	23.92
<b>Total Administration</b>	<b>294,604</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>294,604</b>	<b>4,402,700</b>	<b>(4,108,096)</b>	<b>6.69</b>
<b>Programs and Projects</b>												
<b>Transit and Transportation Program</b>												
Regional Transit Technology	3,775	0	0	0	0	0	0	0	3,775	593,200	(589,425)	0.64
Senior-Disabled Transportation	24,999	0	0	0	0	0	0	0	24,999	393,100	(368,101)	6.36
VCTC Intercity Bus Services	0	0	0	0	0	0	16,356	0	16,356	11,360,000	(11,343,644)	0.14
Valley Express Bus Services	0	0	0	0	0	0	0	49,429	49,429	1,906,800	(1,857,371)	2.59
Transit Grant Administration	75	0	0	0	0	0	0	0	75	14,323,900	(14,323,825)	0.00
<b>Total Transit and Transportation</b>	<b>28,849</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>16,356</b>	<b>49,429</b>	<b>94,634</b>	<b>28,577,000</b>	<b>(28,482,366)</b>	<b>0.33</b>
<b>Highway Program</b>												
Motorist Aid Services	0	0	0	6,372	0	0	0	0	6,372	1,422,000	(1,415,628)	0.45
Highway Program Management	321,692	0	0	0	0	0	0	0	321,692	4,307,900	(3,986,208)	7.47
<b>Total Highway</b>	<b>321,692</b>	<b>0</b>	<b>0</b>	<b>6,372</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>328,064</b>	<b>5,729,900</b>	<b>(5,401,836)</b>	<b>5.73</b>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION  
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
FOR THE ONE MONTH ENDED JULY 31, 2020**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	SGR Actual	SPBL Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals	Budgeted Actual	Variance Actual	% Year
<b>Rail Program</b>												
Metrolink and Commuter Rail	1,071,696	0	0	0	0	0	0	0	1,071,696	12,294,855	(11,223,159)	8.72
LOSSAN and Coastal Rail	0	0	0	0	0	0	0	0	0	12,300	(12,300)	0.00
Santa Paula Branch Line	0	0	0	0	0	57,063	0	0	57,063	806,000	(748,937)	7.08
<b>Total Rail</b>	<b>1,071,696</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>57,063</b>	<b>0</b>	<b>0</b>	<b>1,128,759</b>	<b>13,113,155</b>	<b>(11,984,396)</b>	<b>8.61</b>
<b>Commuter Assistance Program</b>												
Reg Transit Information Center	148	0	0	0	0	0	0	0	148	43,800	(43,652)	0.34
Rideshare Programs	25,862	0	0	0	0	0	0	0	25,862	297,800	(271,938)	8.68
<b>Total Commuter Assistance</b>	<b>26,010</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>26,010</b>	<b>341,600</b>	<b>(315,590)</b>	<b>7.61</b>
<b>Planning and Programming</b>												
TDA Administration	0	14,500	0	0	0	0	0	0	14,500	23,710,778	(23,696,278)	0.06
Transportation Programming	159	0	0	0	0	0	0	0	159	21,300	(21,141)	0.75
Regional Transportation Planning	13,219	0	0	0	0	0	0	0	13,219	715,600	(702,381)	1.85
Airport Land Use Commission	0	0	0	0	0	0	0	0	0	18,500	(18,500)	0.00
Regional Transit Planning	8,678	0	0	0	0	0	0	0	8,678	1,348,311	(1,339,633)	0.64
<b>Total Planning and Programming</b>	<b>22,056</b>	<b>14,500</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>36,556</b>	<b>25,814,489</b>	<b>(25,777,933)</b>	<b>0.14</b>
<b>General Government</b>												
Community Outreach	16,501	0	0	0	0	0	0	0	16,501	211,200	(194,699)	7.81
State and Federal Relations	29,163	0	0	0	0	0	0	0	29,163	114,200	(85,037)	25.54
Management and Administration	120,951	0	0	0	0	0	0	0	120,951	252,000	(131,049)	48.00
<b>Total General Government</b>	<b>166,615</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>166,615</b>	<b>577,400</b>	<b>(410,785)</b>	<b>28.86</b>
<b>Total Expenditures</b>	<b>1,931,522</b>	<b>14,500</b>	<b>0</b>	<b>6,372</b>	<b>0</b>	<b>57,063</b>	<b>16,356</b>	<b>49,429</b>	<b>2,075,242</b>	<b>78,556,244</b>	<b>(76,481,002)</b>	<b>2.64</b>
<b>Revenues over (under) expenditures</b>	<b>(1,880,777)</b>	<b>(14,500)</b>	<b>0</b>	<b>(6,372)</b>	<b>0</b>	<b>163,562</b>	<b>(16,356)</b>	<b>50,571</b>	<b>(1,703,872)</b>	<b>(3,729,214)</b>	<b>2,025,342</b>	<b>45.69</b>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**  
**FOR THE ONE MONTH ENDED JULY 31, 2020**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	SGR Actual	SPBL Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals	Budgeted Actual	Variance Actual	% Year
<b>Other Financing Sources</b>												
Transfers Into GF From LTF	1,295,401	0	0	0	0	0	0	0	1,295,401	5,054,303	(3,758,902)	25.63
Transfers Into GF From STA	729,673	0	0	0	0	0	0	0	729,673	7,913,137	(7,183,464)	9.22
Transfers Into GF From SAFE	0	0	0	0	0	0	0	0	0	49,100	(49,100)	0.00
Transfers Into GF From SPBL	0	0	0	0	0	0	0	0	0	127,300	(127,300)	0.00
Transfers Into SPBL From LTF	0	0	0	0	0	0	0	0	0	127,300	(127,300)	0.00
Transfers Into SPBL From STA	0	0	0	0	0	0	0	0	0	467,000	(467,000)	0.00
Transfers Into VI From STA	0	0	0	0	0	0	1,000,000	0	1,000,000	1,847,256	(847,256)	54.13
Transfers Out of LTF Into GF	0	(1,295,401)	0	0	0	0	0	0	(1,295,401)	(5,054,303)	3,758,902	25.63
Transfers Out of LTF Into SPBL	0	0	0	0	0	0	0	0	0	(127,300)	127,300	0.00
Transfers Out of STA Into GF	0	0	(729,673)	0	0	0	0	0	(729,673)	(3,025,675)	2,296,002	24.12
Transfers Out of STA Into SPBL	0	0	0	0	0	0	0	0	0	(467,000)	467,000	0.00
Transfers Out of STA Into VI	0	0	(1,000,000)	0	0	0	0	0	(1,000,000)	(1,847,256)	847,256	54.13
Transfers Out of SAFE Into GF	0	0	0	0	0	0	0	0	0	(49,100)	49,100	0.00
Transfers Out SPBL Into GF	0	0	0	0	0	0	0	0	0	(127,300)	127,300	0.00
Transfers Out of SGR into GF	0	0	0	0	0	0	0	0	0	(4,887,462)	4,887,462	0.00
<b>Total Other Financing Sources</b>	<b>2,025,074</b>	<b>(1,295,401)</b>	<b>(1,729,673)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,000,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00</b>
<b>Net Change in Fund Balances</b>	<b>144,297</b>	<b>(1,309,901)</b>	<b>(1,729,673)</b>	<b>(6,372)</b>	<b>0</b>	<b>163,562</b>	<b>983,644</b>	<b>50,571</b>	<b>(1,703,872)</b>	<b>(3,729,214)</b>	<b>2,025,342</b>	<b>45.69</b>
<b>Beginning Fund Balance w/o capital assets</b>	<b>2,598,747</b>	<b>9,649,449</b>	<b>13,224,224</b>	<b>4,625,197</b>	<b>3,898,381</b>	<b>25,370</b>	<b>19</b>	<b>0</b>	<b>34,021,387</b>	<b>33,572,663</b>	<b>448,724</b>	<b>101.34</b>
<b>Long-term Pension/OPEB/Vacation Adjustment*</b>	<b>(1,925,453)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(166,469)</b>	<b>0</b>	<b>(2,091,922)</b>	<b>0</b>	<b>(2,091,922)</b>	<b>0.00</b>
<b>Ending Fund Balance</b>	<b>\$ 817,591</b>	<b>\$ 8,339,548</b>	<b>\$ 11,494,551</b>	<b>\$ 4,618,825</b>	<b>\$ 3,898,381</b>	<b>\$ 188,932</b>	<b>\$ 817,194</b>	<b>\$ 50,571</b>	<b>\$ 30,225,593</b>	<b>\$ 29,843,449</b>	<b>\$ 382,144</b>	<b>101.28</b>

\*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 JULY 31, 2020**

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

<b>Institution</b>	<b>Investment Type</b>	<b>Maturity Date</b>	<b>Interest to Date</b>	<b>Rate</b>	<b>Balance</b>
Wells Fargo	Government Checking	N/A	\$0.00	EAC only	\$2,544,620.62
County of Ventura	Treasury Pool	N/A	0.00	0.00%	21,236,316.63
LAIF	State Pool	N/A	0.00	0.00%	5,609,972.82
<b>Total</b>			<b>\$ 0.00</b>		<b>\$29,390,910.07</b>

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 not earning interest, instead earns "earnings credits" against fees because of the low interest rate environment. Cash balances will vary depending on reimbursements and disbursements. 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.



**[This page intentionally left blank.]**





Item #8C

October 2, 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 August 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 August 31, 2020 budget report indicates that the revenues were approximately 0.99% of the adopted budget while expenditures were approximately 4.45% 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.

It should be noted that the Fiscal Year 2019/2020 is in the process of being finalized and has not yet been audited. The fund balances and accruals are considered estimates until Fiscal Year 2019/2020 is closed, and the audit is final. Because of the lengthy and time-consuming year-end closing process, the invoicing for July reimbursements have not been processed. These revenues will be reflected in the September financials.

Some revenues are received at the beginning of the year while other revenues are received after grants are approved. In many instances, 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 AUGUST 31, 2020**

**Assets and Deferred Outflows**

Cash and Investments	\$ 34,574,151
Petty Cash	130
Receivables/Due from other funds	1,649,064
Prepays and Deposits	174,117
Capital Assets, undepreciated	25,971,001
Capital Assets, depreciated, net	35,191,932
Deferred Outflows	879,100
<b>Total Assets and Deferred Outflows</b>	<b><u>\$ 98,439,495</u></b>

**LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE**

**Liabilities and Deferred Inflows:**

Accrued Expenses and Due to Other	\$ 1,129,516
Deferred Revenue	4,216,707
Deposits	67,059
Accrued Vacation	183,710
Pension Liability	2,143,432
OPEB Liability	352,734
Deferred Inflows	291,147
<b>Total Liabilities and Deferred Inflows:</b>	<b><u>\$ 8,384,305</u></b>

**Net Position:**

Invested in Capital Assets	\$ 60,892,975
Fund Balance	29,162,215
<b>Total Net Position</b>	<b><u>\$ 90,055,190</u></b>

