



**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, MAY 7, 2021
9:00 A.M.

**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/86907285971?pwd=YIE3cFJyMXE2SEhTa0h3enc3Z3pLdz09>

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 4:30 P.M., Thursday, MAY 6, 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. **CALTRANS REPORT** - *This item provides the opportunity for the Caltrans representative to give update and status reports on current projects.*
6. **COMMISSIONERS/EXECUTIVE DIRECTOR REPORT** - *This item provides the opportunity for the commissioners and the Executive Director to report on attended meetings/conferences and any other items related to Commission activities.*
7. **ADDITIONS/REVISIONS** – *The Commission may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Commission subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Commission. If there are less than 2/3 of the Commission members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.*
8. **CONSENT CALENDAR** - *All matters listed under the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no discussion of these items unless members of the Commission request specific items to be removed from the Consent Calendar for separate action.*

8A. APPROVE MINUTES FROM APRIL 2, 2021 VCTC MEETING- PG.5

Recommended Action:

- Approve the summary minutes of APRIL 2, 2021.

Responsible Staff: Roxanna Ibarra

8B. MONTHLY BUDGET REPORT- PG.11

Recommended Action:

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

Responsible Staff: Sally DeGeorge

8C. CAPITAL ASSETS POLICY UPDATE- PG.19

Recommended Action:

- Adopt the Revised Capital Asset Policy in Attachment 1.

Responsible Staff: Sally DeGeorge

8D. CONSULTANT SERVICES CONTRACT WITH NELSON/NYEGAARD TO UPDATE THE COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLAN- PG.25

Recommendation:

- Approve consultant services agreement with Nelson/Nygaard to update the Coordinated Public Transit-Human Services Transportation Plan (Coordinated Plan) at an amount not to exceed \$137,707.

Responsible Staff: Claire Grasty

8E. TRESPASS REMOVAL POLICY- PG.27

Recommended Action:

- Approve Trespass Removal Policy.

Responsible Staff: Darren Kettle

8F. EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT FOURTH AMENDMENT - PG.39

Recommended Action:

- It is recommended that the Ventura County Transportation Commission ("Commission") adopt a resolution approving the Fourth Amendment to the Executive Director's Employment Agreement.

Responsible Staff: Steve Mattas

DISCUSSION CALENDAR:

9. LEGISLATIVE UPDATE- PG.45

Recommended Action:

- *Adopt a “support” position on Senate Bill 790- Wildlife Connectivity Mitigation Credits: Advance Mitigation Program (Stern)*

Responsible Staff: Darrin Peschka

10. DRAFT VCTC 2021 TITLE VI PROGRAM UPDATE-PG.69

Recommended Action:

- *Conduct public hearing for the VCTC 2021 Title VI Program Update*
- *Adopt Resolution 2021-04 approving the 2021 Title VI Program Update, including the Public Participation Plan and Language Assistance Plan.*

Responsible Staff: Martin Erickson & Jeni Eddington

11. FISCAL YEAR 2021/2022 TRANSPORTATION DEVELOPMENT ACT (TDA) UNMET TRANSIT NEEDS (UTN) FINDINGS-PG.73

Recommended Action:

- *Review and Approve the Fiscal Year (FY) 2021/2022 Unmet Transit Needs Findings and determination that there are no Unmet Transit Needs that are reasonable to meet.*
- *Adopt Resolution No. 2021-05*

Responsible Staff: Claire Grasty & Jeni Eddington

12. UPDATE ON TRANSIT INTEGRATION AND EFFICIENCY STUDY (TIES)- PG.77

Recommended Action:

- *Receive an update on the Transit Integration & Efficiency Study from Fehr & Peers.*

Responsible Staff: Martin Erickson

13. REGIONAL BROADBAND INFRASTRUCTURE - PG.79

Recommended Action:

- *Receive, file, and provide direction on roles and activities that VCTC might entertain in the development of regional broadband infrastructure.*

Responsible Staff: Darren Kettle

14. VCTC GENERAL COUNSEL'S REPORT

15. AGENCY REPORTS:

Southern California Association of Governments (SCAG)

Primary: Commissioner Mike Judge

Southern California Regional Rail Authority (Metrolink-SCRRRA)

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

Coastal Rail Coordinating Council

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Richard Rollins

California Association of Council of Government

Primary: Commissioner Carmen Ramirez

California Vanpool Authority (CalVans)

Primary: Commissioner Jim White

Alternate: Commissioner Lynn Edmonds

17. 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, June 4, 2021



Item #8A

**MEETING MINUTES OF APRIL 2, 2021 VCTC COMMISSION MEETING
AT 9:00 A.M. VIA ZOOM**

CALL TO ORDER:

Chair Long called the regular meeting of the Ventura County Transportation Commission to order at 9:01 A.M. VIA-ZOOM.

PLEDGE OF ALLEGIANCE was led by Commissioner MacDonald.

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
Mark Archuleta, Caltrans District 7
Jim White, Citizen Rep., County
William Weirick, City of Ojai

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

5. CLOSED SESSION:

1. Conference with Labor Negotiators (Pursuant to Government Code Section 54957.6)

Unrepresented Employee: Executive Director

Agency Designated Representatives: Kelly Long & Steve Mattas

General Counsel Steve Mattas announced VCTC Commission going into closed session at 9:05 a.m. The Commission reconvened at 9:17a.m., Mr. Mattas stated after the closed session there was no reportable action at this time. The commissions next action will appear in next month's agenda.

6. CALTRANS REPORT- Deputy District Director of Construction, Mark Archuleta represented Caltrans on behalf of District Director Tony Tavares. Mr. Archuleta gave the update report regarding Caltrans projects, the report was distributed via email to the Commission. Chair Long thanked Caltrans and staff for working collaboratively on projects along Highway 126 and surrounding areas.

7. COMMISSIONERS/EXECUTIVE DIRECTOR REPORT-

Chair Long stated all agency reports moving forward would now be discussed during the section on the agenda titled agency reports. Chair Long also reported she along with Executive Director Mr. Kettle attended the Chairs Summit for the 2028 Olympic and Paralympic Games, a joint statement from all the Chairs of Transportation Agencies was signed and will be shared with the Commission. Chair Long will update the Commission as these quarterly planning meetings for the 2028 Olympics and Paralympic.

Commissioner Parks stated she would like to see if a wildlife crossing and funding legislative item can be brought up for discussion at VCTC's next month's agenda. Also, Chair Long and Commissioner Parks talked about broadband in the County and would like to see on the agenda an item or resolution in support of broadband in Ventura County for the underserved communities. Commissioner Judge reported SCAG's safety recommendations will be coming up to Regional Council in next month's meeting. Commissioner Judge also congratulated Commissioner Ramirez for being voted in for the second Vice President for SCAG.

Executive Director Mr. Kettle reported VCTC's new fare mobile device systems will be available on June 1, 2021. As the county moves into the orange tier VCTC will be looking at opening possibly in June and will work on a normalized work schedule for VCTC staff with a hybrid-structured work schedule. Mr. Kettle also stated President Biden's infrastructure package has been presented and \$700 billion dollars in transit and broadband are part of the package. He stated it's in the early stages, but VCTC will stay tuned for updates and what that will mean for transit.

8. ADDITIONS/REVISIONS- There were none.

9. CONSENT CALENDAR- Commissioner Chavez moved to approve items 9A thru 9O on the Consent Calendar as recommended. The motion was seconded by **Commissioner Huber** and passed unanimously.

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

- Approved the summary minutes of MARCH 5, 2021.

9B. MONTHLY BUDGET REPORT

- Received and filed the monthly budget report for February 2021.

9C. TDA AUDITS FISCAL YEAR 2019/2020

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

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

- 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.

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

- Approve loan of \$3 million from the Ventura County Regional Surface Transportation Program apportionment to the San Joaquin Council of Governments (SJCOC), with the repayment to occur in FY 2022/2023, the earliest that is expected to be needed for Route 101 final design.

9F. MOTORIST AID PROGRAM BUDGET AMENDMENT

- 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.

9G. MOTORIST AID CALLBOX ANNUAL REPORT

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

9H. AMENDMENT NUMBER 1 TO AGREEMENT WITH PLATINUM TOW & TRANSPORT, INC. TO FREEWAY SERVICE PATROL BEAT 2

- 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.

9I. LEGISLATIVE UPDATE

- Receive and file.

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

- 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.

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

- 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.

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

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

9M. FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5339(c) LOW OR NO EMISSION PROGRAM GRANT APPLICATION

- Adopt a 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.

9N. REGIONAL FARE MEDIA REIMBURSEMENT AGREEMENTS WITH TRANSIT OPERATORS

- 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.

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

- 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.

