



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

**AGENDA*
FRIDAY, APRIL 2, 2021
9:00 AM**

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

The meeting will be via ZOOM Webinar

Please click the link below to access the webinar:

<https://us02web.zoom.us/j/82094001513?pwd=YUVEZGVMMTlvb0RMZW4vZmRIRHJMZz09>

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 by 4:30PM, Thursday, APRIL 1, 2021. 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 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. **CLOSED SESSION:**
1. Conference with Labor Negotiators (Pursuant to Government Code Section 54957.6)
Unrepresented Employee: Executive Director
Agency Designated Representatives: Kelly Long and Steve Mattas
6. **CALTRANS REPORT** - *This item provides the opportunity for the Caltrans representative to give update and status reports on current projects.*
7. **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.*
8. **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.*
9. **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.*

9A. APPROVE MINUTES FROM MARCH 5, 2021 VCTC MEETING- PG.7

Recommended Action:

- Approve the summary minutes of MARCH 5, 2021.

Responsible Staff: Roxanna Ibarra

9B. MONTHLY BUDGET REPORT - PG.11

Recommended Action:

- Receive and file the monthly budget report for February 2021.

Responsible Staff: Sally DeGeorge

9C. TDA AUDITS FISCAL YEAR 2019/2020- PG.19

Recommended Action:

- Receive and file the Transportation Development Act (TDA) Audits for Fiscal year 2019/2020.

Responsible Staff: Sally DeGeorge

9D. RECLASSIFICATION OF POSITION FROM ACCOUNTING TECHNICIAN TO SENIOR ACCOUNTANT/ANALYST- PG.21

Recommendation:

- Approve reclassifying the Accounting Technician position to a Senior Accountant/Analyst in the Finance Department.
- Amend the Salary Schedule to reflect the above action effective April 2, 2021.

Responsible Staff: Darren Kettle & Sally DeGeorge

9E. SURFACE TRANSPORTATION PROGRAM (STP) LOAN OF \$3 MILLION TO SAN JOAQUIN COUNCIL OF GOVERNMENTS- PG.27

Recommended Action:

- Approve loan of \$3million from the Ventura County Regional Surface Transportation Program apportionment to the San Joaquin Council of Governments (SJCOG), with the repayment to occur in FY 2022/23, the earliest that is expected to be needed for Route 101 final design.

Responsible Staff: Peter De Haan

9F. MOTORIST AID PROGRAM BUDGET AMENDMENT- PG.29

Recommended Action:

- Amend the General Fund Motorist Aid Services budget by increasing the staff line items by \$6,200 for Salaries, \$3,500 for Fringe and Tax, and \$5,300 for Indirect Costs Allocation.
- Amend the Service Authority for Freeway Emergencies (SAFE) fund budget by increasing the transfer-out line item by \$15,000 and increasing the General Fund Motorist Aid Services SAFE revenues and fund transfer-in by \$15,000.

Responsible Staff: Amanda Fagan

9G. MOTORIST AID CALLBOX ANNUAL REPORT- PG.31

Recommended Action:

- Receive and file the Motorist Aid Emergency Callbox Annual Report.

Responsible Staff: Amanda Fagan

9H. AMENDMENT NO. 1 TO AGREEMENT WITH PLATINUM TOW & TRANSPORT, INC. TO FREEWAY SERVICE PATROL BEAT 2- PG.33

Recommended Action:

- Approve Amendment No.1 to the Agreement with Platinum Tow & Transport, Inc. for Freeway Service Patrol services for Beat 2 to extend the service coverage area on the U.S. 101 from Camarillo Springs Road through Rice Avenue.

Responsible Staff: Amanda Fagan

9I. LEGISLATIVE UPDATE- PG.37

Recommended Action:

- Receive and file.

Responsible Staff: Darrin Peschka

9J. FEDERAL SURFACE TRANSPORTATION AUTHORIZATION AND FISCAL YEAR 2021/2022 FEDERAL BUDGET- PROJECT NOMINATION- PG.57

Recommended Action:

- Ratify Community Project funding requests for \$25 million for US 101 Improvements Phase I-Auxiliary Lanes and for \$17 million for the Leesdale Passing Siding Extension and Upgrade Project.

Responsible Staff: Peter De Haan & Darrin Peschka

9K. EASEMENT BETWEEN VCTC AND THE CITY OF MOORPARK FOR SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (SCRRA) SANITARY SEWER CONNECTION PG.59

Recommended Action:

- Adopt a resolution approving the non-exclusive Easement Agreement with the City of Moorpark to provide access for the Southern California Regional Rail Authority (SCRRA) sanitary sewer connection and authorizing the Executive Director to execute the Agreement.

Responsible Staff: Jeni Eddington

9L. TRANSIT MUTUAL AID COMPACT (TRANSMAC) AGREEMENT FOR VALLEY EXPRESS- PG.81

Recommendation:

- Approve the Valley Express bus service entering into the Transit Mutual Aid Compact (TransMAC) Agreement.

Responsible Staff: Claire Grasty

9M. FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5339(C) LOW- OR- NO EMISSION PROGRAM GRANT APPLICATION- PG.99

Recommendation:

- *Adopt Resolution 2021-02 (Attachment A) authorizing a grant application under the FTA 5339(c) 2021 Low-or-No emission Grant Program, in an amount of \$510,000 for Battery Electric Zero Emission Buses and Charging Infrastructure.*

Responsible Staff: Aaron Bonfilio

9N. REGIONAL FARE MEDIA REIMBURSEMENT AGREEMENTS WITH TRANSIT OPERATORS- PG.103

Recommendation:

- *Approve Amendment No.1 to the Reimbursement Agreement for Transit Providers for VCTC Single Ride Tickets and authorize the Executive Director to execute the Amendment; and,*
- *Approve Amendment No.1 to VCTC Interagency Countywide 31-Day Pass Agreement and authorize the Executive Director to execute the Amendment; and,*
- *Approve Reimbursement Agreement for transit Providers for VCTC Stored Value and authorize the Executive Director to execute the Agreement.*

Responsible Staff: Aaron Bonfilio

9O. CONTRACT AND BUDGET AMENDMENT FOR HUMAN RESOURCES CONSULTANT SERVICES CONTRACT-PG.115

Recommendation:

- *Authorize the Executive Director to execute Amendment No.1 with Regional Government Service (RGS) in the amount of \$10,000 for an annual contract total not to exceed \$60,000.*
- *Approve a budget amendment increasing revenues and expenditures in the FY 2020/21 Indirect budget, professional and human resources task in the amount of \$10,000. The revenue source is Indirect funds.*

Responsible Staff: Darren Kettle

DISCUSSION CALENDAR:

10. FISCAL YEAR 2021/2022 DRAFT BUDGET-PUBLIC HEARING- PG.117

Recommended Action:

- *Conduct Public Hearing to receive testimony on the Fiscal Year 2021/2022 Draft Budget.*
- *Receive the Fiscal Year 2021/2022 Draft Budget.*

Responsible Staff: Sally DeGeorge

11. FY 2020/2021 LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) ALLOCATION- PG.121

Recommended Action:

- *Approve the Ventura County Transportation Commission (VCTC) FY 2020/2021 Low Carbon Transit Operations Program (LCTOP) Allocation Request of \$905,093 for the following projects:*
 - *\$438,983 for the College Ride Transit Fare Promotion Project (includes a total of \$18,983 of FY LCTOP funds contributed by the cities of Camarillo, Moorpark, Simi Valley and Thousand Oaks) and*
 - *\$466,110 for Metrolink Saturday Service.*

- *Adopt Resolution 2021-01 in Attachment 1, authorizing the Executive Director to execute all required documents including the Certifications and Assurances and Authorized Agent Form (Exhibits A and B) to receive VCTC's FY 2020/2021 Low Carbon Transit Operations Program funds.*
- *Approve programming Southern California Regional Rail Authority's (SCRRA) LCTOP revenue formula amount for the portion of the service within Ventura County which totals \$91,216, to provide discounted ticket fares for low-income riders.*

Responsible Staff: Heather Miller

12. ACTIVE TRANSPORTATION PROGRAM CYCLE 5 MPO COMPONENT- REGIONAL PRIORITIZED LIST OF PROJECTS- PG.131

Recommended Action:

- *Approve the regional point assignments and the Prioritized List of Projects (attached), allowing the Ventura County Transportation Commission (VCTC) to advance projects for funding in the MOP Component of the Cycle 5 Active Transportation Program (ATP).*
- *Authorize the Executive Director to submit the Prioritized List of Projects to the Southern California Association of Governments (SCAG) and approve any future technical changes or substitutions if funds are made available through project cancellations or savings (subject to CTC approval).*

Responsible Staff: Heather Miller

13. VCTC GENERAL COUNSEL'S REPORT

14. AGENCY REPORTS:

Southern California Association of Governments (SCAG)

Primary: Commissioner Mike Judge

Southern California Regional Rail Authority (Metrolink-SCRRA)

Primary: Vice-Chair Tony Trembley

Alternate: Daniel Chavez

Los Angeles-San Luis Obispo (LOSSAN) Rail Corridor Agency (Amtrak Pacific Surfliner)

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Jim White

California Vanpool Authority (CalVans)

Primary: Commissioner Jim White

Alternate: Commissioner Lynn Edmonds

California Association of Councils of Government

Primary: Commissioner Carmen Ramirez

Coastal Rail Coordinating Council

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Richard Rollins

15. CLOSED SESSION:

1. ***Conference with Real Property Negotiators Property (Pursuant to Government code Section 54956.8) Property: Santa Paula Branch Line Railroad Right of Way Negotiating Parties: VCTC and Potential Bidders Under negotiations: Price and terms for lease.***

16. ADJOURN to 9:00 a.m. Friday, May 7, 2021



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Item #9A

**MEETING MINUTES OF MARCH 5, 2021 VCTC COMMISSION MEETING
AT 9:00AM VIA ZOOM**

CALL TO ORDER:

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

PLEDGE OF ALLEGIANCE was led by Commissioner White.

ROLL CALL/MEMBERS PRESENT:

Kelly Long, County of Ventura, Chair
Tony Trembley, City of Camarillo, Vice-Chair
Claudia Bill-de la Peña, City of Thousand Oaks
Daniel Chavez, Citizen Rep., Cities
Lynn Edmonds, City of Fillmore
Chris Enegren, City of Moorpark
Robert Huber- County of Ventura
Mike Johnson, City of Ventura
Mike Judge, City of Simi Valley
Matt LaVere, County of Ventura
Bryan MacDonald, City of Oxnard
Linda Parks, County of Ventura
Carmen Ramirez, County of Ventura
Richard Rollins, City of Port Hueneme
Andy Sobel, City of Santa Paula
Tony Tavares, Caltrans Director District 7
Jim White, Citizen Rep., County

ABSENT:

William Weirick, City of Ojai

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

5. CALTRANS REPORT- CALTRANS Director Tony Tavares gave the update report regarding Caltrans projects, the report was distributed via-email to the Commissioners.

6. COMMISSIONERS/EXECUTIVE DIRECTOR REPORT-

Commissioner Judge reported on SCAG meeting. Commissioner Judge reported on a few items, regarding the SCAG join meeting:

- SCAG gave a dynamic presentation on racial equity dealing with transportation, presentation can be accessed at tforamerica.org.
- Adoption of the Federal Transportation Improvement Program.

Commissioner Chavez reported he attended the Metrolink meeting and reported:

- Metrolink will be rolling out a 5-day flex pass.
- Children ride free on Metrolink on the weekends.

Executive Director Darren Kettle presented to the Commission a short video of the launch of the Freeway Service Patrol in Ventura County. Mr. Kettle also stated the County's Act of Transportation funding program granted a 6.2-million-dollar project in the El Rio region for bicycle and pedestrian improvement projects. Mr. Kettle stated he and Chair Long would be participating in the Summit Chairs Roundtable discussion right after the VCTC Commission meeting which will focus on the 2028 Olympics. He also congratulated Ventura County resident and Chair of the Citizens Technical Advisory Committee Ms. Miranda Patton as she is the new president elect of the California Division of American Council of Engineering Companies.

7. ADDITIONS/REVISIONS- There were none.

8. CONSENT CALENDAR- Commissioner Ramirez moved to approve items 8A thru 8I on the Consent Calendar as recommended. The motion was seconded by **Commissioner Huber** and passed unanimously.

8A. APPROVE MINUTES FROM FEBRUARY 5, 2021 VCTC MEETING

- Approved the summary minutes of FEBRUARY 5, 2021.

8B. MONTHLY BUDGET REPORT

- Received and filed the monthly budget report.

8C. BUDGET AMENDMENTS FOR THE REVISED FISCAL YEAR 2020/2021 LOCAL TRANSPORTATION FUND APPORTIONMENT

Amend the VCTC Fiscal year 2020/2021 budget to:

- Increase the Regional Transportation Planning budget task LTF fund transfer revenues and consultant expenditures by \$162,400,
- Increase the Management and Administration budget task LTF fund transfer revenues and new CalPERS Pension liability line item by \$1,000,000,
- Increase the LTF fund transfer out line item by \$1,162,400,
- Increase the LTF fund revenues by \$5,800,00, and
- Increase the TDA Administration budget task LTF revenues by \$6,957,600, the Article 3 bicycle and pedestrian expenditures by \$139,152 and the Article 4 and 8 expenditures by \$6,818,448.

8D. CORRECTION TO CONGESTION MITIGATION AND AIR QUALITY (CMAQ)

- Revise program approved during the February 5, 2021 meeting, as shown in Attachment A, to correct the title of one project subject to a cost increase for City of Oxnard, to program the \$481,771 of CMAQ funding to the Oxnard Boulevard Bike Lanes.

8E. AMENDMENT NO. 1 TO SANTA PAULA BRANCHLINE TEMPORARY EMERGENCY CROSSING AGREEMENT/LICENSE FOR THE EAST AREA ON PROJECT

- Approve Amendment No. 1 Agreement x-415.90-2016-1, extending the term of the Padre Lane temporary emergency crossing for an additional 5 years, ending December 31st, 2025, to provide continued secondary emergency access to the East Area one Project in Santa Paula.

8F. TRANSIT MUTUAL AID COMPACT (TRANSMAC) AGREEMENT

- Approve entering into the Transit Mutual Aid Compact (TransMAC) Agreement.

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

- Receive and File.

8H. AGREEMENT WITH AT&T FOR MOTORIST AID CALLBOX CELLULAR COMMUNICATIONS SERVICES

- Authorize Purchase Order to obtain 4G/LTE cellular communications service from AT&T for Motorist Aid Callboxes pursuant to authority granted in Section 3 of Master Agreement 149 and Participating Addendum between AT&T Corp. and MTC.
- Approve an Amendment to the Motorist Aid Program Budget for FY 2020/2021 to increase the Callbox Communications line item.

8I. APPROVE AMENDMENT TO MOTORIST AID CALLBOX MAINTENANCE SERVICE

- Approve an Amendment to the Contract with CASE Emergency Systems, Inc. for Motorist Aid Callbox Maintenance Services for Fiscal year 2020/2021-Fiscal Year 2022/2023 for a once-time engineering services fee of up to \$10,000.
- Approve an amendment to the Fiscal Year 2020/2021 Motorist Aid Program Budget to increase SAFE Revenues and Fund Transfer by \$10,000 and increase the Consultant Services expenditures by \$10,000.

DISCUSSION CALENDAR:

9. OXNARD HARBOR DISTRICT UPDATE

- Received presentation and update from CEO & Port of Hueneme Director Kristin Decas on the Oxnard Harbor District.

10. LEGISLATIVE UPDATE

- Adopt "Support" position on Assembly Bill 361 (Rivas)

Commissioner MacDonald moved to approve item 10 as recommended. The motion was seconded by **Commissioner Chavez** and passed unanimously.

11. APPROVE AGREEMENT WITH CONSULTANT IBI GROUP FOR THE VENTURA COUNTY COMPREHENSIVE TRANSPORTATION PLAN UPDATE

- Approve Agreement with IBI Group for consultant support services to update the Ventura County Comprehensive Transportation Plan (CTP) in an amount not to exceed \$449,980.

Commissioner Huber moved to approve item 11 as recommended. The motion was seconded by **Commissioner Chavez** and passed unanimously.

12. INCIDENT RESPONDER GRANT PROGRAM UPDATE

- Received presentation on the Incident Responder Grant Program by Caitlin Brooks.

13. VCTC GENERAL COUNSEL'S REPORT- None

14. AGENCY REPORTS-None

15. CLOSED SESSION:

1. Conference with Real Property Negotiators Property (Pursuant to Government code Section 54956.8) Property: Santa Paula Branch Line Railroad Right of Way Negotiating Parties: VCTC and Potential Bidders Under negotiations: Price and terms for lease.

2. Conference with Labor Negotiator (Pursuant to Government Code Section 54759.6) Agency Designated Representative: Darren Kettle Unrepresented Employees: All positions other than Executive Director

The Commission went into closed session at 10:52am.

At this time General Counsel stated there would be nothing to report out of closed session.

16. The VCTC's meeting of March 5, 2021 was adjourned in memory of VCTC's RATP bus operator Ruben Espinoza. Prayers and condolences go out Mr. Espinoza's loved ones on behalf of the VCTC's Commission and staff.

The Next Regular VCTC Commission meeting will be Friday, April 2, 2021 at 9:00am.



Item #9B

April 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for February 2021.

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

The February 28, 2021 budget report indicates that the revenues were approximately 47.01% of the adopted budget while expenditures were approximately 34.38% of the adopted budget. The revenues and expenditures are as expected at this time. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on an even percentage or monthly basis. Furthermore, revenues are often billed and reimbursed in arrears.

Some revenues are received at the beginning of the year while other revenues are received after grants are approved. In many instances, the Ventura County Transportation Commission (VCTC) incurs expenditures and then submits for reimbursement from federal, state, and local agencies which may also cause a slight lag in reporting revenues. Furthermore, the STA, SGR, LTF and SAFE revenues are received in arrears. The State Board of Equalization collects the taxes and remits them to the Commission after the reporting period for the business. STA and SGR revenues are paid quarterly with a two to three-month additional lag and LTF receipts are paid monthly with a two-month lag. For example, the July through September STA and SGR receipts are often not received until October or November and the July LTF receipts are not received until September. The Department of Motor Vehicle collects the SAFE funds and remits them monthly with a two-month lag.

The Commission's capital assets are presented on the Balance Sheet. Capital assets that are "undepreciated" consist of land and rail lines owned by the Commission. Capital assets that are depreciated consist of buildings, rail stations, transit equipment, highway callbox equipment and office furniture and equipment. Capital assets and depreciation are adjusted annually at the end of the fiscal year.

The Commission's deferred outflows, deferred inflows and pension liability are presented on the Balance Sheet. These accounts represent the accrual information for pension accruals with the implementation of the Government Accounting Standards Board (GASB) Statement 68 (pensions) and Statement 75 (other postemployment benefits). This information is based on actuarial information that is provided once a year. The deferred outflows, deferred inflows and pension liability are adjusted annually at the end of the fiscal year.

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

**VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF FEBRUARY 28, 2021**

Assets and Deferred Outflows

Cash and Investments	\$ 45,481,388
Receivables/Due from other funds	3,094,166
Prepays and Deposits	106,818
Capital Assets, undepreciated	25,971,001
Capital Assets, depreciated, net	35,191,932
Deferred Outflows	879,100
Total Assets and Deferred Outflows	<u>\$ 110,724,405</u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:

Accrued Expenses and Due to Other	\$ 2,754,708
Deferred Revenue	3,557,311
Deposits	67,059
Accrued Vacation	183,710
Pension Liability	2,143,432
OPEB Liability	352,734
Deferred Inflows	291,147
Total Liabilities and Deferred Inflows:	<u>\$ 9,350,101</u>

Net Position:

Invested in Capital Assets	\$ 60,892,975
Fund Balance	40,481,329
Total Net Position	<u>\$ 101,374,304</u>

For Management Reporting Purposes Only

VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE EIGHT MONTHS ENDED FEBRUARY 28, 2021

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley	Fund	Budgeted	Variance	
	Fund Actual	Actual	Actual	Actual	Actual	Actual	Intercity Actual	Express Actual	Totals	Actual	Actual	% Year
Revenues												
Federal Revenues	\$ 7,438,953	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	3,905,676	\$ 966,343	\$ 12,310,972	\$ 37,915,206	(25,604,234)	32.47
State Revenues	700,290	19,759,642	3,274,966	406,698	812,730	0	480,951	0	25,435,277	43,455,245	(18,019,968)	58.53
Local Revenues	176,841	0	0	0	0	307,815	799,092	100,000	1,383,748	1,978,096	(594,348)	69.95
Other Revenues	977	0	0	0	0	0	189,766	0	190,743	315,812	(125,069)	60.40
Interest	11,142	31,234	40,814	17,966	15,548	137	651	928	118,420	235,000	(116,580)	50.39
Total Revenues	8,328,203	19,790,876	3,315,780	424,664	828,278	307,952	5,376,136	1,067,271	39,439,160	83,899,359	(44,460,199)	47.01
Expenditures												
Administration												
Personnel Expenditures	1,953,287	0	0	0	0	0	120,634	25,097	2,099,018	3,648,200	(1,549,182)	57.54
Legal Services	9,252	0	0	0	0	0	0	0	9,252	40,000	(30,748)	23.13
Professional Services	73,623	0	0	0	0	0	0	0	73,623	139,500	(65,877)	52.78
Office Leases	60,364	0	0	0	0	0	0	0	60,364	134,800	(74,436)	44.78
Office Expenditures	276,884	0	0	0	0	0	66,204	13,773	356,861	479,000	(122,139)	74.50
Total Administration	2,373,410	0	0	0	0	0	186,838	38,870	2,599,118	4,441,500	(1,842,382)	58.52
Programs and Projects												
Transit and Transportation Program												
Regional Transit Technology	941,504	0	0	0	0	0	0	0	941,504	3,428,477	(2,486,973)	27.46
Senior-Disabled Transportation	175,340	0	0	0	0	0	0	0	175,340	393,100	(217,760)	44.60
VCTC Intercity Bus Services	0	0	0	0	0	0	4,228,501	0	4,228,501	11,663,790	(7,435,289)	36.25
Valley Express Bus Services	0	0	0	0	0	0	0	927,477	927,477	1,906,800	(979,323)	48.64
Transit Grant Administration	3,189,307	0	0	0	0	0	0	0	3,189,307	14,323,900	(11,134,593)	22.27
Total Transit and Transportation	4,306,151	0	0	0	0	0	4,228,501	927,477	9,462,129	31,716,067	(22,253,938)	29.83
Highway Program												
Motorist Aid Services	0	0	0	291,372	0	0	0	0	291,372	1,424,500	(1,133,128)	20.45
Highway Program Management	2,245,547	0	0	0	0	0	0	0	2,245,547	9,639,030	(7,393,483)	23.30
Total Highway	2,245,547	0	0	291,372	0	0	0	0	2,536,919	11,063,530	(8,526,611)	22.93
Rail Program												
Metrolink and Commuter Rail	2,973,340	0	0	0	0	0	0	0	2,973,340	13,214,916	(10,241,576)	22.50
LOSSAN and Coastal Rail	2,535	0	0	0	0	0	0	0	2,535	12,300	(9,765)	20.61
Santa Paula Branch Line	0	0	0	0	0	443,701	0	0	443,701	945,443	(501,742)	46.93
Total Rail	2,975,875	0	0	0	0	443,701	0	0	3,419,576	14,172,659	(10,753,083)	24.13

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE EIGHT MONTHS ENDED FEBRUARY 28, 2021**

	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
Commuter Assistance Program												
Reg Transit Information Center	588	0	0	0	0	0	0	0	588	43,800	(43,212)	1.34
Rideshare Programs	124,304	0	0	0	0	0	0	0	124,304	356,654	(232,350)	34.85
Total Commuter Assistance	124,892	0	0	0	0	0	0	0	124,892	400,454	(275,562)	31.19
Planning and Programming												
TDA Administration	82,500	11,622,461	212,460	0	42,046	0	0	0	11,959,467	24,118,886	(12,159,419)	49.59
Transportation Programming	612	0	0	0	0	0	0	0	612	21,300	(20,688)	2.87
Regional Transportation Planning	64,862	0	0	0	0	0	0	0	64,862	768,600	(703,738)	8.44
Airport Land Use Commission	0	0	0	0	0	0	0	0	0	18,500	(18,500)	0.00
Regional Transit Planning	90,378	0	0	0	0	0	0	0	90,378	2,087,764	(1,997,386)	4.33
Total Planning and Programming	238,352	11,622,461	212,460	0	42,046	0	0	0	12,115,319	27,015,050	(14,899,731)	44.85
General Government												
Community Outreach	91,998	0	0	0	0	0	0	0	91,998	253,500	(161,502)	36.29
State and Federal Relations	73,220	0	0	0	0	0	0	0	73,220	114,200	(40,980)	64.12
Management and Administration	464,125	0	0	0	0	0	0	0	464,125	669,241	(205,116)	69.35
Total General Government	629,343	0	0	0	0	0	0	0	629,343	1,036,941	(407,598)	60.69
Total Expenditures	12,893,570	11,622,461	212,460	291,372	42,046	443,701	4,415,339	966,347	30,887,296	89,846,201	(58,958,905)	34.38

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE EIGHT MONTHS ENDED FEBRUARY 28, 2021**

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley	Fund	Budgeted	Variance	
	Fund Actual	Actual	Actual	Actual	Actual	Actual Intercity	Actual Express	Actual	Totals	Actual	Actual	% Year
Revenues over (under) expenditures	(4,565,367)	8,168,415	3,103,320	133,292	786,232	(135,749)	960,797	100,924	8,551,864	(5,946,842)	14,498,706	(143.81)
Other Financing Sources												
Transfers Into GF From LTF	3,805,271	0	0	0	0	0	0	0	3,805,271	5,030,703	(1,225,432)	75.64
Transfers Into GF From STA	1,173,003	0	0	0	0	0	0	0	1,173,003	3,730,980	(2,557,977)	31.44
Transfers In GF fr SGR Mtro	0	0	0	0	0	0	0	0	0	4,872,148	(4,872,148)	0.00
Transfers Into GF From SAFE	46,964	0	0	0	0	0	0	0	46,964	49,100	(2,136)	95.65
Transfers Into GF From SPBL	82,604	0	0	0	0	0	0	0	82,604	127,300	(44,696)	64.89
Transfers Into SPBL From LTF	0	0	0	0	0	80,931	0	0	80,931	127,300	(46,369)	63.58
Transfers Into SPBL From STA	0	0	0	0	0	139,852	0	0	139,852	606,443	(466,591)	23.06
Transfers Into VI From STA	0	0	0	0	0	0	1,000,000	0	1,000,000	1,795,158	(795,158)	55.71
Transfers Out of LTF Into GF	0	(3,805,271)	0	0	0	0	0	0	(3,805,271)	(5,030,703)	1,225,432	75.64
Transfers Out of LTF Into SPBL	0	(80,931)	0	0	0	0	0	0	(80,931)	(127,300)	46,369	63.58
Transfers Out of STA Into GF	0	0	(1,173,003)	0	0	0	0	0	(1,173,003)	(3,730,980)	2,557,977	31.44
Transfers Out of STA Into SPBL	0	0	(139,852)	0	0	0	0	0	(139,852)	(606,443)	466,591	23.06
Transfers Out of STA Into VI	0	0	(1,000,000)	0	0	0	0	0	(1,000,000)	(1,795,158)	795,158	55.71
Transfers Out of SAFE Into GF	0	0	0	(46,964)	0	0	0	0	(46,964)	(49,100)	2,136	95.65
Transfers Out of SPBL Into GF	0	0	0	0	0	(82,604)	0	0	(82,604)	(127,300)	44,696	64.89
Transfers Out of SGR into GF	0	0	0	0	0	0	0	0	0	(4,872,148)	4,872,148	0.00
Total Other Financing Sources	5,107,842	(3,886,202)	(2,312,855)	(46,964)	0	138,179	1,000,000	0	0	0	0	0.00
Net Change in Fund Balances	542,475	4,282,213	790,465	86,328	786,232	2,430	1,960,797	100,924	8,551,864	(5,946,842)	14,498,706	(143.81)
Beginning Fund Balance w/o capital assets	2,598,747	9,649,449	13,224,224	4,625,197	3,898,381	25,370	19	0	34,021,387	33,572,663	448,724	101.34
Long-term Pension/OPEB/Vacation Adjustment*	(1,925,453)	0	0	0	0	0	(166,469)	0	(2,091,922)	0	(2,091,922)	0.00
Ending Fund Balance	\$ 1,215,769	\$ 13,931,662	\$ 14,014,689	\$ 4,711,525	\$ 4,684,613	\$ 27,800	\$ 1,794,347	\$ 100,924	\$ 40,481,329	\$ 27,625,821	\$ 12,855,508	146.53

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

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF FEBRUARY 28, 2021**

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

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo	Government Checking	N/A	\$ 0.00	EAC only	\$ 2,750,092.54
LAIF	State Pool	N/A	14,480.44	0.84%	6,748,648.88
County of Ventura	Treasury Pool	N/A	103,940.26	1.01%	35,871,947.19
Total			\$118,420.70		\$45,370,688.61

Because VCTC receives a large portion of their state and federal funding on a reimbursement basis, the Commission must keep sufficient funds liquid to meet changing cash flow requirements. For this reason, VCTC maintains checking accounts at Wells Fargo Bank.