For Management Reporting Purposes Only

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

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	SGR Actual	SPBL Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals	Budgeted Actual	Variance Actual	% Year
<b>Revenues</b>												
Federal Revenues	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	29,805,991	(29,805,991)	0.00
State Revenues	0	0	0	0	0	0	0	0	0	42,908,226	(42,908,226)	0.00
Local Revenues	56,169	0	0	0	0	224,232	361,400	100,000	741,801	1,877,813	(1,136,012)	39.50
Other Revenues	120	0	0	0	0	0	0	0	120	0	120	0.00
Interest	0	0	0	0	0	0	0	0	0	235,000	(235,000)	0.00
<b>Total Revenues</b>	<b>56,289</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>224,232</b>	<b>361,400</b>	<b>100,000</b>	<b>741,921</b>	<b>74,827,030</b>	<b>(74,085,109)</b>	<b>0.99</b>
<b>Expenditures</b>												
<b>Administration</b>												
Personnel Expenditures	433,046	0	0	0	0	0	0	0	433,046	3,648,200	(3,215,154)	11.87
Legal Services	0	0	0	0	0	0	0	0	0	40,000	(40,000)	0.00
Professional Services	6,701	0	0	0	0	0	0	0	6,701	139,500	(132,799)	4.80
Office Leases	22,950	0	0	0	0	0	0	0	22,950	134,800	(111,850)	17.03
Office Expenditures	108,987	0	0	0	0	0	0	0	108,987	440,200	(331,213)	24.76
<b>Total Administration</b>	<b>571,684</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>571,684</b>	<b>4,402,700</b>	<b>(3,831,016)</b>	<b>12.98</b>
<b>Programs and Projects</b>												
<b>Transit and Transportation Program</b>												
Regional Transit Technology	3,931	0	0	0	0	0	0	0	3,931	593,200	(589,269)	0.66
Senior-Disabled Transportation	24,999	0	0	0	0	0	0	0	24,999	393,100	(368,101)	6.36
VCTC Intercity Bus Services	0	0	0	0	0	0	16,356	0	16,356	11,360,000	(11,343,644)	0.14
Valley Express Bus Services	0	0	0	0	0	0	0	52,351	52,351	1,906,800	(1,854,449)	2.75
Transit Grant Administration	1,100	0	0	0	0	0	0	0	1,100	14,323,900	(14,322,800)	0.01
<b>Total Transit and Transportation</b>	<b>30,030</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>16,356</b>	<b>52,351</b>	<b>98,737</b>	<b>28,577,000</b>	<b>(28,478,263)</b>	<b>0.35</b>
<b>Highway Program</b>												
Motorist Aid Services	0	0	0	24,450	0	0	0	0	24,450	1,422,000	(1,397,550)	1.72
Highway Program Management	321,692	0	0	0	0	0	0	0	321,692	4,307,900	(3,986,208)	7.47
<b>Total Highway</b>	<b>321,692</b>	<b>0</b>	<b>0</b>	<b>24,450</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>346,142</b>	<b>5,729,900</b>	<b>(5,383,758)</b>	<b>6.04</b>

For Management Reporting Purposes Only

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

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	SGR Actual	SPBL Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals	Budgeted Actual	Variance Actual	% Year
<b>Rail Program</b>												
Metrolink and Commuter Rail	1,071,876	0	0	0	0	0	0	0	1,071,876	12,294,855	(11,222,979)	8.72
LOSSAN and Coastal Rail	2,500	0	0	0	0	0	0	0	2,500	12,300	(9,800)	20.33
Santa Paula Branch Line	0	0	0	0	0	101,671	0	0	101,671	806,000	(704,329)	12.61
<b>Total Rail</b>	<b>1,074,376</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>101,671</b>	<b>0</b>	<b>0</b>	<b>1,176,047</b>	<b>13,113,155</b>	<b>(11,937,108)</b>	<b>8.97</b>
<b>Commuter Assistance Program</b>												
Reg Transit Information Center	230	0	0	0	0	0	0	0	230	43,800	(43,570)	0.53
Rideshare Programs	44,763	0	0	0	0	0	0	0	44,763	297,800	(253,037)	15.03
<b>Total Commuter Assistance</b>	<b>44,993</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>44,993</b>	<b>341,600</b>	<b>(296,607)</b>	<b>13.17</b>
<b>Planning and Programming</b>												
TDA Administration	0	1,051,535	0	0	0	0	0	0	1,051,535	23,710,778	(22,659,243)	4.43
Transportation Programming	159	0	0	0	0	0	0	0	159	21,300	(21,141)	0.75
Regional Transportation Planning	13,219	0	0	0	0	0	0	0	13,219	715,600	(702,381)	1.85
Airport Land Use Commission	0	0	0	0	0	0	0	0	0	18,500	(18,500)	0.00
Regional Transit Planning	24,311	0	0	0	0	0	0	0	24,311	1,348,311	(1,324,000)	1.80
<b>Total Planning and Programming</b>	<b>37,689</b>	<b>1,051,535</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,089,224</b>	<b>25,814,489</b>	<b>(24,725,265)</b>	<b>4.22</b>
<b>General Government</b>												
Community Outreach	16,501	0	0	0	0	0	0	0	16,501	211,200	(194,699)	7.81
State and Federal Relations	33,663	0	0	0	0	0	0	0	33,663	114,200	(80,537)	29.48
Management and Administration	132,180	0	0	0	0	0	0	0	132,180	552,000	(419,820)	23.95
<b>Total General Government</b>	<b>182,344</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>182,344</b>	<b>877,400</b>	<b>(695,056)</b>	<b>20.78</b>
<b>Total Expenditures</b>	<b>2,262,807</b>	<b>1,051,535</b>	<b>0</b>	<b>24,450</b>	<b>0</b>	<b>101,671</b>	<b>16,356</b>	<b>52,351</b>	<b>3,509,170</b>	<b>78,856,244</b>	<b>(75,347,074)</b>	<b>4.45</b>
<b>Revenues over (under) expenditures</b>	<b>(2,206,518)</b>	<b>(1,051,535)</b>	<b>0</b>	<b>(24,450)</b>	<b>0</b>	<b>122,561</b>	<b>345,044</b>	<b>47,649</b>	<b>(2,767,249)</b>	<b>(4,029,214)</b>	<b>1,261,965</b>	<b>68.68</b>

For Management Reporting Purposes Only

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

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	SGR Actual	SPBL Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals	Budgeted Actual	Variance Actual	% Year
<b>Other Financing Sources</b>												
Transfers Into GF From LTF	1,295,401	0	0	0	0	0	0	0	1,295,401	5,054,303	(3,758,902)	25.63
Transfers Into GF From STA	729,673	0	0	0	0	0	0	0	729,673	8,213,137	(7,483,464)	8.88
Transfers Into GF From SAFE	0	0	0	0	0	0	0	0	0	49,100	(49,100)	0.00
Transfers Into GF From SPBL	0	0	0	0	0	0	0	0	0	127,300	(127,300)	0.00
Transfers Into SPBL From LTF	0	0	0	0	0	0	0	0	0	127,300	(127,300)	0.00
Transfers Into SPBL From STA	0	0	0	0	0	0	0	0	0	467,000	(467,000)	0.00
Transfers Into VI From STA	0	0	0	0	0	0	1,000,000	0	1,000,000	1,847,256	(847,256)	54.13
Transfers Out of LTF Into GF	0	(1,295,401)	0	0	0	0	0	0	(1,295,401)	(5,054,303)	3,758,902	25.63
Transfers Out of LTF Into SPBL	0	0	0	0	0	0	0	0	0	(127,300)	127,300	0.00
Transfers Out of STA Into GF	0	0	(729,673)	0	0	0	0	0	(729,673)	(3,325,675)	2,596,002	21.94
Transfers Out of STA Into SPBL	0	0	0	0	0	0	0	0	0	(467,000)	467,000	0.00
Transfers Out of STA Into VI	0	0	(1,000,000)	0	0	0	0	0	(1,000,000)	(1,847,256)	847,256	54.13
Transfers Out of SAFE Into GF	0	0	0	0	0	0	0	0	0	(49,100)	49,100	0.00
Transfers Out of SPBL Into GF	0	0	0	0	0	0	0	0	0	(127,300)	127,300	0.00
Transfers Out of SGR into GF	0	0	0	0	0	0	0	0	0	(4,887,462)	4,887,462	0.00
<b>Total Other Financing Sources</b>	<b>2,025,074</b>	<b>(1,295,401)</b>	<b>(1,729,673)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,000,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00</b>
<b>Net Change in Fund Balances</b>	<b>(181,445)</b>	<b>(2,346,936)</b>	<b>(1,729,673)</b>	<b>(24,450)</b>	<b>0</b>	<b>122,561</b>	<b>1,345,044</b>	<b>47,649</b>	<b>(2,767,250)</b>	<b>(4,029,214)</b>	<b>1,261,964</b>	<b>68.68</b>
<b>Beginning Fund Balance w/o capi</b>	<b>2,598,747</b>	<b>9,649,449</b>	<b>13,224,224</b>	<b>4,625,197</b>	<b>3,898,381</b>	<b>25,370</b>	<b>19</b>	<b>0</b>	<b>34,021,387</b>	<b>33,572,663</b>	<b>448,724</b>	<b>101.34</b>
<b>Long-term Pension/OPEB/Vacatic</b>	<b>(1,925,453)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(166,469)</b>	<b>0</b>	<b>(2,091,922)</b>	<b>0</b>	<b>(2,091,922)</b>	<b>0.00</b>
<b>Ending Fund Balance</b>	<b>\$ 491,849</b>	<b>\$ 7,302,513</b>	<b>\$ 11,494,551</b>	<b>\$ 4,600,747</b>	<b>\$ 3,898,381</b>	<b>\$ 147,931</b>	<b>\$ 1,178,594</b>	<b>\$ 47,649</b>	<b>\$ 29,162,215</b>	<b>\$ 29,543,449</b>	<b>\$ (381,234)</b>	<b>98.71</b>

\*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 AUGUST 31, 2020**

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

<b>Institution</b>	<b>Investment Type</b>	<b>Maturity Date</b>	<b>Interest to Date</b>	<b>Rate</b>	<b>Balance</b>
Wells Fargo	Government Checking	N/A	\$0.00	EAC only	\$3,407,360.46
LAIF	State Pool	N/A	0.00	0.00%	5,632,081.42
County of Ventura	Treasury Pool	N/A	0.00	0.00%	25,424,009.13
<b>Total</b>			<b>\$ 0.00</b>		<b>\$34,463,451.01</b>

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 not earning interest, instead earns "earnings credits" against fees because of the low interest rate environment. Cash balances will vary depending on reimbursements and disbursements. 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.



**[This page intentionally left blank.]**





Item #8D

October 2, 2020

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: SALLY DEGEORGE, FINANCE DIRECTOR**

**SUBJECT: FISCAL YEAR 2020/2021 CARRY-OVER BUDGET AMENDMENTS**

**RECOMMENDATION:**

- Amend the VCTC Fiscal Year 2020/2021 budget revenues and expenditures as stated in Attachment - Carry-over Budget Amendments from Fiscal Year 2019/2020 to 2020/2021.

**DISCUSSION:**

The Fiscal Year 2020/2021 budget was in part prepared on estimates for projects that occurred in Fiscal Year 2019/2020. Some projects experienced delays, all funds were not expended as anticipated and/or funds were expended, and other funding sources need to be substituted. Therefore, staff is recommending the following budget amendments of revenues and expenditures from the prior year be adjusted to the Fiscal Year 2020/2021 budget as indicated in the "Carry-over Amendments from Fiscal Year 2019/2020 to 2020/2021" attachment which indicates the budget task, budget line item, funding source, expenditure and explanation.

**Attachment**  
**Carry-over Budget Amendments from Fiscal Year 2019/2020 to 2020/2021**

<b>Budget Task:</b>	<b>Regional Transit Technology</b>
<b>Funding Source</b>	<b>Adjustment To Revenues</b>
FTA	\$1,331,693
LTF Fund Transfer	21,112
STA Fund Transfer	108,931
Local Contributions	223,541
<b>Total Funding Increase</b>	<b>\$1,685,277</b>

<b>Expenditure</b>	<b>Adjustment to Expenditures</b>
Professional Services	\$1,685,277
<b>Total Expenditures Increase</b>	<b>\$1,685,277</b>

The AVL project was delayed and the Professional Services funds for the AVL Real-time Information System are being carried-forward into the new fiscal year.

<b>Budget Task:</b>	<b>Highway Project Management</b>
<b>Funding Source</b>	<b>Adjustment To Revenues</b>
STP	\$5,331,130
<b>Total Funding Increase</b>	<b>\$5,331,130</b>

<b>Expenditure</b>	<b>Adjustment to Expenditures</b>
Consultant	\$5,331,130
<b>Total Expenditures Increase</b>	<b>\$5,331,130</b>

The Consultant funds for the US101 PAED study were not expended in FY 19/20 and are being carried-over into the new fiscal year.