DISCUSSION CALENDAR:

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

Chair Long opened the public hearing for the Draft Budget for Fiscal Year 2021/2022. Director of Finance Ms. Sally DeGeorge and Executive Director Darren Kettle presented a PowerPoint on the draft budget to the Commission. Chair Long closed the public hearing. A motion was made to:

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

Vice-Chair Trembley moved to approve item 10 as recommended. The motion was seconded by **Commissioner Sobel** and passed unanimously.

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

- *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.*

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

12. ACTIVE TRANSPORTATION PROGRAM CYCLE 5 MPO COMPONENT-REGIONAL PRORITIZED LIST OF PROJECTS

- *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)*

Commissioner MacDonald moved to approve item 12 as recommended. The motion was seconded by **Commissioner Rollins** and passed unanimously.

13. VCTC GENERAL COUNSEL REPORT- None

14. AGENCY REPORTS-

Southern California Association of Governments (SCAG): The update was provided in the Commissioners Reports by Commissioner Judge.

Southern California Regional Rail Authority (Metrolink-SCRRA):

Vice-Chair Trembley stated Metrolink board adopted at the March 26, 2021 meeting the Climate Action Plan.

LOSSAN and Coastal Rail Coordinating Council:

Commissioner MacDonald stated there has been discussion during the meeting on improving the track systems/dual track systems to have more efficiencies and looking ahead to the future.

California Vanpool Authority (CalVans): There was none.

California Association of Council of Governments: There was none.

15. CLOSED SESSION:

The Commission went into closed session at 11:22 a.m.

At this time General Counsel stated there would be nothing to report out of closed session and the VCTC meeting would be adjourning right after.

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. The VCTC's meeting of April 2, 2021 was adjourned in memory of City of Ojai Councilmember Paul Blatz.

The Next Regular VCTC Commission meeting will be Friday, May 7, 2021 at 9:00 a.m.



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Item #8B

May 7, 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 March 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 March 31, 2021 budget report indicates that the revenues were approximately 50.88% of the adopted budget while expenditures were approximately 39.02% 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 MARCH 31, 2021**

Assets and Deferred Outflows

Cash and Investments	\$ 43,698,731
Receivables/Due from other funds	4,539,670
Prepays and Deposits	94,524
Capital Assets, undepreciated	25,971,001
Capital Assets, depreciated, net	35,191,932
Deferred Outflows	879,100
Total Assets and Deferred Outflows	<u>\$ 110,374,958</u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:

Accrued Expenses and Due to Other	\$ 3,625,235
Deferred Revenue	3,487,804
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>\$ 10,151,121</u>

Net Position:

Invested in Capital Assets	\$ 60,892,975
Fund Balance	39,330,862
Total Net Position	<u>\$ 100,223,837</u>

For Management Reporting Purposes Only

VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE NINE MONTHS ENDED MARCH 31, 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
Revenues												
Federal Revenues	\$ 10,092,384	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	4,451,400	\$ 979,674	\$ 15,523,458	\$ 37,915,206	(22,391,748)	40.94
State Revenues	728,954	22,561,671	3,274,966	472,602	812,730	0	549,160	0	28,400,083	49,255,245	(20,855,162)	57.66
Local Revenues	176,841	0	0	0	0	312,194	817,061	100,000	1,406,096	1,978,096	(572,000)	71.08
Other Revenues	1,086	0	0	0	0	0	189,766	0	190,852	315,812	(124,960)	60.43
Interest	11,142	31,234	40,814	17,966	15,548	137	651	928	118,420	235,000	(116,580)	50.39
Total Revenues	11,010,407	22,592,905	3,315,780	490,568	828,278	312,331	6,008,038	1,080,602	45,638,909	89,699,359	(44,060,450)	50.88
Expenditures												
Administration												
Personnel Expenditures	2,203,699	0	0	0	0	0	139,044	32,459	2,375,202	3,648,200	(1,272,998)	65.11
Legal Services	10,987	0	0	0	0	0	0	0	10,987	40,000	(29,013)	27.47
Professional Services	79,027	0	0	0	0	0	0	0	79,027	139,500	(60,473)	56.65
Office Leases	75,709	0	0	0	0	0	0	0	75,709	134,800	(59,091)	56.16
Office Expenditures	266,911	0	0	0	0	0	76,307	17,813	361,031	479,000	(117,969)	75.37
Total Administration	2,636,333	0	0	0	0	0	215,351	50,272	2,901,956	4,441,500	(1,539,544)	65.34
Programs and Projects												
Transit and Transportation Program												
Regional Transit Technology	945,493	0	0	0	0	0	0	0	945,493	3,428,477	(2,482,984)	27.58
Senior-Disabled Transportation	200,338	0	0	0	0	0	0	0	200,338	393,100	(192,762)	50.96
VCTC Intercity Bus Services	0	0	0	0	0	0	4,813,923	0	4,813,923	11,663,790	(6,849,867)	41.27
Valley Express Bus Services	0	0	0	0	0	0	0	929,408	929,408	1,906,800	(977,392)	48.74
Transit Grant Administration	4,836,038	0	0	0	0	0	0	0	4,836,038	14,323,900	(9,487,862)	33.76
Total Transit and Transportation	5,981,869	0	0	0	0	0	4,813,923	929,408	11,725,200	31,716,067	(19,990,867)	36.97
Highway Program												
Motorist Aid Services	0	0	0	302,999	0	0	0	0	302,999	1,446,500	(1,143,501)	20.95
Highway Program Management	3,077,725	0	0	0	0	0	0	0	3,077,725	9,639,030	(6,561,305)	31.93
Total Highway	3,077,725	0	0	302,999	0	0	0	0	3,380,724	11,085,530	(7,704,806)	30.50

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE NINE MONTHS ENDED MARCH 31, 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
Rail Program												
Metrolink and Commuter Rail	2,975,589	0	0	0	0	0	0	0	2,975,589	13,214,916	(10,239,327)	22.52
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	452,459	0	0	452,459	945,443	(492,984)	47.86
Total Rail	2,978,124	0	0	0	0	452,459	0	0	3,430,583	14,172,659	(10,742,076)	24.21
Commuter Assistance Program												
Reg Transit Information Center	1,566	0	0	0	0	0	0	0	1,566	43,800	(42,234)	3.58
Rideshare Programs	143,713	0	0	0	0	0	0	0	143,713	356,654	(212,941)	40.29
Total Commuter Assistance	145,279	0	0	0	0	0	0	0	145,279	400,454	(255,175)	36.28
Planning and Programming												
TDA Administration	110,000	14,372,058	273,019	0	58,240	0	0	0	14,813,317	31,076,486	(16,263,169)	47.67
Transportation Programming	4,736	0	0	0	0	0	0	0	4,736	21,300	(16,564)	22.23
Regional Transportation Planning	76,534	0	0	0	0	0	0	0	76,534	931,000	(854,466)	8.22
Airport Land Use Commission	0	0	0	0	0	0	0	0	0	18,500	(18,500)	0.00
Regional Transit Planning	106,198	0	0	0	0	0	0	0	106,198	2,087,764	(1,981,566)	5.09
Total Planning and Programming	297,468	14,372,058	273,019	0	58,240	0	0	0	15,000,785	34,135,050	(19,134,265)	43.95
General Government												
Community Outreach	106,300	0	0	0	0	0	0	0	106,300	253,500	(147,200)	41.93
State and Federal Relations	77,868	0	0	0	0	0	0	0	77,868	114,200	(36,332)	68.19
Management and Administration	1,468,817	0	0	0	0	0	0	0	1,468,817	1,669,241	(200,424)	87.99
Total General Government	1,652,985	0	0	0	0	0	0	0	1,652,985	2,036,941	(383,956)	81.15
Total Expenditures	16,769,783	14,372,058	273,019	302,999	58,240	452,459	5,029,274	979,680	38,237,512	97,988,201	(59,750,689)	39.02