The Commission's 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. A small portion of interest earned in the LAIF account is for unearned revenues and the interest is not recognized until the corresponding expenses are recognized.

Amounts shown above are not adjusted for fair market value. Wells Fargo Bank, County of Ventura and LAIF statements are the source for provided information.



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Item #9C

April 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

**SUBJECT: TRANSPORTATION DEVELOPMENT ACT (TDA) AUDITS FOR
FISCAL YEAR 2019/2020**

RECOMMENDATION:

- Receive and file the Transportation Development Act (TDA) Audits for Fiscal Year 2019/2020.

BACKGROUND:

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

DISCUSSION:

In March 2019, the Commission contracted with Conrad, LLP to perform the TDA, Proposition 1B and LCTOP audits for all TDA claimants except for the Gold Coast Transit District (GCTD) and the City of Moorpark who had their TDA audits performed by their financial auditors. For Fiscal Year 2019/2020, Conrad performed thirty-five audits for local agencies and VCTC, the County of Ventura had one audit prepared, Gold Coast Transit District (GCTD) had eleven audit reports prepared, and Moorpark had six audits prepared by their respective auditors for a total of fifty-three audits (five additional audits over Fiscal Year 2018/2019).

All audits received a “clean” audit opinion and “the financial statements were presented fairly in all material respects.” However, Gold Coast Transit District (GCTD), County of Ventura-GCTD, City of Moorpark, the City of Ojai-GCTD, City of Simi Valley, City of Thousand Oaks and East County Transit Alliance (ECTA) audits reported non-compliance with respect to their farebox recovery ratio requirement; however, there is no finding or penalty as the State has granted relief due to the COVID-19 pandemic for Fiscal Years 2019/2020 and 2020/2021. Although not a finding, the City of Oxnard did not comply with the local match requirement for Article 3 projects and will need to make up the deficient local match in the upcoming year. The City of Simi Valley’s Article 3 audit had one finding for insufficient compliance monitoring of expenditures.

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

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

City of Camarillo – Article 3, Article 8a and SGR
City of Fillmore - Article 3, Article 8a, and Article 8c
City of Moorpark - Article 3, Article 8a, Article 8c, STA, SGR, and Proposition 1B
City of Ojai - Article 3
City of Oxnard - Article 3, Article 8a, and Article 8c
City of Port Hueneme - Article 3
City of San Buenaventura - Article 3
City of Santa Paula - Article 3, Article 8a, and Article 8c
City of Simi Valley - Article 3, Article 4, STA, SGR, and Proposition 1B
City of Thousand Oaks - Article 3, Article 4/8c, Article 8a, ECTA, STA, SGR and Proposition 1B
County of Ventura – Article 3
Gold Coast Transit District – CAFR, Article 4, Proposition 1B, STA, SGR, LCTOP, and five-member agency (Ojai, Oxnard, Port Hueneme, San Buenaventura and Ventura County) audits
LTF audit from the County of Ventura
VCTC - Article 3, Article 6.5, LCTOP, Valley Express, VCTC Intercity, STA Transfer and SGR

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



Item #9D

April 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN M. KETTLE, EXECUTIVE DIRECTOR
SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: RECLASSIFICATION OF POSITION FROM ACCOUNTING TECHNICIAN TO
SENIOR ACCOUNTANT/ANALYST

RECOMMENDATION:

- Approve reclassifying the Accounting Technician position to a Senior Accountant/Analyst position in the Finance Department.
- Amend the Salary Schedule to reflect the above action effective April 2, 2021.

The Executive Director has the authority to request classification studies and recommend staffing modifications under VCTC's Personnel Policies and Procedures, Article 6 Classification and Compensation, 6.4 Reclassification that states:

6.4 Reclassification: As position duties and general qualifications change from time to time or the needs of the organization change and new duties are added or deleted, it may become necessary to conduct a classification study or job audit to determine the most appropriate classification for a position. The executive director may authorize studies of such a position or positions that shall determine the most appropriate classification based on the findings and recommendations of such a study. Reclassifications are not subject to employee recruitment and promotion procedures.

BACKGROUND:

The Finance Department's Accounting Technician position was created in 2009 to assist the Finance Director with administrative finance and accounting tasks. Due to the proliferation of state and federal requirements, structuring of internal controls, and expansion of VCTC tasks, there has been a significant increase of staff time needed to perform the necessary work and meeting growing requirements. The Accounting Technician position has taken on more responsibility and increased job tasks since the position was created.

Additional responsibilities include expanded support for the countywide bus pass sales and distributions, increased interaction with vendors and clients, additional payroll responsibilities, increased accounts payable responsibilities, preparation of journal entries, and preparation of general ledger and audit schedules,

The Accounting Technician position was not originally envisioned to have such a degree of responsibility for these programs; the current duties are consistent with an Analyst level classification rather than a Support level, due to the degree of experience, independent judgment, and responsibility required on a constant basis.

The duties and responsibilities of the position have changed significantly and will remain at their current level. The level of responsibility and scope of duties are compatible with VCTC's other Analyst positions and regularly exceed VCTC's Support classification. Reclassification will bring the position into proper alignment internally and externally and assist in filling the vacant position.

Salary Range:

Level	Title	Annual Salary Range
Support	Accounting Technician	\$43,827 - \$63,545
Planner/Analyst	Senior Accountant-Analyst	\$50,100 - \$88,625

The reclassification would be effective April 2, 2021, if approved by the Commission. The position is currently vacant. VCTC has had difficulty filling the position with someone who meets the job requirements in the lower salary range. The costs savings from the position vacancy would augment any needed additional funds for Fiscal Year 2020/2021 should the new employee be hired above the top end of the of the Support salary range. The proposed classification change is not in the Fiscal Year 2021/2022 Draft Budget but would be updated with the Final Budget in June. The Support and Analyst classifications are non-exempt positions under the FLSA.

The staffing proposal provides for flexible staffing which allows the Executive Director to make an appointment at any point of the specific position's salary range. A flexibly staffed classification pattern allows qualifying individuals to promote upwards when the required level of knowledge, skills, and abilities has been reached.

The Finance Committee consisting of Chair Kelly Long, Vice-Chair Anthony Trembley and Past Chair Claudia Bill de La Pena reviewed and discussed this item on March 25, 2021 at the Finance Committee meeting. The Finance Committee concurred with staff's recommendation to reclassify the Accounting Technician position to a Senior Accountant/Analyst position in the Finance Department and amend the salary schedule effective April 2, 2021.

Ventura County Transportation Commission
Job Description

Senior Accountant/Analyst

Definition

Under general supervision, provides a variety of professional-level and technical accounting tasks, including support work related to the processing, preparation, and reconciliation of payroll, accounts payable, accounts receivable, journal entries, and financial accounting records and reports; provides highly responsible and staff assistance to the finance function; and does related work as required.

Distinguishing Characteristics

This single-position classification reports to the Finance Director and is characterized by its independent responsibility for performing a wide variety of analytical and technical accounting tasks. Responsibilities include independently performing work in the following areas: accounts receivable, accounts payable, and payroll, in addition to performing a variety of recordkeeping, reconciliation, and report preparation and audit activities. This class is distinguished from other analyst classes by the accounting technical processes, procedures, and terminology.

Typical and Important Duties

Duties may include, but are not limited to, the following:

- Verifies reconciled amounts of bus pass sales approved by the Transit staff; prepares bus pass sales invoices; mails information to clients as needed; distributes sales invoice copies; enters data into a spreadsheet for monthly and annual reporting and performs follow up on delinquent payments.
- Verifies reconciled amounts of bus pass disbursements approved by the Transit staff; enters Bus Pass disbursements into Accounts Payable; enters data into a spreadsheet for monthly and annual reporting.
- Updates non-sufficient funds database; distributes information to Transit staff; notifies patrons of non-sufficient fund fees; submits information to District Attorney's office, as appropriate.
- Contacts clients that have past due accounts receivable for payments.
- Input interest accruals into accounting software and reconciliation report.
- Enters Federal Transportation Administration (FTA) financial information (drawdowns) into multiple spreadsheets; makes copies and/or scans of backup and files requests.
- Makes backup copies and assembles backup for monthly invoice billing.
- Processes payroll twice monthly for staff and once a month for Commissioners; receives approved timesheets; verifies information for appropriateness and approvals; makes a variety of calculations, such as taxable income, benefit amounts, leave accruals, etc.; enters data into software application; generates payroll register; provides information for payment selection; prepares paystubs and reports, copies and files registers and checks; distributes pay stubs.

- Verifies timesheet information against hours report for accuracy and version control. Prepares staff hours billing for monthly billing. Prepares annual reconciliation of hours report.
- Processes accounts payable; reviews invoices for accuracy, complete expense and funding coding and appropriate authorization; verifies purchase orders to invoices if PO used; ensures expenses are coded to an approved budgeted line item; notifies departments and Finance Director if issues; GL codes and inputs invoices into accounting software; provides W9's to vendors as directed; and prepares backup documentation required for payment. Prepares/prints AP checks for final approval and signature.
- Prepare State Comp worker's comp reconciliation report.
- Records and verifies a variety of financial transactions; prepares and maintains records and a variety of periodic and special financial accounting, and historical reports; annually prepares older files to be moved for storage at offsite location.
- Prepares journal entries as directed.
- Assists with annual Budget and annual Financial Report preparations by proofreading documents and verifying information as directed by Finance Director. Prepares schedules as directed.
- Assists with annual CPI adjustment for and data entry of rail leases.
- Pulls backup and files during audits, scans/copies information as needed and inventories returned backup.
- Files accounting records; sets up new files and moves old files to boxes annually.
- Researches information as directed.
- Performs other related duties and responsibilities as assigned.

Experience and Training

Any combination of experience and training that would provide the required knowledge, skills, and abilities would be qualifying. A typical way to obtain the knowledge, skills, and abilities would be:

Experience: One to two years of progressively more responsible experience in performing accounting, payroll, or financial document processing and recordkeeping.

AND

Training: A Bachelor's degree from an accredited college with major coursework in accounting, preferred or related field.

OR

An Associate's degree from an accredited college with major coursework in accounting, preferred or related field with an additional two years' experience performing accounting and payroll tasks.

Job-Related Qualifications

Knowledge of:

- Terminology, practices, and procedures of financial and accounting document processing and recordkeeping.
- Standard office administrative practices and procedures, including the use of standard office equipment.

- Computer applications related to the work, including accounts receivable, accounts payable, payroll, word processing, database, and spreadsheet applications.
- Records management principles and practices.
- Business arithmetic and basic statistical techniques.
- Techniques for dealing effectively with the public and staff, in person and over the telephone.

Ability to:

- Perform detailed accounting, payroll, and financial administrative support work accurately and in a timely manner.
- Interpret and apply policies and procedures.
- Compose correspondence and reports independently or from brief instructions.
- Make accurate arithmetic, financial, and statistical computations.
- Develop and maintain spreadsheets.
- Establish and maintain files.
- Communicate effectively in writing, orally, and with others to assimilate, understand, and convey information, in a manner consistent with job functions.
- Use initiative, discretion and sound independent judgment within established procedural guidelines.
- Organize own work, set priorities, meet critical time deadlines, and follow-up on assignments with minimum direction.
- Establish and maintain cooperative relationships with those contacted in the course of the work.
- Work in a safe manner, following Agency safety practices and procedures.
- Maintain confidentiality regarding sensitive information.
- Review detailed information for accuracy.
- Manage multiple diverse tasks and prioritize work.

Skill in:

- Entering and retrieving data into a personal computer with speed and accuracy sufficient to perform the assigned work.
- Using a variety of computer software, including spreadsheet, word processing, internet applications, and specialized software.

Licenses and Certificates

All licenses and certificates must be maintained as a condition of employment.

- A valid appropriate California driver's license may be required.
- Maintain a satisfactory driving record.

Special Requirements

Essential duties require the following physical skills and work environment:

Physical Skills: Able to use standard office equipment, including a computer and other electronic equipment; arm, hand, finger, wrist, leg, or foot motion repetitively; firmly or lightly grasp items as needed; sit for extended periods; stand, walk, kneel, and maintain sustained posture in a seated or standing position for prolonged periods of time; vision to read printed materials, a computer screen, and to work in a typical office environment;

hearing and speech to communicate in person, and over the telephone; lift and carry 30 pound boxes, files, and materials.

Ability to: Travel to different sites and locations on occasion; drive safely to different sites and locations on occasion; participate in specific projects or programs.

Work Environment: Mobility to work in a typical office setting.

Approved:	February 2010
Revision Dates:	December 2009, August 2020, March 2021
Former Titles:	Account Clerk, Accounting Technician
Status:	Non-Exempt/Administrative
ADA Review:	
DOT:	No
Physical:	No



Item #9E

April 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: SURFACE TRANSPORTATION PROGRAM (STP) LOAN OF \$3 MILLION TO SAN JOAQUIN COUNCIL OF GOVERNMENTS

RECOMMENDATION:

- Approve loan of \$3 million from the Ventura County Regional Surface Transportation Program apportionment to the San Joaquin Council of Governments (SJCOG), with the repayment to occur in FY 2022/23, the earliest that it is expected to be needed for Route 101 final design.

BACKGROUND:

Under federal law, Surface Transportation Block Grant (STBG) funds apportioned to California lapse if they are not used within three years. By state law, California distributes a part of its STBG apportionment to counties by formula under the Regional Surface Transportation Program (STP). State law also applies the three-year lapsing rule to the STP apportionments of each county.

VCTC's policy is that the Route 101 improvement early action items project is the priority for STP funds as well as State Transportation Improvement Program (STIP) funds. The STP fund balance must therefore be carefully managed, to build up a large amount of funds that can be used when needed by the project, while at the same time avoiding a lapse of funds. The common practice that is used by a county wishing to build up a STP balance is to provide loans to other counties that are ready to use the funds, so it has been anticipated that VCTC would need to participate in such loans.

VCTC has already made two STP loans to facilitate future use for the US 101 project without lapsing funds. These are as follows:

Orange County: \$21.5 million
San Bernardino County: \$14.3 million

DISCUSSION

This year there is a more limited need among the counties for loaned funds, compared with past years. As a result, staff has had to look further away for a county that can use loaned funds, and the amount that can be loaned is relatively small, although it is enough to prevent a lapse. Next year, VCTC may need to loan up to \$15 million to prevent a lapse from occurring.

As with the prior loans, the only risk to VCTC would be that in the event of a severe federal cutback San Joaquin County's apportionment would be cut, and then the repayment from SJCOG could be delayed. It is of course difficult to predict what federal changes could occur between now and 2022. However, since San Joaquin County's apportionment is approximately \$5 million per year the cutback would have to be rather large to prevent it from repaying \$3 million to VCTC.

The Transportation Technical Advisory Committee (TTAC) reviewed this item at its March 18th meeting and approved the staff recommendation.



Item #9F

April 2, 2021

MEMO TO: VENTURA COUNTY SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

FROM: AMANDA FAGAN, DIRECTOR OF PLANNING AND POLICY

SUBJECT: MOTORIST AID PROGRAM BUDGET AMENDMENT

RECOMMENDATION:

- Amend the General Fund Motorist Aid Services budget by increasing the staff line items by \$6,200 for Salaries, \$3,500 for Fringe and Tax, and \$5,300 for Indirect Costs Allocation.
- Amend the Service Authority for Freeway Emergencies (SAFE) fund budget by increasing the transfer-out line item by \$15,000 and increasing the General Fund Motorist Aid Services SAFE revenues and fund transfer-in by \$15,000.

BACKGROUND:

The Fiscal Year 2020/2021 Motorist Aid Services Task Budget includes \$21,900 for Salaries, \$9,800 for Fringe Benefits, and \$17,400 for Indirect Cost Allocation. VCTC Staff have spent more time than anticipated on a variety of Motorist Aid tasks during this Fiscal Year, such as monitoring the Incident Responders Grant Program awards; administrative oversight of the Freeway Service Patrol (FSP) Request for Proposals (RFP), contract, and service launch; and oversight of the Callbox program, including 4G/LTE system upgrades.

Resulting expenditures through January 2021 for staff costs are approximately \$25,500, or 77% of the approved budget for the Fiscal Year (85% of the approved budget, when adjusted for Paid Time Off). Upcoming program tasks include administrative oversight and coordination for the launch of FSP Beats 2 and 3 and processing initial FSP cost reimbursements with Caltrans. After amendment, resulting line-item budgets are as follows: Salaries \$28,100, Fringe and Tax \$13,300, and Indirect Cost Allocation \$22,700.

RECOMMENDATION:

Staff recommends approval of an amendment to the General Fund Motorist Aid Services budget by increasing the staff line items by \$6,200 for Salaries, \$3,500 for Fringe and Tax, and \$5,300 for Indirect Costs Allocation. Staff also recommends approval of an amendment to the Service Authority for Freeway Emergencies (SAFE) fund budget by increasing the transfer-out line item by \$15,000 and increasing the General Fund Motorist Aid Services SAFE revenues and fund transfer-in by \$15,000.



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Item #9G

April 2, 2021

MEMO TO: VENTURA COUNTY SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

FROM: AMANDA FAGAN, DIRECTOR OF PLANNING AND POLICY

SUBJECT: MOTORIST AID CALLBOX ANNUAL REPORT

RECOMMENDATION:

- Receive and file the Motorist Aid Emergency Callbox Annual Report.

BACKGROUND:

The Ventura County Transportation Commission, acting in its capacity as the Service Authority for Freeway Emergencies (SAFE), manages the Motorist Aid Services Program, which is financed by a \$1 annual charge on all registered vehicles in Ventura County. Motorist Aid includes the Callbox Program, a system of 429 emergency call boxes that provide motorists with a direct link to California Highway Patrol to request roadway assistance. The system averages approximately 1,200 calls for motorist assistance per year. The current system reflects a reduction of approximately 25% of the number of callboxes in place prior to implementation of a callbox reduction plan in 2016.

VCTC staff receives support to manage and oversee the Motorist Aid Callbox program through a contract for preparation of management information reports, statistical analysis, callbox knockdown collections, and related services. The management support contractor also coordinates with the callbox maintenance services provider to ensure proper function of the system and keep VCTC Staff apprised of maintenance, repairs, and knockdown activities. Monthly and annual reports are produced as a product of this contract.

DISCUSSION:

The Calendar Year 2020 Annual Callbox Report is provided for SAFE Board awareness. Monthly and annual callbox volume has followed a downward trend with the proliferation of cell phones and improved coverage areas throughout the County but has consistently remained over 1,000 calls for service annually. In 2020, the total number of calls for roadway assistance was 1,111, down from 1,770 in Calendar Year 2019. Beyond monthly and annual usage statistics, the Callbox Report also provides an overview of preventative and corrective maintenance, knockdown repairs, and cellular service usage. Seven of the top 10 callboxes most frequently used to call for aid are located on the Pacific Coast Highway between Point Mugu and the Ventura / Los Angeles County line. The remaining three most frequently used callboxes are located on U.S. 101 near Solimar Beach, State Route 150 near Rameli Ranch Road, and State Route 118 near State Route 126.



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Item #9H

April 2, 2021

MEMO TO: VENTURA COUNTY SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
FROM: AMANDA FAGAN, DIRECTOR OF PLANNING AND POLICY
SUBJECT: AMENDMENT NUMBER 1 TO AGREEMENT WITH PLATINUM TOW & TRANSPORT, INC. TO FREEWAY SERVICE PATROL BEAT 2

RECOMMENDATION:

- Approve Amendment No. 1 to the Agreement with Platinum Tow & Transport, Inc. for Freeway Service Patrol services for Beat 2 to extend the service coverage area on U.S. 101 from Camarillo Springs Road through Rice Avenue.

BACKGROUND:

On September 11, 2020, VCTC entered into an Agreement with Platinum Tow & Transport, Inc. to provide Freeway Service Patrol (FSP) services for Beat 2, which provided coverage for U.S. 101 from Camarillo Springs Road to Central Avenue.

VCTC and Platinum Tow & Transport launched FSP service for Beat 1 (U.S. 101 from Camarillo Springs Road to the Ventura / Los Angeles County Line) on March 1, 2021. Initial feedback from the public and motorists served has been positive. Beat 2 is expected to launch on April 5, 2021, with Beat 3 to follow later in April / May as additional trucks and drivers become available.

In evaluating the initial data from the Beat 1 launch, VCTC staff identified an error in the calculation of Beat Length in the Beat 2 Agreement. The correct Beat Length is 6.9 miles, vice 8.7 miles. In addition, staff identified an opportunity to expand the FSP coverage area without increasing costs, by moving the western terminus of Beat 2 from Central Avenue in Camarillo to Rice Avenue in Oxnard. This move adds 2.3 miles to Beat 2, for a total coverage area of 9.2 miles (one-way) on U.S. 101. The expanded area will include two additional freeway exits (Del Norte Avenue and Rice Avenue).

Amendment No. 1 modifies the Beat Description and Beat Length. All other provisions of the Agreement remain in place. The hourly rate charged by the contractor will not change, and no changes to the cost of service or budget for Beat 2 are anticipated.

RECOMMENDATION:

Staff recommends approval of Amendment No. 1 to the Agreement with Platinum Tow & Transport, Inc. for Freeway Service Patrol services for Beat 2 to extend the service coverage area on U.S. 101 from Camarillo Springs Road through Rice Avenue.



Figure 1. Updated Beat 2 Map

CONTRACT AMENDMENT NO. 1
TO AGREEMENT BETWEEN
VENTURA COUNTY TRANSPORTATION COMMISSION
AND
PLATINUM TOW & TRANSPORT, INC.

This Amendment No. 1 ("Amendment") by and between the Ventura County Transportation Commission ("VCTC"), acting in its capacity as the Service Authority for Freeway Emergencies (hereinafter referred to as "SAFE"), and PLATINUM TOW & TRANSPORT, INC., (hereinafter referred to as "CONTRACTOR"), is entered into as of this _____th day of _____, 2021. VCTC and CONTRACTOR shall be referred to collectively herein as "parties."