<b>Budget Task:</b>	<b>Motorist Aid Services</b>
<b>Funding Source</b>	<b>Adjustment To Revenues</b>
SAFE Fund Balance	\$2,500
<b>Total Funding Increase</b>	<b>\$2,500</b>

<b>Expenditure</b>	<b>Adjustment to Expenditures</b>
CHP	\$2,500
<b>Total Expenditures Increase</b>	<b>\$2,500</b>

The CHP 4th quarter invoice was not received in FY 19/20 and it is being carried-over into the new fiscal year.

<b>Budget Task:</b>	<b>Metrolink Commuter Rail</b>
<b>Funding Source</b>	<b>Adjustment To Revenues</b>
LTF Fund Transfer	\$829,272
STA Fund Transfer	(3,626)
SGR Fund Transfer	(15,314)
LCTOP	109,729
<b>Total Funding Increase</b>	<b>\$920,061</b>

<b>Expenditure</b>	<b>Adjustment to Expenditures</b>
Operations	\$679,272
Capital	131,060
Seasonal Saturday Service	109,729
<b>Total Expenditures Increase</b>	<b>\$920,061</b>

Carry-over funds will be used on Operations, Capital Rehab, and for Saturday services to make VCTC and SCRRA whole by making up the difference where funding levels have dropped lower than projections for FY 20/21.

<b>Budget Task:</b>	<b>Santa Paula Branch Line</b>
<b>Funding Source</b>	<b>Adjustment To Revenues</b>
STA Fund Transfer	\$139,443
<b>Total Funding Increase</b>	<b>\$139,443</b>

<b>Expenditure</b>	<b>Adjustment to Expenditures</b>
Legal	\$28,098
Non Rail Maintenance	38,257
Consultant	35,096
Signal	37,992
<b>Total Expenditures Increase</b>	<b>\$139,443</b>

Lease, local fee, and Signal revenues for FY 19/20 were higher than budgeted, while expenditures were lower than anticipated across several budget categories, resulting in available STA revenues to carry forward into FY 20/21. Legal Services, Consultant Support, Signal Operations, and Non-Rail Maintenance activities are being carried-forward into FY 20/21.

<b>Budget Task:</b>	<b>Rideshare Programs</b>
<b>Funding Source</b>	<b>Adjustment To Revenues</b>
CMAQ	\$58,854
<b>Total Funding Increase</b>	<b>\$58,854</b>

<b>Expenditure</b>	<b>Adjustment to Expenditures</b>
Data Base Administration	\$56,897
Outreach	1,957
<b>Total Expenditures Increase</b>	<b>\$58,854</b>

The carry-over funds will be used for database management costs above projections and explore expansion of the Guaranteed Ride Home program to include transportation network companies such as Uber and Lyft.

<b>Budget Task:</b>	<b>Regional Transit Planning</b>
<b>Funding Source</b>	<b>Adjustment To Revenues</b>
FTA	\$10,163
LCTOP	429,290
<b>Total Funding Increase</b>	<b>\$439,453</b>

<b>Expenditure</b>	<b>Adjustment to Expenditures</b>
Outreach	\$10,163
College Ride Program	429,290
<b>Total Expenditures Increase</b>	<b>\$439,453</b>

The LCTOP funding for the College Ride Pilot Program and FTA funding for outreach were not fully expended in FY 19/20 and are being carried-over into the new fiscal year.

<b>Budget Task:</b>	<b>Regional Transportation Planning</b>
<b>Funding Source</b>	<b>Adjustment To Revenues</b>
LTF Fund Transfer	\$40,000
PPM	8,000
<b>Total Funding Increase</b>	<b>\$48,000</b>

<b>Expenditure</b>	<b>Adjustment to Expenditures</b>
Consultant	\$48,000
<b>Total Expenditures Increase</b>	<b>\$48,000</b>

The Fiscal Year 2019/2020 Regional Transportation Plan Program Budget Consultant Services line item included funding for an update to the Congestion Management Program, which has been deferred to Fiscal Year 2020/2021, resulting in additional LTF and PPM funding to carryover.

<b>Budget Task:</b>	<b>Transportation Development Act</b>
<b>Funding Source</b>	<b>Adjustment To Revenues</b>
STA Fund Balance	\$373,027
SGR Fund Balance	35,081
<b>Total Funding Increase</b>	<b>\$408,108</b>

<b>Expenditure</b>	<b>Adjustment to Expenditures</b>
Pass-Through State Transit Assistance	\$373,027
Pass-Through State of Good Repair	35,081
<b>Total Expenditures Increase</b>	<b>\$408,108</b>

The pass-through STA and SGR funds were not claimed by local agencies in FY 19/20, and therefore, the funds are being carried-over for local agencies to claim.

<b>Budget Task:</b>	<b>Community Outreach</b>
<b>Funding Source</b>	<b>Adjustment To Revenues</b>
FTA	\$42,300
<b>Total Funding Increase</b>	<b>\$42,300</b>

<b>Expenditure</b>	<b>Adjustment to Expenditures</b>
Consultant Services	\$30,000
Youth Programs	4,500
Collateral Materials	7,800
<b>Total Expenditures Increase</b>	<b>\$42,300</b>

The Consultant Services, Youth Programs and Collateral Materials weren't fully expended in FY 19/20 and will continue into FY 20/21.

<b>Budget Task:</b>	<b>Management and Administration</b>
<b>Funding Source</b>	<b>Adjustment To Revenues</b>
FTA CARES	\$21,741
LTF Fund Transfer	95,500
<b>Total Funding Increase</b>	<b>\$117,241</b>

<b>Expenditure</b>	<b>Adjustment to Expenditures</b>
Hardware/Software & Network Infrastructure	\$21,741
Office Relocation	95,500
<b>Total Expenditures Increase</b>	<b>\$117,241</b>

The FTA funds used to provide additional hardware/software/network items to support work during the Pandemic and the LTF funds required for the office relocation were not fully expended in FY 19/20 and are being carried-over into the new

<b>Budget Task:</b>	<b>STA Fund</b>
<b>Expenditure</b>	<b>Adjustment to Expenditures</b>
STA Fund Transfer out	\$244,748
SGR Fund Transfer out	(15,314)
<b>Total Transfers</b>	<b>\$229,434</b>

Update the STA budget transfer-out line item for funds transferred to other VCTC funds.



Item #8E

October 2, 2020

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: ROXANNA IBARRA, CLERK OF THE COMMISSION**  
**SUBJECT: AUTHORIZATION FOR DESTRUCTION OF RECORDS**

**RECOMMENDATION:**

- Approve the destruction of itemized records.

**BACKGROUND:**

This item presents for approval the destruction of records at Ventura County Transportation Commission, pursuant to Provisions of “Administrative Code of the Ventura County Transportation Commission, Ventura County Airport Land Use Commission, Ventura County Service Authority for Freeway Emergencies, the Consolidated Transportation Service Agency for Ventura County and the Ventura County Congestion Management Agency” (Article V, Section H \_Records Retention).

Staff is requesting the destruction of records found within Attachment A.

Staff Position Review	Advisory Recommendation	Comments
Executive Director	X	Reviewed and recommended
Director of Finance	X	Reviewed and recommended
Director of Technology	X	Reviewed and Recommended
Director of Programming	X	Reviewed and Recommended
Director of Bus Transit Services	X	Reviewed and recommended

**Attachment A**

**REQUEST TO DESTROY  
FINANCE DEPT. RECORDS  
LOCATION: STORAGE**

FY 2009/2010 Financial Records

16 Boxes

**REQUEST TO DESTROY  
TRANSIT DEPT. RECORDS  
LOCATION: STORAGE**

2015 Heritage Valley RFP No. 1415-9164  
2015 ADA RFP Certification Services  
2016 GCTD RFP for Voice Annunciators  
2017 AVL Systems RFP No. 90164-AVL  
2017 AVL Proposals  
2020 RFP for ADA Certification Services  
Used, Expired Transfers

4 Boxes  
1 Box  
1 Box  
3 Boxes  
1 Box  
1 Box  
1 Box

**REQUEST TO DESTROY  
PROGRAMMING DEPT. RECORDS  
LOCATION: STORAGE**

Pre 2010 VCTC Design/Construction Project Files:  
Camarillo Station, Santa Paula Mill & Depot,  
La Conchita Pedestrian DC (design concept),  
East Ventura Station, Sounds Walls (Preliminary Design)  
118 Traffic Study, Calleguas Pipeline  
Pre 2008 Senior Nutrition Financial Reporting  
2009 ADA Certification Contract Procurement  
Coordinated Human Services Paratransit Study Project Management  
Pre 2013 VCOG Legislative Staff Files  
Pre 2013 FTA Grant Monitoring Records  
Pre 2014 Program of Project  
Pre 2015 Legislative Correspondence  
Pre 2015 Annual 13(c) Signed Agreements

1 Box  
1 Box  
1 Box  
1 Box  
1 Box  
1 Box  
1 Box  
1 Box  
1 Box



Item #8F

**October 2, 2020**

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: ROXANNA IBARRA, CLERK OF THE COMMISSION**  
**SUBJECT: 2021 VCTC REGULAR MEETING SCHEDULE**

**RECOMMENDATION:**

- Adopt the following schedule of regular monthly VCTC meeting dates for 2021

**BACKGROUND:**

It is recommended the following meeting date schedule be adopted for 2021. The January, July and September meetings will be held on the second Friday of the month as the first Friday falls on or near a holiday weekend.

**VCTC REGULAR MEETING SCHEDULE 2020**

January 8\*\*\* (Moved to second Friday due to Holiday)  
February 5  
March 5  
April 2  
May 7  
June 4  
July 9\*\*\* (Moved to second Friday due to July 4<sup>th</sup> holiday)  
August – dark  
September 10\*\*\* (Moved to second Friday due to Labor Day)  
October 1  
November 5  
December 3



**[This page intentionally left blank.]**





Item #8G

October 2, 2020

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: HEATHER MILLER, PROGRAM MANAGER**  
**SUBJECT: AMENDMENT TO FY 2018/19 STATE OF GOOD REPAIR PROGRAM**

**RECOMMENDATION:**

- Approve change in scope for FY 2018/19 State of Good Repair (SGR) Southern California Regional Rail Authority (SCRRA) Arroyo Simi Crossing Scour Protection Project to encompass repairs to four bridges rather than one.

**BACKGROUND:**

On April 28, 2017 Governor Brown signed Senate Bill (SB 1), known as the Road Repair and Accountability Act of 2017. SB 1 provides over \$50 billion in transportation funding over the next decade to repair highways, bridges, local roads, and improve transit service.

SB 1 provides a steady source of revenue from the Transportation Improvement Fee on vehicle registrations (approximately \$105 million annually statewide) to rehabilitate and modernize existing local transit systems. This investment in public transit is called the State of Good Repair Program (SGR) and funds are distributed to local agencies using the same formula as State Transit Assistance (STA).

**DISCUSSION:**

On September 7, 2018, the Commission approved the use of the Ventura County Transportation Commission's (VCTC) estimated FY 2018/19 apportionment of SGR funds of \$1,132,923 and the SCRRA SGR amount of \$115,145 for the Arroyo Simi Crossing Scour Protection Project. The project, as proposed in 2018, would provide rehabilitation and scour mitigation to the bridge abutments on the first of four (4) Arroyo Simi Bridges in the vicinity of Moorpark and Simi Valley.

On May 27, 2020, the Federal Railroad Administration (FRA) announced an award of \$6,750,000 from the FY 2019 Federal State Partnership for the SGR Program toward the rehabilitation and scour mitigation of all four (4) Arroyo Simi rail bridges. The FY 2018/19 SGR funds will now be used to provide the initial match for the federal grant. Therefore, the original SGR project description and scope require a change reflecting the rehabilitation of all four (4) Simi bridges, rather than just one, to match the approved scope of the federal grant.

The bridges included in the project were constructed in the mid-1940s to early 1950s. Recent inspections of the bridges indicated that the substructures have experienced concrete deterioration

and significant scour that has removed supportive sediment around bridge abutments. These bridges carry 27 daily trains on both main and siding tracks, including 14 Metrolink trains, 11 Amtrak Pacific Surfliner trains, and two Union Pacific Railroad freight trains daily.