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE NINE MONTHS ENDED MARCH 31, 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
Revenues over (under) expenditures	(5,759,376)	8,220,847	3,042,761	187,569	770,038	(140,128)	978,764	100,922	7,401,397	(8,288,842)	15,690,239	(89.29)
Other Financing Sources												
Transfers Into GF From LTF	4,788,986	0	0	0	0	0	0	0	4,788,986	6,193,103	(1,404,117)	77.33
Transfers Into GF From STA	1,183,017	0	0	0	0	0	0	0	1,183,017	3,730,980	(2,547,963)	31.71
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	52,780	0	0	0	0	0	0	0	52,780	49,100	3,680	107.49
Transfers Into GF From SPBL	98,889	0	0	0	0	0	0	0	98,889	127,300	(28,411)	77.68
Transfers Into SPBL From LTF	0	0	0	0	0	97,216	0	0	97,216	127,300	(30,084)	76.37
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	(4,788,986)	0	0	0	0	0	0	(4,788,986)	(6,193,103)	1,404,117	77.33
Transfers Out of LTF Into SPBL	0	(97,216)	0	0	0	0	0	0	(97,216)	(127,300)	30,084	76.37
Transfers Out of STA Into GF	0	0	(1,183,017)	0	0	0	0	0	(1,183,017)	(3,730,980)	2,547,963	31.71
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	(52,780)	0	0	0	0	(52,780)	(49,100)	(3,680)	107.49
Transfers Out of SPBL Into GF	0	0	0	0	0	(98,889)	0	0	(98,889)	(127,300)	28,411	77.68
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	6,123,672	(4,886,202)	(2,322,869)	(52,780)	0	138,179	1,000,000	0	0	0	0	0.00
Net Change in Fund Balances	364,296	3,334,645	719,892	134,789	770,038	(1,949)	1,978,764	100,922	7,401,397	(8,288,842)	15,690,239	(89.29)
Beginning Fund Balance w/o capital as	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 Adj	(1,925,453)	0	0	0	0	0	(166,469)	0	(2,091,922)	0	(2,091,922)	0.00
Ending Fund Balance	\$ 1,037,590	\$ 12,984,094	\$ 13,944,116	\$ 4,759,986	\$ 4,668,419	\$ 23,421	\$ 1,812,314	\$ 100,922	\$ 39,330,862	\$ 25,283,821	\$ 14,047,041	155.56

*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 MARCH 31, 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	\$ 1,982,365.96
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%	34,857,016.65
Total			\$118,420.70		\$43,588,031.49

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

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 #8C

May 7, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: THAO LE, SENIOR ACCOUNTANT
SALLY DEGEORGE, FINANCE DIRECTOR**

SUBJECT: CAPITAL ASSETS POLICY UPDATE

RECOMMENDATION:

- Adopt the Revised Capital Asset Policy in Attachment 1.

BACKGROUND:

Capital assets are assets used in operations and have an initial useful life in excess of one year. Capital assets are further classified as tangible assets such as land, rail lines, buildings, construction-in-progress, rail stations and rail improvements, equipment, and furniture and intangible assets such as easements and software.

The cost to acquire, construct, and improve a capital asset is not recognized immediately as an expense when incurred, but instead is deferred (capitalized) and allocated over the estimated useful life of the capital asset in the form of depreciation expense for tangible assets or amortization expense for intangible assets.

Governmental entities are usually required to report all capital assets in the Statement of Net Position based on their historical cost (if available) less accumulated depreciation. A capital asset policy provides guidelines to allow for a cost-effective capitalization threshold for recording, tracking and reporting its capitalized assets.

The Ventura County Transportation Commission (VCTC) uses the straight-line method in the government-wide financial statements for depreciating and amortizing capital assets. Depreciation and amortization are charged as expenses against operations and accumulated depreciation and amortization are reported on the Statement of Net Position.

DISCUSSION:

VCTC's current capital policy was last updated and approved in June 2015. The current policy is to capitalize tangible assets with an initial unit cost of more than \$5,000 and an estimated useful life in excess of two years and to capitalize intangible assets with an initial unit cost of more than \$50,000 and

an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated assets are valued at their estimated fair market value of the date of donation.

VCTC staff has reviewed the Governmental Accounting Standard Board (GASB) Statements and Government Finance Officers Association (GFOA) guidance and updated and reorganized the capital asset policy (see attachment 1) to include industry best practices, guidance, changes to standards, and provide further clarification as needed. For ease of reviewing changes, staff has indicated additions in yellow and deletions in red strike out. Major changes to the policy include:

- Useful life changed from two years to one year.
- Valuation method of donated assets changed from estimated fair market value to acquisition value.
- The beginning date of the depreciation and amortization calculations changed from using a prorated month to the first of the following month.
- Renovations and improvements added.
- Definition section added to provide clarification of terminology and improve understanding

Attachment I

VENTURA COUNTY TRANSPORTATION COMMISSION CAPITAL ASSETS POLICY

(May 7, 2021)

I. Introduction

The purpose of this document is to establish policies and procedures governing the capital asset activities for the Ventura County Transportation Commission (VCTC) and to ensure consistent management of all capital asset activity. It is intended that this policy cover all capital assets under the direct authority of VCTC. Governmental entities are usually required to report all capital assets in the Statement of Net Position based on their historical cost less accumulated depreciation. Capital assets include both tangible assets (land, buildings and building improvements, rail stations and rail improvements, vehicles, infrastructure, equipment, and furniture, etc.) and nontangible assets (easements, software, etc.). These guidelines would allow a cost-effective capitalization threshold for recording, tracking and reporting its capital assets.

II. Policy

- A. Tangible assets: Capital assets categorized as tangible have physical substance (such as a bus) ~~Assets used in operations~~ with an initial unit cost of \$5,000 or more and a useful life in excess of one year ~~two years~~ will be capitalized.
- B. Intangible assets: Capital assets categorized as intangible lack physical substance (can't touch) and are nonfinancial in nature (has value but not in a monetary form) such as easements (the right to use land for a specific purpose such as building highway) with an initial cost of more than \$50,000 and an estimated useful life in excess of one year ~~two years~~ will be capitalized. If there are no factors that limit the useful life of an intangible asset, the intangible asset is considered to have an indefinite useful life and is not amortized.
- C. Donated assets: Capital assets that are donated are valued at ~~their estimated fair market value~~ acquisition value (the amount you would have to pay to acquire the same or similar asset) at the date of the donation (measurement date). Donated assets should be depreciated based on the asset class and the estimated remaining useful life.
- D. Renovation and Improvements: The cost associated with the renovation or improvement of an existing capital asset shall also be capitalized if the cost exceeds \$5,000 per unit and it either substantially enhances the asset's performance or productivity or extends the useful life of the asset.
- E. Maintenance and Repairs: The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend the life of the asset are not capitalized. Repair and maintenance costs are expensed in the current period.

- F. Depreciation and Amortization: The cost to acquire and/or improve a capital asset is not recognized immediately as expense when incurred, but instead is deferred (capitalized) and allocated (depreciated/amortized) over the estimated useful life of the capital asset. Depreciation/amortization is charged as an expense against operations and accumulated depreciation/amortization is reported on the respective Statement of Net Position. Capital assets will be depreciated/amortized using the straight-line method over the asset's useful life. The fully depreciated/amortized asset shall remain in the capital asset ledger until the asset is retired.

Depreciation and amortization start on the first day of the following month after the in service date.

- G. Useful Life: The useful lives used for depreciation/amortization purposes for each VCTC capital asset class is as follows:

<u>Item</u>	<u>Useful Life</u>
Buildings	50 years
Bus Fare Equipment	10 years
Buses – Large	10-12 years
Buses – Medium	5-7 years
Bus Camera	5 years
Callboxes	10 years
Construction-in-Progress	once completed
Equipment and furniture	5 years
Land	not depreciated
Leasehold improvements	Life of the lease term
Rail improvements	15-50 years
Rail stations	50 years
Software	3-5 years

- H. Federal Funding: Assets acquired with Federal grants often have limitations and/or restrictions. Project managers in charge of purchasing the assets should refer to the grant or consult with the Programming Director for specific guidelines and rules regarding the purchase of capital assets with these funds and inform finance department.

- I. Retirement/Disposal of Asset: Assets should be removed from the asset ledger if they are confirmed as obsolete, destroyed, decommissioned, or sold. Capital assets originally purchased with Grant funds shall follow Grant procedures when retiring that asset.

- J. Non-Capital Assets: Assets that do not meeting the above requirements will be expended as appropriate.

III. Definitions

- A. **Capital Assets** are defined as tangible and intangible assets of significant value that are used in operations and that have initial useful lives extending beyond a single reporting period.
- B. **Construction-In-Progress** is the accumulation of all qualified costs incurred on uncompleted capital projects that meet or exceed the capitalization threshold for the applicable asset class. At the time of completion, the construction-in-progress cost should be transferred to the applicable asset class and depreciated in accordance with the standard useful lives. Costs of construction-in-progress should not be depreciated until the finished asset is placed into service.
- C. **Cost** of the capital assets should be reported at historical cost unless otherwise specified. The cost of a capital asset should include the cost of the asset itself and any ancillary charges necessary to place the asset into its intended location and condition for use. This includes costs that are directly identifiable/related to a specific asset such as installation fees, freight, insurance, sales taxes, etc. Improvements that provide additional value by extending the asset's estimated useful life or increasing a capital asset's performance or productivity should also be capitalized. Costs such as feasibility studies and training are not included in the value of the capital asset. Donated assets are valued at the date of the donation using acquisition value.
- D. **Depreciation and Amortization** is the process of allocating the cost of an asset over its useful life. Depreciation is for tangible asset and amortization is for intangible asset. The sum of the depreciation/amortization (accumulated depreciation/amortization) at the end of an asset's life should equal the historical cost of that asset. Depreciation/amortization normally starts when an asset is purchased, completed, and placed into service.
- E. **Retirement/Disposal of Assets** is when the asset is scrapped, abandoned, sold, traded-in or removed from service during any given reporting period.
- F. **Useful life** of an asset is defined as the period during which an asset or property is expected to be usable for the purpose it was acquired.