WHEREAS, on September 11, 2020, VCTC entered into an Agreement ("Agreement") with CONTRACTOR to provide Freeway Service Patrol services for Beat No. 2, a true and correct copy of which is attached hereto and incorporated herein as Exhibit A; and,

WHEREAS, the Agreement provided coverage for Beat 2 on U.S. 101 from Camarillo Springs Road to Central Avenue; and,

WHEREAS, Section 3.1.3 of the Agreement reserves the right for VC SAFE to adjust beat specifications to better accommodate demand for the Services at no cost to VC SAFE; and

WHEREAS, VCTC and CONTRACTOR now desire to amend the Agreement to extend the Beat 2 coverage from Central Avenue to Rice Avenue for coverage of an additional .9 miles of U.S. 101.

THEREFORE, Exhibit A of the Agreement is amended, as follows:

Beat #	Beat Description	Beat Length in Miles	# Primary Trucks in AM & PM	# Back-Up Tow Trucks
2	US-101 from Camarillo Springs Road to Rice Avenue	9.2	2	1

All terms which are defined in the Agreement shall have the same meaning when used in this Amendment, unless specifically provided herein to the contrary. Except to the extent amended herein, all other provisions of the Agreement remain in full force and effect.

This Amendment may be executed in counterparts and/or by facsimile or other electronic means, and when each Party has signed and delivered at least one such counterpart, each counterpart shall be deemed an original, and, when taken together with other signed counterpart, shall constitute one original, which shall be binding upon and effective as to all Parties.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS THEREOF, the parties have executed this Amendment No. 1 on the ____th day of _____ 2021.

VENTURA COUNTY TRANSPORTATION COMMISSION

by: _____

Kelly Long, Chair

Approved as to Form

by: _____

Steven T. Mattas, General Counsel

CONTRACTOR: PLATINUM TOW & TRANSPORT, INC.

by: _____

Bill Paymard, President



Item #91

APRIL 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

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

SUBJECT: LEGISLATIVE UPDATE

RECOMMENDATION:

Receive and file.

DISCUSSION:

Federal Issues

President Biden on March 11 signed H.R. 1319, the American Rescue Plan Act of 2021, after it was passed by both the House and Senate. The \$1.9 trillion stimulus bill includes \$30.5 billion to help transit agencies nationwide recover from the economic impacts of the coronavirus pandemic. California transit agencies are expected to receive about \$4 billion. Of that, VCTC estimates it will receive about \$15 million for the Ventura-Oxnard, Thousand Oaks, Simi Valley and Camarillo urbanized areas. VCTC originally anticipated to receive about \$9 million, but “spillover funding” is expected to push that amount higher.

The Biden administration is expected to focus soon on a major infrastructure package, including reauthorization of the Fixing America’s Surface Transportation (FAST) Act, which expires Sept. 30.

State Issues

The state Legislature continues to work through the thousands of bills that were submitted for consideration.

The budget trailer bill language that would provide statutory relief to transit agencies awaits adoption. In March, 31 members of the Legislature submitted a letter to Gov. Gavin Newsom, Senate President Pro Tem Toni Atkins and Assembly Speaker Anthony Rendon, urging support of the statutory relief measures, which are intended to offset impacts of the coronavirus pandemic.

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 MARCH 2021

Legislative Update

The bill introduction deadline was on February 19th and more 2,500 bills were ultimately introduced for the new legislative session. As a result, most of March consisted of analyzing and ciphering through all the new bills. Many of the initial measures that were put forward last month were in “spot bill” form, which means that they are placeholders that do not contain substantive language. Throughout this month, most of those bills were amended to include more substantive language that will require the bill to be referred to the appropriate policy committees. While we have seen the first wave of policy hearings in March, the bulk of the hearings will occur throughout April. Furthermore, all of the fiscal bills will need to be out of their respective policy committees by April 30, where they will then move to the Appropriations Committee in their house of origin. In addition to the upcoming policy hearings, there have been several relevant informational hearings this month - including a High-Speed Rail Authority Project Update hearing.

On the budget side, the respective sub-committees continue to work through the Governor’s budget proposal. We have seen both houses met to discuss their initial transportation related priorities. While relief for transit agencies have been a part of these discussions, there has still not been action taken on those items. However, with the Governor and the Legislature coming together on the \$6.6 billion package to re-open schools, we expect their focus to turn to these other critical priorities.

California Advisors will continue to update VCTC on new amendments to bills, newly introduced legislation, and the outcome of these upcoming policy committee hearings.

Transportation Related Hearings

On March 16th, Senate Transportation Committee and Senate Budget Sub-Committee held joint informational hearing on High-Speed Rail Authority Project Update. The purpose of a hearing was to receive an update on the high-speed rail project business plan 2020. Panelists included members from California High-Speed Rail Authority, the Independent High-Speed Rail Peer Review Group, the Legislative Analyst’s Office, and the transportation agencies directly involved in delivering “bookend” projects. The intent of a hearing was to take a hard look at where we are at, what is it the Authority

delivering, are there overall benefits to the state, and will the federal government become a true funding partner.

Additionally, the Joint Legislative Audit Committee along with Assembly and Senate Transportation Committees also held an informational hearing on March 16th on a recent audit titled *California Air Resources Board: Improved Program Measurement Would Help California Work More Strategically to Meet Its Climate Change Goals*. The purpose of this hearing was to go over the audit report findings regarding the transportation related GHG Reduction Programs that are overseen by CARB. The report contained several criticisms of CARB and found that California might not meet its upcoming goals of reducing GHG emissions by 40 percent by 2030. The hearing lasted for more than three hours with a lot of questions from the members. Senator Bradford stated that the failures in this audit went beyond simply missing data, the audit revealed a fundamental failure to be accountable not only to the public, but to the legislative body, and to CARB's own goals.

Upcoming Bill Deadlines and 2 Year Bills

March 25 – April 5 – Spring Recess

April 30 – Last day for policy committees to hear and report to fiscal committees' fiscal bills introduced in their house.

May 7 – Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house.

May 21 - Last day for fiscal committees to hear and report to the floor bills introduced in their house.

June 1-4 – Floor Sessions Only

June 4 - Last day for each house to pass bills introduced in that house.

Below is a list of VCTC tracked bills:

AB 5 (Fong R) Greenhouse Gas Reduction Fund: High Speed Rail Authority: K-12 education: transfer and loan.

Introduced: 12/7/2020

Status: 3/17/2021-From committee chair, with author's amendments: Amend, and re-refer to Committee on Transportation. Read second time and amended.

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include in its regulation of those emissions the use of market-based compliance mechanisms. Current law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 25% of the annual proceeds of the fund to the High-Speed Rail Authority for certain purposes. This bill would suspend the appropriation to the High-Speed Rail Authority for the 2021–22 and 2022–23 fiscal years and would require the transfer of those amounts from moneys collected by the state board to the General Fund.

AB 43 (Friedman D) Traffic Safety.

Introduced: 12/7/2020

Status: 1/11/2021-Referred to Committee on Transportation.

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

AB 339 (Lee D) State and local government: open meetings.

Introduced: 1/28/2021

Status: 1/29/2021-From printer. May be heard in committee February 28

Summary: Current law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public, and requires all persons to be permitted to attend the meetings, except as specified. This bill would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public.

AB 346 (Seyarto R) Privacy: breach.

Introduced: 1/28/2021

Status: 2/12/2021-Referred to Committee on Privacy and Consumer Protection

Summary: The Information Practices Act of 1977 requires an agency, which includes a local agency, that owns or licenses computerized data that includes personal information, as defined, to disclose expeditiously and without unreasonable delay a breach in the security of the data to a resident of California whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person, or whose encrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person, and the encryption key or security credential was, or is reasonably believed to have been, acquired by an unauthorized person, and the agency that owns or licenses the encrypted information has a reasonable belief that the encryption key or security credential could render that personal information readable or useable. Current law also requires an agency that maintains computerized data that includes personal information that the agency does not own to notify the owner or licensee of the information of any breach of the security of the data immediately following discovery, if the personal information was, or is reasonably believed to have been, acquired by an unauthorized person. This bill would make the above-described requirements applicable if the information is accessed by an unauthorized person.

AB 361 (Rivas, Robert D) Open meetings: local agencies: teleconferences.

Introduced: 2/1/2021

Status: 2/12/2021-Referred to Committee on Local Government

Summary: Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

AB 464 (Mullin D) Enhanced Infrastructure Financing Districts: allowable facilities, projects, and costs.

Introduced: 2/8/2021

Status: 2/18/2021-Referred to Committee on Local Government

Summary: Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of

communitywide significance that provide significant benefits to the district or the surrounding community, including, but not limited to, the acquisition, construction, or repair of industrial structures for private use. Current law authorizes a district to finance the ongoing or capitalized costs to maintain facilities financed in whole or in part by the district, but prohibits the use of proceeds of bonds issued to finance maintenance of any kind. This bill would remove the prohibition on the use of proceeds of bonds issued to finance maintenance of any kind. The bill would remove, from the list of facilities and projects the district may fund, the acquisition, construction, or repair of industrial structures for private use.

AB 473 (Chau D) California Public Records Act.

Introduced: 2/8/2021

Status: 2/18/2021-Referred to Committee on Judiciary

Summary: The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2023.

AB 474 (Chau D) California Public Records Act: conforming revisions.

Introduced: 2/8/2021

Status: 2/18/2021-Referred to Committee on Judiciary

Summary: Would enact various conforming and technical changes related to another bill that recodifies and reorganizes the California Public Records Act. The bill would only become operative if the related bill recodifying the act is enacted and becomes operative on January 1, 2023. The bill would also specify that any other bill enacted by the Legislature during the 2021 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

AB 564 (Gonzalez, Lorena D) Biodiversity Protection and Restoration Act.

Introduced: 2/11/2021

Status: 2/18/2021-Referred to Committees on Accountability and Administration Review and Water, Parks, and Wildlife

Summary: Would establish the Biodiversity Protection and Restoration Act and would provide that it is the policy of the state that all state agencies, boards, and commissions shall utilize their authorities in furtherance of the biodiversity conservation purposes and goals of certain executive orders. The bill would require all state agencies, boards, and commissions to consider and prioritize the protection of biodiversity in carrying out their statutory mandates. The bill would require strategies related to the goal of the state to conserve at least 30% of California's land and coastal waters by 2030 to be made available to the public and provided to certain legislative committees by no later than June 30, 2022.

AB 604 (Daly D) Road Maintenance and Rehabilitation Account: apportionment of funds: accrued interest.

Introduced: 2/11/2021

Status: 2/18/2021-Referred to Committee on Transportation

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 703 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Committee on Local Government

Summary: Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the requirements of the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.

AB 773 (Nazarian D) Street closures and designations.

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Committee on Local Government

Summary: Would authorize a local authority to adopt a rule or regulation to close a portion of a street under its jurisdiction to through vehicular traffic if it determines closure is necessary for the safety and protection of persons who are to use that portion of the street during the closure. The bill would also authorize a local authority to adopt a rule or regulation to designate a local street within its jurisdiction as a slow street.

AB 786 (Cervantes D) California Transportation Commission: executive director.

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Committee on Transportation

Summary: Current law establishes within the Transportation Agency the California Transportation Commission. Current law requires the commission to appoint an executive director for the commission who serves at the pleasure of the commission. This bill would instead require the executive director of the commission to be appointed by the Governor, subject to confirmation by the Senate, and subject to removal at the discretion of the Governor.

AB 811 (Rivas, Luz D) Los Angeles County Metropolitan Transportation Authority: contracting.

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Committees on Local Government and Transportation

Summary: Current law authorizes the Los Angeles County Metropolitan Transportation Authority to enter into contracts with private entities that combine into a single contract all or some of the planning, design, permitting, development, joint development, construction, construction management, acquisition, leasing, installation, and warranty of some or all components of transit systems and certain facilities. Current law authorizes the authority to award a contract under these provisions after a finding,

by a 2/3 vote of the members of the authority, that awarding the contract will achieve for the authority, among other things, certain private sector efficiencies in the integration of design, project work, and components. This bill would eliminate the requirement to make the above-described finding by a 2/3 vote of the members of the authority in order to award contracts under these provisions.

AB 819 (Levine D) California Environmental Quality Act: notices and documents: electronic filing and posting.

Introduced: 2/16/2021

Status: 3/17/2021-Re-referred to Committee on Natural Resources

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. The act requires the lead agency to mail certain notices to persons who have filed a written request for notices. This bill would require the lead agency and the project applicant to post those notices on their internet website.

AB 821 (Cooper D) Local government: open meetings.

Introduced: 2/16/2021

Status: 2/17/2021-From printer. May be heard in committee March 19.

Summary: Current law, the Ralph M. Brown Act, requires each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. This bill would make nonsubstantive changes to a provision of the Ralph M. Brown Act.

AB 823 (Gray D) High-Speed Rail Authority: trains powered by fossil fuel combustion engines.

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Committee on Transportation

Summary: Would prohibit the High-Speed Rail Authority from directly or indirectly using local, state, federal, or any other public or private funding to purchase, lease, operate, or maintain a passenger or freight train powered by a diesel engine or other type of fossil fuel combustion engine, and from enabling such a train to operate on authority-owned rail infrastructure designed for speeds in excess of 125 miles per hour, except as specified.

AB 833 (Quirk-Silva D) State government: grants: administrative costs.

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Committee on Accountability and Administrative Review

Summary: Would require any state grants to a local government to include a maximum allocation of funds that may be expended for administrative costs, as defined, and would prohibit a local government, as defined, from expending more than 5% of grant funds for administrative costs, except as provided. The bill would specify that it is not intended to affect federal funding.

AB 840 (Holden D) Transportation: interregional connectivity.

Introduced: 2/17/2021

Status: 3/16/2021-Re-referred to Committee on Transportation

Summary: Would require the county transportation commissions in the Counties of Los Angeles and San Bernardino to jointly develop, in consultation with certain governmental agencies, a funding and implementation program for regional transit services to include service to international airports within the multicounty region, as provided. The bill would require the initial regional transit services draft program under these provisions to be completed on or before December 1, 2022. The bill would require the county transportation commissions in the Counties of Los Angeles and San Bernardino to hold a joint public hearing in each county in their jurisdiction on the draft program no earlier than 30 days after the draft has been completed.

AB 950 (Ward D) Department of Transportation: sales of excess real property: affordable housing.

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Committee on Housing and Community Development

Summary: Would authorize the Department of Transportation to sell its excess real property to the city, county, or city and county where the real property is located if the city, county, or city and county agrees to use the real property for the sole purpose of implementing affordable housing, as specified. The bill would exempt these transfers and sales from the California Environmental Quality Act.

AB 955 (Quirk D) Highways: encroachment permits.

Introduced: 2/17/2021

Status: 2/18/2021-From printer. May be heard in committee March 20.

Summary: Under current law, the Department of Transportation may issue permits authorizing encroachments, as defined, on highways. Current law requires the department to either approve or deny an application for an encroachment permit within 60 days of receiving a completed application. If the department denies an application for an encroachment permit, current law requires the department, at the time of notifying the applicant of the denial, to furnish to the applicant a detailed explanation of the reason for the denial. This bill would make a nonsubstantive change to the latter provision.

AB 1035 (Salas D) Transportation: Road Maintenance and Rehabilitation Program: recycled material standards.

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Committee on Transportation

Summary: Current law creates the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. Current law requires the Department of Transportation and cities and counties receiving funds under the program, to the extent possible and cost effective, and where feasible, to use advanced technologies and material recycling techniques that reduce the cost of maintaining and rehabilitating the streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method. This bill would delete the condition in that requirement imposed on the department and those cities and counties to use advanced technologies and material recycling techniques to the extent possible.

AB 1037 (Grayson D) Infrastructure construction: digital construction technologies.

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Committee on Jobs, Economic Development, and the Economy

Summary: Would require an infrastructure project that receives any state funding to deploy digital construction technologies, as defined, to reduce waste, inefficiency, rework, cost overruns, and embodied carbon, and to improve delivery times and project quality.

AB 1047 (Daly D) Road Repair and Accountability Act of 2017: reporting internet website.

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Committee on Transportation

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

AB 1049 (Davies R) Public Transportation Account: loan repayment.

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Committee on Transportation

Summary: Current law requires the transfer of a specified portion of the sales tax on diesel fuel to the Public Transportation Account, a trust fund in the State Transportation Fund. Current law requires funds in the account to be allocated to various public transportation and transportation planning purposes, with specified revenues in the account to be allocated by the Controller to specified local transportation agencies for public transportation purposes, pursuant to the State Transit Assistance (STA) Program. Current law provides for each STA-eligible operator within the jurisdiction of the allocating local transportation agency to receive a proportional share of the revenue-based program funds based on the qualifying revenues of that operator, as defined. The Budget Act of 2013 and the Budget Act of 2014 require the Controller, upon the order of the Director of Finance, to transfer specified amounts totaling up to \$55,515,000 as loans from the Public Transportation Account to the High-Speed Passenger Train Bond Fund. This bill would require \$54,000,000 from these loans to be repaid to the Public Transportation Account and would provide that these repaid funds are available, upon appropriation by the Legislature, to help offset the loss of revenues incurred by transit operators during the COVID-19 pandemic.

AB 1099 (Rivas, Robert D) State funding: environmental equity.

Introduced: 2/18/2021

Status: 2/19/2021-From printer. May be heard in committee March 21.

Summary: Current law establishes the Strategic Growth Council in state government consisting of various state agency heads and 3 public members. Current law requires the council to identify and review activities and funding programs of state agencies that may be coordinated to improve air and water quality, improve natural resource protection, increase the availability of affordable housing, improve transportation, meet greenhouse gas emissions reduction goals, encourage sustainable land use planning, and revitalize urban and community centers in a sustainable manner. This bill would state the intent of the Legislature to enact subsequent legislation to provide new approaches and considerations for directing investments and allocating funds, as well as increasing accountability for how those funds are expended to achieve key objectives.

AB 1116 (Friedman D) High-Speed Rail Authority: oversight: Legislative Analyst's Office.

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Committee on Transportation

Summary: Would require the Legislative Analyst's Office, for the purpose of reviewing the planning, financing, expenditures, and other elements of the statewide high-speed rail system, to review any materials submitted to the authority and documents the authority requests from contractors, consultants, or external parties, as specified, and to provide recommendations to the policy and budget committees of the Legislature regarding the statewide high-speed rail system and the development of shared mobility systems statewide. The bill would require the authority, and any entity contracting with the authority, to provide to the Legislative Analyst's Office any information that it requests and to permit representatives of the Legislative Analyst's Office to attend the authority's internal meetings. The bill would repeal these requirements on January 1, 2031.

AB 1147 (Friedman D) Regional transportation plan: electric bicycles.

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Committees on Transportation and Natural Resources

Summary: Current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Current law authorizes a transportation planning agency with a population that exceeds 200,000 persons to use as part of that policy element, among others, measures of means of travel, including the percentage share of all trips made by single occupant vehicles, multiple occupant vehicles, carpools, public transit, walking, and bicycling. This bill would expressly authorize those transportation planning agencies to also use as part of that policy element the percentage share of trips made by bicycling using an electric bicycle.

AB 1154 (Patterson R) California Environmental Quality Act: exemption: egress route projects: fire safety.

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Committee on Natural Resources

Summary: Would, until January 1, 2029, exempt from CEQA egress route projects undertaken by a public agency that are specifically recommended by the State Board of Forestry and Fire Protection that improve the fire safety of an existing subdivision if certain conditions are met. The bill would require the lead agency to hold a noticed public meeting to hear and respond to public comments before determining that a project is exempt. The bill would require the lead agency, if it determines that a project is not subject to CEQA and approves or carries out that project, to file a notice of exemption with the Office of Planning and Research and with the clerk of the county in which the project will be located.

AB 1157 (Lee D) Local transportation funds: State Transit Assistance Program: reports.

Introduced: 2/18/2021

Status: 3/16/2021-Re-referred to Committee on Transportation

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 1189 (Bloom D) Transportation: indirect cost recovery: wildlife crossing projects.

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Committee on Transportation

Summary: Would, on and before June 30, 2024, prohibit the Department of Transportation from charging for administration indirect cost recovery, as outlined in the department's Indirect Cost Recovery Proposal, for any wildlife crossing project that receives private funding for more than 50% of the project cost, and would require the department to charge these projects for functional overhead. The bill would require the department to report, on or before July 1, 2024, to the Legislature on the amount of private funding invested in wildlife crossing projects for the 2020–21, 2021–22, 2022–23, and 2023–24 fiscal years.

AB 1235 (Patterson R) High-speed rail: legislative oversight.

Introduced: 2/19/2021

Status: 3/11/2021-Referred to Committee on Transportation

Summary: Would create the Joint Legislative High-Speed Rail Oversight Committee consisting of 3 Members of the Senate and 3 Members of the Assembly to provide ongoing and independent oversight of the high-speed rail project by performing specified duties, and would require the committee to make recommendations to the appropriate standing policy and budget committees of both houses of the Legislature to guide decisions concerning the state's programs, policies, and investments related to high-speed rail. The bill would require the authority to provide the committee with certain documents and information within prescribed timelines, and would require the authority to permit the chairperson of the committee, or the chairperson's designee, to attend meetings of any internal governance committees related to project oversight, as provided.

AB 1238 (Ting D) Transportation.

Introduced: 2/19/2021

Status: 2/22/2021-Read first time.

Summary: Current law establishes the Transportation Agency, which consists of various departments and state entities, including the California Transportation Commission and the Department of Transportation. Current law provides that the department shall have full possession and control of all state highways and associated property. Current law provides various sources of revenue for transportation projects undertaken by state and local agencies. This bill would express the intent of the Legislature to enact legislation relating to transportation.

AB 1291 (Frazier D) State bodies: open meetings.

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Committee on Governmental Organization

Summary: Current law provides that, subject to certain exceptions and reasonable regulations, the state body shall provide members of the public an opportunity to directly address the state body on agenda items. Current law authorizes the state body to limit the amount of time allotted for each member of the public to speak but specifies that members of the public who use translators shall be given twice that allotted amount of time. This bill would also require a state body, when it limits time for public comment, to provide at least twice the allotted time to a member of the public who utilizes translating technology to address the state body. The bill would additionally make technical, nonsubstantive changes.

AB 1337 (Lee D) Transportation: transit district policing responsibilities.

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Committees on Public Safety and Transportation.

Summary: Under current law, a person who enters or remains upon any land, facilities, or vehicles owned, leased, or possessed by specified transit entities that are used to provide public transportation by rail or passenger bus, or are directly related to that use, without permission, or whose entry, presence, or conduct upon the property interferes with, interrupts, or hinders the safe and efficient operation of the transit-related facility, is guilty of a misdemeanor. This bill would specify that a person who enters or remains upon any property, facilities, or vehicles upon which the applicable transit entity owes policing responsibilities to a local government pursuant to an operations and maintenance agreement or similar interagency agreement without permission, or whose entry, presence, or conduct upon that property interferes with, interrupts, or hinders the safe and efficient operation of the transit-related facility, is guilty of a misdemeanor.

AB 1499 (Daly D) Transportation: design-build: highways.

Introduced: 2/19/2021

Status: 3/11/2021-Referred to Committee on Transportation

Summary: Current law authorizes regional transportation agencies, as defined, to utilize design-build procurement for projects on or adjacent to the state highway system. Current law also authorizes those regional transportation agencies to utilize design-build procurement for projects on expressways that are not on the state highway system, as specified. Current law repeals these provisions on January 1, 2024, or one year from the date that the Department of Transportation posts on its internet website that the provisions described below related to construction inspection services for these projects have been held by a court to be invalid. This bill would delete the January 1, 2024, repeal date, thus extending the above provisions indefinitely.

AB 1519 (Gallagher R) Los Angeles County Metropolitan Transportation Authority.

Introduced: 2/19/2021

Status: 3/15/2021-Re-referred to Committee on Natural Resources

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 1544 (Nazarian D) Cultural heritage: protection of items and places of cultural and historical interest.

Introduced: 2/19/2021

Status: 2/22/2021-Read first time.

Summary: Would express the intent of the Legislature to later enact legislation to protect precious and irreplaceable items and places of cultural and historical interest by prohibiting public entities from, and urging private entities to refrain from, engaging with individuals and entities who have destroyed, vandalized, scavenged, stolen from, or otherwise despoiled, artifacts, items, or structures in any place of cultural and historical interest anywhere in the world.

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

Introduced: 12/7/2020

Status: 12/8/2020-From printer. May be heard in committee January 7.

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.

ACA 5 (Voepel R) Motor vehicles: fuel taxes, sales and use taxes, and fees: expenditure restrictions.

Introduced: 2/19/2021

Status: 2/22/2021-Read first time.

Summary: The California Constitution restricts the expenditure of revenues from taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. These restrictions do not apply to revenues from taxes or fees imposed under the Sales and Use Tax Law or the Vehicle License Fee Law. This measure would explicitly restrict the expenditure of all interest earned and other increment derived from the investment of those tax revenues and any proceeds from the lease or sale of real property acquired using those tax revenues only for the purposes described above.

SB 7 (Atkins D) Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021.

Introduced: 12/7/2020

Status: 3/1/2021-Read third time. Urgency clause adopted. Passed. (Ayes 34. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: Would enact the Jobs and Economic Improvement Through Environmental Leadership Act of 2021, which would reenact the former leadership act, with certain changes, and would authorize the Governor, until January 1, 2024, to certify projects that meet specified requirements for streamlining benefits related to CEQA. The bill would additionally include housing development projects, as defined, meeting certain conditions as projects eligible for certification. The bill would, except for those housing development projects, require the quantification and mitigation of the impacts of a project from the emissions of greenhouse gases, as provided. The bill would revise and recast the labor-related requirements for projects undertaken by both public agencies and private entities. The bill would provide that the Governor is authorized to certify a project before the lead agency certifies the final EIR for the project.

SB 44 (Allen D) California Environmental Quality Act: streamlined judicial review: environmental leadership transit projects.