Construction associated with the project includes:

- Removing existing collars, footings and piles of the existing bridges; and
- Installing Federal Highway Administration (FHWA) Class IX riprap; and
- Installing concrete encasements for steel piers.

The work will protect the bridges from frequent flooding, improve service reliability and avoid passenger and freight rail disruptions. By avoiding significant delays caused by slow orders, the project saves funding otherwise spent on unplanned repairs and inspections. Protecting existing passenger rail service is critical to meeting targeted reductions in congestion and total vehicle miles travelled in the corridor.



Item #8H

October 2, 2020

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: AARON BONFILIO, PROGRAM MANAGER**

**SUBJECT: VCTC INTERCITY SERVICES PROGRAM FISCAL YEAR 2020-2021 BUDGET AMENDMENT**

**RECOMMENDATION:**

- Approve Amendment to the Fiscal Year 2020-2021 VCTC Intercity Transit Services Budget Task as follows:
  - by adding \$373,258 of carryover FTA CARES revenues to the *FTA CARES* revenues line-item, and \$125,000 to the *Bus and Equipment* expenditures line-item, and \$125,000 to the Contract Services line-item, and by reducing \$123,258 from the *Local Fee – Farebox* revenues line-item;
  - by creating a new revenues line-item, “*Other-Fuel Credits*” in the amount of \$102,098 and creating a new expenditures line-item, “*Scheduling Software*”, in the amount of \$50,000, and by reducing the STA Fund Transfer revenues line item by \$52,098, and correspondingly adjust the STA Fund by reducing the STA Fund Transfer out; and,
  - by creating a new revenues line-item, “*Other-Insurance Proceeds*” in the amount of \$3,790 and adding \$3,790 to *Bus and Equipment* expenditures line-item.

**BACKGROUND:**

At the May 2020 Commission meeting, the Commission amended the VCTC Intercity Transit Services Fiscal Year 2019-2020 Budget Task to incorporate one-time federal stimulus funds provided through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The CARES funds were added to the VCTC Intercity transit services budget in part to offset lost farebox revenues, provide support to increased costs associated with COVID-19 response activities, as well as offset the use of local/State funds for general operations or equipment costs. At the end of Fiscal Year 2019-2020, the VCTC Intercity budget task CARES Act fund balance equaled approximately \$373,258.

As the pandemic continues, so too have the responsive procedures, such as enhanced cleaning regimen, operational adjustments, and equipment needs. The recommended action carries over the CARES Act balance in full, offsetting farebox revenues, and facilitating continued operations and equipment.

In addition, pursuant to the Amendment to the Transit Services Agreement with RATP Dev, VCTC has begun paying RATP Dev directly for fuel costs via a “pass-through” invoicing process. As a result, VCTC

recently received approximately \$102,098 from RATP Dev as a fuel credit (equal to the Federal excise tax fuel credit that RATP Dev received directly from the Internal Revenue Service). This item formally amends those funds into the Fiscal Year 2020-2021 VCTC Intercity Budget Task, offsetting use of State Transit Assistance Funds, as well as providing funding for scheduling software. The scheduling software will help improve the speed at which staff can implement service changes, as ridership demand is expected to continue to fluctuate as State and County health orders change and the economy reopens. In addition, this software will provide VCTC increased data regarding operations, including resource allocation and optimization.

Lastly, this agenda item carries over the remaining fund balance of \$3,790 of insurance proceeds received to reimburse VCTC for the loss of Commission-owned bus equipment. These funds will be used during the Fiscal Year to complete provisioning of related bus equipment.



Item #81

October 2, 2020

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR  
CLAIRE GRASTY, REGIONAL TRANSIT PLANNING MANAGER**

**SUBJECT: AGREEMENT WITH INNOVATIVE TDM SOLUTIONS (ITS) FOR RIDESHARE  
DATABASE SERVICES**

**RECOMMENDATION:**

- Authorize a fifteen (15) month extension of a sole source, contract with Innovative TDM Solutions (ITS) not to exceed \$95,575 for rideshare database management services. Because this is a sole source procurement, a 2/3 Commission vote is required for approval.

**DISCUSSION:**

In June of 2017 the Commission authorized the outsourcing of rideshare database management and issued a contract for services with Innovative TDM Solutions (ITS) through June 30, 2019. In June of 2019, the Commission approved an additional sixteen-month agreement with ITS based on their previous performance that expires on October 31, 2020. This function, rideshare database management and data processing, was previously performed by VCTC staff. Outsourcing the rideshare database work to ITS has proven to be reliable and has freed up considerable staff time enabling staff to focus on core VCTC issues.

VCTC's rideshare program is part of a regional rideshare partnership with Los Angeles, Orange, San Bernardino, and Riverside Counties operating from a common database enabling ride matching over an extremely large and complex area. ITS is under contract with each of the rideshare partners to perform database management and other similar functions. In addition to working with VCTC's rideshare partners, ITS works directly with Employer Transportation Coordinator's (ETCs), the Ventura County Air Pollution Control District (APCD), and directly with rideshare patrons.

A sole source procurement, which requires a 2/3 Commission vote for approval, is justified for these services due to the common shared database work, a second contractor working on the single shared database, would be disruptive, require additional training, time, and cost to achieve to the same level of service. Additionally, extending ITS agreement will align VCTC with METRO's first of two option years. Aligning VCTC with LA Metro's schedule will allow for VCTC to be better aligned with LA Metro and the other County Transportation agencies. Caltrans concurred that this service was appropriate and that a sole source procurement was justified.

With ITS performing well in all areas of their services and this contract allowing VCTC to synchronize procurements with its rideshare partners, staff is recommending that the Commission approve a fifteen (15) month contract extension with Innovative TDM Solutions, not to exceed \$95,575, to continue management of the rideshare database. The attached amendment was anticipated and is funded in the current Fiscal Year 2020/2021 Rideshare Task Budget.

**AMENDMENT NO. 1 TO  
AGREEMENT BETWEEN VENTURA COUNTY TRANSPORTATION COMMISSION  
AND INNOVATIVE TDM SOLUTIONS FOR DATABASE MANAGEMENT SERVICES**

**THIS AMENDMENT NO. 1 to the Agreement** effective July 1, 2019, is entered into between Ventura County Transportation Commission (hereinafter referred to as VCTC) and Innovative TDM Solutions (hereinafter referred to as CONSULTANT) to extend the end date of the Agreement fifteen months, from November 1, 2020 to January 31, 2022.

**WHEREAS**, it is the intention of VCTC to extend by fifteen months the provisions of Agreement with the CONSULTANT to provide for a new end date of the Agreement of January 31, 2022, with no other changes in the Agreement;

**NOW, THEREFORE, the parties hereto agree as follows:**

1. **Statement of Agreement:** VCTC hereby agrees to retain CONSULTANT and CONSULTANT hereby agrees to perform the work described in connection with the original Agreement, which commenced July 1, 2019. The CONSULTANT hereby warrants that it has the qualifications, experience and facilities to properly perform said services and hereby agrees to undertake and complete the performance thereof as an independent CONSULTANT.
2. **Duration of Agreement:** The term and provisions of the original Agreement shall be extended by fifteen months through January 31, 2022. VCTC will pay CONSULTANT in an amount not to exceed \$95,575 for work provided between November 1, 2020 and January 31, 2022.
3. **Notices:** The notice section of the Agreement is hereby amended to provide that CONSULTANT shall send a copy of notice issued by consultant to VCTC to:

Martin R. Erickson  
Public Transit Director  
Ventura County Transportation Commission  
751 Daily Drive, Ste. 420  
Camarillo, CA 93010

4. **Amendment:** Except as hereby extended, the Agreement as originally approved remains in full force and effect.

5. **Signatures:** IN WITNESS WHEREOF, the parties hereto have caused this amended Agreement to be executed by their duly authorized representatives. Each party represents to the other party that this amended Agreement has been executed by a duly authorized agent of the party so representing.

Dated: \_\_\_\_\_

VENTURA COUNTY

TRANSPORTATION COMMISSION

By \_\_\_\_\_

Darren M. Kettle, Executive Director

Dated: \_\_\_\_\_

CONSULTANT: Innovative TDM Solutions

By \_\_\_\_\_

Bill McCaughey, Principal

APPROVED AS TO FORM:

\_\_\_\_\_

Steven T. Mattas, General Counsel

Ventura County Transportation Commission





Item #9

October 2, 2020

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: DARRIN PESCHKA, PROGRAM MANAGER, GOVERNMENT AND COMMUNITY RELATIONS**

**SUBJECT: LEGISLATIVE UPDATE**

**RECOMMENDATION:**

- Receive and file update on legislation regarding federal and state transportation issues.

**DISCUSSION:**

**Federal Issues**

On September 22, the House of Representatives approved H.R. 8837, the “Continuing Appropriations Act of 2021 and Other Extensions Act of 2020.” The act would continue all current federal appropriations through December 11, 2020 and would avert a government shutdown on October 1. The act includes a one-year “turnkey” extension to the Fixing America’s Surface Transportation (FAST) Act, which is scheduled to expire September 30. The one-year extension to FAST would provide temporary relief to transportation agencies. Several industry groups in recent weeks have urged Congress to authorize such an extension.

To ensure that the government stays open and the FAST Act is uninterrupted, H.R. 8837 must be approved by the Senate and signed by the president by September 30.

**State Issues**

The state Legislature considered several transportation-related bills before the legislative session ended. SB 288 (Scott Wiener, D-San Francisco), passed the Assembly and Senate on August 31 and is awaiting the signature of Gov. Gavin Newsom. The bill would add categories to the list of statutory CEQA exemptions, including projects to enhance commuter bus and rail service, bicycle and pedestrian facilities, renewable fueling or charging stations, and certain transit station improvements. The status of the bill is unchanged from the last report.

AB 107 passed the Assembly and the Senate on August 31 and is awaiting the signature of Gov. Gavin Newsom. The bill includes a statutory relief measure to provide temporary flexibility in the use of State of Good Repair program funds. Recipient transit agencies would, for the fiscal years 2019-20

to 2021-22, be allowed to use State of Good Repair program funds on any capital or operating expenses to maintain transit service levels. Although VCTC does not anticipate exercising this option, it will be available if the need should arise. When combined with AB 90, transit has received substantial regulatory relief. The status of the bill is unchanged since the last report.

On September 22, Gov. Gavin Newsom signed an executive order on climate change that phases out the sale of new gas-powered passenger vehicles by 2035 and heavy-duty trucks by 2045. The executive order does not address how to fund transportation infrastructure and public transit operations if fuel sales decline as a result. According to the California Transit Association, the executive order is not expected to affect implementation of the Innovative Clean Transit Regulation, which has goals of zero-emission technologies on California's transit bus fleets.

Attachment A is the monthly report of Delaney Hunter, the Commission's state lobbyist.



## CALIFORNIA ADVISORS, LLC

### VENTURA COUNTY TRANSPORTATION COMMISSION MONTHLY STATE ADVOCACY REPORT SEPTEMBER 2020

#### Legislative Update

The month of September has been a little quieter on the legislative front with both houses going on their interim recess at midnight on August 31st. The focus for this month was supposed to be squarely on bill signings. Governor Gavin Newsom has until September 30th to sign on veto legislation. However, the Governor has been slower to act on bills this year. He has had to address issues related to the ongoing global pandemic, historic wildfires, and rolling blackouts. Further, with the November election rapidly approaching and campaign season underway, Presidential candidates made a stop through California and their visits also shifted the focus away from bills pending on the Governor's desk.

Consequently, the Governor still needs to act upon several hundreds of bills before the deadline. Newsom has signed a handful of high-profile bills, many in response to the COVID-19 crisis. Among the first actions taken, Newsom signed AB 3088, co-authored by Assemblymembers David Chiu (D-San Francisco) and Monique Limón (D-Santa Barbara) and Senators Steven Bradford (D-Gardena) and Anna Caballero (D-Salinas), to provide tenant and landlord protections. Also, the Governor made headlines when he signed a trio of bills that provide for additional worker protections. Specifically, on September 17th, Newsom signed two measures as part of his "worker protection package" – SB 1159 by Senator Jerry Hill (D-San Mateo) and AB 685 by Assemblymember Eloise Gómez Reyes (D-San Bernardino). SB 1159 creates a rebuttable presumption that illness or death related to COVID-19 is an occupational injury and therefore eligible for workers' compensation benefits. AB 685 requires employers to provide written notice and instructions to employees who may have been exposed to COVID-19 at their worksite. Additionally, Newsom signed SB 1383 by Senator Hannah-Beth Jackson (D-Santa Barbara). The bill expands job-protected family leave for employees of companies with five or more employees.