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Item #8D

May 7, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: CLAIRE GRASTY, PROGRAM MANAGER

SUBJECT: CONSULTANT SERVICES CONTRACT WITH NELSON\NYGAARD TO UPDATE THE COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLAN

RECOMMENDATION:

- Approve the consultant services agreement with Nelson\Nygaard to update the Coordinated Public Transit-Human Services Transportation Plan (Coordinated Plan) at an amount not to exceed \$137,707

BACKGROUND:

The Ventura County Transportation Commission (VCTC) holds statutory responsibility for planning and coordinating transportation and public transit services throughout Ventura County.

Although Congress passed the Fixing Surface Transportation Act (FAST Act) in November 2015, the Federal Transit Administration (FTA) has not issued any directive to transit operators of any regulatory changes to its grant programs. Therefore, until such a directive is issued to transit operators, the Moving Ahead for Progress in the 21st Century Act (MAP-21) still governs recipients of FTA assistance under Sections 5310 (Elderly and Disabled program funds), 5307 (Jobs Access Reverse Commute, or JARC, activities for low-income passengers and to provide reverse-direction commute services) of the law. As such, VCTC is responsible for updating the Coordinated Plan every five years.

To receive funds, potential grantees must comply with all federal coordinated planning requirements. MAP-21 stipulates that projects selected for funding under these programs must be derived from a locally coordinated, public transit-human services transportation plan.

The Ventura County Transportation Commission (VCTC) is the Regional Transportation Planning Agency (RTPA) for Ventura County. As such, VCTC is the designated recipient for the funding programs mentioned above. VCTC also performs a role in the State approval process for Section 5310 grants.

On January 8, 2021, the Commission approved release of a Request for Proposals (RFP) for consultant support to update the Coordinated Plan, with proposals due to VCTC no later than 4:00 PM on Wednesday, February 22, 2021.

DISCUSSION:

In January, the RFP was advertised through the California Transit Association and Transit Talent, as well as the VCTC website and notifying a list of consultants that have worked with VCTC in the past or specialize on these types of projects.

VCTC received four proposals from Nelson/Nygaard, Moore & Associates, Kearns & West and LSC Transportation Consultants. The selection panel consisted of representatives from transit operators and social service agencies with representation from the City of Camarillo, Gold Coast Transit District, the Area Agency on Aging and Caregivers. The panel evaluated the proposals and interviewed all four firms. The RFP outlined the following criteria: familiarity with Ventura County and understanding of State and Federal requirements, experience with similar projects, technical approach and scope of services, evidence of full understanding of work to be performed and cost value. Based on these criteria, the selection committee scored Nelson/Nygaard the highest and determined they were best qualified to lead this project. Their proposal builds upon a foundation of community and stakeholder engagement, as well as an assessment of current services and gaps to develop a meaningful Coordinated Plan for VCTC.

The updated Coordinated Plan ensures continued compliance with the FTA Section 5307 and 5310 programs. The updated plan will consist of the federally required elements including:

- Review of legislation and relevant reports
- Demographic analysis of target populations
- Inventory of current services
- Documentation of gaps in service for individuals with disabilities, older adults and persons with limited incomes
- Public and stakeholder engagement through surveys, focus groups and regularly occurring meetings
- Strategies to address identified gaps in services
- Prioritization of implementation strategies

Funding for the updated Coordinated Plan is included in the FY 2020-21 budget and is expected to be completed in July 2021.

RECOMMENDATION:

Staff recommends Commission approval of the Agreement with Nelson/Nygaard for consultant support services to update the Coordinated Public Transit-Human Services Transportation Plan at an amount not to exceed \$137,707.



Item #8E

May 7, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN KETTLE, EXECUTIVE DIRECTOR

SUBJECT: TRESPASS REMOVAL POLICY

RECOMMENDATION:

- Approve Trespass Removal Policy.

BACKGROUND:

In October 2019, VCTC General Counsel's Office conducted a review of law regarding criminalizing behavior associated with homelessness and the removal of encampments. Counsel advised that, as long as proper notice and claims procedures are followed, VCTC may remove encampments from its property, and that VCTC rail operators may remove encampments and trespassers from their portion of the leased right-of-way via enforcement of trespass laws, providing notice and coordinating with local law enforcement and social service agencies. Counsel also prepared a draft Trespass Removal Policy in November 2019 based on a Bay Area Rapid Transit (BART) policy upheld in *Sullivan v. City of Berkeley*.

VCTC staff was in the process of coordinating with local partners to implement the policy, notably storage of personal property, when the COVID-19 global pandemic changed the landscape for government actions. In early 2020, the Centers for Disease Control and Prevention (CDC) issued guidance advising against removal of homeless encampments unless the individual(s) can be provided non-congregant shelter, to prevent the potential spread into the community of the virus that causes COVID-19. Given this guidance, VCTC did not remove homeless encampments on its property, principally railroad right-of-way.

Instead, VCTC staff worked to address the impacts of encampments to VCTC-owned property and the surrounding neighborhoods, such as removal of accumulated trash, and conducted prevention activities, such as tree pruning and weed abatement. During the first eight months of Fiscal Year 2020/2021 (July 1, 2020 – February 28, 2021), VCTC expended \$54,315.32 for trash removal, weed abatement, and tree pruning on the Santa Paula Branch Line (SPBL). It is not known what portion of the debris is generated by homeless encampments or illegal dumping; however, problem areas occur in proximity to observable encampments. Staff also communicated with the County Continuum of Care and other partners, requesting support from the Backpack Medicine team and other support to determine whether shelter or care is available for the encampment residents, but refrained from removing encampments.

However, in recent months, several incidents raised serious safety concerns for rail operations on the Santa Paula Branch Line railroad, notably two incidents where residents of nearby encampments jumped onto moving trains (one in which the individual was carrying a fuel can), and repeated incidents of an individual sleeping on the Santa Paula Creek Bridge. Fillmore & Western called police and the individuals were

arrested in each instance. Encampments have also caused damage to drainage structures and rail infrastructure and caused several small fires. Given these incidents of increasing severity, VCTC staff sought guidance from General Counsel on implementing the draft Trespass Removal Policy. General Counsel advised that VCTC and its rail operators may still remove homeless encampments provided that proper notice and claims procedures are followed.

DISCUSSION:

The Trespass Removal policy is presented for Commission approval. The purpose of the policy is to provide clarity and coordination around all aspects of trespass identification, removal, and storage of collected property located on VCTC property, which principally includes railway right-of-way property. General Counsel developed the policy in accordance with relevant case law concerning protection of personal property under the Constitution. The draft policy outlines identification, site inspection, notice, removal procedures, and personal property storage requirements. The policy designates the Executive Director as the VCTC Trespass Removal Official responsible for delegating removal responsibilities to Staff and contractors. The draft policy has been shared with rail right-of-way corridor cities, partner agencies, and law enforcement for awareness.

RECOMMENDATION:

Staff recommends approval of the Trespass Removal Policy as presented.

VENTURA COUNTY TRANSPORTATION COMMISSION TRESPASS POLICY

The purpose of this policy is to provide clarity and coordination around all aspects of trespass identification, removal and storage of collected property located on Ventura County Transportation Commission (“VCTC”) property which principally includes railway right-of-way property. This policy addresses the manner in which trespass items are removed, including which entities are involved in the process. The existence of trespassers on VCTC property presents unsafe and unhealthy conditions for these trespassers and impinges upon VCTC property interests and the safe use thereof.

In particular, health and safety concerns include, but are not limited to:

- Objective hazards to trespassers such as proximity to rail lines and steep slopes;
- Difficulty in extending emergency services to the trespass area due to factors such as location or density of the trespass;
- Fire hazards, including potential and actual fire activity;
- Presence of garbage, trash, or debris;
- Uncontrolled presence of needles, human waste, or other hazardous material;
- Vector hazards (e.g. rats); and
- Other active health hazards to trespassers and the surrounding community.

In addition, the trespass incident may have the following impacts on VCTC property:

- Obstruction of work scheduled at the VCTC property;
- Damage to environmentally critical areas; and
- Damage to public infrastructure.

The following Policy shall be followed to protect the constitutional rights of trespassers whose personal property remains on VCTC property after a Notice of Trespass expires.

I. Notice of Trespass

Incidents of trespass on VCTC property are to be reported to the Executive Director or the Executive Director’s designee (“VCTC Trespass Removal Official”).

Once the VCTC Trespass Removal Official receives notification of an incident of trespass, the following procedures shall be implemented.

II. Initial Assessment

Determine VCTC's interest in the property upon which the trespass is located, if any. A site inspection may be necessary.

- 1 . If VCTC owns the property in fee or possesses a permanent easement that includes the right to maintain and operate the property, then proceed to implement the steps outlined in this Policy.