Introduced: 12/7/2020

Status: 3/16/2021-From committee: Do pass and re-refer to Committee on Judiciary (Ayes 7. Noes 0.) (March 15). Re-referred to Committee on Judiciary

Summary: Would require the Judicial Council, on or before April 1, 2022, to adopt rules of court establishing procedures requiring actions or proceedings seeking judicial review pursuant to CEQA or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings

with the court to an action or proceeding seeking judicial review of the lead agency's action related to an environmental leadership transit project. The bill would require the environmental leadership transit project to meet certain labor requirements.

SB 66 (Allen D) California Council on the Future of Transportation: advisory committee: autonomous vehicle technology.

Introduced: 12/7/2020

Status: 2/25/2021-Re-referred to Committee on Transportation

Summary: Would require the Secretary of Transportation to establish an advisory committee, the California Council on the Future of Transportation, to provide the Governor and the Legislature with recommendations for changes in state policy to ensure that as autonomous vehicles are deployed, they enhance the state's efforts to increase road safety, promote equity, and meet public health and environmental objectives. The bill would require the council to be chaired by the secretary and consist of at least 22 additional members, selected by the chair or designated, as specified, who represent, among others, transportation workers, various state and local agencies, and a disability rights organization.

SB 261 (Allen D) Regional transportation plans: sustainable communities strategies.

Introduced: 1/27/2021

Status: 3/16/2021-From committee: Do pass and re-fer to Committee on Transportation (Ayes 5. Noes 2.) (March 15). Re-referred to Committee on Transportation.

Summary: Current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board. This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

SB 274 (Wieckowski D) Local government meetings: agenda and documents.

Introduced: 1/29/2021

Status: 3/11/2021-Set for hearing March 25.

Summary: The Ralph M. Brown Act, requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, 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. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by mail or by other electronic means, the bill would require the legislative body or its

designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.

SB 339 (Wiener D) Vehicles: road usage charge pilot program.

Introduced: 2/8/2021

Status: 3/10/2021-Set for hearing April 13.

Summary: Current law requires the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of Transportation. Under existing law, the purpose of the technical advisory committee is to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system. Current law requires the technical advisory committee to study RUC alternatives to the gas tax, gather public comment on issues and concerns related to the pilot program, and make recommendations to the Secretary of Transportation on the design of a pilot program, as specified. Existing law repeals these provisions on January 1, 2023. This bill would extend the operation of these provisions until January 1, 2027.

SB 342 (Gonzalez D) Environmental justice.

Introduced: 2/9/2021

Status: 3/10/2021-From committee with author's amendments. Read second time and amended. Re-referred to Committee on Rules.

Summary: Current law requires the Secretary for Environmental Protection to convene a Working Group on Environmental Justice composed of various representatives, as specified, to assist the California Environmental Protection Agency in developing an agencywide environmental justice strategy. This bill would state the intent of the Legislature to enact subsequent legislation to increase environmental justice representation at a local level.

SB 415 (Melendez R) Transportation finance: motor vehicle fuel tax.

Introduced: 2/12/2021

Status: 2/25/2021-Referred to Committee on Transportation

Summary: Article XIX of the California Constitution restricts the expenditure of revenues from the motor vehicle fuel tax and other taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. Current law requires a portion of the net revenues from that tax on motor vehicle fuel to be apportioned monthly among counties and cities pursuant to a specified formula, which includes a requirement that the base sum be computed using a specified metric. This bill would require the base sum to be calculated, rather than computed, using that metric and that the calculation of the apportionment be disclosed and made available to the public.

SB 475 (Cortese D) Transportation planning: sustainable communities strategies.

Introduced: 2/17/2021

Status: 3/10/2021-From committee with author's amendments. Read second time and amended. Re-referred to Committee on Rules

Summary: Current law requires certain transportation planning activities by designated regional transportation planning agencies, including development of a regional transportation plan. Certain of these agencies are designated under federal law as metropolitan planning organizations. As part of a regional transportation plan, current law requires a metropolitan planning organization to adopt a sustainable communities strategy, which is designed to achieve certain targets established by the State

Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. Existing law, to the extent the sustainable communities strategy is unable to achieve the greenhouse gas emissions reduction targets, requires the affected metropolitan planning organization to prepare an alternative planning strategy showing how the targets may be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies. This bill would state the intent of the Legislature to enact subsequent legislation that would make various changes to these provisions.

SB 527 (Melendez R) Greenhouse Gas Reduction Fund: high-speed rail: Salton Sea restoration.

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Committees on Environmental Quality, Transportation, and Natural Resource and Water. Referral to Committee on Natural Resource and Water rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.

Summary: Would eliminate the continuous appropriation of 25% of the annual proceeds of Greenhouse Gas Reduction Fund to the High-Speed Rail Authority on June 30, 2022. The bill, beginning with the 2022–23 fiscal year, would annually transfer 25% of the annual proceeds of the Greenhouse Gas Reduction Fund to the Salton Sea Restoration Fund. This bill contains other existing laws.

SB 542 (Limon D) Zero-emission vehicles: fees.

Introduced: 2/18/2021

Status: 3/10/2021-Set for hearing April 13.

Summary: Current law, commencing July 1, 2020, imposes a road improvement fee of \$100 to be paid to the Department of Motor Vehicles for registration or renewal of registration of every zero-emission motor vehicle with a model year of 2020 or later, as specified. Current law requires the department to deposit revenues from the road improvement fee, after deducting administrative costs, in the Road Maintenance and Rehabilitation Account within the State Transportation Fund. This bill would repeal those provisions. This bill contains other related provisions.

SB 563 (Allen D) Second Neighborhood Infill Finance and Transit Improvements Act: housing developments: homelessness prevention programs: enhanced infrastructure financing plan adoption process.

Introduced: 2/18/2021

Status: 3/3/2021-Referred to Committees on Governance and Finance, and Housing

Summary: Current law authorizes the legislative body of a city or county to propose the establishment of an enhanced infrastructure financing district, with a governing body referred to as a public financing authority, to finance public capital facilities or other specified projects of communitywide significance. Current law requires the proceedings for the establishment of the district to be instituted by the adoption of a specified resolution and requires an infrastructure financing plan to be prepared, as specified. Current law requires a copy of the resolution and the plan to be sent to each landowner within the district. Current law requires the public financing authority to consider the adoption of the plan at 3 public hearings and, at the 3rd hearing, terminate the proceedings, adopt the plan, or call an election depending on the percentage of the combined number of landowners and residents in the area who are at least 18 years of age who file a protest. If an election is called, existing law makes adoption of the plan dependent on the vote of that population. This bill, instead, would make the above-described plan adoption process dependent on the percentage of the combined number of registered voters in the area and landowners who file a protest and on the vote of that population.

SB 580 (Hueso D) Department of Transportation: highways and roads: recycled plastics study and specifications.

Introduced: 2/18/2021

Status: 3/10/2021-Set for hearing April 13.

Summary: Would authorize the department to conduct a study to assess the feasibility, cost effectiveness, and life-cycle environmental benefits of including recycled plastics in asphalt used as a paving material in the construction, maintenance, or rehabilitation of a highway or road. If the department determines that this use of recycled plastics is feasible and that recycled plastics can be included in asphalt in a manner that is cost effective and provides life-cycle environmental benefits, the bill would authorize the department to establish specifications for including recycled plastics in asphalt used as a paving material in the construction, maintenance, and rehabilitation of a highway or road. The bill would require the department to prepare and submit, on or before January 1 of each year, commencing January 1, 2023, an analysis to the Assembly Committee on Transportation and the Senate Committee on Transportation on its progress studying recycled plastics and its progress toward establishing specifications for including recycled plastics in asphalt, as described above.

SB 606 (Gonzalez D) Workplace safety: citations: employer retaliation.

Introduced: 2/18/2021

Status: 3/10/2021-Set for hearing March 22.

Summary: Current law gives the Division of Occupational Safety and Health, within the Department of Industrial Relations, the power, jurisdiction, and supervision over every employment and place of employment in this state, which is necessary to adequately enforce and administer all laws requiring that employment and places of employment be safe, and requiring the protection of the life, safety, and health of every employee in that employment or place of employment. Current law requires the division to enforce all occupational safety and health standards, as specified, and to issue a citation for a violation relating to those standards. This bill would require the division to issue a citation to an egregious employer, as defined, for each willful violation, and each employee exposed to that violation would be required to be considered a separate violation for purposes of the issuance of fines and penalties, as provided.

SB 640 (Becker D) Transportation financing: jointly proposed projects.

Introduced: 2/19/2021

Status: 3/3/2021-Referred to Committee on Transportation

Summary: Current law provides for the deposit of various funds, including revenues from certain increases in fuel taxes and vehicle fees, for the program into the Road Maintenance and Rehabilitation Account. After certain allocations for the program are made, existing law requires the remaining funds available for the program to be continuously appropriated 50% for allocation to the department for maintenance of the state highway system or for the State Highway Operation and Protection Program and 50% for apportionment to cities and counties by the Controller pursuant to a specified formula. Current law requires a city or county to submit to the California Transportation Commission a list of proposed projects, as specified, to be eligible for an apportionment of those funds. This bill would authorize cities and counties to jointly submit to the commission a list of proposed projects to be funded by the cities and counties' apportionments of those funds, as specified.

SB 657 (Ochoa Bogh R) Employment: electronic documents.

Introduced: 2/19/2021

Status: 3/3/2021-Referred to Committees on Labor, Public Employment and Retirement, and Judiciary

Summary: Current law regulates the wages, hours, and working conditions of any worker employed in any occupation, trade, or industry, whether compensation is measured by time, piece, or otherwise, except as specified. The bill would also authorize an employee working from home to receive legally required notices and postings electronically and sign or acknowledge certain documents electronically.

SB 671 (Gonzalez D) Transportation: Clean Freight Corridor Efficiency Program.

Introduced: 2/19/2021

Status: 3/10/2021-Set for hearing April 13.

Summary: Would establish the Clean Freight Corridor Efficiency Program, to be jointly administered by the California Transportation Commission and State Air Resources Board, in coordination with other state entities. The bill would require the program to establish criteria for identifying qualifying freight corridors and define minimum requirements for clean truck corridors, surrounding local streets and roads, and associated facilities. The bill would require the program to identify California's 5 most-used freight corridors and objectives for improving the corridors, as specified, and identify projects and funding opportunities in these corridors.

SB 674 (Durazo D) Public Contracts: workforce development: transportation-related contracts.

Introduced: 2/19/2021

Status: 3/10/2021-Set for hearing March 22.

Summary: Would require relevant public agencies, as defined, to develop a program, known as the California Jobs Plan Program, to meet specified objectives, including, as a component of applications for covered public contracts, as defined, creation of a form that states the minimum numbers of proposed jobs that are projected to be retained and created if the applicant wins the covered public contract, and proposed wages, benefits, and investment in training. That component of the application would be known as the California Jobs Plan, as defined. Other objectives of the program, pursuant to the bill, would include supporting the hiring of displaced workers and individuals facing barriers to employment, as defined; encouraging the development of the state's long-term green transportation and related infrastructure and manufacturing sector; and protecting public health by supporting the adoption of specific protections for worker health and safety.

SB 790 (Stern D) Advance Mitigation Program: wildlife connectivity barriers.

Introduced: 2/19/2021

Status: 3/3/2021-Referred to Committee on Transportation

Summary: Current law creates the Advance Mitigation Program in the Department of Transportation to enhance communications between the department and stakeholders to, among other things, protect natural resources through project mitigation and accelerate project delivery. Current law authorizes the department, for the purpose of implementing the program, to develop a programmatic mitigation plan to address the potential environmental impacts of future transportation projects for the purpose of required mitigation approved by federal, state, and local agencies. Current law creates the Advance Mitigation Account and continuously appropriates moneys in the account for purposes of the program, and specifies what those funds can be used for. This bill would additionally authorize those funds to be used to modify or remove wildlife connectivity barriers not covered by existing regulatory programs.

SB 798 (Wieckowski D) Trade Corridor Enhancement Account.

Introduced: 2/19/2021

Status: 3/3/2021-Referred to Committee on Rules

Summary: Current law creates the Trade Corridor Enhancement Account to receive revenues attributable to 50% of a \$0.20 per gallon increase in the diesel fuel excise tax imposed by the Road Repair and Accountability Act of 2017 for corridor-based freight projects nominated by local agencies and the state. Current law makes these funds and certain federal funds apportioned to the state available upon appropriation for allocation by the California Transportation Commission for trade infrastructure improvement projects that meet specified requirements. This bill would make nonsubstantive changes to this provision.

SCA 4 (Wilk R) Legislature: 2-year budget.

Introduced: 2/17/2021

Status: 2/18/2021-From printer. May be acted upon on or after March 20.

Summary: Would limit the Legislature, in the first year of the regular session, to considering or acting upon only the Budget Bill and related bills, and up to 5 bills introduced by each of the standing committees of the Legislature, as specified. The measure would require the Governor to submit to the Legislature a budget for the ensuing 2 fiscal years within the first 10 days of the first calendar year of the biennium of the legislative session, and would require the Legislature to adopt by June 15 of the first calendar year of the biennium of the legislative session a Budget Bill that appropriates funds to support state government for the next 2-year fiscal period commencing on July 1. The measure, in the second year of the regular session, would limit the Legislature to considering or acting upon only legislation other than the Budget Bill and related bills. The Legislature, by a 2/3 vote of each house, would be authorized, however, to amend an enacted Budget Bill and related bills in both calendar years of the biennium.



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Item #9J

APRIL 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARRIN PESCHKA, PROGRAM MANAGER, GOVERNMENT AND COMMUNITY RELATIONS AND PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: FEDERAL SURFACE TRANSPORTATION AUTHORIZATION AND FISCAL YEAR 2021/2022 FEDERAL BUDGET - PROJECT NOMINATION

RECOMMENDATION:

- Ratify Community Project funding requests for \$25 million for US 101 Improvements Phase I- Auxiliary Lanes and for \$17 million for the Leesdale Passing Siding Extension and Upgrade Project.

DISCUSSION:

This past month, VCTC staff was informed that the House Transportation and Infrastructure Committee has announced it will allow a limited number of Community Projects, or earmarks, to be submitted for funding consideration as part of the anticipated five-year reauthorization of the federal Fixing America's Surface Transportation (FAST) Act. The House Appropriations Committee has made a similar announcement with regard to the Fiscal Year 2021/2022 budget. Applications were due March 31st.

VCTC staff has chosen to submit two Community Projects for consideration to the office of Rep. Julia Brownley, who sits on the House Transportation and Infrastructure Committee. The projects are U.S. 101 Improvements Phase I - Auxiliary Lanes and the Leesdale Passing Siding Extension and Upgrade Project. VCTC is the primary sponsor for the 101 Improvements nomination and is the co-sponsor for the siding project, along with the LOSSAN Rail Corridor Agency. VCTC staff submitted the same projects for both the authorization and appropriations processes.

VCTC staff is also working with the office of Rep. Mike Garcia to determine appropriations funding eligibility for State Route 118 improvements. VCTC does not have any qualifying projects in the district of Rep. Salud Carbajal.

PROJECT DESCRIPTIONS:

- VCTC is requesting \$25 million towards the final design for Phase I of its project to improve US 101 through Thousand Oaks, Camarillo, Oxnard, and Ventura. This Phase I project is

anticipated to build auxiliary lanes at identified priority locations where none currently exist. US 101 serves as Ventura County's "Main Street," and congestion is anticipated to more than double in the next 20 years. In response, VCTC is preparing the National Environmental Policy Act (NEPA) documentation for the overall project, which encompasses both auxiliary lanes and high-occupancy vehicle lanes for the length of the US 101 corridor in the four cities. NEPA approval is anticipated for late 2022, with the final design to be completed by 2028. This project would complete a critical segment of the larger Our Future 101 project, which intends to improve a 27-mile corridor along U.S. 101 from Thousand Oaks to Ventura.

- LOSSAN and VCTC are jointly requesting \$17 million for double tracking the Union Pacific Railroad between the Camarillo and Oxnard passenger rail stations. This rail line is used by Metrolink, Amtrak Pacific Surfliner, Amtrak Coast Starlight, and Union Pacific freight. This siding extension will eliminate the current bottleneck at the Oxnard Station, where trains in passenger service are required to back up to clear the tracks for trains traveling in the opposite direction to depart the station, using five to ten minutes for the maneuver. This project also constructs a passing siding on the 15.3 miles of single track territory between Camarillo station and the Ventura siding, reducing delays and improving reliability of service. The project will be constructed by the Union Pacific Railroad.



Item #9K

April 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: JENI EDDINGTON, TRANSIT PLANNER

SUBJECT: EASEMENT BETWEEN VCTC AND THE CITY OF MOORPARK FOR SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (SCRRA) SANITARY SEWER CONNECTION

RECOMMENDATION:

- Adopt a resolution approving the non-exclusive Easement Agreement with the City of Moorpark to provide access for the Southern California Regional Rail Authority (SCRRA) sanitary sewer connection and authorizing the Executive Director to execute the Agreement.

BACKGROUND:

The Southern California Regional Railroad Authority (SCRRA), more commonly known as Metrolink, is constructing safety enhancements to the Metrolink Commuter Rail System in the City of Moorpark on a parcel of property (585 Moorpark Avenue) owned by VCTC adjacent to the City of Moorpark's property (31 Poindexter Avenue). VCTC also owns the Moorpark Metrolink station and train storage yard and maintenance facility next to the station. This request involves improvements to the Metrolink maintenance facility. Ventura County Water and Sanitation does not have sewage access on the project site and to access the County sewer a line will have to be run from Poindexter Avenue.

VCTC staff worked with VCTC General Counsel, representatives of the City of Moorpark and Metrolink between October 2020 and March 2021 to draft the Easement document (Attached). On March 17, 2021, the City of Moorpark approved a decision granting authorization to Metrolink for construction, installation, and maintenance of a sanitary sewer connection over and across the easement area. Except for a proposed City-owned 20-foot by 8-foot trash enclosure that will encroach into the Easement Area, City of Moorpark will not construct any other improvements except as may be approved by VCTC.

Staff recommends that the Commission adopt a resolution approving the non-exclusive Easement Agreement with the City of Moorpark to provide access for the Southern California Regional Rail Authority (SCRRA) sanitary sewer connection and authorizing the Executive Director to execute the Agreement.

RESOLUTION NO. 2021-03

A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION APPROVING THE NON-EXCLUSIVE EASEMENT AGREEMENT WITH THE CITY OF MOORPARK TO PROVIDE ACCESS FOR THE SCRRA SANITARY SEWER CONNECTION AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE AGREEMENT

WHEREAS, the Southern California Regional Railroad Authority (“SCRRA”) is constructing safety enhancements to the Metrolink Commuter Rail System (“Project”) on a parcel of property owned by the Ventura County Transportation Commission (“VCTC”); and

WHEREAS, the Project is located on a parcel adjacent to a parcel owned by the City of Moorpark (“City”); and

WHEREAS, as part of the Project, SCRRA desires to construct and install a sanitary sewer connection to serve the Project, which will cross the City’s parcel; and

WHEREAS, in order to facilitate construction of the Project, the City agreed to grant VCTC a 10-foot wide easement over/under the City’s parcel in order to accommodate the sanitary sewer connection (“Easement”); and

WHEREAS, the City and VCTC desire to enter into the non-exclusive easement agreement pursuant to which the City will grant VCTC the Easement.

**NOW, THEREFORE, THE VENTURA COUNTY TRANSPORTATION COMMISSION
HEREBY RESOLVES AS FOLLOWS:**

1. VCTC approves the non-exclusive easement agreement with the City of Moorpark, attached hereto and incorporated herein as Exhibit 1.
2. VCTC authorizes the Executive Director to execute the non-exclusive easement agreement to provide access for the SCRRA sanitary sewer connection.
3. VCTC authorizes the Executive Director to execute the certificate of acceptance for the grant of the easement.
4. VCTC authorizes the Executive Director to take any other necessary actions consistent with carrying out the intent of this resolution.

PASSED, APPROVED AND ADOPTED this 2nd day of April 2021.

KELLY LONG, Chair

ATTEST:

DARREN KETTLE,
Executive Director

APPROVED AS TO FORM:

STEVE MATTAS,
General Counsel

3720937.1

EXHIBIT 1
EASEMENT AGREEMENT

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Ventura County Transportation Commission
751 E. Daily Drive
Suite 420
Camarillo, CA 93010
Attention: Commission Clerk

with a copy to:

City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021
Attention: City Clerk

EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE §§6103, 27383

EASEMENT AGREEMENT

This Easement Agreement ("**Agreement**") is made on this 2nd day of April 2021, by and between the City of Moorpark, a California municipal corporation ("**Grantor**"), and the Ventura County Transportation Commission ("**Grantee**"). Grantor and Grantee shall hereinafter be referred to collectively as the "**Parties**" and each individually as a "**Party**."

RECITALS

A. Grantor is the owner of that certain real property situated in the City of Moorpark, State of California, as shown and legally described in the attached Exhibit A ("Grantor's Property").

B. The Southern California Regional Rail Authority ("SCCRA") is constructing safety enhancements to the Metrolink Commuter Rail System in the City of Moorpark on a parcel of property owned by Grantee adjacent to Grantor's Property ("Project").

C. As part of the Project, SCCRA desires to construct and install a sanitary sewer connection to serve the Project, which will cross Grantor's Property.

D. In order to facilitate construction of the Project, Grantee has requested Grantor to provide a 10-foot wide easement over/under a portion of Grantor's Property to accommodate the sanitary sewer connection, as described and as depicted in the location shown in the attached Exhibit B ("**Easement Area**"), on the terms and conditions described in this Agreement.

E. Grantor is willing to provide the easement on the terms and conditions described in this Agreement.

NOW, THEREFORE, for valuable consideration, the receipt of which each of the parties hereto does hereby acknowledge, the parties hereto do hereby agree as follows:

AGREEMENT

1. Grant of Easement. Subject to the provisions of this Agreement, and subject to all matters of record (which Grantee covenants not to violate), Grantor hereby grants to Grantee a nonexclusive easement for construction, installation, and maintenance of a sanitary sewer connection ("**Easement**") over and across the Easement Area. With the exception of a proposed City-owned 20 foot by 8-foot trash enclosure ("Trash Enclosure") that will encroach into the Easement Area, Grantor will not construct any other improvements except as may be approved by Grantee, which approval shall not be unreasonably withheld or delayed. The location and orientation of the Trash Enclosure is depicted in attached Exhibit C. Grantee accepts the Easement Area in its current "AS IS" condition, without representation or warranty express or implied. Upon completion of the construction of the sanitary sewer connection, Grantee shall (i) restore the surface to the same condition as before the excavation/improvements, and (ii) promptly notify Grantor of the completion of work. If Grantee shall fail to comply with clause (i) within sixty (60) days after written demand from Grantor, then Grantor may repair the Easement Area, and Grantee shall reimburse Grantor for costs thereof within ten (10) days after written demand with evidence of the costs.

2. Execution and Recording of Easement Agreement; Runs With the Land and Binds Successors in Interest. Grantor agrees that this Agreement shall bind Grantor, the Easement Area and Grantor's successors in interest to the Easement Area, and Grantee's successors and assigns. Grantee may record this Agreement with the County Recorder's Office of the County of Ventura.

3. Limitations on Use of Easement. Grantee acknowledges that the easement granted herein is nonexclusive. Grantor, its successors, assigns, grantees, tenants, and licensees shall have the right to use the Easement Area in a manner that will not unreasonably interfere with Grantee's use of the Easement Area, including Grantor's use of the Easement for pedestrian and vehicular access. Each party, and its respective successors, assigns, grantees, and licensees shall refrain from any obstruction of, blockage, or construction in the Easement Area that would unreasonably interfere with the use of the Easement Area by the other party.

4. Maintenance. Grantee shall maintain the sanitary sewer connection and associated infrastructure in a good and safe condition, sufficient to ensure that the use of the Easement does not interfere with Grantor's (and its successors', assigns', grantees', tenants' and licensees') ability to use Grantor's Property. Except for conditions created by Grantee or its contractors or licensees, Grantor shall maintain Grantor's Property and the Easement Area in good and safe condition, sufficient to ensure Grantee's ability to use the Easement Area as contemplated in this Agreement at all times.

5. Removal of Sewer Connection. In the event that the sanitary sewer connection is no longer required for the sewer system it connects to (such as would be the case if the sewer system were relocated, replaced with another sewer system elsewhere, removed or no longer used), then upon prior written notice to Grantor, Grantee shall remove such connection and infrastructure in such a way that the Trash Enclosure will not be damaged or impacted. Upon removal of the sanitary sewer connection, Grantee shall (i) return the Easement Area to a good and satisfactory condition, (ii) promptly notify Grantor of the completion of work, and (iii) promptly execute, acknowledge and deliver to Grantor, for recording, any reasonable document terminating this Easement Agreement. If Grantee shall fail to comply with clause (i) within sixty (60) days after written demand from Grantor, then Grantor may remove the sanitary sewer condition, dispose of the items removed without liability to Grantee, and Grantee shall reimburse Grantor for the costs

thereof within ten (10) days after written demand with evidence of the costs. If Grantee shall fail to comply with clause (iii), then Grantor may unilaterally execute and record a recordable termination document.

6. Grantor's Reserved Rights. Notwithstanding the foregoing, Grantor reserves on behalf of itself, its agents, contractors, subcontractors, suppliers, consultants, employees, invitees or other authorized persons acting for or on behalf of Grantor ("**Grantor's Agents**"), including but not limited to any lessee, the right to use the Easement Area in any way not inconsistent with this Easement Agreement.

7. Indemnification.

(a) Grantee shall indemnify, defend and hold harmless Grantor, its officers, agents, employees and representatives from and against any and all claims, losses, liabilities and damages, including payment of reasonable attorneys' fees, arising out of or resulting from the use of the Easement Area or breach of this Easement Agreement by Grantee or its officers, agents, employees, contractors or that are caused by any negligent or willful act or omission of Grantee, or its officers, agents, employees, or contractors.