We expect a flurry of actions to be taken on bills over the last week of September. The Governor still has significant pieces of legislation still pending on his desk. These include bills related to transportation, housing, energy, labor protections, and more.

## **Budget Update**

On September 10th, when the “skinny” coronavirus relief bill was blocked in the US Senate all hope for federal assistance coming to California to avoid the October trigger cuts in the budget faded. While California constructed the budget cuts in a manner that will allow us to stave off deeper cuts if assistance comes later in the year there will be programs affected by these actions. The consensus around the State Capitol is that California will have to reassess the budget situation we are facing after the November elections and that we could be facing another down year in 2021.

Meanwhile, there have been several calls, from other lawmakers and various interest groups, for the Governor to call a special session. To date, he has not indicated he would do so. However, the continuing budget issues could force policymakers to come back from their break before the start of 2021. In this regard, Newsom has said he is “open” to a special session but only if it is necessary. The Senate announced they intend to hold oversight hearings.

Earlier this month, five members – Chair of the Special Committee on Pandemic Emergency Response Senator Lena Gonzalez (D- Long Beach), Assistant Majority Leader Senator Mike McGuire (D-Santa Rosa), Budget and Fiscal Review Committee Chair Senator Holly Mitchell (D-Los Angeles); Health Committee Chair Senator Richard Pan (D-Sacramento); and Public Safety Committee Chair Nancy Skinner (D-Berkeley) – sent Governor Newsom a letter informing him of their plan. Specifically, the letter noted that the Senate’s Special Committee on Pandemic Emergency Response and the Senate Budget and Fiscal Review Subcommittee on the COVID-19 Response intend to work with the Senate Standing Committees to hold oversight hearings on the state’s ongoing response to and future management of the pandemic. Their priorities include unemployment insurance (UI)- timely claims handling; testing, tracing, isolation and preventing community spread of COVID-19; reopening schools; personalized protective equipment (PPE) supply chain; flu vaccinations; and increased workplace inspections to protect essential workers.

Similarly, the Assembly has also announced some oversight and informational hearings scheduled to take place later this month and in early October. The hearings will address public health data and guidance and the CalREDIE system, state expenditures, and the Employment Development Department Strike Team.

It is important to note that because these hearings are not occurring as part of a special session and after the conclusion of the regular 2020 session, lawmakers cannot take any legislative action at these meetings. The hearings are for informational purposes only and are meant to inform the conversation for when the Legislature reconvenes.

## **LAO Report on Impact of COVID-19 on State Transportation Revenues**

The coronavirus disease 2019 (COVID-19) public health pandemic has impacted social and economic activity in the state. Among other effects, reduced business activity and stay-at-home orders have resulted in less driving. Consequently, the state has experienced a significant reduction in gasoline and other tax revenues that support funding for highways, local streets and roads, and transit. The report discussed how the COVID-19 pandemic is affecting state transportation revenues, as well as how the estimated declines in transportation revenues will impact major state transportation programs. While

some programs will be impacted more immediately, others should have sufficient budgetary reserves to sustain them in the near term. However, the pandemic and its effects are still ongoing, and the ultimate impacts on state transportation programs will be determined by the course of the pandemic and the state's economic recovery.

<b>Upcoming Bill Deadlines and 2 Year Bills</b>
---

**September 30** – Last day for Governor to sign or veto bills passed by the Legislature

**November 3** – General Election

**December 7** - 2021-22 Regular Session begins

*Below is a list of VCTC tracked bills:*

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

**Introduced:** 12/13/2018

**Status:** 8/18/2020-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. TRANS. on 6/23/2020)

**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:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 5/23/2019)

**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:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. E.Q. on 8/14/2019)

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

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

**Introduced:** 2/21/2019

**Status:** 9/18/2020-Approved by the Governor. Chaptered by Secretary of State - Chapter 89, Statutes of 2020.

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

**Introduced:** 2/22/2019

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. APPR. SUSPENSE FILE on 8/26/2019)

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

**Introduced:** 1/6/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 1/17/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 2/27/2020)

**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:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. TRANS. on 2/6/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 2/6/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 2/14/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 2/14/2020)

**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:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. TRANS. on 2/14/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 2/27/2020)

**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:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. L. GOV. on 2/20/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was PRINT on 2/13/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 2/24/2020)

**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:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. L. GOV. on 2/24/2020)

**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:** 9/18/2020-Approved by the Governor. Chaptered by Secretary of State - Chapter 100, Statutes of 2020.

**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:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/14/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 2/24/2020)

**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:** 9/15/2020-Enrolled and presented to the Governor at 3 p.m.

**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:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/20/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 3/2/2020)

**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:** 9/11/2020-Enrolled and presented to the Governor at 3 p.m.

**Summary:** Would authorize a county, including a city and county, to enter into an agreement with an adjacent county, upon the request of the adjacent county, for purposes of permitting the adjacent county to borrow, for compensation, the county's emergency management and transportation services in the event of an emergency that requires the evacuation and relocation of the access and functional needs population in the adjacent county. The bill would define an "adjacent county" for these purposes as a county within the same or a contiguous mutual aid region or regions, as defined. The bill, if a county, including a city and county, chooses to enter into an agreement under the bill's provisions, would require that the county integrate the agreement into its emergency plan within 90 days of entering into the agreement.

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

**Introduced:** 2/20/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 3/2/2020).

**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:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/20/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 3/2/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 3/5/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 3/5/2020)

**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 (Aguiar-Curry D) Local alternative transportation improvement program: County of Napa.**

**Introduced:** 2/21/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 3/12/2020)

**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:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. on 5/4/2020)

**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 3278 (Patterson R) High-Speed Rail Authority: passenger train service.**

**Introduced:** 2/21/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 6/2/2020)

**Summary:** Current law requires the High-Speed Rail Authority, before committing those bond proceeds for expenditure for construction and real property and equipment acquisition, to have approved and concurrently submitted to the Director of Finance and the Chairperson of the Joint Legislative Budget Committee both a detailed funding plan and a report, prepared by one or more financial services firms, financial consulting firms, or other consultants involved in funding or constructing the high-speed train system, indicating that, among other things, the planned passenger train service to be provided by the authority, or pursuant to its authority, will not require an operating subsidy. This bill would state that passenger train service is provided by the authority, or pursuant to its authority for those purposes when high-speed train service uses the high-speed train system owned by the authority, regardless of whether the service is provided directly by the authority or provided by a third party pursuant to a lease agreement with the authority.

**AB 3280 (Chu D) Trade Corridor Enhancement Account.**

**Introduced:** 2/21/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 4/24/2020)

**Summary:** Existing law creates the Solutions for Congested Corridors Program, with funding available for the program to be allocated by the California Transportation Commission to projects designed to achieve a balanced set of transportation, environmental, and community access improvements within highly congested travel corridors throughout the state and that are part of a comprehensive corridor plan. Current law authorizes regional transportation planning agencies or county transportation commissions or authorities and the Department of Transportation to nominate projects, with preference to be given to projects that demonstrate collaboration between the regional agencies and the department. This bill would expand "regional transportation planning agency" to include specified transportation planning agencies, certain county transportation commissions, the Santa Clara Valley Transportation Authority, a joint exercise of powers authority, or any other local or regional transportation entity that is designated by statute as a regional transportation agency.

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

**Introduced:** 2/21/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. NAT. RES. on 4/24/2020)

**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 (Aguilar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.**

**Introduced:** 12/3/2018

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. RECONSIDERATION on 5/20/2019)

**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 146 (Beall D) Regional transportation plans: sustainable communities strategies: procedural requirements.**

**Introduced:** 1/18/2019

**Status:** 9/9/2020-Enrolled and presented to the Governor at 3 p.m.

**Summary:** Would, until January 1, 2023, recharacterize the workshops as public engagement gatherings and would authorize these informational meetings, public engagement gatherings, and public hearings to be conducted by electronic means if a call-in telephonic option is also provided and the meeting is not required to be conducted pursuant to the Ralph M. Brown Act. The bill, until January 1, 2023, would make other related changes.

**SB 288 (Wiener D) California Environmental Quality Act: exemptions.**

**Introduced:** 2/13/2019

**Status:** 9/10/2020-Enrolled and presented to the Governor at 3 p.m.

**Summary:** CEQA includes exemptions from its environmental review requirements for numerous categories of projects, including, among others, projects for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use and projects for the institution or increase of passenger or commuter service on high-occupancy vehicle lanes already in use, as specified. This bill would revise and recast the above-described exemptions and further exempt from the requirements of CEQA certain projects for the institution or increase of bus rapid transit and regional rail services on public rail or highway rights of way, as specified, whether or not it is presently used for public transit, as specified, and projects for the institution or increase of passenger or commuter service on high-occupancy vehicle lanes or existing roadway shoulders.

**SB 757 (Allen D) State highways: relinquishment.**

**Introduced:** 2/22/2019

**Status:** 9/8/2020-Enrolled and presented to the Governor at 2 p.m.

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was GOV. & F. on 2/12/2020)

**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, if the local agency has an internet website, a legislative body or its designee to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. The bill would require, where the local agency determines it is technologically infeasible to send a copy of all documents constituting the agenda packet or a website link containing the documents by electronic mail or by other electronic means, the legislative body or its designee to send by electronic mail a copy of the agenda or a website link to the agenda and mail a copy of all other documents constituting the agenda packet in accordance with the mailing requirements.

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

**Introduced:** 2/12/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 2/20/2020)

**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 1238 (Hueso D) Road project contracts: preference: recycle plastics.**

**Introduced:** 2/12/2020

**Status:** 8/14/2020-Failed Deadline pursuant to Rule 61(b)(13). (Last location was A. TRANS. on 6/29/2020)

**Summary:** Would require the Department of Transportation to conduct a study to determine if including recycled plastics in asphalt used for a construction and repair project of a state highway is feasible. If the department determines that this use of recycled plastics is feasible, the bill would require the department, when awarding a contract for a construction or repair project of a state highway, to award a preference of an unspecified percentage to a bidder who proposes to use asphalt that includes recycled plastics for the construction or repair project. The bill would declare it to be the goal of the state that, by 2045, the department and each local agency use asphalt that includes recycled plastics in every construction or repair project of a local road or state highway that will use asphalt.

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

**Introduced:** 2/21/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 2/21/2020)

**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 authorize the Department of Transportation to establish a pilot program to authorize a transit operator or operators to operate transit buses on the shoulders of state highways, under a project selected under the program.

**SB 1291 (Beall D) State highway system.**

**Introduced:** 2/21/2020

**Status:** 9/18/2020-Approved by the Governor. Chaptered by Secretary of State. Chapter 113, Statutes of 2020.

**Summary:** Current law requires each metropolitan planning organization and transportation planning agency, not later than October 1 of each even-numbered year, to submit its Federal Transportation Improvement Program to the Department of Transportation for incorporation into the Federal Statewide Transportation Improvement Program, which current law requires the department to submit to the United States Secretary of Transportation by not later than December 1 of each even-numbered year. This bill would provide that a metropolitan planning organization or transportation planning agency is not required to submit a Federal Transportation Improvement Program to the department, and the department is not required to submit the Federal Statewide Transportation Improvement Program to the secretary, for 2020.

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

**Introduced:** 2/21/2020

**Status:** 9/10/2020-Enrolled and presented to the Governor at 3 p.m.

**Summary:** Current law requires transportation planning agencies to conduct certain transportation planning and programming activities, including to prepare and adopt regional transportation plans. Current law authorizes certain statutorily created transportation planning agencies to allocate up to 3% of their annual revenues for transportation planning and programming processes, and alternatively authorizes the allocation of a greater amount upon approval by the Director of Transportation. This bill would prohibit the director from approving an allocation of an amount greater than 5% of a transportation planning agency's annual revenues.