2. If VCTC does not own the property in fee or does not possess a permanent easement that includes the right to maintain and operate the property, then review the form of property interest (e.g. lease, license agreement, etc.) to determine what entity is responsible for removing the trespass. If a third party is responsible for removal, notify such third party and request, in writing, that it remove the trespass.
3. Notify a contractor hired to assist VCTC with removal (“Removal Contractor”) that you are investigating a possible trespass and may be contacting them in the near future to remove it. Identify dates when the Removal Contractor is available to remove the trespass which shall be at least 72 hours after the date of the site inspection.

III. Site Inspection

1. Contact the appropriate law enforcement unit in the Sheriff’s Department or other applicable local police department and set up an appointment for a police officer/deputy sheriff to accompany the VCTC Trespass Removal Official and/or the Removal Contractor to the Property to assess the situation.
2. Inspect the site and confirm that the trespass is occurring on Property. A trespass exists if either personal items have been left by trespassers or trespassers are physically present.
3. Should shelter or other housing be available in the surrounding community, provide such information to the trespassers regarding the options.
4. Post the Property with the appropriate Trespass Notice attached hereto as Attachment B. The Trespass Notice is to be securely affixed to multiple locations on the Property, or as near as possible if access is restricted. If the apparent owner of the personal property is encountered while posting the Notice, hand him or her a copy of the Notice. More than one Trespass Notice may be necessary to cover the area on which the trespass is occurring.
5. Photograph the trespass, showing all personal property and debris, and the posted Notice(s) and create a trespass area summary which should include at a minimum:
 - a. Size of the trespass area (footprint)
 - b. Number of tents/structures/vehicles
 - c. Number of people
 - d. Presence of aggressive dogs
 - e. Presence of syringes
6. Mark the location of the trespass on a VCTC property map.
7. If the trespass is in a VCTC construction area, notify the project Engineer and Project Manager as soon as possible.

8. Notify VCTC Trespass Removal Official and appropriate law enforcement unit in the Sheriff's Department or applicable police department of the date the Notice was posted and date indicated on such Notice when trespass removal is scheduled to occur, if the trespass is not removed by such time.

IV. Trespass Removal

1. Request applicable law enforcement unit in the Sheriff's Department or police department to arrive at the Property 30-60 minutes prior to VCTC Trespass Removal Official and/or Trespass Contractor to encourage the trespassers to remove their personal property.
2. The VCTC Trespass Removal Official or Trespass Contractor shall photograph the trespass area prior to any removal.
3. If personal property is still being removed by the trespassers when VCTC Trespass Removal Official and/or Removal Contractor arrives, then the VCTC Trespass Removal Official shall instruct and supervise the Removal Contractor to remove debris first and allow the trespassers to continue removing their personal property. VCTC Trespass Removal Official shall further instruct and supervise the Removal Contractor to immediately dispose of belongings that are considered to be clearly debris or are unsafe for storage, such as food or food wrappers, soiled items, or used personal hygiene items. See the list of examples of items that shall be immediately discarded attached hereto as Attachment A.
4. All obvious illegal contraband or other evidence of a crime shall be turned over to the appropriate law enforcement unit in the Sheriff's Department or applicable police department.
5. Removal of Personal Property. The VCTC Trespass Removal Official and the Removal Contractor will not search through piles or bags of items for valuables or personal property, instead, personal property will be removed as follows:
 - a. Post Notice(s) of Collected Property attached hereto as Attachment C on the same locations in the trespass area as the Notices(s) of Trespass were posted.
 - b. Photograph any personal property removed.
 - c. If possible, bag the removed personal property and tag the bag. The tag should state the location from which the property was found, including the VCTC Parcel Number, Assessor's Parcel Number, City name, the nearest street and cross street, and the date that it was removed.
 - d. If the personal property cannot be bagged, then affix a tag to it including all the information as set forth in subsection c.

- e. The properly bagged and/or tagged personal property shall be transported to a secure storage location.
 - f. If the property seized requires refrigeration such as medications, then the items shall be stored during the 90 day period before destruction in appropriately refrigerated storage.
6. If trespassers are at the site during removal, then they should be provided with the inventory of the removed items, if possible, along with Notice(s) of Collected Property.
 7. The appropriate law enforcement unit in the Sheriff's Department or applicable police department will verify that all trespassers have left the Property during the removal, or will have the remaining trespassers leave.

V. Documentation

The VCTC Trespass Removal Official shall create a file to document all activities concerning the trespass. At a minimum the file should include:

1. A copy of the VCTC Right of Way Map with the location of the trespass marked.
2. A log listing by date all activities relating to the Property, including the details of all conversations, if any, with third parties, including the trespasser(s) or others, concerning the trespass and the date any personal property and debris were removed from the site by VCTC.
3. Photographs of the trespass area marked with the date each photograph was taken.
4. A copy of the Notice(s) posted at the site, with the date posted written in the upper right hand corner of the photograph.
5. An inventory of personal property removed from the Property including date, time and location of removal corresponding to the photographs taken during removal and location where the personal property was stored.

VII. Storage and Property Claims

1. The seized property shall be stored for a period of 90 days from the date of removal. If unclaimed at the end of that period, it shall be considered abandoned and thereafter permanently disposed of.
2. If an individual makes a claim to recover property from storage, he or she shall be required to describe property, state date and location of property from which it was removed and prove ownership as necessary.

3. If an individual seeks to recover property from storage and makes a request for a reasonable accommodation of program procedures based upon his/her disability, the VCTC shall process that request as it does all other reasonable accommodation requests.

VIII. Minimize Trespass

There are several ways to minimize the use of VCTC property by trespassers as follows:

1. Keep trees and shrubs trimmed back. Trespassers often live or loiter in areas protected by low hanging trees and/or defense shrub.
2. Seal/screen off any culverts large enough for a trespasser to sleep in.
4. Regularly inspect fencing and properties.

Attachment A:
Guidelines for Property Identification

VCTC Trespass Removal Official and Removal Contractor will not search through piles or bags of items for valuables or personal property.

Priority items to take to storage: *The following items are considered to have a good likelihood of being considered as valuable or personal property*

- ID/Social Security cards
- Medications
- Photos/Photo Albums
- Tax/medical records
- Jewelry
- Eyeglasses
- Purses/backpacks
- Suitcases
- Tents
- Phones
- Radios & Electronics
- Briefcases
- Tools
- Stoves & Generators
- Bicycles that are whole

All obvious illegal contraband or other evidence of a crime will be turned over to the appropriate law enforcement unit in the Sheriff's Department or other applicable police department.

Items that will not be taken to storage: *The following items are considered to be debris or are unsafe for storage*

- **Dirty or Soiled:** items that smell or are stained with urine, bodily waste, or mud
- **Perishable:** open food or personal products that will spoil or rot in storage
- **Contaminated:** items used for hygiene or other risk of biohazard (i.e. used toothbrushes, hairbrushes, washcloths and underwear)
- **Hazardous or Explosive:** items that could corrode or burn in storage (i.e. car batteries, gasoline cans, and propane tanks)
- **Broken or Disassembled:** items broken, damaged or stripped of parts (i.e. electronics stripped for copper, flat tires, torn up clothes, bicycle parts)
- **Weapons:** weapons will be turned over to the appropriate law enforcement unit in the Sheriff's Department or other applicable police department
- Food/beverage wrapper or containers
- Tissue/paper napkins
- Open household product containers
- Bedding/Sleeping Bag
- Pots & Pans
- Books
- Shopping carts

VCTC Trespass Removal Official shall use common sense when determining what is personal property and what is debris. If in doubt, consider the item personal property, as long as it does not pose a health or safety risk.

ATTACHMENT B
NOTICE OF TRESPASS

DATE: _____

NOTICE OF TRESPASS

TO ALL PERSONS USING THESE PREMISES:

You are trespassing on private property in violation of California Penal Code 602(m) and are hereby ordered to vacate the premises and PERMANENTLY remove all of your property.

ALL ITEMS NOT REMOVED WITHIN 72 HOURS OF THE DATE OF THIS NOTICE WILL BE REMOVED BY VCTC ON

_____.

CREWS WILL REMOVE ALL ITEMS REMAINING ON THE PROPERTY ON THE DATE SPECIFIED ABOVE OR THE NEXT BUSINESS DAY. ANY PERSONAL PROPERTY REMAINING ON THIS PROPERTY AT THE TIME OF REMOVAL WILL BE REMOVED FROM THE SITE AND STORED BY VCTC. HOWEVER, PROPERTY THAT IS UNSAFE OR HAZARDOUS TO STORE AS WELL AS PROPERTY THAT IS CONSIDERED DEBRIS WILL BE IMMEDIATELY DISCARDED. UNATTENDED WEAPONS, OBVIOUS ILLEGAL CONTRABAND AND OTHER EVIDENCE OF A CRIME WILL BE IMMEDIATELY CONFISCATED

IF YOU HAVE ANY QUESTIONS OR CONCERNS PLEASE CALL
[phone number of responsible person for coordinating a response
to trespass]

ATTACHMENT C
NOTICE OF COLLECTED PROPERTY

DATE: _____

NOTICE OF COLLECTED PROPERTY

TO ALL PERSONS USING THESE PREMISES:

A Notice of Trespass was posted at this location on _____. Pursuant to that Notice all personal property and debris remaining on VCTC Property after expiration of the Notice period has been collected.