(b) Grantor shall indemnify, defend and hold harmless Grantee, its officers, agents, employees and representatives from and against any and all claims, losses, liabilities and damages, including payment of reasonable attorneys' fees, arising out of or resulting from the use of the Easement Area or breach of this Easement Agreement by Grantor or its officers, agents, employees, contractors or that are caused by any negligent or willful act or omission of Grantor, or its officers, agents, employees, or contractors.

8. Enforcement. Each party shall have all rights and remedies at law and in equity in order to enforce the Easement and the terms of this Agreement. All rights and remedies available under this Agreement or at law or in equity shall be cumulative and not alternative, and invocation of any such right or remedy shall not constitute a waiver or election of remedies with respect to any other available right or remedy.

9. Amendment. This Agreement may be amended only in writing signed and acknowledged by Grantor and Grantee, or their respective successors or successors-in-interest. Any such amendment must be recorded with the County Recorder's Office of the County of Ventura. The City Manager of the Grantor shall have the authority to enter into non-substantial amendments or a recordable termination of this Agreement.

10. Venue; Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California with venue in the court of competent jurisdiction in Ventura County.

11. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be entitled to be the original and all of which shall constitute one and the same agreement.

12. References; Titles. Wherever in this Agreement the context requires, reference to the singular shall be deemed to include the plural. Titles of sections and paragraphs are for convenience only and neither limit nor amplify the provisions of this Agreement.

13. Notices. Any notice given under this Agreement shall be in writing and given by delivering the notice in person, by commercial overnight courier that guarantees next day delivery and provides a receipt, or by sending it by registered or certified mail, or Express Mail, return receipt requested, with postage prepaid, to the mailing address listed below or any other address notice of which is given.

Grantor: City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021
Attention: City Manager

Grantee: Ventura County Transportation Commission
751 E. Daily Drive
Suite 420
Camarillo, CA 93010
Attention: Darren Kettle

Any mailing address number may be changed at any time by giving written notice of such change in the manner provided above at least ten (10) days prior to the effective date of the change. All notices under this Agreement shall be deemed given, received, made or communicated on the date personal receipt actually occurs or, if mailed, on the delivery date or attempted delivery date shown on the return receipt.

14. Severability. If any provision of this Agreement shall to any extent be invalid or unenforceable, the remainder of this Agreement (or the application of such provisions to persons or circumstances other than those in respect of which it is invalid or unenforceable) shall not be affected thereby, and each provision of this Agreement, unless specifically conditioned upon such invalid or unenforceable provision, shall be valid and enforceable to the fullest extent permitted by law.

15. Entire Agreement. This Agreement, together with any attachments hereto or inclusions by reference, constitute the entire agreement between the parties on the subject matter hereof, and this Agreement supersedes and cancels any and all previous negotiations, arrangements, agreements and understandings, if any, between the parties hereto with respect to the easement which is the subject matter of this Agreement. This Agreement has been drafted by a mutual effort of the parties, and each party waives the benefit of any statute, law or judicial decision providing that ambiguities in an agreement shall be interpreted against the "drafting party."

16. Default. The failure to perform any covenant or obligation of a party hereunder and to cure such non-performance within thirty (30) days of written notice by the party to whom performance is owed shall constitute a default hereunder, provided that if more than thirty (30) days are reasonably required for such cure, no event of default shall occur if the defaulting party commences such cure within such period and diligently prosecutes such cure to completion. Upon such default, the non-defaulting party shall be entitled to all remedies and means to cure or correct such default, both legal and equitable, allowed by operation of law, except termination of the easement herein granted.

17. Survival. All waivers given or made hereunder shall survive termination of this Agreement.

18. Time of Essence. Time is of the essence of every provision hereof in which time is a factor.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

GRANTEE:

Ventura County Transportation Commission

GRANTOR:

City of Moorpark

By: _____

Name: _____

Title: _____

By: _____

Its: _____

Name: _____

Title: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

VCTC General Counsel

City Attorney

Attest:

Attest:

Commission Clerk

City Clerk

ACKNOWLEDGMENTS

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF)

On _____, before me, _____, a Notary Public personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are/is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF)

On _____, before me, _____, a Notary Public personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are/is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by this Easement Agreement dated _____ from the Grantor to the Ventura County Transportation Commission, is hereby accepted by order of its Ventura County Transportation Commission Resolution No. _____ adopted on _____, and the Ventura County Transportation Commission consents to recordation thereof by its duly authorized officer.

Dated: _____

VENTURA COUNTY TRANSPORTATION
COMMISSION

By: _____

Name: _____

Title: Executive Director

ATTEST:

COMMISSION CLERK

Approved as to form: Date: _____ By: _____ VCTC General Counsel
--

[SIGNATURE OF EXECUTIVE DIRECTOR MUST BE ACKNOWLEDGED]

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF)

On _____, before me, _____, a Notary Public personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are/is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal) _____

EXHIBIT A

Legal Description and Map of Grantor's Property

All that certain real property situated in the County of Ventura, State of California, described as follows:

THAT PORTION OF FREMONT, A SUBDIVISION OF LOT "L" OF THE RANCHO SIMI, IN THE CITY OF MOORPARK, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 3, PAGE 39 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BOUNDED AS FOLLOWS:

EASTERLY BY THE WESTERLY LINE OF MOORPARK AVENUE, HAVING A WESTERLY HALF-WIDTH OF 25.00 FEET;

NORTHERLY BY THE SOUTH LINE OF THE LAND CONVEYED TO SOUTHERN PACIFIC RAILROAD COMPANY IN DEED RECORDED MARCH 20, 1900 IN BOOK 64, PAGE 169 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

WESTERLY BY A LINE PARALLEL WITH AND 348.92 FEET EASTERLY OF THE EAST LINE OF PARCEL MAP FILE IN BOOK 7, PAGE 42 OF PARCEL MAPS, RECORDS OF SAID COUNTY, SAID 348.92 FEET TO BE MEASURED ALONG THE NORTHERLY LINE OF POINDEXTER AVENUE, 25 FOOT NORTHERLY HALF WIDTH, AS SHOWN ON SAID PARCEL MAP.

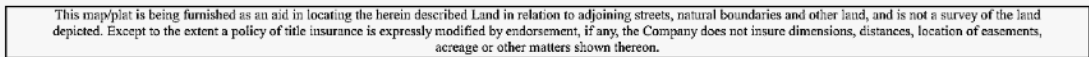
SOUTHERLY BY SAID NORTHERLY LINE OF POINDEXTER AVENUE, 25 FOOT WIDE HALF-WIDTH.

EXCEPTING THEREFROM THAT PORTION OF LAND DESCRIBED IN A GRANT DEED TO THE CITY OF MOORPARK, DATED MAY 4, 1990, RECORDED ON MAY 24, 1990 AS INSTRUMENT NO. 90-078348 OF OFFICIAL RECORDS OF SAID COUNTY.

SUBJECT TO ROAD EASEMENTS GRANTED TO THE CITY OF MOORPARK.

SAID LAND IS SHOWN ON RECORD OF SURVEY FILED IN BOOK 14, PAGE 41 OF RECORDS OF SURVEY, ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR, AS A PORTION OF THE PARCEL SHOWN AS BEING OWNED BY "S. P. MILLING CO.

Legal Description and Map of Grantor's Property



Requested By: crcusi, Printed: 3/24/2020 7:50 AM

EXHIBIT B

Legal Description and Map of Easement Area

Coast Surveying, Inc.
July 31, 2020

EXHIBIT A

A 10.00 FOOT WIDE STRIP OVER THAT PORTION OF FREMONT TRACT, A SUBDIVISION OF LOT "L" OF THE RANCHO SIMI, IN THE CITY OF MOORPARK, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 3, PAGE 39 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE WESTERLY LINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF POINDEXTER AVENUE, 25 FOOT NORTHERLY HALF-WIDTH, SAID POINT BEING THE SOUTHWESTERLY CORNER OF THE LAND DESCRIBED IN A GRANT DEED TO THE CITY OF MOORPARK, RECORDED APRIL 3, 2017 AS INSTRUMENT NO. 20170403-44648 OF OFFICIAL RECORDS IN THE OFFICE OF SAID COUNTY RECORDER; THENCE ALONG THE WESTERLY LINE OF SAID DEED A DISTANCE OF 100.00 FEET, MORE OR LESS TO THE NORTHERLY LINE OF SAID GRANT DEED.

CONTAINING 1,000 SQUARE FEET, MORE OR LESS.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF.

DATED THIS 31ST DAY OF JULY, 2020.

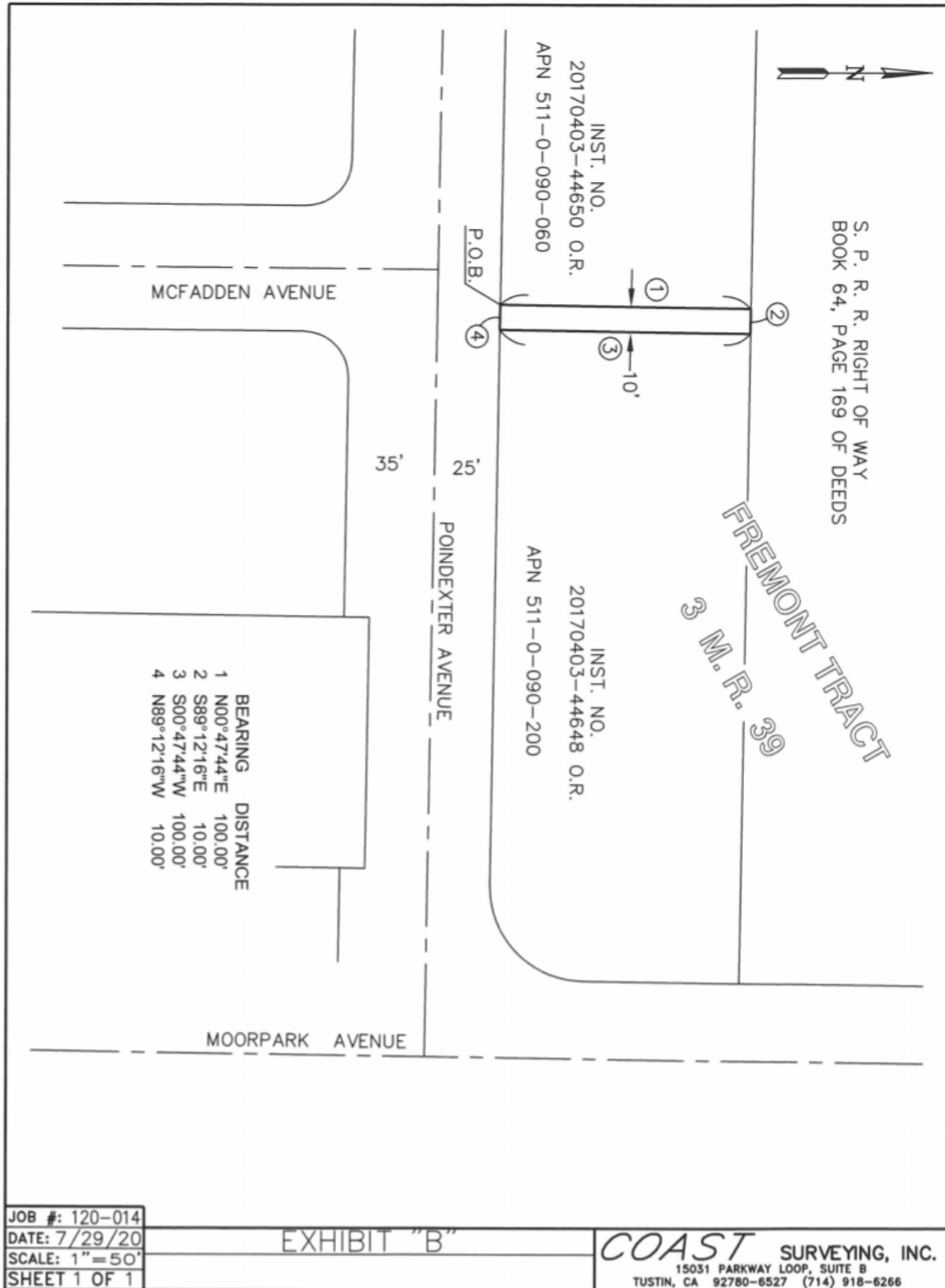


GWEN-VERA DEL CASTILLO, PLS 5108



EXHIBIT B

Legal Description and Map of Easement Area

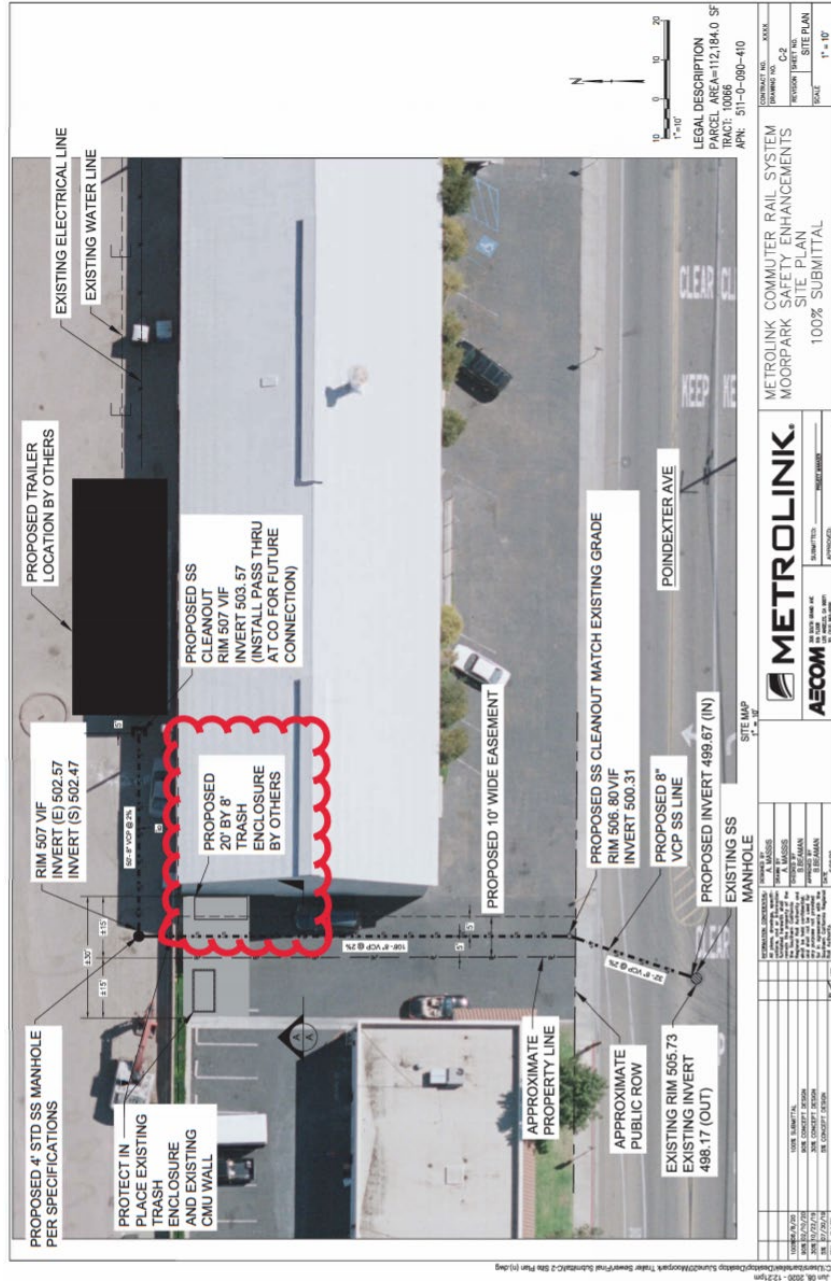


Location and Orientation of Proposed Trash Enclosure

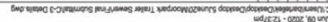
© 2000 Blackwell Science Ltd, *Journal of Internal Medicine* 247: 101–108

EXHIBIT C

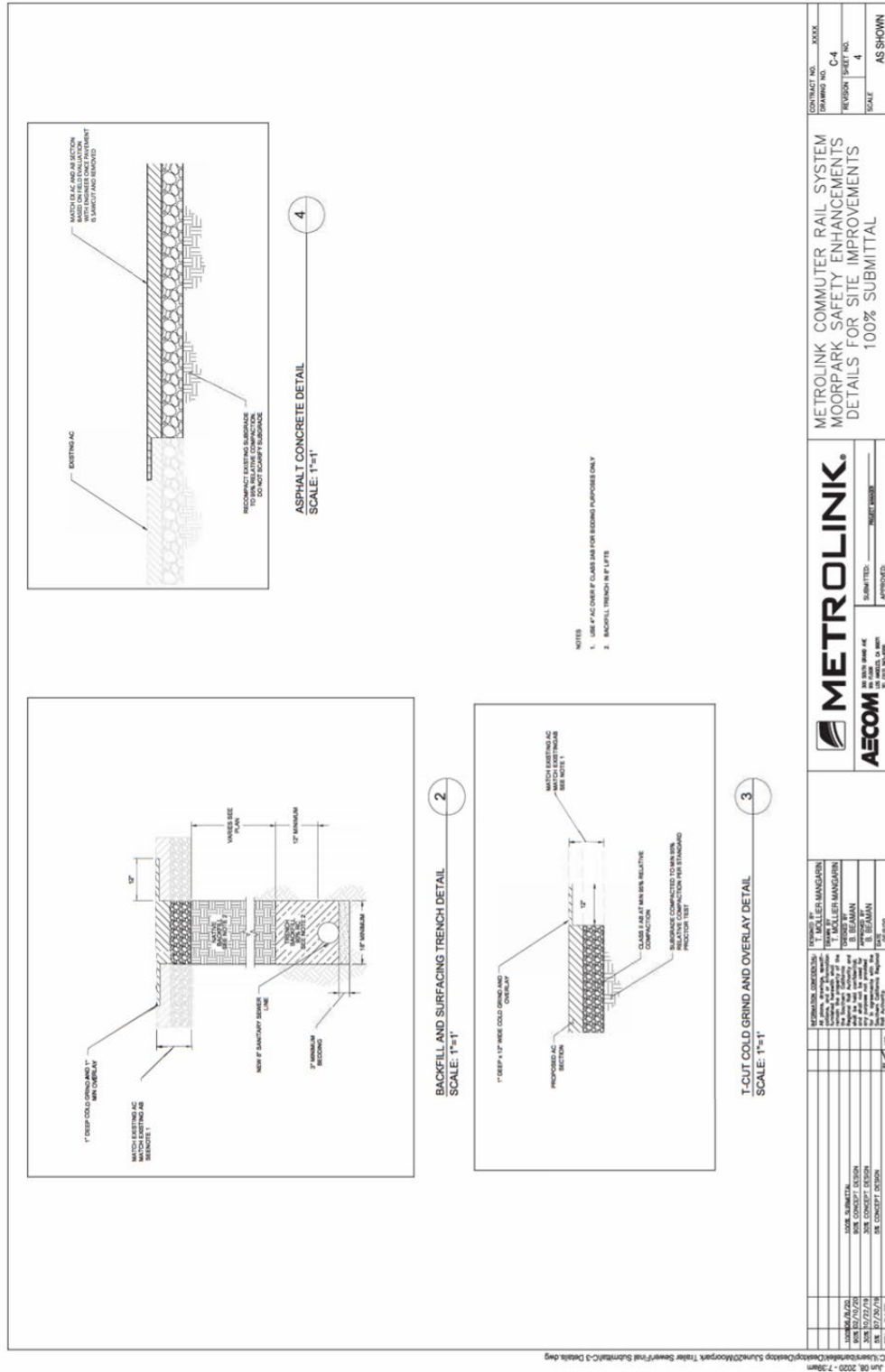
Location and Orientation of Proposed Trash Enclosure



Location and Orientation of Proposed Trash Enclosure



Location and Orientation of Proposed Trash Enclosure





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Item #9L

April 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: CLAIRE GRASTY, PROGRAM MANAGER
SUBJECT: TRANSIT MUTUAL AID COMPACT (TRANSMAC) AGREEMENT FOR VALLEY EXPRESS

RECOMMENDATION:

- Approve the Valley Express bus service entering into the Transit Mutual Aid Compact (TransMAC) Agreement

BACKGROUND:

Over the last year and a half, VCTC and the Santa Barbara Association of Governments (SBCAG) have worked with our consultant Claris Strategy, an advisory committee and numerous stakeholders to develop the Transportation Emergency Preparedness Plan (TEPP), including the transit operators in both counties. The final Plan was approved by VCTC and SBCAG in December 2020.

One of the most significant recommendations to come out of the TEPP process and Technical Memorandum is entering into a mutual aid agreement. Mutual aid was a major component of the TEPP and was discussed throughout the process, including at Transcom and a separate mutual aid meeting. The recommendation is for the Valley Express bus service to enter into the existing Transit Mutual Aid Compact (TransMAC) agreement, which includes participation by most Southern California transit operators, including LA Metro and LA ACCESS. The Valley Express bus service serves the Santa Clara River Valley community, including the cities of Fillmore and Santa Paula, as well as the neighboring unincorporated areas of the County, such as Piru and Bardsdale. The service is managed by a policy advisory committee, which is made up of VCTC Commissioners representing the two cities and the County. As the administrator and manager of the service, VCTC staff works with the committee and local staff to ensure the service meets the needs of the community.

DISCUSSION:

TransMAC was designed to forge a resilient, formal, and mutually beneficial relationship among public transit providers that allows agencies to provide support to each other during the response to, and recovery from, emergencies, pre-planned events, and other incidents that may impact transit operations, and to be similar to mutual aid/assistance agreements in other disciplines. It ensures each agency maintains control over its assets and is appropriately protected, ultimately enhancing the collective ability

to provide service to the public and support public safety missions without interruption. It was also developed by numerous agencies with the goal of having a number of agencies participate, making mutual aid more likely and less burdensome to the agencies that provide support. With the robust membership, the request of vehicles or services are spread across the members, rather than on a couple agencies. Additionally, as the agreement has already been developed and approved by numerous agencies, Ventura County operators would not have to develop one from scratch.

Additionally, the California State Legislature saw the benefit of mutual aid arrangements in the transit and transportation sector. AB 2730, signed into law on September 29, 2020, authorizes “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.” While not all operators fall into this category, entering into an agreement with a neighboring county is consistent with this law.

Joining TransMAC will allow Valley Express bus service to call on the resources of the 19 transit operators that are signatories of the agreement during an emergency. It will provide a formal avenue for Valley Express to also provide its resources it has available when called upon. Resources will not be provided if Valley Express is not in a position to lend them or they would otherwise hurt operations. The TransMAC agreement also stipulates operators will be reimbursed for resources provided.

VCTC staff and legal counsel has reviewed the TransMAC agreement and has no issues as written and are in support of moving forward, as this agreement will be mutually beneficial to our service and county, as well as to the other signatories.

At their most recent meetings, both the Valley Express’ Heritage Valley Policy Advisory Committee and Technical Advisory Committee approved Valley Express entering into the TransMAC agreement. At the March 5 Commission meeting, the Commission approved VCTC Intercity bus service entering into the agreement. Additionally, Thousand Oaks Transit and Gold Coast Transit District plan to sign onto the agreement at an upcoming meetings. The other county operators are in the process of reviewing it. The participation by Ventura County operators will grow the membership significantly and make it that much more robust and will better prepare the county in an emergency.

CALIFORNIA STATEWIDE

**TRANSIT MUTUAL
ASSISTANCE COMPACT
(TransMAC)**

MAY 2013

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**CALIFORNIA STATEWIDE
TRANSIT MUTUAL ASSISTANCE COMPACT (TransMAC)**

PREAMBLE

This Transit Mutual Assistance Compact (TransMAC) and its Members have established a formal process whereby they may receive and provide Mutual Assistance to each other in the form of personnel, services, and equipment as deemed to be necessary or advisable in an emergency. The Mutual Assistance Agreement contained herein, sets forth the terms and conditions under which the undersigned Members agree to provide or receive Mutual Assistance. However, if a Requesting Member and one or more Providing Members are parties to another mutual assistance agreement at the time the Mutual Assistance is requested, such other mutual agreement shall govern the Mutual Assistance among those Members insofar as the previous agreements are not inconsistent with this Agreement.

In consideration of the foregoing, the TransMAC Member hereby agrees as follows:

- A. When providing Mutual Assistance to, or receiving Mutual Assistance from, another Member, the Member will adhere to these written principles to govern Mutual Assistance arrangements that are in effect as of the date of a specific request for Mutual Assistance, unless otherwise agreed to in writing by each Member.
- B. With respect to each Period of Assistance, Requesting Members agree that they will provide appropriate reimbursement to the Providing Member regarding all costs and expenses incurred by the Providing Member in furnishing Mutual Assistance as identified under the articles of this Agreement, unless otherwise agreed to in writing by each Member. Entities must maintain auditable records in a manner consistent with generally accepted practices and in a manner consistent with the Member's adopted practices and methods of record keeping and retention.
- C. During each Period of Assistance, the conduct of the Requesting Member and the Providing Member shall be subject to the liability and indemnification provisions set forth herein.
- D. A Member may withdraw from this Agreement at any time. In such an event, the Member should provide written notice to the Chairperson of the TransMAC Steering Committee.
- E. The TransMAC Steering Committee Chairperson shall maintain a current list of Members, which shall be distributed to all Members no less than twice annually; however, a Member may at any time request a copy of the signed Agreement of another Member prior to providing or receiving Mutual Assistance.

**ARTICLE I.
PURPOSE**

Recognizing that emergencies and other events may overwhelm the resources and capabilities of transit agencies, and that transit agencies may require assistance in the form of personnel, services, and equipment to continue to deliver critical services, the TransMAC Members hereby establish an intrastate program for Mutual Assistance. Through the TransMAC, Members

coordinate response activities and share resources when deemed to be necessary or advisable in an emergency. This Agreement sets forth the policies and standards for the administration of the TransMAC.