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

**Introduced:** 2/21/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 5/12/2020)

**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:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 3/12/2020)

**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.

**SB 1459 (Caballero D) Transportation Development Act: Counties of San Luis Obispo and Stanislaus.**

**Introduced:** 2/21/2020

**Status:** 9/11/2020-Approved by the Governor. Chaptered by Secretary of State. Chapter 83, Statutes of 2020.

**Summary:** Current law authorizes, until July 1, 2020, the Stanislaus Council of Governments, a transportation planning agency, when determining if specified operators have met the requirements for claims for transit funds, to reduce the applicable ratio of fare revenues to operating cost for specified operators by up to 5 percentage points from the ratio that was effective during the 2015–16 fiscal year. This bill would extend this authorization for the Stanislaus Council of Governments by 3 years, and would similarly authorize the San Luis Obispo Council of Governments, a transportation planning agency, with respect to operators within its jurisdiction.

<b>VENTURA COUNTY TRANSPORTATION COMMISSION</b> <b>STATE LEGISLATIVE MATRIX BILL SUMMARY</b> <b>June 12, 2020</b>			
<b>BILL/AUTHOR</b>	<b>SUBJECT</b>	<b>POSITION</b>	<b>STATUS</b>
AB 1350 Gonzalez	Requires free youth transit passes as a condition for receipt of state transit funds.	Work with Author	Substantially amended in the Senate in June. No longer relevant to transportation.
AB 2011 Holden	Requires that a specific project in San Bernardino County be implemented by a separate joint powers authority.	Oppose	Died in Assembly Transportation Committee.
AB 2012 Chu	Requires free senior transit passes as a condition for receipt of state transit funds.	Work with Author	Died 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	Died 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	Died in Assembly.
SB 1291 Transportation Committee	Allows a delay of approval of the Transportation Improvement Program	Support	Passed Senate Transportation Committee 13-0. Passed Appropriations Committee on Consent. Passed Senate 39-0. Passed Assembly 63-0.
SB 1390 Portantino	Requires that a specific project in San Bernardino County be implemented by a separate joint powers authority.	Oppose	Died in Senate Transportation Committee.



October 2, 2020

Item #10

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: DARREN KETTLE, EXECUTIVE DIRECTOR**

**SUBJECT: SANTA PAULA BRANCH LINE REQUEST FOR PROPOSAL**

**RECOMMENDATION:**

- Authorize release of a Request for Proposals for Santa Paula Branch Line Railroad Right of Way lease and operations.

**BACKGROUND:**

In 1995, the Ventura County Transportation Commission ("VCTC") purchased the Santa Paula Branch Line ("SPBL") and the Ventura Branch line from Southern Pacific Railroad for \$8.5 million. The SPBL was purchased with a combination of Federal Surface Transportation Program funds ("STP"), Federal Transportation Enhancement Activities funds ("TEA"), and Local Match funds (Cities of Fillmore, Santa Paula, Ventura, and the County of Ventura). The purpose of the SPBL purchase, as stated in the TEA application, was for use as a multimodal corridor, including bicycle trails, hiking trails, freight, recreational parks, pipelines and utilities, and possible commuter rail service.

In 2001, VCTC entered into two agreements ("Current Agreements") to lease to Fillmore and Western Railway Company ("Existing Operator") the SPBL to operate various types of rail services on the SPBL for a term of twenty years. The Current Agreements are set to expire on June 30, 2021. As the Commission is aware, one of the two agreements was a direct lease with Fillmore and Western and the other agreement was a lease to the Fillmore Redevelopment Agency (now Successor Agency), which the Successor Agency then sub-leased to Fillmore and Western. Under the Current Agreements, VCTC is using public transit funds to pay the annual costs of over \$600,000.

The Current Agreements permit the following operations: still and motion picture production, television filming, commercials and other still and motion television promotional activities, video productions and any other still or motion related media event, freight service, mail and express service, public /tourist excursions, charter and dinner trains, and placement of informational/directional signs. The Current Agreements run the length of the SPBL starting from milepost 405.31 near Montgomery Avenue in the City of Ventura and extending to milepost 435.07 near Piru. While there are currently two leases to authorize the above-listed activities on the SPBL, the new arrangement could likely involve just one lease/operating agreement for the entirety of the line.

Given the Commission's previously expressed position that it does not wish to continue to use public transit funds to subsidize a private rail operation, staff believes it appropriate to proceed with an RFP for operations on the railway following the end of the current term. A new contract would also allow the

Commission to establish new financial terms and potentially operational terms for the operations on the SPBL that would allow the Commission to eliminate the use of public transit funds to subsidize the current rail operations on the SPBL.

In order to continue operations on the SPBL following the expiration of the Current Agreements, VCTC staff with support from railroad consultant Tom Egan has developed the attached RFP for circulation upon approval by the Commission. The proposed RFP issuance date will ensure that the selected lessee/operator will be prepared to begin operations upon expiration of the Current Agreements.

The RFP includes a requirement that bidders identify and secure a site for equipment storage and maintenance to support their rail operations. The Existing Operator leases a site from the City of Fillmore for this purpose. There are publicly and privately-held sites along the SPBL that could be potentially adapted for this purpose and a proposer could also potentially negotiate with the Current Operator to take over the lease for the current site.

### **Discussion:**

At the regular Commission Meeting of May 1, 2020 a closed session item to discuss real property negotiations was heard by the Commission at which staff sought direction on following topics for the new lease: (1) types of rail services that should be permitted; (2) revenue structure including rent payments; (3) length of term; (4) allocation of maintenance responsibility and obligations; (5) insurance, indemnity, and bonding obligations; and (6) other terms deemed important to the Commission. The direction of the Commission was as follows and have been incorporated into the RFP.

#### **Types of Rail Services**

The Current Agreements permit the following types of activities and rail services: (a) still and motion picture productions; (b) filming of television, commercials, and other still and motion television promotional activities; (c) video productions and any other still or motion related media events; (d) freight service; (e) mail and express service; (f) public/tourist excursions; (g) charter and dinner train operations; and (h) placement of informational/directional signs.

The Commission directed that all of the activities/services permitted under the Current Agreements be permitted under a new lease.

#### **Revenue Structure**

As the Commission is aware, the activities/services under the Current Agreements have not generated sufficient revenue to offset the costs of operations. Consequently, VCTC has subsidized, with public transit funds, the costs incurred by the Current Operator to maintain the rail line and to otherwise fulfill the Current Operator's obligations under the Current Agreements. This amounts to a significant expense for VCTC. This subsidy comes from a combination of local transportation funds and State transit assistance that would otherwise be used for public transit purposes.

The Commission directed that no public transit funds be used to subsidize operations under any new lease. A new operator would be expected to fulfill all contractual and maintenance obligations using the operators own revenue from the rail operations or from the operator's own supplemental funds. Lastly, the proposed lease terms would include rent escalation provisions in periodic increments.

#### **Length of Term**

The Current Agreements have a twenty (20) year term. The Commission directed that the new lease include a term of 20 years with two (2) five-year options that can be exercised if specified criteria are satisfied.

The Commission also directed including termination language that would allow VCTC to terminate the agreements without cause after ten years upon one (1) year's notice. This would allow VCTC flexibility in the event that the VCTC has opportunities to use the SPBL for alternative transit-related uses in the future.

#### Maintenance Responsibility

Under the Current Agreements, the Existing Operator is required to maintain “Track and Track Support Structures” and receives a maintenance allowance from VCTC for those purposes. Also, under the Current Agreements, the Existing Operator is required to maintain the tracks on the main line to the City of Santa Paula to accommodate Union Pacific’s freight operations. There is a possibility that such freight operations will cease on this portion of SPBL during the new lease term. If the freight operations on this portion cease, there will be a significant reduction in maintenance costs.

The Commission directed that the new operator pay for and conduct all necessary and required maintenance under the new lease. The Commission also directed that the maintenance obligations be set forth in the RFP and agreed to by the bidders as part of their bid submission and then be incorporated as obligations in the new lease/operating agreement. The Commission also directed that the RFP to invite bidders to propose two alternative scenarios — one where the operator would maintain the portion of SPBL for Union Pacific’s freight operations and one where maintenance obligations would not include this maintenance if freight service is suspended for this portion of the rail line.

#### Insurance, Indemnity and Bonding Provisions

The Current Agreements include some of VCTC’s standard insurance provisions, but do not include all of VCTC’s up-to-date insurance requirements and language. The Current Agreements include indemnification language obligating the Existing Operator to defend, indemnify and hold VCTC harmless for property damage and bodily injury or death stemming from operations under the agreements. The Current Agreements do not include any bonding requirements.

The Commission directed that the RFP state the required categories of insurance (e.g. commercial general liability, worker’s compensation, vehicle, pollution liability, business interruption, railroad protective liability and umbrella) and the minimum levels of insurance and self-insured retention allowable (to be determined based on consultation with VCTC’s insurance and railway consultants). The Commission directed including hold harmless and indemnification provisions related to the new operator’s work and conduct associated with the lease. The Commission also directed including requirements to obtain payment and performance bonds for work done within the rail right-of-way and to guarantee at least one year of maintenance work within the railway right-of-way in the event that the operator fails to perform its obligations or ceases to operate during the term of the lease.

#### Final Request for Proposals

The final draft Request for Proposals is attached. The Commission will also note that there a number of exhibits to the RFP. The exhibits are:

- A. Insurance Requirements
- B. F&W Track Charts for Santa Paula Branch Line.
- C. Condition Report, Santa Paula Branch Line
- D. Union Pacific Railroad Company Usage Agreement.
- E. Property maps for Santa Paula Branch Line
- F. Bridge Inspection Report.
- G. At-Grade Public Crossing listing
- H. Criteria for Selection of the Operator of the Santa Paula Branch Line.