Items considered by VCTC to be debris have been disposed of permanently.

Items considered by VCTC to be personal property will be stored by it and may be claimed no later than 90 days from the date of this Notice. All belongings not claimed within 90 days will be considered abandoned and will be disposed of permanently.

Personal property by be claimed by calling _____ at (____)____ - _____ between the hours of _____ and _____.

Prior to return of property, owners will be required to describe property, state date and location of property from which it was removed and prove ownership as necessary.



Item #8F

May 7, 2021

TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: STEVE MATTAS, GENERAL COUNSEL
SUBJECT: EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT FOURTH AMENDMENT

RECOMMENDATION:

- It is recommended that the Ventura County Transportation Commission ("Commission") adopt a resolution approving the Fourth Amendment to the Executive Director's Employment Agreement.

BACKGROUND:

The Ventura County Transportation Commission ("VCTC") and Darren Kettle ("Executive Director") entered into an Employment Agreement dated September 14, 2007 (the "Employment Agreement"). VCTC approved a First Amendment to the Employment Agreement, dated April 3, 2009; a Second Amendment to the Employment Agreement, dated October 2, 2015; and a Third Amendment to the Employment Agreement dated June 7, 2017. Modifications to the Executive Director's compensation have previously occurred as part of either a COLA provided to all employees or a merit/salary comparison increase based on his service and comparison of his compensation to other public agency (city, county, transportation agencies) directors/executive managers.

The Commission requested that I prepare for consideration by the Commission an amendment to the Executive Director's employment agreement to increase his annual salary to \$263,775. The proposed amendment is included as Exhibit A to the attached resolution and is referenced herein as the Fourth Amendment. The proposed increase includes three percent merit/market rate adjustment based on a salary comparison survey of other public agency managers and directors in Ventura County and in transportation agencies in southern and central California and the inclusion of a cost of living adjustment provided to other employees of VCTC as of July 1, 2021. The Executive Director's employment contract provides that he is entitled to receive the same cost of living adjustment ("COLA") provided to other Commission employees. The Executive Director's last COLA adjustment was approved in June 2018.

VCTC annually adopts a salary schedule for all positions as part of the annual budget adoption process. The attached resolution also authorizes staff to update the salary schedule to include the salary authorized pursuant to the Fourth Amendment to the Employment Agreement. Finally, the Fourth Amendment also authorizes the Executive Director to participate with other employees in an annual excess accrued vacation buy-out program that staff will propose to the Commission at the June meeting. This section would only be operative if the program is approved by the Commission at the June meeting. We have included the authorizing language in the proposed Fourth Amendment so that a further amendment to the Executive Director's contract is not necessary next month. Currently the VCTC Personnel Policies and Procedures state that "Employees may accrue vacation leave up to the maximum amount of 320 hours. This cap amount may be waived by the executive director on a case-by-case basis due to workload, staffing constraints, or unusual vacation plans if requested in advance in writing. Some

staff, including the Executive Director, are often at or near the annual vacation accrual cap. This cash pay-out would provide an alternative to case-by-case determination that allows exceeding the vacation accrual cap.

RESOLUTION NO. 2021 - 06

**A RESOLUTION OF THE VENTURA COUNTY
TRANSPORTATION COMMISSION APPROVING THE FOURTH AMENDMENT TO
EMPLOYMENT AGREEMENT BETWEEN THE VENTURA COUNTY TRANSPORTATION
COMMISSION AND DARREN KETTLE AND APPROVING AN AMENDMENT TO
SALARY SCHEDULE TO INCORPORATE THE TERMS OF THE FOURTH AMENDMENT.**

WHEREAS, the Ventura County Transportation Commission ("VCTC") and Darren M. Kettle ("Executive Director") agreed to an employment agreement ("Employment Agreement") on September 14, 2007, under which Mr. Kettle serves as the Executive Director of VCTC; and

WHEREAS, VCTC approved a First Amendment to the Executive Director's Employment Agreement on April 3, 2009; a Second Amendment to the Employment Agreement, dated October 2, 2015; and a Third Amendment to the Employment Agreement dated June 7, 2017; and

WHEREAS, Section 5.1 of the Agreement specifies Mr. Kettle's annual compensation and states that such compensation may be adjusted from time to time in accordance with Section 5.3 of the Agreement, which requires an affirmative vote of a minimum of nine (9) Commissioners to effectuate an increase in the Executive Director's annual salary; and

WHEREAS, VCTC desires to increase the Executive Director's annual compensation with a three (3) percent cost of living increase and a three (3) percent merit/salary comparison increase, both of which are effective as of July 1, 2021, for an annual salary of \$263,775, and

WHEREAS, staff intends to present a proposal to the Commission as part of the FY 21-22 budget to amend the VCTC Personnel Policies and Procedures to establish a vacation cash-out policy for accrued vacation time that is in excess of mandated annual accrual limits and whereas this modification would be applicable to the Executive Director when the policy change is adopted; and

WHEREAS, VCTC and the Executive Director have agreed to an amendment to the Executive Director's Employment Contract reflecting this compensation increase and authorization for the Executive Director's payment for accrued benefits to mirror the benefits provided to other Commission employees.

NOW, THEREFORE, BE IT RESOLVED BY THE VENTURA COUNTY TRANSPORTATION COMMISSION:

1. All sections of the Agreement entered into on September 14, 2007, the First Amendment entered into April 3, 2009, the Second Amendment entered into October 2, 2015; and the Third Amendment entered into June 7, 2017, remain in effect except as amended by the Fourth Amendment attached hereto as Exhibit A.
2. VCTC hereby approves the Fourth Amendment to the Employment Agreement of the Executive Director, attached hereto as Exhibit A.
3. The Chairperson of VCTC is hereby authorized and directed to execute the Fourth Amendment to the Employment Agreement of the Executive Director.
4. Staff is authorized and directed to incorporate the revised annual salary for the Executive Director into the VCTC Salary Schedule.

PASSED, APPROVED, AND ADOPTED this 7th day of May, 2021.

KELLY LONG, Chair, VCTC

ATTEST:

Roxanna Ibarra, Clerk

APPROVED AS TO FORM:

Steve Mattas, General Counsel

**FOURTH AMENDMENT TO EMPLOYMENT AGREEMENT
BETWEEN THE VENTURA COUNTY TRANSPORTATION COMMISSION AND
DARREN KETTLE**

This FOURTH AMENDMENT TO EMPLOYMENT AGREEMENT is made and entered into this ___ day of May, 2021, by and between the VENTURA COUNTY TRANSPORTATION COMMISSION (hereinafter "VCTC") and DARREN KETTLE, an individual (hereinafter "Executive Director"). All sections of the Employment Agreement, entered into on September 14, 2007; the First Amendment to the Employment Agreement, dated April 3, 2009; the Second Amendment to the Employment Agreement, dated October 2, 2015; and the Third Amendment to the Employment Agreement dated June 7, 2017, remain in effect except as amended below.

Section 5.1 of the Employment Agreement is hereby amended to read as follows:

5.0 Salary

5.1 Annual Compensation. Effective as of July 1, 2021, VCTC agrees to compensate Executive Director for his services rendered at an annual salary of Two Hundred Sixty Three Thousand, Seven Hundred and Seventy-Five Dollars (\$263,775) as may be adjusted, from time-to-time, in accordance with Section 5.3 of the Employment Agreement, or as the Employment Agreement may be amended.

Section 9.1, related to Vacation Leave, is hereby amended to read as follows:

9.1 Vacation Leave. Executive Director shall accrue vacation leave as set forth in Section 10.2.2.1 of the VCTC Personnel Policies and Procedures as the same may be modified for all Commission employees by resolution of the Commission from time to time. Executive Director shall also participate in any excess vacation accrual cash buy-out policy adopted by the Commission.

Section 9.1A is not modified by the amendment.