This Agreement shall be in accordance with the California Emergency Services Act, the California Disaster and Civil Defense Master Mutual Aid Agreement, the State Emergency Plan, and other existing state and local emergency operations plans, and shall be by and among Member transportation providers in the State of California.

ARTICLE II. DEFINITIONS

- A. **Associate Member** – Any non-transit providers, approved by the TransMAC Steering Committee, which play a supporting role for the TransMAC program. For example, the U.S. Department of Transportation (U.S. DOT), Federal Transit Administration (FTA), California Department of Transportation (CalTrans), California Emergency Management Agency (CalEMA), local emergency management organizations, and/or others who are not signatories to the TransMAC, but manifest the intent to offer support or coordination.
- B. **Authorized Official** – An employee or officer of a Member who is empowered and legally authorized to: (1) request assistance; (2) offer assistance; (3) refuse to offer assistance; (4) cancel a request or release assistance; or (5) withdraw assistance under this Agreement.
- C. **Emergency** – A natural or human caused event or circumstance causing, or imminently threatening to cause, impact to the operations of a Member, loss of life, injury to person or property, human suffering or financial loss, and includes, but is not limited to, fire, flood, severe weather, earthquake, civil disturbance, riot, explosion, drought, volcanic activity, spills or releases of oil or hazardous material, utility interruption, transportation emergencies, disease, blight, infestation, intentional acts, sabotage, declaration of war, or other conditions which are, or are likely to exceed, the resources of a Member and requires Mutual Assistance.
- D. **Founding Members** – The original agencies that coordinated and drafted this Agreement, which include: Los Angeles County Metropolitan Transportation Authority, Orange County Transportation Authority, Foothill Transit, SunLine Transit, Omnitrans, Long Beach Transit, California Emergency Management Agency, and the Orange County Sheriff-Coroner Department - Emergency Management Division.
- E. **Incident Command System (ICS)** – A management system designed to enable effective and efficient domestic incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure.
- F. **Independent Contractor** – Independent entity that agrees to furnish certain number or quantity of goods, materials, equipment, personnel, and/or services, at a mutually agreed upon price and within a specified timeframe to Members.
- G. **Member** – Any public or private transit provider who participates in the transit mutual assistance program by executing the TransMAC Agreement.

- H. **Mutual Assistance** – Any assistance provided under this Agreement. Mutual assistance is to be provided to a Requesting Member with the expectation of cost reimbursement as negotiated with the Providing Member.
- I. **Mutual Assistance Agreement** – A written agreement between and among Members that provides a mechanism to quickly obtain Mutual Assistance in the form of personnel, services, and equipment. The primary objective is to facilitate rapid, short-term deployment of emergency support prior to, during, and/or after an emergency.
- J. **National Incident Management System (NIMS)** – A national, standardized approach to incident management and response that sets uniform processes and procedures for emergency response operations.
- K. **Period of Assistance** – A specified period of time when a Providing Member assists a Requesting Member. The period shall commence when personnel and/or equipment expenses are initially incurred by the Providing Member in response to the official request of the Requesting Member and shall end upon agreement of the parties.
- L. **Providing Member** – A Member that responds to a Requesting Member by agreeing to provide personnel, services, equipment, etc. under the terms and conditions of this Agreement.
- M. **Requesting Member** – A Member who requests Mutual Assistance under this Agreement.
- N. **Sensitive Security Information** – Any document marked Sensitive Security Information (SSI), including but not limited to any map, report, notes, papers, plans, opinion, or e-mail, which relates to the system vulnerabilities of a Member or Associate Member, shall be handled consistent with proper protocols for Sensitive Security Information under 49 CFR Parts 15 and 1520.
- O. **Standardized Emergency Management System (SEMS)** – A standardized approach to command and jurisdictional management and response set forth by State of California Code of Regulations for multi-agency or multi-jurisdictional response to an emergency.

ARTICLE III.

ADMINISTRATION

The administration of the TransMAC will be through the TransMAC Steering Committee and ad hoc project committees as designated by the Steering Committee.

The Steering Committee will be established by representatives from the Members to the TransMAC Agreement and will be originally comprised of the Founding Members that established this Agreement. Membership in the Steering Committee will be by nomination of the current Steering Committee membership from among the Members and Associate Members to this Agreement. The Steering Committee shall be comprised of no more than sixteen (16) Members and no more than eight (8) Associate Members. Steering Committee Members will have full voting rights. Associate Members will serve as advisors and will not have voting rights. A Chair and Vice-Chair will be elected by majority vote for a period of two (2) years and will act as administrators for the TransMAC during that time.

At a minimum, the Steering Committee will meet twice each year and issue a list of current Members and Associate Members. The Steering Committee will also address administrative issues such as database and document management, communications, funding, organization, and annual membership events.

In the event membership to this Agreement grows beyond the original region, comprised of the Counties of Los Angeles, Orange, San Bernardino, and Riverside, to include Members throughout the State of California, then the Steering Committee will explore options for establishing Regional Steering Committees and a State Steering Committee.

ARTICLE IV. PROCEDURES

An Operational Guide, detailing the processes for implementing this Agreement will be developed and adopted by majority vote of the Steering Committee. The Operational Guide will be reviewed and updated at least annually to reflect new material, processes, and to remove obsolete materials and processes. The document and revisions and updates will be reviewed and approved by the Steering Committee prior to publication and dissemination to the Members.

- A. In coordination with local and state emergency management organizations, the TransMAC Steering Committee shall develop operational and planning processes for the implementation of the TransMAC that shall be consistent with the California Emergency Services Act, SEMS, the State Emergency Plan, and the NIMS, reviewed annually and updated as needed by the Steering Committee.
- B. Requests for Mutual Assistance under this Agreement shall be directed to appropriate Authorized Official(s) from the list of Members.
- C. Any private sector Member to this Agreement shall be requested and tasked by a public sector Member before furnishing Mutual Assistance. Private sector Members may not be eligible to receive Mutual Assistance from public sector Members.
- D. Consistent with SEMS, when more than one County is impacted by a disaster, requests for mutual assistance under this Agreement may be channeled through the Regional Emergency Operations Centers and/or the State Operations Center to ensure maximum effectiveness in allocating resources to the highest priority needs.

ARTICLE V. MEMBER RESPONSIBILITIES

- A. Consistent with the NIMS, SEMS, and this Agreement, each Member shall develop a plan providing for the effective mobilization of its resources and personnel, both public and private, to cope with emergencies.
- B. Each Member agrees to furnish personnel, services, and/or equipment to each and every other Member to this Agreement to prevent and/or respond to any type of emergency in accordance with duly adopted plans, whether heretofore or hereafter adopted, detailing the method and manner by which such personnel, services, and equipment are to be made available and furnished; provided, however, that no Member shall be required to unreasonably deplete its own personnel, services, and/or equipment in furnishing such Mutual Assistance.

- C. It is expressly understood that any Mutual Assistance extended under this Agreement and the operational plans adopted pursuant thereto, is furnished in accordance with the California Emergency Services Act and other applicable provisions of law.
- D. Members shall identify an Authorized Official and alternates; provide contact information including 24-hour access; and maintain resource information made available by the Member for Mutual Assistance purposes, as allowed by the Member's policies. Such information shall be updated annually or as changes occur (whichever is sooner) and shall be provided to the TransMAC Steering Committee.
- E. Personnel of the Providing Member shall at all times during the Period of Assistance continue to be personnel of the Providing Member and shall not be deemed personnel of the Requesting Member for any purpose. Wages, hours, and other terms and conditions of employment of the Providing Member shall remain applicable to its personnel during the Period of Assistance.
- F. The Providing Member shall make available a sufficient number of Supervisors during its provision of Mutual Assistance consistent with the Providing Member's policies for personnel. All instructions for work to be done by Providing Member's personnel shall be given by Requesting Member to Providing Member supervisor(s); or when Providing Member personnel are to work in separate areas, to such of Providing Member's supervisors as may be designated for the purpose by Providing Member's policies/management.
- G. Unless otherwise agreed, the Requesting Member shall be responsible for supplying and/or coordinating support functions such as travel, lodging, meals, materials, etc. from the time Mutual Assistance arrives to the time of release when it is reasonably able to do so. The Providing Member shall normally be responsible for arranging travel, lodging and meals en route to the Requesting Member and for the return trip home.
- H. The Providing Member's safety and security rules, procedures, policies, guidelines, regulations, and laws shall apply to all work done by its personnel unless as mutually agreed otherwise. Any conflict, disagreement, questions and/or concerns arising about any safety and security rules and/or procedures should be brought to the Authorized Officials for prompt resolution between the Requesting Member and Providing Member.
- I. All time sheets and work records pertaining to the Providing Member's personnel furnishing Mutual Assistance shall be kept by the Providing Member.

ARTICLE VI.

REQUESTS FOR ASSISTANCE

In general, Mutual Assistance will be in the form of resources, such as personnel, services equipment, and/or supplies. Mutual Assistance shall be given only when Providing Member, in its sole and absolute discretion, determines that its own needs can be met while rendering Mutual Assistance. The execution of this Agreement shall not create any duty to furnish Mutual Assistance on the part of any Member hereto.

- A. **Member Request** – In the event of an emergency, a Member's Authorized Official may request Mutual Assistance from another Member. Requests for Mutual Assistance may be made orally or in writing. When made orally, the request for Mutual Assistance shall

also be prepared in writing and submitted to the Member as soon as possible, but in no event longer than forty-eight (48) hours after the oral request was made. Requests for Mutual Assistance shall be directed to the Authorized Official of the other Member.

- B. **Response to a Request for Assistance** – After a Member receives a request for Mutual Assistance, the Authorized Official evaluates whether or not to respond, whether resources are available to respond, and/or if other circumstances will hinder response. Following the evaluation, the Authorized Official shall inform, as soon as possible, the Requesting Member of its decision.
- C. **Discretion of Providing Member's Authorized Official** – Execution of this Agreement does not create any duty to furnish Mutual Assistance. When a Member receives a request for Mutual Assistance, the Authorized Official shall have sole and absolute discretion as to whether or not to furnish Mutual Assistance, or the availability of resources to be furnished in such response. A potential Providing Member shall not be held liable for refusing to provide Mutual Assistance. An Authorized Official's decisions on the availability of resources and the furnishing of Mutual Assistance shall be final.
- D. **Specifying Type and Quantity of Mutual Assistance Resources** – The Requesting Member shall indicate to the Providing Member the number and specific types of resources desired, but the extent to which the Providing Member makes available such resources shall be at the Providing Member's sole discretion. Every effort will be made, to the extent reasonably possible, to accommodate the Providing Member's personnel with assigned work in their job classification.
- E. **Period of Assistance** – The Period of Assistance shall commence when personnel, services and/or equipment expenses are initially incurred by the Providing Member in response to the official request of the Requesting Member. This may include any request for the Providing Member to prepare its personnel, services, and/or equipment for transport and/or to prepare them for the Mutual Assistance assignment, and/or while awaiting further instructions before departing. The Period of Assistance shall terminate when such personnel and/or equipment have returned to the Providing Member, and may include any mandated U.S. Department of Transportation rest time resulting from the Mutual Assistance provided and reasonable time required to prepare the equipment for return to normal activities (e.g., cleaning, repair of vehicles, restocking parts).

The Requesting Member and Providing Member should reach a mutual understanding and agreement in advance as to the anticipated length, in general, of the Period of Assistance. For extended Periods of Assistance, there should be agreement on the process for replacing or providing extra rest for the Providing Member's personnel. It is understood and agreed that if, in the Providing Member's judgment, such action becomes necessary; the decision to terminate the assistance and recall personnel and equipment lies solely with the Providing Member. The Requesting Member will take the necessary action to return such personnel and equipment promptly (See Right to Withdraw Resources).

ARTICLE VII.

COST REIMBURSEMENT

Except as herein otherwise provided, the Requesting Member shall reimburse the Providing Member for each of the following categories of costs and expenses incurred by the Providing

Member as a result of furnishing Mutual Assistance during the specified Period of Assistance, as set forth below, or by written mutual agreement reached at the time the request for assistance is agreed to by the Providing Member. Members will use their respective documented financial, accounting, and procurement policies in managing costs and coordinating reimbursement and payment.

- A. **Personnel** – Providing Member's fully burdened personnel costs (i.e., equal to the personnel's applicable salary or hourly wage plus fringe benefits and overhead, and consistent with Providing Member's collective bargaining agreements or other prescribed conditions). All personnel costs incurred for work performed during the specified Period of Assistance will be included. The Requesting Member shall be responsible for all direct and indirect labor costs.
- B. **Equipment** – Use of equipment, including construction equipment, revenue and/or non-revenue vehicles, or any other equipment, shall be at Providing Member's current equipment rates and subject to the following conditions:
 - 1. The Requesting Member shall reimburse the Providing Member for the use of equipment during the specified Period of Assistance, including, but not limited to, any rental rates, fuel, lubrication, maintenance, transportation, and loading/unloading of equipment furnished for Mutual Assistance. Alternatively, Requesting Member may, at its own expense, provide fuel, lubrication and maintenance for furnished equipment until such time as the equipment is returned to the Providing Member.
 - 2. Providing Member's costs related to the transportation, handling and loading/unloading of equipment shall be chargeable to the Requesting Member.
 - 3. In the event equipment is damaged while being dispatched to the Requesting Member, or while in the custody and use of the Requesting Member, the Requesting Member shall reimburse the Providing Member for the reasonable cost of repairing said damaged equipment. If the equipment cannot be repaired, then the Requesting Member shall reimburse the Providing Member for the cost of replacing said equipment with equipment that is of at least equal capability as determined by the Providing Member. If the Providing Member must lease equipment while the equipment furnished to the Requesting Member is being repaired or replaced; then the Requesting Member shall reimburse the Providing Member for such lease costs.
- C. **Materials and Supplies** – Requesting Member shall reimburse the Providing Member in kind or at actual replacement cost, plus handling charges, for use of expendable or non-returnable supplies. Other supplies and reusable items that are returned to the Providing Member in a clean, damage-free condition shall not be charged to the Requesting Member and no rental fee will be charged; otherwise, they shall be treated as expendable supplies. Supplies that are returned to the Providing Member with damage must be treated as expendable supplies for purposes of cost reimbursement.
- D. **Payment Period** – Providing Member shall provide an itemized invoice to the Requesting Member for all expenses incurred by the Providing Member while furnishing Mutual Assistance. The Providing Member shall send the itemized invoice not later than ninety (90) days following the end of the Period of Assistance. The Providing Member may request additional periods of time within which to submit the itemized invoice, and Requesting Member shall not unreasonably withhold consent to such requests. The

Requesting Member agrees to reimburse the Providing Member within sixty (60) days from receipt of an invoice for Mutual Assistance furnished under this Agreement. The Requesting Member may request additional periods of time within which to pay the itemized invoice, and Providing Member shall not unreasonably withhold consent to such requests, provided, however, that all payments shall occur no later than one (1) year after the date a final itemized invoice was submitted to the Requesting Member.

E. **Records** – Each Providing Member and Requesting Member and their duly authorized representatives shall have access to books, documents, notes, reports, papers and records, which are directly pertinent to this Agreement and the Period of Assistance for the purposes of reviewing the accuracy of an invoice or making a financial, maintenance or regulatory audit. Such records shall be maintained in a manner consistent with the Member's records retention policy for at least three (3) years after the close of the Period of Assistance or longer where required by law and as needed for federal reimbursement practices.

1. The Providing Member shall furnish documentation of expenses to the Requesting Member when it submits its invoice. Such documented costs and expenses shall include, but not be limited to the following:
 - a. Employees' wages and salaries for time during the Period of Assistance spent in Requesting Member's service, and time during travel to and from such service area, plus the Providing Member's standard payable additives to cover all personnel benefits and allowances for vacation, sick leave and holiday pay, social and retirement benefits, all payroll taxes, workers' compensation, employer's liability insurance, and other contingencies and benefits imposed by applicable law or regulation.
 - b. Personnel travel and support functions such as lodging, meals, materials, etc.
 - c. Replacement costs of expendable materials and supplies furnished.
 - d. Repair or replacement costs of equipment damaged or lost.
 - e. Charges for the use of vehicles and other equipment furnished.
 - f. Administrative and general costs, which are properly allocated to Mutual Assistance, to the extent such costs are not chargeable pursuant to the foregoing subsections.

ARTICLE VIII.

RESPONSE COORDINATION

When providing assistance under this Agreement, the Requesting Member and Providing Member shall be organized by and shall function under the NIMS and SEMS protocols and procedures.

A. **Resources** – Providing Member retains the right to identify the resources that are available for Mutual Assistance.

- B. **Control** – While personnel furnished through Mutual Assistance shall remain under the employment and supervision of the Providing Member, the Providing Member's personnel come under the direction and control of the Requesting Member when providing Mutual Assistance, consistent with the NIMS and the ICS to address the needs of the Requesting Member and/or as deemed appropriate by the Incident Commander. The Requesting Member's Authorized Official shall coordinate Mutual Assistance activities with the designated supervisor(s) of the Providing Member(s). The Providing Member's designated supervisor(s) must keep accurate records, consistent with Federal Emergency Management Agency (FEMA) standards, of work performed by personnel during the specified Period of Assistance.
- C. **Lodging and Meals** – As set forth in Article V Section I of this Agreement or unless otherwise agreed to in writing by the Requesting and Providing Members, the Requesting Member remains responsible for reimbursing the Providing Member for all reasonable and necessary costs associated with providing lodging and meals, if such resources are not provided.
- D. **Communications** – The Requesting Member shall provide the Providing Member's personnel with communications equipment such as radio equipment as available, or radio frequency information to program existing radios, in order to facilitate communications with local responders and/or the Requesting Member's command and control structure.
- E. **Status** – Unless otherwise provided by law, the Providing Member's officers and personnel retain the same privileges, immunities, rights, duties and benefits as provided in their respective home jurisdictions.
- F. **Licenses and Permits** – To the extent permitted by law, Providing Member personnel who hold licenses, certificates, or permits evidencing professional, mechanical, or other skills shall be allowed to carry out activities and tasks relevant and related to their respective credentials while providing Mutual Assistance during the specified Period of Assistance.
- G. **Right to Withdraw Resources** – The Providing Member's Authorized Official retains the right to withdraw some or all of its resources at any time for any reason in the Providing Member's sole and absolute discretion. Notice of intention to withdraw resources must be communicated by the Providing Member to the Requesting Member's Authorized Official as soon as possible under the circumstances. Actual release of the Providing Member's furnished resources shall be made as soon as it is safe and practicable as determined by the Requesting Member's Authorized Official. All resources shall be returned to the Providing Member as soon as is practicable and reasonable under the circumstances.
- H. **Right to Cancel a Request for Mutual Assistance or Release Resources** – The Requesting Member's Authorized Official retains the right to cancel a request for Mutual Assistance at any time for any reason prior to the deployment of Mutual Assistance resources by a Providing Member. The Requesting Member also retains the right to release the Providing Member's furnished resources at any time, including when they are en route, for any reason so long as it is safe and practicable to do so. In accordance with Article VII of this Agreement, all policies related to cost reimbursement still apply to the Period of Assistance even if that Period of Assistance is terminated early. Notice of

intention to release resources must be communicated by the Requesting Member to the Providing Member's Authorized Official as soon as possible under the circumstances.

ARTICLE IX. **ARBITRATION**

If any controversy or claim arises out of, or relates to, this Agreement, including, but not limited to an alleged breach of the Agreement, the disputing Members shall first attempt to resolve the dispute by negotiation, followed by mediation or arbitration in accordance with the Rules of the American Arbitration Association. Each Member reserves the right at any time after mediation or arbitration to pursue its rights and remedies in a court of law.

ARTICLE X. **REQUESTING MEMBER'S DUTY TO INDEMNIFY**

The Requesting Member shall indemnify, hold harmless, and defend the Providing Member from and against any and all liability for loss, damage, cost, or expense which the Providing Member may incur by reason of bodily injury, including death, to any person or persons, or by reason of damage to or destruction of any property, including the loss of use thereof, which result from furnishing Mutual Assistance and whether or not due in whole or in part to any act, omission, or negligence of the Providing Member, except to the extent that such death or injury to person, or damage to property, is caused by the willful or wanton misconduct and/or gross negligence of the Providing Member, its employees, officers, contractors, or agents. Where payments are made by the Providing Member under a workers' compensation or disability benefits law or any similar law for bodily injury or death resulting from furnishing or Mutual Assistance, the Requesting Member shall reimburse the Providing Member for such payments, except to the extent that such bodily injury or death is caused by the willful or wanton misconduct and/or gross negligence of the Providing Member, its employees, officers, contractors, or agents.

In the event any claim or demand is made, or suit or action is filed against the Providing Member alleging liability for which the Requesting Member shall indemnify and hold harmless the Providing Member under the above paragraph, the Providing Member shall promptly notify the Requesting Member thereof; and the Requesting Member, at its sole cost and expense, shall settle, compromise, or defend the same in such manner as it deems necessary or prudent. The Requesting Member shall consult the Providing Member on all such litigation and will not compromise any issue or claim without the concurrence of the Providing Member, which will not be unreasonably withheld. The Providing Member shall cooperate with the Requesting Member's reasonable efforts to investigate, defend, and settle the claim or lawsuit.

ARTICLE XI. **SIGNATORY INDEMNIFICATION**

In the event of a liability, claim, demand, action or proceeding, of whatever kind or nature arising out of the rendering of Mutual Assistance through this Agreement, the parties involved in rendering or receiving Mutual Assistance agree to indemnify and hold harmless all Members whose only involvement is the execution and approval of this Agreement, in the transaction or occurrence which is the subject of such claim, action, demand or other proceeding. Such indemnification shall include indemnity for all claims, demands, liability, damages and costs, including reasonable attorneys' fees and other costs of defense, for injury, property damage and workers' compensation.

ARTICLE XII.
WORKERS' COMPENSATION CLAIMS

The Providing Member and Requesting Member are responsible for providing workers' compensation benefits and administering workers' compensation for their respective personnel.

ARTICLE XIII.
NOTICE

Each Member hereto shall give to the others prompt and timely written notice, within fifteen (15) business days of any claim made or any suit instituted coming to its knowledge, which in any way, directly or indirectly, contingently or otherwise, affects or might affect them, and each Member shall have the right to participate in the defense of the same, as it considers necessary to protect its own interests.

ARTICLE XIV.
INSURANCE

Members shall maintain an insurance policy or maintain a self-insurance program that covers activities that it may undertake by virtue of membership in the TransMAC. Proof of General Liability and Workers' Compensation coverage must be provided to any Requesting or Providing Member or the Steering Committee upon request.

ARTICLE XV.
SENSITIVE SECURITY INFORMATION

To the extent allowed by law, any Member or Associate Member shall maintain in the strictest confidence and shall take all reasonable steps necessary to prevent the disclosure of any confidential or Sensitive Security Information provided to it by another Member pursuant to this Agreement. If any Member, Associate Member, or third party requests or demands, by subpoena or otherwise, that a Member or Associate Member disclose any confidential or Sensitive Security Information provided to it under this Agreement, the Member or Associate Member shall immediately notify the owner of the confidential or Sensitive Security Information and shall take all reasonable steps necessary to prevent the disclosure of any confidential or Sensitive Security Information by asserting all applicable rights and privileges with respect to such information and shall cooperate fully in any judicial or administrative proceeding relating thereto.

ARTICLE XVI.
EFFECTIVE DATE

This Agreement shall take effect for a new Member immediately upon its execution by said Member.

ARTICLE XVII.
WITHDRAWAL

Any Member may terminate its participation in this Agreement by written notice to the Chair of the TransMAC Steering Committee. Withdrawal takes effect sixty (60) days after the appropriate officials receive notice. Withdrawal from this Agreement shall in no way affect a Requesting

Member's duty to reimburse a Providing Member for costs incurred during a Period of Assistance, which duty shall survive such withdrawal.

ARTICLE XVIII. MODIFICATION

No provision of this Agreement may be modified, altered or rescinded by individual Members to the Agreement. Modifications to this Agreement require a simple majority vote of Members. The TransMAC Steering Committee will notify all parties of modifications to this Agreement in writing and those modifications shall be effective upon sixty (60) days written notice to the Members.

ARTICLE XIX. SEVERABILITY

If any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.

ARTICLE XX. PRIOR AGREEMENTS

To the extent that prior mutual assistance agreements among Members are inconsistent with this Agreement, such agreements are hereby superseded.

ARTICLE XXI. PROHIBITION ON THIRD PARTIES AND ASSIGNMENT OF RIGHTS/DUTIES

This Agreement is for the sole benefit of the Members and no other person or entity has rights under this Agreement as a third party beneficiary. Assignment of benefits or delegation of duties created by this Agreement to third parties that are not Members is prohibited and without effect.

ARTICLE XXII. TORT CLAIMS

This Agreement in no way abrogates or waives any immunity or defense available under Federal laws and/or the laws of the State of California.

ARTICLE XXIII. INTRASTATE AND INTERSTATE MUTUAL ASSISTANCE PROGRAMS

To the extent practicable, Members retain the right to participate in mutual assistance activities conducted under the State of California Civil Defense and Master Mutual Aid Agreement, the TransMAC, and the interstate Emergency Management Assistance Compact (EMAC) and similar programs.

**CALIFORNIA STATEWIDE
TRANSIT MUTUAL ASSISTANCE COMPACT (TransMAC)
EXECUTION OF THE AGREEMENT**

Valley Express

Name of Organization

Authorized Signature

Printed Name: Darren Kettle

Title: Executive Director

Date: 3/12/21

Note: Upon obtaining proper signatures, this form must be returned to the TransMAC Chairperson at the regular business address of the Chairperson's agency.