3591517.1

## **Request for Proposals for An Operator of Rail Service on the Santa Paula Branch Line**

### **I. Introduction**

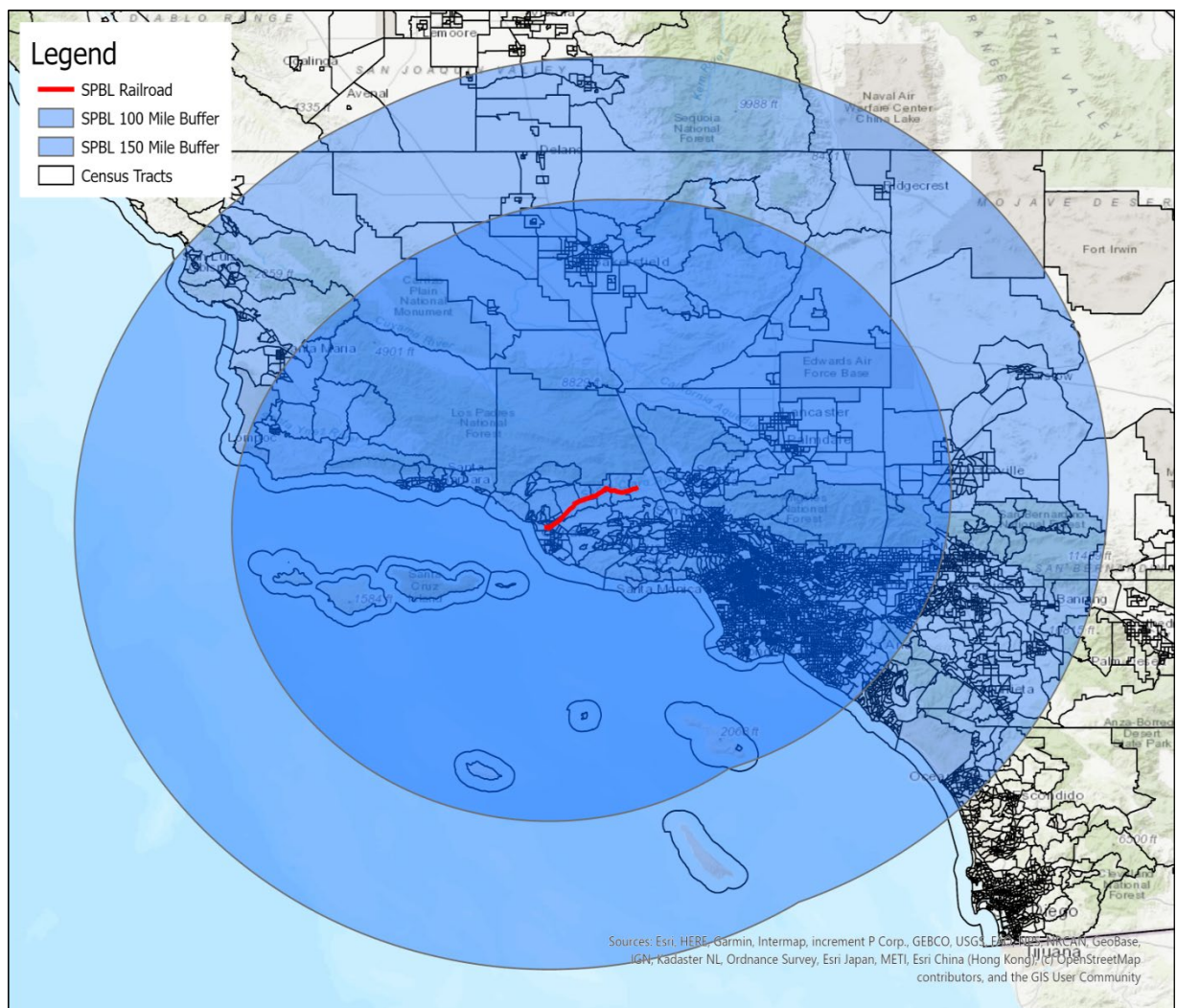
The Ventura County Transportation Commission (VCTC) is the designated Regional Transportation Planning Agency for Ventura County. The services being solicited are any combination of a potential excursion operation, movie train operations and other movie support activities, freight rail operation consistent with the terms of agreement with Union Pacific as may be modified in the future, and maintenance of the infrastructure to support any proposed operations and meet contractual and regulatory obligations as enumerated in this RFP and supporting documents.

The Ventura County Transportation Commission (VCTC or Commission) was created by Senate Bill 1880 (Davis), Chapter 1136 of the Public Utilities Code in September of 1988 (effective January 1, 1989) as the successor agency to the Ventura County Association of Governments (VCAG) assuming all the assets and liabilities of that body. In 2004, VCTC was reorganized under Assembly Bill 2784, expanding the Commission to its current configuration of a seventeen-member board composed of five Ventura County Supervisors; ten City Council members; two non-elected public appointees, one representing the cities and one representing the county. In addition to the above membership, the Governor appoints an Ex-Officio member to the Commission, usually the Caltrans District #7 Director.

VCTC is soliciting proposals for the Santa Paula Branch Line from interested parties to utilize the railway right of way, which includes the area fifteen feet to each side of the center line of all railroad tracks (“Railroad Right of Way”) and rail infrastructure within the VCTC owned Santa Paula Branch Line corridor for any purpose which is consistent with the original intent of the acquisition of the line, preserves the integrity of the asset and supports the interest of the communities through which the line runs. For reference, the current agreements permit the following types of activities and rail services: (a) still and motion picture productions; (b) filming

of television, commercials, and other still and motion television promotional activities; (c) video productions and any other still or motion related media events; (d) freight service; (e) mail and express service; (f) public/tourist excursions; (g) charter and dinner train operations; and (h) placement of informational/directional signs.

The Santa Paula Branch Line railroad is located in Ventura County, California, within the scenic and productive Santa Clara River Valley, stretching 32 miles from the coastal City of San Buenaventura (better known as Ventura), past the picturesque lemon and avocado orchards of unincorporated Ventura County, continuing through the historic small cities of Santa Paula and Fillmore, and ending in the unincorporated community of Piru. Located in Southern California, 60 miles from downtown Los Angeles, over 15 million people live within a 100 miles radius of the Santa Paula Branch Line railroad.



With a population of 850,000 residents and 43 miles of Pacific Ocean coastline, Ventura County is a special place, one that honors its open space and agricultural landscapes, while fostering growth in manufacturing and advanced technology. As noted by the Ventura County Economic Vitality Strategic Plan, “Ventura County offers a diverse economic base, highly skilled workforce and access to major markets, creating a unique advantage for those starting, expanding or relocating a business.” Further, the 2019 Ventura County Comprehensive Economic Development Strategy notes that, “Ventura County is blessed by a strong overall condition and quality of life. We are among the nation’s wealthiest metro regions, with low unemployment and a diverse economy, strong in manufacturing, life sciences, health services and agriculture. Our overall Cost of Living Index score is on a par with our central coast neighbors and our communities are more affordable than Los Angeles, Orange and San Diego Counties.”

With its railroad depots and infrastructure, the Santa Paula Branch Line railroad has served as a backdrop for television and film production, including films such as *The Three Amigos*, *Throw Momma from the Train*, *Seabiscuit*, *Race to Witch Mountain*, and *Water for Elephants*, along with numerous television and commercial productions. The eastern portion of the railroad, including Piru, is recognized as being located within the 30-miles Los Angeles Studio Zone (also known as the “thirty-mile zone” or “TMZ”), and Fillmore is located within the Secondary Studio Zone, which incentivizes television and film production, as the Studio Zone is “used by union film projects to determine per diem rates and driving distances for crew members,” according to the California Film Commission.

The Santa Paula Branch Line is a centerpiece of the area known as Heritage Valley (<http://heritagevalley.net/>). With an existing base of agri-tourism in the region, the railroad presents opportunities to foster and collaborate with an expanding industry, complete with farm stores and food festivals. The region also has significant potential to leverage existing and planned future active transportation infrastructure for bicycle tourism, such as the Santa Paula Branch Line Recreational Trail, a “rails-*with*-trails” project that includes completed sections for a planned future 29 miles multi-use path within the Santa Paula Branch Line corridor.



While Ventura County experienced significant economic downturn resulting from the COVID-19 global pandemic, the community is well positioned for economic recovery, having focused on building economic resilience and strengthening partnerships and infrastructure for recovery in the wake of the Thomas Fire (2017) and Hill & Woolsey Fires (2019).

(<http://heritagevalley.net/>)

### History of the Santa Paula Branch Line

- Originally built in 1887 by the Southern Pacific railroad, the line through the Santa Clara valley was originally part of Southern Pacific's main line connecting Los Angeles and Santa Barbara (and ultimately with San Francisco). Over time, new construction between Ventura (Montalvo) and Burbank (the route currently utilized by Metrolink) supplanted the route between Saugus and Ventura (Montalvo) as the main line. The Santa Paula Branch Line was abandoned east of Piru in 1984 as result of washouts between Piru and Saugus.
- VCTC purchased the Santa Paula Branch Line (SPBL) from Southern Pacific (SP), a predecessor of the Union Pacific (UP), in 1995 for the purpose of protecting the assembled corridor for transportation related purposes and eventually providing a route for potential commuter service. As described further below, the SP and its successor, UP, retained rights to serve the existing freight customer(s) on the line.
- The acquired Santa Paula Branch Line corridor is 31.87 miles long extending from Mile Post (MP) 403.20 in Ventura eastward to MP 435.07 east of Piru. The acquired corridor ranges from 30 feet in width to 100 feet in width.
- The rail infrastructure on the SPBL extends from MP 403.20 in Ventura to MP 431.90 in Piru, a distance of 28.7 miles. Currently the track is out of service

between MP 429.2 and MP 431.90. More detailed description of the property is found in the exhibits below.

- The SPBL Recreational Trail Master Plan and Environmental Impact Statement (EIS) were approved by the VCTC in 2000. This Master Plan allows for a public use trail adjacent to the Santa Paula Branch Line (a “Rails with Trails” initiative). To date this trail has been established in 3 sections.
  - Santa Paula section, from Peck Rd to 12<sup>th</sup> St: (MP 412.80-414.90)
  - Fillmore section, from Fillmore Bikeway to Central Ave: (MP423.3 – MP424.4)
  - Piru section, Main St to Orchard: (MP431.7 - MP432)
  - Proposers are encouraged to review the SPBL Recreational Trail Master Plan to understand the future plans for the trail, and to incorporate allowances for such plans in their proposal.
- In 2001 VCTC entered into agreements with Fillmore and Western RR and the City of Fillmore. These agreements created the mechanism for Fillmore and Western RR to operate on the line and maintain the rail infrastructure. These 20-year agreements, identified as leases, were created to memorialize and provide structure to a previous arrangement. The 2001 agreements expire on June 30, 2021.

*Terms and Conditions Anticipated as Part of Operating Agreement and Lease*

VCTC is prepared to enter into a lease with the successful proposer for twenty years duration, with two five-year options, that can be exercised if certain specified criteria are met. VCTC intends to include language in the lease allowing VCTC a one-time option to cancel the lease without cause at year ten, with one year’s notice. The lease would be for active railroad

property within the SPBL corridor. Proposer is advised to review the property maps identified in Exhibit E of this RFP to further understand the encumbrances on the corridor.

The contract between the two parties will be a Lease Agreement and potentially an Operating Agreement. The selected proposer will be required to furnish several types of insurance including property and commercial general liability insurance, railroad protective liability insurance, pollution liability insurance, vehicle insurance, business interruption insurance, and an umbrella policy. The selected proposer will also be required to establish and maintain an environmental protection program designed to prevent and control exposure to hazardous materials and environmental accidents, a safety program, an employee certification program, and a substance abuse program. In addition, the selected proposer will be required to obtain payment and performance bonds for work done within the Railroad Right-of-Way and to guarantee at least one year of maintenance work within the Railroad Right-of-Way in the event that the operator fails to perform its obligations or ceases to operate during the term of the lease.

The selected proposer will be required to cooperate with other VCTC-approved projects on or adjacent to the Santa Paula Branch Line Railroad Right of Way, including, but not limited to the ongoing maintenance (by others) of the SPBL Recreational Trail, and any current and future utility or telecommunication agreement approved by VCTC

VCTC will provide the right-of-way, trackage, bridges, trestles and culverts, signage and grade crossing warning systems to the selected proposer, in their current condition. VCTC will reserve the right to install conduit, including fiber-optic conduit, and utilities within the Railroad Right of Way, to the extent that such installation does not interfere with the operation of the railroad.

The selected proposer will be responsible for inspecting and maintaining all Railroad Right of Way and trackage required to support intended operation during the term of the agreement(s) at proposer's sole expense with no financial support from VCTC.

Proposer will provide a Maintenance Plan with two options within their response:

- Option 1 would include Proposer's inspection and maintenance plan for their own proposed operations, and include any anticipated additional inspection and maintenance required between MP 404.70 (Bristol Rd.) and MP 415 in Santa Paula as needed to support Union Pacific access to freight customer at Santa Paula.
- Option 2 would include Proposer's inspection and maintenance plan for their own proposed operations (no additional work to support Union Pacific operations).

In this context "all Railroad Right of Way and trackage required" includes all main tracks, sidings, spur tracks, tracks in grade crossings, walkways and city streets and state roadways within the railway crossings, at-grade crossings, active and passive crossing warning devices, drainage ditches, channels, bridges, trestles and culverts required for the intended operation. Maintenance shall be in accordance with applicable Federal Railroad Administration (FRA) and California Public Utilities Commission (CPUC) regulations.

The selected proposer will be responsible for providing and maintaining any locomotives and railcars, dispatching and communications, internal controls, computers and communications, reports, information and data required to support its proposed operation. Additionally, the Proposer will need to identify and secure a location for equipment maintenance. The current operator leases property from the City of Fillmore for that purpose. The selected proposer will furnish qualified employees, supervisory employees and support personnel for the operations approved under the Lease and/or Operating Agreements. Any rail operation on the Santa Paula Branch Line will be in accordance with all applicable regulations of the FRA, CPUC, and STB, and operate under the General Code of Operating Rules (GCOR).