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

VENTURA COUNTY TRANSPORTATION COMMISSION:

Kelly Long, VCTC Chairperson

Date

DARREN KETTLE:

Darren M. Kettle, Executive Director

Date

APPROVED AS TO FORM:

Steve Mattas, General Counsel

Date _____

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Item #9

MAY 7, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

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

SUBJECT: LEGISLATIVE UPDATE

RECOMMENDATION:

Adopt a “support” position on Senate Bill 790 – Wildlife Connectivity Mitigation Credits: Advance Mitigation Program (Stern)

DISCUSSION:

Federal Issues

In March, the Biden administration announced the American Jobs Plan, a \$2 trillion infrastructure proposal. The plan as proposed includes \$621 billion for transportation, including \$85 billion for public transit. In April, Senate Republicans released their own infrastructure proposal, a smaller plan at \$568 billion, including \$61 billion for transit. Both proposals are being reviewed by members of Congress, and negotiations are expected to continue over the next few months.

State Issues

Senate Bill 790

As development and climate change continue to alter the landscape of California, more attention is being paid to strategies and mitigations to protect wildlife and to help animals connect to critical habitat. The reasons for this include to promote genetic diversity among species as well as to prevent collisions between vehicles and wildlife. For more than 20 years, wildlife experts have tracked and studied the mountain lion population in the Santa Monica Mountains, including in the area along U.S. 101, because of obstacles the mountain lions face trying to cross highways and navigate developments to reach new territory.

Senate Bill 790 was introduced by Sen. Henry Stern, a member of Ventura County’s legislative delegation whose district includes eastern and northern Ventura County. The bill would require the Department of Fish and Wildlife, in consultation with the California Department of Transportation

(Caltrans), to provide compensatory mitigation credits to support planning and modification and projects on the state highway system that improve local and regional habitat connectivity and result in fish passage, wildlife connectivity, and other environmental improvements.

The Ventura County Transportation Commission (VCTC) in 2018 began studying alternatives to improve U.S. 101 along a 27-mile stretch from Thousand Oaks to Ventura. VCTC staff believes SB 790 could provide the highway improvement project with another tool to facilitate mitigation measures.

VCTC staff also analyzed Assembly Bill 1189, a wildlife-corridor bill proposed by Assembly member Richard Bloom of Santa Monica. Staff concluded that because the bill is focused on wildlife crossing projects that receive substantial private funding, it does not pertain to VCTC's highway improvement program.

Staff recommends that the Commission adopt a "support" position on Senate Bill 790. Attachment A is an analysis of SB 790 by Delaney Hunter, the Commission's state lobbyist.

Other state issues

State legislators continue to work their way through the thousands of bills introduced this session. No final determination has been made on trailer bill language that, if adopted, would extend some transit regulatory relief passed in 2020 in response to the impact of the pandemic.

In November of 2020, the nonpartisan Legislative Analyst's Office reported that the California Legislature expected to have a \$26 billion general fund windfall in the Fiscal Year 2021-22 budget. California Transportation Commission member Bob Alvarado has proposed that \$2 billion from the budget surplus be put toward the state's Active Transportation Program, which consistently has more applications for project funding than it is able to accommodate. Ventura County has benefited from the Active Transportation Program in the past, including funding for the Potrero Road bike lanes near Thousand Oaks and the Tenth Street bicycle and pedestrian improvements in Santa Paula. VCTC staff believes putting \$2 billion toward ATP is a good use of one-time funds and has sent a letter of support to Assembly and Senate leaders, as well as to Ventura County's state delegation.

Attachment B is the monthly legislative report of Hunter.

SB 790 (Stern)**Summary:**

SB 790 by Senator Stern would require the Department of Fish and Wildlife (DFW), in consultation with Caltrans, to provide compensatory mitigation credits to support modifications and planning of projects on the state highway system that improve local and regional habitat connectivity and result in fish passage, wildlife connectivity, and other environmental improvements.

Purpose:

California's wildlife is being killed at an alarming rate due to their need to cross roadways in search of suitable habitats. Transportation and wildlife agencies can work together to reduce barriers for wildlife to cross roadways, but often lack the appropriate incentives to invest in these types of projects. In addition, they are not always able to access existing mitigation financing tools needed to install these solutions. Accessing mitigation financing tools to reduce wildlife- vehicle collisions are a challenge for state agencies because: State agencies are not equipped to quantify the value of incorporating crossing features into transportation projects; and while there are significant funds available for advanced mitigation through SB 1, use of those funds is limited to specified uses, including implementation of Regional Conservation Investment Strategies (RCIS). Unfortunately, many highways where there are critical wildlife connection needs are in areas of the state which do not currently have an RCIS.

This bill would ensure that state agencies are equipped to access mitigation funds for projects that reduce wildlife-vehicle collisions and would utilize the mitigation credit program to address existing barriers and offset significant CEQA impacts of future projects that impact wildlife connectivity. This program is modeled off a one-time agreement between Caltrans and CDFW used for the Laurel Curve Wildlife Crossing. Expanding this model to other Caltrans projects would allow that model to be replicated across the state. Specifically, this bill would: Ensure that wildlife connection highway safety projects are explicitly eligible for SB 1 funds; Direct CDFW to develop mitigation credits that support solutions to highway wildlife- vehicle collisions and wildlife conservation by funding connectivity projects; and authorize CDFW to provide Caltrans credits for projects that reduce or eliminate wildlife connectivity barriers along state roadways.

Existing Law:

Existing law vests the Department of Fish and Wildlife (DFW) with jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. Existing law vests the Department of Transportation (Caltrans) with full possession and control of the state highway system. Existing law creates the Advance Mitigation Program in Caltrans to enhance communications between Caltrans and stakeholders to protect natural resources through project mitigation, to meet or exceed applicable environmental requirements, to accelerate project delivery, and to mitigate, to the maximum extent required by law, environmental impacts from transportation infrastructure projects. Existing law creates the Advance Mitigation Account and continuously appropriates moneys in the account for purposes of the program. Existing law authorizes funds in the account to be used for specified activities, including, among other things, for purchasing, or funding the purchase of, credits from mitigation banks, conservation banks, or in-lieu fee programs approved by one or more regulatory agencies and, under certain circumstances, for implementing, or funding the implementation of, advance mitigation.

Related Legislation:

AB 1282 (Mullin, 2017) required the creation of a Transportation Permitting Task Force to explore ways to improve the efficiency and effectiveness of permitting for transportation projects, while protecting our state's natural resources. Pursuant to AB 1282, the Task Force released their 2019 Final Report which makes recommendation to optimize advance mitigation strategies.

Support/Opposition:

Action for Animals, Amah Mutsun Tribal Band, Animal Legal Defense Fund, Animal Welfare Institute, Animazonia Wildlife Foundation, Arroyos & Foothills Conservancy, Biodiversity First!, Brentwood Alliance of Canyons & Hillside, California Chaparral Institute, California Council for Wildlife Rehabilitators, California Institute for Biodiversity, California Waterfowl Association, California Wildlife Center, California Wildlife Foundation, Center for Biological Diversity, Citizens for Los Angeles Wildlife (CLAW), City of Thousand Oaks, Coastal Ranges Conservancy, Cougar Conservancy, County of Ventura Second District County Supervisor Linda Parks, Endangered Habitats League, Escondido Creek Conservancy, the Extinction Rebellion, San Francisco Bay Felidae Conservation Fund, Friends of Harbors, Beaches and Parks, Happy Hen Animal Sanctuary, Hills for Everyone, In Defense of Animals, Live Oak Association, Inc., Los Padres Forest Watch, Madrone Audubon Society, Midpeninsula Regional Open Space District, Mojave Desert Land Trust, National Wildlife Federation, Nature for All, North County Watch, Ojai Valley Green Coalition, Pathways for Wildlife, Paula Lane Action Network, People for the Ethical Treatment of Animals, Placer Land Trust Planning and Conservation League, Poison Free Agoura, Poison Free Malibu, Preserve Wild Santee, Protect San Benito, Raptors are the Solution, San Bernardino Valley Audubon Society, Santa Barbara Audubon Society, Santa Clara Valley Audubon Society, Santa Clara Valley Open Space Authority, Santa Susana Mountain Park Association, Sierra Club California, Social Compassion in Legislation, Sonoma County Agricultural Preservation and Open Space District, Temescal Canyon Association, The Cougar Fund, The Federation of Hillside and Canyon Associations, INC., The Human Society of the United States, The Trust for Public Land, City of Thousand Oaks, Ventana Wilderness Alliance, Voters for Animal Rights, Western Watersheds Project, Wildcare, Wildfutures, Wildlands Network, Wishtoyo Foundation



CALIFORNIA ADVISORS, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION MONTHLY STATE ADVOCACY REPORT APRIL 2021

Legislative Update

The legislative session is fully underway, and policy committees have begun their lengthy hearings to discuss all the bills that have been introduced this year. Throughout March and the beginning of April, legislators have worked to develop their legislative priorities and hundreds of “spot bills” have been amended with substantive language. Those legislative vehicles have started to take shape and several key issues have surfaced as a high priority for the Legislature this year, including transportation funding, affordable housing, and COVID-19 recovery.