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Item #9M

April 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AARON BONFILIO, PROGRAM MANAGER

SUBJECT: FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5339(C) LOW-OR-NO EMISSION PROGRAM GRANT APPLICATION

RECOMMENDATION:

- Adopt Resolution 2021-02 (Attachment A) authorizing a grant application under the FTA 5339(c) 2021 Low- or No -Emission Grant Program, in an amount of \$510,000 for Battery Electric Zero Emission Buses and Charging Infrastructure.

BACKGROUND:

On February 11, 2021, the Federal Transit Administration (FTA) issued a Notice of Funding Opportunity (NOFO) of \$180 million in competitive grants under the fiscal year 2021 Low or No Emission Grant Program ("Low-No"). The Low-No program provides funding to state and local governmental authorities for the purchase or lease of zero-emission and low-emission transit buses as well as acquisition, construction and/or leasing of required support facilities. Funding is allocated on a competitive basis, from proposals submitted to FTA in response to the NOFO. Applications are due by April 12, 2021 to the FTA through the "Grants.gov" system.

All eligible expenses under the Low-No Program are attributable to compliance with the Clean Air Act and/or the Americans with Disabilities Act. The Federal share of the cost of leasing or purchasing a transit bus is not to exceed 85 percent of the total transit bus cost, and the federal share in the cost of leasing or acquiring low- or no-emission bus-related equipment and facilities is 90% of the net related project cost.

At the March 21, 2021 Heritage Valley Policy Advisory Committee (HVPAC) the HVPAC approved VCTC applying on behalf of the Valley Express system. In addition, the HVPAC reviewed the potential local match requirement and approved use of the member-agency fund balance to provide the local match, as required, should VCTC be successful in obtaining the grant.

The current fleet of the Valley Express is made up entirely of model year 2015 vehicles. While the fleet remains in good condition and has not reached its useful life, a number of buses will technically reach their useful life over the next 2-4 years, and thus be eligible for replacement using FTA revenues. Additionally, the State's Innovative Clean Transit fleet rule adopted December 2018 requires all public

transit agencies to gradually transition to a 100% zero-emission bus fleet by 2040. The timeline for doing so depends on the size of the fleet. In the case of the VCTC-Valley Express fleet, 25% of new bus purchases made between 2026-2028 must be zero-emission, and beginning 2029, 100% of new bus purchases must be zero-emission (either battery-electric or hydrogen fuel cell).

The proposed project would be to purchase two (2) battery-electric zero-emission buses (ZEBS), as well as purchase the necessary vehicle charging equipment and related facility infrastructure improvements. If selected, the grant obligation would be required to be within three years of project selection, by FY 2024. VCTC is a member of a current joint-purchasing cooperative with options for battery-electric buses, and the purchase could be completed as early as 2023. As with other competitive grant opportunities the ability to quickly obligate and spend the grant funding provides an advantage in the application process.

The estimated project cost breakdown (including taxes and fees) is noted below:

<u>Item</u>	<u>Estimated Cost</u>	<u>Contingency</u>	<u>Total</u>
Two Battery-electric ZEB (\$230,000)	\$460,000	\$23,000.00	\$483,000.00
Vehicle Charging and Facility Improvements	100,000	\$10,000.00	\$110,000.00
		Total Estimated Cost	\$593,000.00

As noted, the proposed grant application is for \$510,000 of FTA 5339(c) revenues, with a local match of \$90,000, for a total project cost not to exceed \$600,000.

Attachment(s):

Resolution 2021-02 Authorizing an Application for FTA Section 5339(c) Funds.

RESOLUTION 2021-02

**RESOLUTION OF VENTURA COUNTY TRANSPORTATION COMMISSION ("VCTC")
AUTHORIZING THE FILING AND EXECUTING OF APPLICATION FOR FEDERAL
TRANSIT ADMINISTRATION (FTA) SECTION 5339(c) LOW NO EMISSION PROGRAM
GRANT FUNDS FOR BATTERY ELECTRIC BUSES AND SUPPORTING CHARGING
INFRASTRUCTURE PROJECT**

WHEREAS, Section 5339(c) of Title 49, United States Code authorizes FTA to award grants for low or no-emission buses and the Consolidated Appropriations Act, 2021 appropriated \$180 million for grants under the Low-No Program to be awarded through a competitive process; and

WHEREAS, Ventura County Transportation Commission is an eligible project sponsor for FTA 5339(c) Program funds; and

WHEREAS, Ventura County Transportation Commission wishes to submit a grant application to the Federal Transit Administration for funds from the FTA Section 5339(c) Program Fiscal Year 2021 - 22 for the Battery Electric Buses and Supporting Charging Infrastructure project to accommodate the transition to 100% zero emission vehicles by 2040.

NOW, THEREFORE, BE IT RESOLVED that the Ventura County Transportation Commission (VCTC) authorizes the Executive Director or his designee to file and execute application on behalf of VCTC with the Federal Transit Administration to aid in the financing of operating or capital assistance projects pursuant to Section 5339(c) of the Federal Transit Act of 1964, as amended, and the Consolidated Appropriations Act, 2021.

BE IT FURTHER RESOLVED that the Ventura County Transportation Commission, by adopting this resolution, affirms that:

- (1) The Executive Director or her designee is authorized to execute and file all certifications and assurances, or any other documents required by the FTA.
- (2) The Executive Director or her designee is authorized to provide additional information as the Federal Transit Administration may require in connection with the application for Section 5339(c) funds.
- (3) The Executive Director or his designee is authorized to submit and approve requests for reimbursement of funds from the Federal Transit Administration for Section 5339(c) project(s).

PASSED AND ADOPTED on this 2nd day of April 2021 by VCTC action.

Kelly Long, Chair

ATTEST:

APPROVED AS TO FORM:

Roxanna Ibarra, Clerk of the Board

Steve Mattas, General Counsel



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Item #9N

April 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AARON BONFILIO, PROGRAM MANAGER

SUBJECT: REGIONAL FARE MEDIA REIMBURSEMENT AGREEMENTS WITH TRANSIT OPERATORS

RECOMMENDATION:

- Approve Amendment No. 1 to the Reimbursement Agreement for Transit Providers for VCTC Single Ride Tickets and authorize the Executive Director to execute the Amendment; and,
- Approve Amendment No. 1 to VCTC Interagency Countywide 31-Day Pass Agreement and authorize the Executive Director to execute the Amendment; and,
- Approve Reimbursement Agreement for Transit Providers for VCTC Stored Value and authorize the Executive Director to execute the Agreement.

BACKGROUND:

For the past five years, VCTC and the transit operators across the county have participated in various bus pass acceptance agreements for VCTC's regional fare media (Agreements). The fare media is accepted through electronic validation or visual flash pass validation. These fare media products include VCTC's "Zone 1" and "Zone 2" 31-day passes, a Social Service Agency single ride ticket, and Student ID's from the local colleges and universities, each with its own Agreement. These Agreements, entered into by the transit operators, include the reporting and billing process to VCTC. The process is largely manual and there is not a centralized system for usage statistics or reporting.

At the December 2020 Commission meeting, a contract for a new "Contactless" regional fare media system was awarded to Delerrok Inc., a company acquired by Cubic, which includes solutions for mobile tickets, reloadable smartcards (both capable of issuing stored value or "e-purse"), as well as options to upgrade for acceptance of contactless bank cards. This system was procured, in part, to facilitate the automatic collection of fare revenues data (usage) as well as provide reporting necessary for the clearing of funds associated with the set of VCTC regional fare media agreements.

This item is to approve amending the existing Single Ride Ticket and Interagency 31-Day Pass fare media agreements to incorporate utilization of the new contactless fare collection system. In addition, it includes the approval of a new reimbursement agreement for the "Stored Value" fare media product. The draft amendments to the reimbursement agreement and Stored Value terms were reviewed by the

Transcom committee and approved for the Commission's consideration. In addition, VCTC general counsel has reviewed the amendments and agreement (attached).

Attachments:

Amendment No.1 to Reimbursement Agreement - VCTC Single Ride Tickets
Amendment No.1 to VCTC Interagency Countywide 31-Day Pass Agreement
Reimbursement Agreement for VCTC Stored Value

**FIRST AMENDMENT TO REIMBURSEMENT AGREEMENT FOR TRANSIT PROVIDERS
VCTC SINGLE RIDE TICKETS**

AGREEMENT BETWEEN VCTC AND _____ TRANSIT

This First Amendment to the Reimbursement Agreement for Transit Providers (First Amendment) between the Ventura County Transportation Commission ("VCTC") and Participating Transit Providers, (collectively referred to herein as "AGENCIES") is entered into as of this _____ day of _____ 2021.

WHEREAS, VCTC and the AGENCIES entered into Reimbursement Agreement for Transit Providers ("Agreement") for the use of VCTC single-ride tickets sold to social service agencies for the use of their clients with general public transit services; and,

WHEREAS, on December 9, 2020, VCTC entered into a contract with transit fare technology provider Delerrok Inc., a wholly owned subsidiary of Cubic Transportation Systems ("Cubic"), to provide a regional contactless fare collection system (herein referred to as "System") for the AGENCIES; and,

WHEREAS, the System is anticipated to be implemented beginning April 2021, and the AGENCIES now wish to utilize the upcoming System to facilitate single-ride ticket validation onboard transit vehicles, as well as for reporting associated with the collection and disbursement of revenues; and,

WHEREAS, VCTC and the AGENCIES recognize the use of modern technologies, such as reloadable smartcards and mobile phones for fare payment as afforded through the System, has a beneficial impact on the transit rider experience; and,

WHEREAS, VCTC and the AGENCIES acknowledge the need to accept the pre-existing single-ride ticket fare media for a transitionary period while the fare media provided by the new System are adopted and the pre-existing fare media are phased out; and,

WHEREAS, the AGENCIES now desire to amend the Agreement to include the methods by which VCTC additionally sell single-ride tickets, and the AGENCIES may, validate, report and transmit data concerning usage and the associated revenues for disbursements.

NOW, THEREFORE, VCTC and the AGENCIES agree as follows:

1. **Operation.** Section 3 of the Agreement, "Operation" is hereby amended as follows:
The responsibilities of the AGENCIES with respect to the social service agency single-ride ticket program are as follows:
 - **Ticket Sales:** The VCTC will be responsible for the sales and distribution of single-ride tickets to social service agencies.
 - Fare Collection:** The passenger shall provide the transit vehicle operator (driver) the appropriate single-ride ticket on the transit vehicles when boarding. It will be the responsibility of the transit

vehicle operator to require proof of eligibility if a reduced-fare single-ride ticket is used. The collecting agency shall retain and void the single-ride ticket QR for the transit providers which have a pass-validating capability, the pass shall be validated and voided electronically. The electronic validation of the single-ride ticket may include through use of the System, or pre-existing GFI Farebox, depending on the Fare Media type used. Fare media types shall include, paper magnetic stripe passes ("Paper Passes"), electronic virtual passes sold through the System loaded on mobile devices (Mobile Passes), paper tokens which use "QR-code" sold through the System (QR Passes), and electronic virtual passes sold through the System loaded on chip-enabled smartcards (Smartcard Passes).

Reimbursement: Each Participating Transit Provider shall submit an accounting invoice listing the number of full-fare and reduced-fare single-ride ticket Paper Passes collected. The invoice will be submitted no more than once a month to the VCTC. As backup the voided single-ride ticket Paper Passes or, original, unedited, and untampered GFI system reports that accurately reflect the number of times valid single-ride ticket Paper Passes were used will be submitted. No invoices or additional reporting is required from the AGENCIES for single-ride tickets sold and validated by the System. The VCTC will reimburse the transit provider agency at a rate of \$.60 for each reduced-fare ticket, and \$1.25 for each full-fare single-ride ticket submitted or collected through the System. The VCTC will provide the reimbursement within thirty days following acceptance of a complete invoice packet (i.e. invoice and tickets) for Paper Passes, and will provide reimbursement within thirty days following the end of the month for single-ride tickets validated through the System. Reimbursements are subject to change if the VCTC adjusts the value of the tickets. Sixty days prior notice will be provided to all transit Agencies participating in the program.

Except to the extent amended herein, all other provisions of the Agreement remain in full force and effect.

This Amendment may be executed in counterparts and/or by facsimile or other electronic means, and when each Party hereto (VCTC and the Participating Transit Provider subject to the Agreement) has signed and delivered at least one such counterpart, each counterpart shall be deemed an original, and, when taken together with other signed counterpart, shall constitute one original, which shall be binding upon and effective as to Parties.

IN WITNESS THEREOF, the Parties hereto have caused this First Amendment to be executed and attested by their respective duly authorized officers.

VENTURA COUNTY TRANSPORTATION COMMISSION

Darren M. Kettle, Executive Director
VCTC

APPROVED AS TO FORM

Steve Mattas, General Counsel
VCTC

[INSERT PARTICIPATING TRANSIT PROVIDER NAME]

[Insert signatory]
[Insert Agency]
3714835.1

FIRST AMENDMENT TO VCTC INTERAGENCY COUNTYWIDE 31-DAY PASS AGREEMENT

This First Amendment to the VCTC Interagency Countywide 31-Day Pass Agreement ("First Amendment") between the Ventura County Transportation Commission ("VCTC") and Gold Coast Transit District, The Cities of Thousand Oaks, Simi Valley, Moorpark, Camarillo, and Ojai, and the Heritage Valley Transit Service ("County Transit Providers"), (collectively referred to herein as "Parties") is entered into as of this _____ day of _____ 2021.

WHEREAS, on July 1, 2015, VCTC entered into an Interagency "Countywide 31-Day Pass" Agreement ("Agreement") with County Transit Providers; and,

WHEREAS, on December 9, 2020, VCTC entered into a contract with transit fare technology provider Delerrok Inc., a wholly owned subsidiary of Cubic Transportation Systems ("Cubic"), to provide a regional contactless fare collection system (herein referred to as "System") for Parties; and,

WHEREAS, the System is anticipated to be implemented beginning April 2021, and Parties now wish to utilize the upcoming System to facilitate Countywide 31-Day Pass sales, and for validation onboard transit vehicles, as well as for reporting associated with the collection and disbursement of revenues; and,

WHEREAS, VCTC and the County Transit Providers recognize the use of modern technologies, such as reloadable smartcards and mobile phones for fare payment as afforded through the System, has a beneficial impact on the transit rider experience; and,

WHEREAS, VCTC and County Transit Providers acknowledge the need to accept the pre-existing Countywide 31-Day Passes for a transitional period while the fare media provided by the new System are adopted and the pre-existing fare media are phased out; and,

WHEREAS, the Parties now desire to amend the Interagency Countywide 31-Day Pass Agreement to include the methods by which VCTC and County Transit Providers may additionally sell, validate, report and transmit data concerning Countywide 31-Day Pass usage and the associated revenues for disbursements.

NOW, THEREFORE, VCTC and County Transit Providers agree as follows:

- 1. Countywide 31-Day Rolling Pass Production.** Section 1 of the Agreement is hereby amended as follows: VCTC will design and produce a "Countywide 31-Day Pass". The Countywide 31-Day Pass fare media types shall include, paper magnetic stripe passes ("Paper Passes"), electronic virtual passes sold through the System loaded on mobile devices ("Mobile Passes"), and electronic virtual passes sold through the System loaded on chip-enabled smartcards ("Smartcard Passes").
- 2. Countywide 31-Day Pass Rider Entitlement.** Section 2 of the Agreement is hereby amended as follows: The "Countywide 31 -Day Pass" shall entitle the user to make unlimited trips on

participating transit services during the 31 -day period which is printed on Paper Passes, made visible or scannable on Mobile Passes, or encoded on Smartcard Passes upon activation.

- 3. Pass Usage Monthly Reports.** Section 9 of the Agreement is hereby amended as follows: The participating COUNTY TRANSIT PROVIDERS will report the number of passenger boardings paying the fare with a valid Countywide 31-Day Pass using Paper Passes to VCTC in the manner prescribed by VCTC no later than the last day of each month for the prior month's ridership. The System will report the number of passenger boardings paid with a valid 31-Day Pass using Mobile Passes and Smartcard Passes. For the purposes of the distribution process, ridership will be based on boardings occurring between the first of the month, and the last day of the month. The following table provides the schedule of monthly due dates for the reports of passenger boardings paid with Paper Passes:

Ridership Period	Paper Pass Boarding Report Due to VCTC
January	February 28*
February	March 31
March	April 30
April	May 31
May	June 30
June	July 31
July	August 31
August	September 30
September	October 31
October	November 30
November	December 31
December	January 31
*On leap year due February 29	

At a minimum:

- a. The County Transit Providers which have deployed or implemented a pass-validating GFI farebox with magnetic farecard capability, or compatible device able to validate passes, will provide original unedited and untampered system reports that accurately reflect the number of times a valid "Countywide 31-Day Pass" Paper Pass was used in a calendar month. Data shall indicate the number of uses by pass type (Zone 1-Full, Zone 1-Reduced, Zone 2- Full, Zone 2-Reduced). Or,
- b. The County Transit Providers which DO NOT have or have not deployed or implemented a pass-validating GFI farebox with magnetic farecard capability, or a compatible device able to validate passes, will provide documentation that accurately reflects the number of times a valid "Countywide 31-Day Pass" Paper Pass was used in a calendar month. Counts of passenger boardings paid with a valid "Countywide 31-Day Pass" Paper Pass will be based on rider counts by drivers. Driver counts should record the number of uses by pass type (Zone 1-Full, Zone 1-Reduced, Zone 2- Full, Zone 2-Reduced). Drivers are responsible for checking each pass for validity before accepting and counting the boarding.

- c. The Mobile Passes and Smartcard Passes shall be validated by onboard pass readers which are components of the System. County Transit Providers shall operate the System per the training and instructions provided by VCTC or System provider, Cubic, in order to ensure the proper validation, recording and transmission of accurate data for monthly reporting purposes. No other report shall be required from County Transit Providers for Mobile Passes or Smartcard Passes, other than those automatically generated by the System. VCTC and County Transit Providers agree to develop a plan to validate and document Mobile Passes and Smartcard Passes, in the event of temporary System malfunction.

Except to the extent amended herein, all other provisions of the Agreement remain in full force and effect.

This Amendment may be executed in counterparts and/or by facsimile or other electronic means, and when each Party has signed and delivered at least one such counterpart, each counterpart shall be deemed an original, and, when taken together with other signed counterpart, shall constitute one original, which shall be binding upon and effective as to all Parties.

IN WITNESS THEREOF, the Parties hereto have caused this First Amendment to be executed and attested by their respective duly authorized officers.

VENTURA COUNTY TRANSPORTATION COMMISSION

Darren M. Kettle, Executive Director
VCTC

APPROVED AS TO FORM

Steve Mattas, General Counsel
VCTC

[INSERT COUNTY TRANSIT PROVIDER NAME]

[Insert signatory]
[Insert Agency]

3714180.1

Reimbursement Agreement for Transit Providers for Stored Value Fare Media

AGREEMENT BETWEEN VCTC AND _____ TRANSIT

For good and sufficient consideration, the receipt of which is hereby acknowledged, this Agreement is made and entered into by and among the **Ventura County Transportation Commission (“VCTC”)** and the **Participating Transit Provider** named above (“AGENCY” and collectively referred to herein with other Participating Transit Providers as the “AGENCIES”). VCTC and AGENCY shall each constitute a Party to the Agreement and may be referred together herein as the “Parties.”

Section 1: Purpose

The purpose of this Agreement is for VCTC to cooperatively provide reimbursement for the use of the Stored Value fare media product sold to passengers used as fare payment to board AGENCIES’ general public transit services.

Section 2: Term

The term of this Agreement is on-going, and may be terminated by either Party subject to the terms of Section 6.

Section 3: Operation

The responsibilities of the VCTC and the AGENCIES with respect to the Stored Value fare media product are as follows:

- **Fare Media Sales:** The VCTC will be responsible for the sales and distribution of Stored Value fare media product to the public. The fare media for the Stored Value product includes mobile phones and reloadable smartcards for use with the Contactless Fare Collection System (“System”) deployed by VCTC. Separately, AGENCIES may engage in sales agreements for the in-person sales of fare media.
- **Fare Collection:** The passenger shall provide the transit vehicle operator (driver) the appropriate Stored Value fare media on the transit vehicles when boarding. The driver shall instruct the passenger in utilizing the System. The Stored Value product will be electronically validated by the System prior to boarding. It will be the responsibility of the transit vehicle operator to require proof of eligibility if a reduced-fare Stored Value fare product is presented for use. The System will automatically deduct the appropriate fare revenues from the passenger’s Stored Value account.
- **Reimbursement:** The VCTC will reimburse AGENCIES full-fare and reduced-fare boardings at 90 percent of the rate of their corresponding single-trip cash fare (e.g., AGENCIES will be reimbursed \$1.80 for a \$2.00 single-trip cash fare). The VCTC will reimburse the AGENCIES based on the System reports that accurately reflect the number of times full-fare and reduced-fare boardings occurred using the Stored Value product. The VCTC will provide the reimbursement for passenger boardings within forty-five days following the close of a month that occurred during the prior month. Reimbursement rates are subject to change by mutual agreement between the AGENCIES. Sixty days prior notice will be provided to AGENCIES participating in the program.

- **Reimbursement for Transfers:** Upon boarding, passengers using Stored Value product are eligible to a single free transfer valid for 2 hours after first use on the originating bus. The transfer will automatically be issued using the smartcard or mobile phone fare medium (not using a paper transfer). AGENCIES shall not be reimbursed for passengers boarding with valid transfers.

Section 4: Beneficiaries of Agreement

This Agreement is for the sole benefit of the parties hereto and no individual, organization, group, firm, or other entity shall have any claim for benefits hereunder.

Section 5: Changes to Agreement

VCTC will notify the AGENCIES of any proposed changes in the Stored Value fare media product, including any changes in the reimbursement rates, in writing 60 days before such change goes into effect.

Section 6: Termination of Agreement

A Party may terminate this Agreement in whole at any time, by provision of thirty (30) days written notice to the other Party, whenever, for any reason, the Party shall determine that such action is in its best interests.

Section 7: Hold Harmless

Each Party (referred to herein as the "Indemnifying Party") shall indemnify, protect, defend and hold the other Party, its officers, employees and agents harmless from all liability, claims or damages arising out of, caused by, or resulting from, the Indemnifying Party's negligence in performing its obligations pursuant to this Agreement.

Section 8: Notices or Notification

Any notice required to be given in writing under this Agreement, or other notifications, shall be given to the parties at the following address

Darren Kettle
Ventura County Transportation Commission
Executive Director
751 E. Daily Drive, Suite 420
Camarillo CA, 93010

Contact: _____

Agency: _____

Address: _____

In witness whereof, the parties hereto have executed this Agreement on the dates stated below.

By: _____
DARREN M. KETTLE, Executive Director

Date: _____

By: _____

Date: _____

Name: _____

Agency: _____

3720476.1



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Item #90

April 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: DARREN KETTLE, EXECUTIVE DIRECTOR
SUBJECT: CONTRACT AND BUDGET AMENDMENT FOR HUMAN RESOURCES CONSULTANT SERVICES CONTRACT

RECOMMENDATION:

- Authorize the Executive Director to execute Amendment No. 1 with Regional Government Services (RGS) in the amount of \$10,000 for an annual contract total not to exceed \$60,000.
- Approve a budget amendment increasing revenues and expenditures in the FY 2020/21 Indirect budget, professional and human resources task in the amount of \$10,000. The revenue source is Indirect funds.

BACKGROUND:

VCTC does not have a full-time human resources staff. Under the executive director's signature authority VCTC has entered into annual consultant services agreements with Regional Government Services to provide part time human resources support to the Executive Director and assist with employee benefit issues. The scope of work for this agreement includes part-time on-site/on-call human resources support, benefit administration, labor relations advice, policy and procedure development and implementation, and all recruitment functions. The need for human resources support has been even more critical and time intensive as the agency navigates the challenges of the COVID-19 pandemic. Additionally, VCTC's staff roster has been very active in fiscal year 2020/2021 with staff changes and recruitments to fill vacant positions. All of the recruitments were conducted, by the RGS staff, in an effort to control expenses. However, the recruitment activities of this year coupled with the time-consuming extraordinary circumstances of COVID-19 will exhaust the original budget line item and contract authority prior to the end of the fiscal year. Staff recommends the above actions amending the RGS contract and FY 2020/2021 budget in order to provide on-going HR support for the remainder of the fiscal year.

CONTRACT AMENDMENT NO. 1
VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)
PROFESSIONAL AND HUMAN RESOURCES SERVICES

This Contract Amendment No. 1 ("Amendment") by and between the Ventura County Transportation Commission ("VCTC"), herein referred to as "VCTC" and Regional Government Services, hereinafter referred to as "CONTRACTOR", is entered into as of this ____ day of April, 2021.

WHEREAS, beginning July 1, 2010 VCTC has entered into an annual consulting contract ("Contract") for professional and human resources services with the CONTRACTOR with the current contract period being for Fiscal Year 2020/2021.

NOW, THEREFORE, VCTC and CONTRACTOR agree as follows:

1. Section 3 of the Contract is hereby amended to increase the not to exceed amount of the contract by \$10,000 from \$50,000 to \$60,000.
2. Except to the extent amended hereby, the Contract remains in full force and effect.

VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)

By: _____

Darren Kettle, Executive Director

APPROVED AS TO FORM:

By: _____

General Counsel

CONTRACTOR: REGIONAL GOVERNMENT SERVICES (RGS)

By: _____

Richard Averett, Executive Director



Item #10

April 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

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

SUBJECT: FISCAL YEAR 2021/2022 DRAFT BUDGET – PUBLIC HEARING

RECOMMENDATION:

- Conduct Public Hearing to receive testimony on the Fiscal Year 2021/2022 Draft Budget.
- Receive the Fiscal Year 2021/2022 Draft Budget.