As a result of its acquisition of property from the railroads, VCTC is subject in a very limited way to the jurisdiction of the Surface Transportation Board ("STB"), though the STB has exempted VCTC from compliance with most of its regulations.

The freight operations that currently occur on the Santa Paula Branch line are fully subject to the STB's jurisdiction with the Union Pacific Railroad holding common carrier obligation from MP

403.20 to MP 415.00 and the current SPBL lessee having common carrier status from MP 415.00 to MP 431.90. To the extent that a new operator voluntarily elects to assume common carrier status, such operator would agree at the termination or expiration of the agreement to assign the common carrier status to VCTC or any successor entity selected by VCTC , at no cost, to either VCTC or such successor entity, and upon approval by the STB.

The current freight operator operating between MP 415.00 and MP 431.90 will be required to secure authorization from the STB for termination of its freight operation should this RFP lead to a change in tenant for this segment of the SPBL.

The selected proposer will be required to seek any necessary approval, or exemption, from the STB prior to commencing any freight operations, if any, and is responsible for determining what, if any, approvals are required. The selected proposer will bear the cost of any such required regulatory approvals.

## **II. Proposal Contents, Process and Requirements**

### **A. Proposal Submissions**

A mandatory Pre-Proposal Conference for prospective bidders will be held at 10:00 A.M., on October 28, 2020. In light of the ongoing COVID-19 and consequent health concerns, this conference will be held virtually. Please call the Commission offices at (phone number) by October 21, 2020 to indicate your attendance and the number of participants from your team for the Pre-Proposal Conference. Notes on the Pre-Proposal Conference, written responses to all questions received from proposers no later than close of business November 4, 2020, and any subsequent amendments to the RFP will be distributed to the proposers registered for and attending the Pre-Proposal Conference.

All questions regarding this RFP must be submitted in writing and addressed to Darren Kettle, Executive Director of VCTC, on or before close of business November 4, 2020. A written response to all questions received by that date will be made to prospective RFP proposers no later than November 18, 2020. VCTC reserves the right to issue a revised RFP or addenda as result of comments and/or questions from prospective bidders.

An original and five (5) copies of a proposal submitted pursuant to this RFP must be received by VCTC no later than 5:00 P.M. Pacific Time on December 18, 2020 at the following address:

Darren Kettle  
Executive Director  
VCTC  
751 Daily Drive  
Suite 420  
Camarillo CA 93010

VCTC is not responsible for delays due to the U.S. Postal Service, courier services or any other mail delivery service. Proposals received after the 5:00 P.M. deadline on December 18, 2020 will not be considered.

All Proposals submitted in response to this request will be screened by VCTC staff and other VCTC-designated representatives. The screening will determine which proposers will be invited to interview, and any proposer selected for an interview must make the key personnel identified in its Proposal available to the VCTC interview committee. Again, as noted in regards to the Pre-Proposal Conference, VCTC at this time expects that the proposer interviews will be done virtually due to COVID-19 health concerns. VCTC reserves the right to make a final selection without an interview, or to choose not to negotiate or execute a contract with any proposer.

**B. Proposal Requirements**

Submitted proposals must be clearly labeled as **“Proposal for Lease and Operation of the Santa Paula Branch Line”** and must include the following:

A Transmittal Letter, a Technical Proposal and five (5) Attachments as specified below, which must collectively include the following information:

- Transmittal Letter
  - The name and signature of the person authorized to obligate the company or joint venture. The location of the proposer’s principal office. If activities are to be shared among companies and offices at different locations, indicate where each office is located and what activities are to be performed in each office.
  - A summary description of the work to be performed by each subcontracting company proposed for the project, if any.
  - An e-mail address for the company representative to which correspondence can be sent. Also provide telephone and fax numbers or so indicate if they are not available.
- Technical Proposal. A detailed description of the Proposer’s intended operations (Limit 25 pages). Must include the following elements.
  - A Service Plan that contains a clear and concise description of the Proposers intended operation(s) on the Santa Paula Branch Line. Such Service Plan shall be sensitive to the needs of the communities traversed

and must comply with the provisions of UPRR's Usage Agreement for service between MP 403.2 and MP 415 (The UPRR Usage Agreement is attached as Exhibit D to this RFP).

- A Mobilization Plan and a schedule for the start-up of the intended operation upon issuance of a Notice to Proceed by VCTC to the Proposer
  - A Maintenance Plan for the Santa Paula Branch Line rail properties and infrastructure that the proposer intends to operate and/or utilize for its operations. In addition to describing the maintenance to support the physical plant required to support the Proposers intended operation, the Maintenance Plan shall include the identification of the location of any planned maintenance or storage facilities to support Proposer's operations.
- ATTACHMENT 1 Resumes of Proposer's key personnel.
- ATTACHMENT 2 Proposer's most recent financial statements demonstrating the proposer's financial capability and the availability of the financial resources that would be used to provide the services proposed.
- ATTACHMENT 3 Proposer's demonstrated experience and ability, including its safety compliance record, to comply with the requirements of CPUC, FRA, and all other regulatory agencies that would govern the Proposer's business of operating the Santa Paula Branch Line.
- ATTACHMENT 4 References for similar experience should be provided by the Proposer. VCTC prefers to receive at least three such references, but Proposers submitting fewer than three references will not be disqualified from consideration. Each reference should include the contact's name, title, address, and phone numbers, and include an explanation of the services provided, in addition to the years in which they were provided.



- **ATTACHMENT 5** An Organization Chart including all participants in the intended operation, showing the proposed relationships between the key personnel and support staff, and showing which work function each company will be responsible for performing.

**VCTC reserves the right to reject any proposals that do not contain all the elements listed above (Transmittal Letter, Technical Proposal, and five Attachments), do not contain the required number of copies, do not have correct labeling, are submitted after the deadline or are submitted to the wrong location.**

The schedule for the proposal process is:

Activity	Date
RFP Released	October 2, 2020
Pre-Bid Conference	October 28, 2020
Final Questions Due	November 4, 2020
Responses Due Out	November 18, 2020
RFP Bids Due	December 18, 2020
Short-List Selection	January 8 2021
Proposer Interviews	W/O Jan 18, 2021
Contract Negotiation	Jan 25, 2021-March 26, 2021
VCTC Approves Contract	April 2, 2021
Transition Phase	April 2, 2021-June 30, 2021
Effective Contract Date	July 1, 2021

**VCTC reserves the right to alter the schedule for any reason.**

**C. Property Rights**

Any Proposal received within the prescribed deadline becomes the property of the VCTC and all rights to the contents therein become those of VCTC.

**D. Confidentiality**

After the deadline to submit Proposals has passed and upon conclusion of any lease and/or operating agreement negotiations with the selected proposers, all Proposals will be regarded as public records and will be subject to review by the public. Except as expressly provided below, any language purporting to render all or portions of the Proposals confidential will be regarded as non-effective and will be disregarded. If any Proposal is based on (i) information constituting a trade secret, as that term is defined in Evidence Code section 1060, or (ii) information that is subject to a confidentiality agreement, the proposer may submit such information separately from the Proposal, clearly marked as confidential. The proposer shall state in writing whether any such confidential information is a trade secret or is subject to a confidentiality agreement. Such information will be designated confidential, but only to the extent permitted by the California Public Records Act. In the event of a legal challenge to the confidentiality of any such information submitted by a proposer, VCTC will give the proposer notice of such legal challenge and the opportunity to defend the confidentiality of such information, but such defense will not be the responsibility of VCTC. By submitting a proposal with information marked confidential or trade secret, proposers agree to indemnify, defend and hold harmless VCTC from any suit, judgment, or liability stemming from any withholding or release of information marked confidential or trade secret submitted by proposer.

**E. Amendments to Request for Proposals**

VCTC reserves the right to amend the Request for Proposals by addenda before the final proposal submittal dates.

**F. Non-Commitment of VCTC**

This Request for Proposals does not commit the VCTC to award a contract, to pay any costs incurred in the preparation of a proposal for this request, or to procure or contract for any

services. All products used or developed in the execution of any contract resulting from this Request for Proposals will remain in the public domain at the completion of the contract.

**G. Conflict of Interest**

The Proposer shall disclose any financial interest, or any business or other relationship, that may have an impact upon the proposal, or any services rendered to VCTC. The Proposer shall also list current clients who may have a financial interest in the outcome of this contract. A Proposer has a "financial interest" if it is reasonably foreseeable that the Proposer may gain a material financial advantage as a result of the Proposer's relationship with any person or entity connected with, or directly affected by, the services provided or work performed under the contract. As used throughout this Section, the term "Proposer" includes every owner and employee of the Proposer, including their immediate families. If requested by VCTC, the Proposer, its owners and employees will be required to file a completed "Fair Political Practices Commission (FPPC) Form 700, Statement of Economic Interests" with VCTC in accordance with VCTC's Conflict of Interest Code.

**H. Nondiscrimination**

The contract awarded as a result of this Request for Proposals (RFP) will be awarded without discrimination based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status

**I. Inquiries and Requests for Additional Copies**

Inquiries concerning this Request for Proposals and requests for additional copies this document should be directed to Darren Kettle, Executive Director of VCTC.

### **III. Operator Selection and Contract Negotiations**

The selection of the prospective Operator of Rail Service shall be made by VCTC in accordance with the Selection Criteria that are contained in **Exhibit H**, and in accordance with the time schedule detailed above.

At the conclusion of the proposal ranking process, VCTC may offer a lease and operating agreement to the highest-ranked firm and negotiate final contract terms with that firm. Any final contract will include VCTC's standard insurance and indemnification requirements outlined in **Exhibit A**. If agreement cannot be reached with the highest-ranked firm, VCTC may terminate negotiations with that firm and commence negotiations with the next most qualified firm. If necessary, VCTC may repeat this process until a final contract has been negotiated.

In conducting this RFP, VCTC reserves the right to:

1. Accept, reject any or all submittals, or any item or part thereof;
2. Issue subsequent Requests for Proposals;
3. Alter the Selection Process Dates;
4. Remedy technical errors in the RFP process;
5. Request additional information from Proposers and investigate the qualifications of all firms under consideration;
6. Confirm any part of the information furnished by a Proposer;
7. Obtain additional evidence of managerial, financial or other capabilities;
8. Approve or disapprove the use of particular subcontractors;
9. Negotiate with any, all, or none of the Proposers;
10. Solicit best and final offers from all or some of the Proposers;
11. Award a contract to one or more Proposers;
12. Accept other than the lowest-priced Proposal;
13. Cancel or withdraw this RFP at any time without prior notice and the VCTC makes no representations that any contract will be awarded to any Proposer responding to this RFP;
14. Waive informalities and irregularities in Proposals or the selection process.

#### **IV. Description of the Santa Paula Branch Line**

**NOTE: All exhibits to this RFP are available at [WWW.GOVENTURA.ORG](http://WWW.GOVENTURA.ORG)**

**Exhibit B** is an F&W Track chart, and shows the curvature, mileposts, sidings, spur tracks, drainage structures, at-grade crossings and type of rail in track by weight of rail.

**Exhibit C** is an engineering report providing general conditions of the Santa Paula Branch Line. (NOTE: At this point the current operator has designated the line east of Milepost 429.2 as out of service (OOS) as result of track conditions.)

**Exhibit D**, is the Usage Agreement under which the UPRR operates freight service between MP 403.20 and Santa Paula MP 415.00 on the Santa Paula Branch Line. There are no train control signals on the line except the westbound signal at Bristol Road which governs access to Montalvo.

**Exhibit E** contains the right-of-way property maps for the Santa Paula Branch Line. The right-of-way width is generally 30 ft. and 100 ft. wide.

**Exhibit F** is a copy of the most current bridge inspection report. There are 37 bridges on the line.

**Exhibit G** is a listing of the public at-grade crossings showing the names of crossings, milepost locations, and types of grade crossing warning systems. There are 43 public grade crossings on the line, including 3 pedestrian crossings. Additionally, there are 62 private grade crossings

**Exhibit H** is the Criteria for Selection for the Operator of the Santa Paula Branch Line.



**[This page intentionally left blank.]**