DISCUSSION:

The Draft Fiscal Year 2021/2022 Budget is divided into two main sections: the Main Budget and the Program Task Budgets. The Main Budget contains the program overviews and projections and is intended to provide a general understanding of VCTC's budgeted activities and programs for the coming fiscal year. The Program Task Budgets contain task level detail of the projects including objectives and accomplishments. This task driven budget is designed to provide fiscal transparency and clarity of VCTC's programs and services to the region.

In support of economic recovery coming out of the COVID pandemic this Draft Budget restores service levels. At \$78,546,443, the Fiscal Year 2021/2022 Draft Budget is \$19,402,958 or 19.8% lower than Fiscal Year 2020/2021. The Draft budget is a balanced budget with an estimated spendable ending fund balance of \$16,704,389. The draft budget contains six programs:

- Transit and Transportation program at \$20,997,100
- Highway program at \$6,913,900
- Rail program at \$14,811,796
- Commuter Assistance program at \$662,700
- Planning and Programming program at \$33,901,847
- General Government program at \$1,259,100

Personnel costs for Fiscal Year 2021/2022 are budgeted at \$3,919,600 or 5.0% of the budget, which is an increase of \$271,400 from the previous fiscal year. The increase is largely due to one fully burdened new position as well as one fully burdened vacant position, potential merit increases, a proposed cost of living adjustment (COLA), and taxes and employee insurances. The wage cost of \$2,504,000 includes approximately an \$81,300 pool for merit increases for employees not at the top of their range and \$69,000 for a proposed COLA for all employees. Benefits account for 1.8% of the Draft Budget. Further information about personnel can be found within the Personnel Section of the budget.

Below are some of the major changes in the Draft Fiscal Year 2021/2022 budget as compared to last fiscal year. Additional details of these major changes, as well as smaller changes to all budgets, can be found within the individual budget tasks. The major changes that occurred from last fiscal year include:

- The Regional Transit Technology budget decreased by \$2,801,477 for the completion of the GOVCBus real time bus tracking and mobile ticketing projects.
- The Transit Grant Administration budget decreased by \$8,923,100 as pass-through projects were completed and includes partial funding for the new program analyst position. It is expected to increase with the final budget when new pass-through funds to local agencies are included.
- The Valley Express budget increased by \$55,500 for increased contract costs to operate the buses.
- The VCTC Intercity Service budget decreased by \$166,790 for increased contractor costs offset by budget depreciation expense.
- The Highway Project Management budget decreased by \$5,517,930 for the partial completion of consultant work on the U.S. 101 preliminary engineering and environmental documents.
- The Motorist Aid Services budget increased by \$1,128,500 for the second cycle of the Incident Responder Grant.
- The Metrolink Commuter Rail budget increased by \$1,091,280 for increased operational costs.
- The Santa Paula Branch Line budget decreased by \$773,743 for operator contributions of operating and maintenance.
- The Rideshare budget decreased by \$40,054 for reduced consultant services.
- The Regional Transit Planning budget decreased by \$784,564 largely due to the completion of consultant studies for the Transportation Emergency Preparedness Plan and the countywide transit system map as well as only including one year of funding for the College Ride program.
- The Regional Transportation Planning budget decreased by \$128,400 for completion of the 101 Communities Connected study and the Ventura County Freight Corridor study offset by new costs for the update of the Comprehensive Transportation Plan and the Congestion Management Plan.
- The Transportation Development Act budget decreased \$1,110,739 as there are lower estimated sales tax receipts and lower prior year carry-over balances.
- The Transportation Programming and Reporting budget increased by \$109,100 largely due to increased staffing costs including the new program analyst position.
- The Community Outreach budget decreased by \$80,000 for a reduction of staff and consultant costs.

- The Management and Administration budget decreased by \$1,437,641 for the completion of the move to the new office in Camarillo and the one-time pension liability payment to CalPERS.
- The State and Federal budget decreased \$33,400 for a reduction of staff costs.

The estimated ending Fiscal Year 2021/2022 fund balance (after contingency set aside) is expected to be \$16.7 million. The Commission's available General Fund balance is estimated at \$21,295. The other funds are restricted, and the estimated fund balance are \$100,777 for the Local Transportation Fund, \$14.2 million for the State Transit Assistance fund, \$2.18 million for the Service Authority for Freeway Emergencies fund, \$149,634 for the State of Good Repair Fund, \$25,370 for the Santa Paula Branch Line fund, and a zero balance for the VCTC Intercity Services and Valley Express funds.

It is important to note a few reasons the STA fund balance is at \$14.2 million. First, the STA fund balance is used for on-going cash flow needs when State and Federal grants are delayed as well as cashflow for the Highway 101 study. Also, these funds although not currently budgeted, could be used for nonrecurring capital costs associated with Metrolink capital and rehabilitation expenditures, possible bus purchases for the VCTC Intercity Service or other transit projects benefiting the County.

The Draft Budget is a "work-in-progress" for VCTC as tasks are fine-tuned. The Draft Budget was developed without the final Federal Transit Administration (FTA) funding from two COVID-19 recovery acts, Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act and America Rescue Plan Act (ARPA). Both federal recovery acts will partially fund VCTC managed transit services, VCTC Intercity and Valley Express and VCTC Transit Grant Administration in the final budget presented in June. Staff will update the final budget with input received from the Commission and new information as it becomes available from local partners such as Metrolink and funding information from the State and Federal governments.

As required by the VCTC Administrative Code, the proposed Draft Fiscal Year 2021/2022 budget was submitted to the Finance Committee (Chair Long, Vice-Chair Trembley and Past-Chair Bill de la Pena) for review. At the March 25, 2021 Finance Committee meeting, the details of the Draft Budget were discussed, and the Finance Committee recommended forwarding the Draft Budget to the full Commission for review and public hearing.

As required by the Administrative Code, a public hearing will be held at the April meeting. The final budget is scheduled for adoption at the Commission's June 2021 meeting, at which time a second public hearing will be held pursuant to the VCTC Administrative Code.

The proposed Draft Fiscal Year 2021/2022 Budget is a balanced budget and is a separate attachment to the agenda. A copy of the Draft Fiscal Year 2021/2022 budget is available on the VCTC website at www.goventura.org.



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Item #11

April 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: HEATHER MILLER, PROGRAM MANAGER
SUBJECT: FY 2020/21 LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) ALLOCATION

RECOMMENDATION:

- Approve the Ventura County Transportation Commission (VCTC) FY 2020/21 Low Carbon Transit Operations Program (LCTOP) Allocation Request of \$905,093 for the following projects:
 - \$438,983 for the College Ride Transit Fare Promotion Project (includes a total of \$18,983 of FY 2020/21 LCTOP funds contributed by the cities of Camarillo, Moorpark, Simi Valley and Thousand Oaks), and
 - \$466,110 for Metrolink Saturday Service.
- Adopt Resolution 2021-01 in Attachment 1, authorizing the Executive Director to execute all required documents including the Certifications and Assurances and Authorized Agent Form (Exhibits A and B) to receive VCTC's FY 2020/21 Low Carbon Transit Operations Program funds.
- Approve programming Southern California Regional Rail Authority's (SCRRA) LCTOP revenue formula amount for the portion of the service within Ventura County which totals \$91,216, to provide discounted ticket fares for low-income riders.

BACKGROUND:

The Low Carbon Transit Operations Program (LCTOP) is a cap-and-trade program established by the California Legislature in 2014 with Senate Bill 862 that provides funds to public transportation agencies for investments in capital projects and service that reduce greenhouse gas (GHG) emissions and improve mobility, with a priority on serving Disadvantaged Communities (DACs).

The State Controller's Office announced FY 2020/21 LCTOP allocation amounts on February 26. Overall, FY 2020/21 funds declined by approximately 45% compared to last year's funding level due to the coronavirus pandemic and subsequent economic downturn impacting cap-and-trade funds that fuel the program. The amount of FY 2020/21 LCTOP funds to be programmed at VCTC's discretion, not including Metrolink's revenue formula amount, is \$867,127. Additionally, \$49,680 in total LCTOP funds are allocated to cities within Ventura County and the Gold Coast Transit District. To ensure projects meet LCTOP eligibility requirements, applications for projects are due for review to Caltrans by April 9, 2021.

LCTOP FY 2020/21	ALLOCATION
VCTC (99313)	\$ 867,127
VCTC/SCRRA (99314)	\$ 91,216
Camarillo	\$ 5,396
GCTD	\$ 30,697
Moorpark	\$ 2,155
Simi Valley	\$ 8,387
Thousand Oaks	\$ 3,045
TOTAL excluding SCRRA	\$ 916,807

DISCUSSION:

Staff recommends the following projects for VCTC's FY 2020/21 Allocation Request totaling \$916,807 which TRANSCOM approved at their March 12, 2020 meeting:

“College Ride” Transit Fare Promotion (\$438,983): The College Ride program provides free or reduced fares for eligible (enrolled) college/university students attending Ventura College, Oxnard College, Moorpark College, California State University at Channel Islands or California Lutheran University. The goal is to increase the transit mode share of this growing, but financially impacted, demographic.

The College Ride program experienced great success since it began in August 2018, providing over 427,000 free rides to college students in the first year of the program. The program was expanded to include summer school in 2019 and continued to grow, providing over 262,000 free rides in the first semester of the 19/20 school year. Unfortunately, in March 2020, the coronavirus pandemic forced school closures and distance learning, all but eliminating participation in the program. Soon after, most local transit operators lifted fare collection to reduce touch points on board the buses. However, reductions in COVID cases, widespread vaccinations and the recent lifting of restrictions countywide offers public transit a return to normal in the days ahead. Most County transit operators plan to resume fare collection in the spring/summer of 2021.

Given the success of the College Ride promotion prior to the pandemic and current reopening prospects, staff recommends programming an additional year of funding of the program in the amount of \$438,983. The cities of Camarillo, Moorpark, Simi Valley and Thousand Oaks have agreed to continue co-sponsoring the project by contributing their LCTOP funds for FY 20/21 totaling \$18,983. The funds will be used to support the fare buy-down or reimbursement of fares on fixed route transit fleets, and the two general-public dial-a-ride services.¹ Approximately \$25,000 will be dedicated to support the outreach and promotion of the Free Ride program by VCTC and the participating colleges, universities and operators. The proposed term would continue this program through the 2023 academic year. The program serves both disadvantaged and low-income populations.

Metrolink Saturday Service (\$466,110): VCTC staff is proposing to program LCTOP funding in the amount of \$466,110 to extend the Metrolink Saturday service for an additional year of service. The Unmet Needs Process identified Metrolink weekend service and increased frequency on the line as two of the most requested system improvements in the County. Currently, Metrolink train service is only available on weekdays. Metrolink Saturday service would allow Ventura County residents the option of weekend trips to Los Angeles by train.

Metrolink Saturday Service was expected to start last year until the pandemic halted the planned launch. However, given the recent lifting of countywide purple tier restrictions and ongoing

¹ Fixed route operators include: VCTC, Gold Coast Transit, Thousand Oaks Transit, Moorpark City Transit, Simi Valley Transit, Camarillo Area Transit, Ojai Trolley, and Valley Express; General-public DAR operators include: Camarillo Area Transit and Valley Express (Kanan Shuttle is not included as it is currently free.)

expansion of business openings, the planned launch of the new service is now Memorial Day 2021. Passengers will be able to purchase a \$10 weekend pass, providing County residents an affordable option to get to Los Angeles on Saturdays via train. The service is anticipated to run between East Ventura and Union Station, and stations in between, and be available year-round. The FY 20/21 LCTOP funding would allow a third year of service and in keeping with the intent of the LCTOP program, will reduce GHG emissions by providing an alternative public transit option.

SCRRA's LCTOP Revenue Formula Project (\$91,216):

In addition to the two VCTC projects listed above, staff recommends approving SCRRA's request to use the FY 2020/21 LCTOP revenue formula amount for the portion of the service within Ventura County in the amount of \$91,216 to provide discounted ticket fares for low-income riders. This discount is expected to attract new riders to the Metrolink system.

All of the recommended projects are eligible for funding under the LCTOP guidelines and meet the goals and requirements of the LCTOP program. The Transit Operators Committee (TRANSCOM) approved VCTC staff recommendation on March 10, 2021.

RESOLUTION NO. 2021-01

**A RESOLUTION AUTHORIZING THE SUBMITTAL OF ALLOCATION
REQUESTS FOR THE VENTURA COUNTY TRANSPORTATION
COMMISSION FY 2020/21 LOW CARBON TRANSIT OPERATIONS
PROGRAM FUNDS**

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

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

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

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

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

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

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

- \$438,983 for the College Ride Transit Fare Promotion Project (includes a total of \$18,983 of LCTOP funds contributed by the cities of Camarillo, Moorpark, Simi Valley and Thousand Oaks, co-sponsors of the project), and
- \$466,110 for Metrolink Saturday Service.

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

PASSED AND ADOPTED by the VCTC at its regular meeting this 2nd day of April 2021.

KELLY LONG, CHAIR, VCTC

ATTEST:

Roxanna Ibarra, Clerk of the Commission

APPROVED AS TO FORM:

Steven Mattas, General Counsel

Certifications and Assurances

Lead Agency: Ventura County Transportation Commission

Project Title: College Ride Transit Fare Promotion Project, Metrolink Saturday Service

Prepared by: Heather Miller, Program Manager

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

A. General

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

B. Project Administration

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

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

C. Reporting

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

D. Cost Principles

1. The Lead Agency agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
2. The Lead Agency agrees, and will assure that its contractors and subcontractors will be obligated to agree, that:

- a. Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allow ability of individual project cost items and
 - b. Those parties shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving LCTOP funds as a contractor or sub-contractor shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
3. Any project cost for which the Lead Agency has received funds that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 2 CFR, Part 200, are subject to repayment by the Lead Agency to the State of California (State). All projects must reduce greenhouse gas emissions, as required under Public Resources Code section 75230, and any project that fails to reduce greenhouse gases shall also have its project costs submit to repayment by the Lead Agency to the State. Should the Lead Agency fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the Lead Agency from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

A. Record Retention

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

Agency's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.

2. For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the Lead Agency's contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and

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

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

F. Special Situations

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

I certify all of these conditions will be met.

Darren M. Kettle

(Print Authorized Agent)

Executive Director

(Title)

(Signature)

(Date)

Authorized Agent

AS THE **Darren M. Kettle, Executive Director**

(Chief Executive Officer/Director/President/Secretary)

OF THE **Ventura County Transportation Commission**

(Name of County/City/Transit Organization)

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

Darren M. Kettle, Executive Director OR

(Name and Title of Authorized Agent)

Click here to enter text. OR

(Name and Title of Authorized Agent)

Click here to enter text. OR

(Name and Title of Authorized Agent)

Click here to enter text. OR

(Name and Title of Authorized Agent)

Darren M. Kettle

(Print Name)

Executive Director

(Title)

(Signature)

Approved this 2 day of April , 2021



ITEM #12

APRIL 2, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)
FROM: HEATHER MILLER, PROGRAM MANAGER
**SUBJECT: ACTIVE TRANSPORTATION PROGRAM CYCLE 5 MPO COMPONENT –
REGIONAL PRIORITIZED LIST OF PROJECTS**

RECOMMENDATION:

- Approve the regional point assignments and the Prioritized List of Projects (attached), allowing the Ventura County Transportation Commission (VCTC) to advance projects for funding in the MPO Component of the Cycle 5 Active Transportation Program (ATP).
- Authorize the Executive Director to submit the Prioritized List of Projects to the Southern California Association of Governments (SCAG) and approve any future technical changes or substitutions if funds are made available through project cancellations or savings (subject to CTC approval).

BACKGROUND:

The Active Transportation Program (ATP) is a program established by the California legislature in 2013 to encourage increased use of active modes of transportation, such as biking and walking. The ATP consolidates existing federal and state transportation programs, including the Transportation Alternatives Program (TAP), Bicycle Transportation Account (BTA), and State Safe Routes to School (SRTS), into a single program with a focus to make California a national leader in active transportation.

The California Transportation Commission (CTC) issued the ATP Cycle 5 Call-for-Projects on March 26, 2020. Applications were due to Caltrans by September 15, 2020. The overall budget for Cycle 5 is approximately \$446 million for a four-year program that includes fiscal years 2021/22 through 2025/26. Jurisdictions within Ventura County submitted seven (7) ATP Cycle 5 applications requesting over \$38,500,000 in grant funds.

The ATP program funding is segregated into three components and is distributed as follows:

- 50% to the state for the statewide competitive program - (approximately \$220 million)
- 10% to small urban and rural regions - (does not apply to Ventura County)
- 40% to Metropolitan Planning Organizations (MPO) - (Southern California Association of Governments (SCAG) share is approximately \$89 million)

How projects are selected for funding: All applicants first compete at the statewide level for funds distributed from the statewide competitive program. If not selected at the statewide level, projects are considered for funding from the MPO's share.

Statewide Competitive Program: Caltrans and the CTC review all ATP project applications and scores are assigned to each application based on the adopted CTC Scoring Criteria.

Applications can receive a maximum of 100 points. Once the applications are scored by Caltrans and the CTC, the projects are ranked. Those projects with the highest ranking that can be funded with the roughly \$220 million available receive funding through the statewide competitive program.

There were 454 statewide projects submitted requesting over \$2.3 billion in ATP Cycle 5 funds. Forty-one (41) of these projects were recommended for funding in the Statewide Competitive Program totaling \$241.5 million. The cut-off score was ninety-two (92), an increase from Cycle 4's cut-off score of ninety (90). Ten (10) "large" projects on the list account for roughly one-half of funded projects with overall project costs ranging from \$263,000 to \$38 million. One hundred percent of the funds directly benefit disadvantaged communities, and twenty-three (23) projects are Safe Routes to Schools (SRTS) projects.

For the first time in the history of the state's Active Transportation Program, a Ventura County project was approved by California Transportation Commission staff to receive funds from the statewide portion of the program. That project is the El Rio Pedestrian Improvement and Safe Routes to School project submitted by the County of Ventura, approved to receive \$6,195,000 in funding. The project will use \$6,195,000 of ATP funds and \$756,000 in local funds to construct 4.2 miles of sidewalks, where none currently exist, in the El Rio Community. The additional benefit of this project being selected at the statewide level is that it allows for the remaining Ventura County projects to compete for the regional funds at the MPO level.

Regional Program (Ventura County's Population Share is \$3.9 Million): Projects that do not score high enough to be funded under the Statewide Competitive Program are reconsidered for funding through the MPO regional project selection process. For Ventura County, the MPO Project Selection process is administered by SCAG. The SCAG regional funding is distributed based on population to member counties as follows:

SCAG REGIONAL FUNDING BREAKDOWN		
County	Pop %	Funding Amount
Imperial	1%	\$882
Los Angeles	54%	\$47,506
Orange	17%	\$14,930
Riverside	12%	\$11,305
San Bernardino	11%	\$10,157
Ventura	5%	\$3,969
Total	100%	\$88,748

Under SCAG's adopted guidelines, Counties may add up to 20 points to the Caltrans/CTC score to align funding with regional priorities. At its July 10, 2020 meeting, the Commission approved the prioritization methodology for Cycle 5 which allows a maximum of 20 points to be added to the CTC/Caltrans score as follows:

- **For Construction Projects:** Up to 15 points will be awarded for project readiness:
 - a. Five (5) points will be awarded if the project is identified in an approved, adopted Bicycle, Pedestrian or Active Transportation Plan, OR
 - b. Ten (10) Points will be awarded if the project is identified in a plan, and the conceptual design has been completed, OR

- c. Fifteen (15) Points will be awarded if the project is identified in a plan, and the Conceptual design has been completed, and the ATP Cycle 5 application shows the preconstruction phases fully funded by the Local Agency.
- For Planning Projects: 15 points will be awarded if the project is to prepare a Citywide, Areawide or Corridor Specific Active Transportation Plan, AND
- Five (5) points for Any Project with a Safe Routes to Schools Component (SRTS).

DISCUSSION:

Jurisdictions within Ventura County submitted seven (7) ATP Cycle 5 applications totaling \$40,756,00 in total project costs and ATP funding requests totaling \$38,557,000. Since Ventura County's El Rio Pedestrian Improvement project was selected for statewide funding, additional points were not assessed for that project for regional consideration. The remaining six (6) projects were scored according to the approved criteria.

The only Planning project among the six applicants was the Camarillo ATP project awarded 15 points. Three (3) project applicants were awarded 10 points, their projects identified in an approved Plan and their applications including a completed conceptual design. Two (2) projects were awarded 15 points having been identified in an approved Plan, providing a conceptual design, and identified as a Safe Routes to School (SRTS) project. No project qualified to receive the total allowable 20 points as no preconstruction phases were fully funded by a local agency. A breakdown of points awarded to each project applicant is provided in Attachment 1.

Given the amount of regional funding available to Ventura County (\$3.969,000) and project rankings after supplemental scoring, the following projects are recommended for ATP funding:

1. **City of Oxnard - SRTS Safety and Enhancements Project (\$1,981,000)**
2. **City of Ventura - Cabrillo Segment Multi-Use Path Gap Completion (1,008,000)**
3. **City of Oxnard - 4th Street Mobility Improvements (\$650,000 for Design)**
4. **County of Ventura - Santa Rosa Road Bike Lane Improvement and Pedestrian Project (SRRBLP) (\$330,000)**

The two highest-ranking projects consumed \$2,989,000 in ATP regional funds to fully fund these projects, with \$980,000 in ATP funds remaining. The third ranked project is the County of Ventura's Saticoy to Santa Paula West Branch Trail Gap Closure requesting ATP funding totaling \$21,000,000, far exceeding the remaining available regional funds. The fourth ranked City of Oxnard's 4th Street Mobility Improvement project includes a total project cost of \$6.9 million (\$660,000 for Design in 21/22 and \$6,250,000 for Construction in 22/23). The City's request including \$650,000 in ATP funds for design, would leave only \$330,000 in the regional balance for construction, covering only a small fraction of the project's total construction cost. Furthermore, programming the remaining \$330,000 for construction for this project would preclude Oxnard from applying for additional ATP construction funding in the next cycle. Therefore, staff recommends that the remaining \$330,000 be programmed to the County of Ventura's Santa Rosa Road project, the next highest ranked project on the list, permitting the 4th Street project to seek additional funding for construction costs. The County has secured funding for the remaining costs of the Santa Rosa Road project which has a total cost of \$1,103,000.

A list of all submitted projects provided in Attachment 1 includes the project description, total amount of requested funds, the CTC/Caltrans Statewide Score, the regional prioritized scores, and recommendation for funding.

The Transportation Technical Committee (TTAC) approved the regional point scores on March 18, 2021. The staff recommendation to TTAC was to provide \$1,981,000 to the Oxnard SRTS project, \$1,008,000 to the Ventura Cabrillo project, and \$980,000 to the Oxnard 4th Street project, and TTAC approved this recommendation, but as described above the staff recommendation has since been changed, to fund the design phase only for 4th Street and use the remaining \$330,000 for the Santa Rosa Road project.

RECOMMENDATION:

Staff recommends that VCTC approve the regional point assignments and the Prioritized List of Projects in Attachment 1 allowing VCTC to advance projects for funding under the MPO Component of the Cycle 5 Active Transportation Program. The unfunded projects will remain on the list. The List will serve as a Contingency List of Projects should funds be made available through project cancellations or savings (subject to CTC approval).

**ATP CYCLE 5 MPO COMPONENT
VENTURA COUNTY REGIONAL SCORING
AND PRIORITIZED LIST OF PROJECTS**

Ventura County Regional Scoring

Implementing Agency	Project Title	Safe Routes to School	Planning Consistency*	Conceptual Plan	Funded Preconstruction Phases	Total 20 Points
City of Oxnard	SRTS Safety and Enhancements Project	5	5	5	0	15
City of Ventura	Cabrillo Segment Multi-Use Path Gap Completion		5	5	0	10
County of Ventura	Saticoy to Santa Paula: West Branch Trail Gap Closure		5	5	0	10
City of Oxnard	4th Street Mobility Improvements		5	5	0	10
County of Ventura	Santa Rosa Road Bike Lane Improvement and Pedestrian Project (SRRBLP)	5	5	5	0	15
City of Camarillo	Camarillo Active Transportation Plan		15	NA	NA	15

Ventura County Prioritized List of Projects*

Implementing Agency	Project Title	Total Project Cost	ATP Funding Request	Statewide Score	20 Points	Regional Score	Funding
County of Ventura	El Rio Pedestrian Improvement and Safe Route to School Project	\$ 6,960,000	\$ 6,195,000	92	NA	NA	Recommended for full ATP Funding (Statewide Selection)
City of Oxnard	SRTS Safety and Enhancements Project	\$ 1,981,000	\$ 1,981,000	86	15	101	Recommended for full ATP Funding (Regional Selection)
City of Ventura	Cabrillo Segment Multi-Use Path Gap Completion	\$ 1,008,000	\$ 1,008,000	90	10	100	Recommended for full ATP Funding (Regional Selection)
County of Ventura	Saticoy to Santa Paula: West Branch Trail Gap Closure	\$22,434,000	\$21,000,000	77.5	10	87.5	
City of Oxnard	4th Street Mobility Improvements	\$ 6,900,000	\$ 6,900,000	75	10	85	Recommended for partial (\$650,000 for Design) ATP Funding (Regional Selection)
County of Ventura	Santa Rosa Road Bike Lane Improvement and Pedestrian Project (SRRBLP)	\$ 1,103,000	\$ 1,103,000	67	15	82	Recommended for partial (\$330,000) ATP Funding (Regional Selection)
City of Camarillo	Camarillo Active Transportation Plan	\$ 370,000	\$ 370,000	60	15	75	
		\$40,756,000	\$38,557,000				\$ 3,969,000

*The List will serve as a Contingency List of Projects should funds be made available through project cancellations or savings (subject to CTC approval).