In addition to these larger topics of importance, there are currently 1,724 Assembly bills and 905 Senate bills moving through the process. The deadline to move legislation out of the first house policy committee for bills that are tagged fiscal is April 30th. As a result, the last two weeks of April consisted of lengthy hearings where a majority of bills were heard for the first time. For bills that are referred to more than one policy committee, there is a quick turnaround from one hearing to the next. Once advancing out of the policy committee stage, legislation will move to the respective Appropriations Committee for a debate on the fiscal aspects of the bill. The month of May will be focused on these fiscal issues, including a hearing on the Suspense File – where bills with a larger price tag are often held in Committee. The nearly three thousand number bill count will be significantly reduced after the suspense hearings in the Senate and Assembly. California Advisors will continue to update VCTC on new amendments to bills, newly introduced legislation, and the outcome of these upcoming policy committee hearings.

Finally, Assemblymember Rob Bonta was sworn in as the 34th Attorney General on April 23rd. His nomination sailed through both houses of the Legislature and he was easily confirmed by his former colleagues. Bonta becomes the first Filipino American to serve as Attorney General. As he assumes his new role, this will kick-off yet another special election to fill the 18th Assembly District seat. The Governor will announce the special election schedule in the coming weeks.

Upcoming Bill Deadlines and 2 Year Bills

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: 3/18/2021-Re-referred to Committee on Transportation

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: 4/20/2021-Coauthors revised. From committee: Do pass and re-refer to Committee on Appropriations (Ayes 15. Noes 0.) (April 19). Re-referred to Committee on Appropriations

Summary: Current law establishes various default speed limits for vehicles upon highways, as specified. Current law authorizes state and local authorities to adjust these default speed limits, as specified, based upon certain findings determined by an engineering and traffic survey. Current law defines an engineering and traffic survey and prescribes specified factors that must be included in the survey, including prevailing speeds and road conditions. This bill would require local authorities to consider other factors, including pedestrian and bicycle safety, that are allowed but not required to be considered under existing law. The bill would also allow local authorities to consider additional factors, including the current or immediately prior speed limit, as specified.

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

Introduced: 1/28/2021

Status: 4/19/2021-Re-referred to Committee on Local Government

Summary: The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Under existing law, a member of the legislative body who attends a meeting where action is taken in violation of this provision, with the intent to deprive the

public of information that the member knows the public is entitled to, is guilty of a crime. This bill would require all meetings to include an opportunity for members of the public to attend via a telephonic option and an internet-based service option. The bill would require all meetings to include an in-person public comment opportunity, except in specified circumstances during a declared state or local emergency. The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation in person and remotely via a telephonic and an internet-based service option, as provided, and would specify requirements for public comment registration.

AB 346 (Seyarto R) Privacy: breach.

Introduced: 1/28/2021

Status: 4/8/2021-In committee: Set, first hearing. Hearing canceled at the request of author.

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: 4/7/2021-Re-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: 4/19/2021-Read second time. Ordered to Consent Calendar.

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. This bill would include, in the list of facilities and projects the district may fund, the acquisition, construction, or repair of commercial structures by the small business, as defined,

occupant of such structures, if certain conditions are met, and facilities in which nonprofit community organizations provide health, youth, homeless, and social services.

AB 473 (Chau D) California Public Records Act.

Introduced: 2/8/2021

Status: 4/5/2021-Re-referred to Com. on APPR. pursuant to Assembly Rule 97.

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: 4/5/2021-Re-referred to Com. on APPR. pursuant to Assembly Rule 97.

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 550 (Chiu D) Vehicles: Speed Safety System Pilot Program.

Introduced: 2/10/2021

Status: 4/19/2021-Re-referred to Com. on TRANS.

Summary: Would authorize, until January 1, 2027, the Cities of Los Angeles, Oakland, San Jose, two other cities in southern California, and the City and County of San Francisco to establish the Speed Safety System Pilot Program for speed limit enforcement in certain areas, if the system meets specified requirements, including that the presence of a fixed or mobile system is clearly identified. The bill would require the participating cities or city and county to adopt a Speed Safety System Use Policy and a Speed Safety System Impact Report before implementing the program, and would require the city or city and county to engage in a public information campaign at least 30 days before implementation of the program, including information relating to when the systems would begin detecting violations and where the systems would be utilized. The bill would require the participating cities or city and county to issue warning notices rather than notices of violations for violations detected within the first 30 calendar days of the program.

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

Introduced: 2/11/2021

Status: 4/14/2021-In committee: Set, first hearing. Hearing canceled at the request of author.

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: 4/6/2021-From committee: Do pass and re-refer to Committee on Appropriation with recommendation: To Consent Calendar. (Ayes 14. Noes 0.) (April 5). Re-referred to Committee on Appropriation

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 713 (Garcia, Cristina D) State Air Resources Board: greenhouse gas emissions scoping plan: comprehensive health analysis.

Introduced: 2/16/2021

Status: 4/15/2021-Re-referred to Committee on Natural Resources pursuant to Assembly Rule 96.

Summary: The State Air Resources Board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would require the state board to conduct a comprehensive health analysis in conjunction with the development of each update of the scoping plan that includes a framework to provide an overview of the breadth of health impacts and health benefits that may accrue from the actions in the scoping plan and the pathways through which various policy actions may result in health impacts or health benefits, as specified.

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: 4/15/2021-From committee: Do pass and re-refer to Committee on Transportation (Ayes 8. Noes 0.) (April 14). Re-referred to Committee on 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 and would instead apply this requirement to contracts that include operation and maintenance elements.

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

Introduced: 2/16/2021

Status: 4/15/2021-Read second time. Ordered to Consent Calendar.

Summary: CEQA requires, if an environmental impact report is required, the lead agency to mail a notice of determination to each responsible agency, the Office of Planning and Research, and public agencies with jurisdiction over natural resources affected by the project. CEQA requires the lead agency to provide notice to the public and to organizations and individuals who have requested notices that the lead agency is preparing an environmental impact report, negative declaration, or specified determination. CEQA requires notices for an environmental impact report to be posted in the office of the county clerk of each county in which the project is located. This bill would instead require the lead agency to mail or email those notices, and to post them on the lead agency's internet website. The bill would also require notices of an environmental impact report to be posted on the internet website of the county clerk of each county in which the project is located. ebsite.

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

Introduced: 2/16/2021

Status: 3/22/2021-Re-referred to Committee on Public Safety

Summary: Current law requires a sexually violent predator who is conditionally released to be placed in the county that was the person's county of domicile prior to the person's incarceration, unless extraordinary circumstances exist requiring placement outside the county, as specified. This bill would require advance notice, as specified, if a sexually violent predator is to be released to a county other than their county of domicile. The bill would require the local jurisdiction to give public notice of the intended release and allow for public comment, as specified. The bill would require the court to hold an evidentiary hearing to determine if extraordinary circumstances exist.

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: 4/20/2021-Re-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, emergency

shelters, or feeding programs, as specified. The bill would exempt these sales from the California Environmental Quality Act.

AB 955 (Quirk D) Highways: encroachment permits.

Introduced: 2/17/2021

Status: 4/13/2021-From committee: Do pass and re-refer to Committee on Communications and Conveyance with recommendation: To Consent Calendar. (Ayes 15. Noes 0.) (April 12). Re-referred to Committee on Communications and Conveyance

Summary: Would establish additional procedures for the Department of Transportation's review of an application for an encroachment permit for a broadband facility. Under the bill, these procedures would require the department, among other things, to notify an applicant in writing whether the application is complete within 30 days of receiving an application, to take certain actions if it deems an application incomplete, and to approve or deny an application that requires supplemental information within 30 days after receiving that information. If the department fails to notify the applicant that the application is incomplete or denied, as applicable, within those 30-day time periods, the bill would deem the department's failure to notify to constitute approval of the permit.

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

Introduced: 2/18/2021

Status: 4/13/2021-From committee: Do pass and re-refer to Committee on Appropriations (Ayes 15. Noes 0.) (April 12). Re-referred to Committee on Appropriations

Summary: Would require the Department of Transportation and a local agency that has jurisdiction over a street or highway, to the extent feasible and cost effective, to use advanced technologies and material recycling techniques that reduce the cost of maintaining and rehabilitating streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method. The bill would require, on and after January 1, 2025, a local agency that has jurisdiction over a street or highway, to the extent feasible, to apply standard specifications that allow for the use of recycled materials in streets and highways, as specified. By increasing the duties of local agencies, this bill would impose a state-mandated local program.

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

Introduced: 2/18/2021

Status: 4/20/2021-From committee chair, with author's amendments: Amend, and re-refer to Committee on Jobs, Economic Development, and the Economy. Read second time and amended.

Summary: Would require a civil infrastructure project, as defined, with a project cost greater than \$50,000,000 that receives any state funding and begins preconstruction activities after January 1, 2022, to deploy digital construction management technologies, as defined. The bill would require an awarding agency to require a bid or proposal for a civil infrastructure project contract to include a digital construction management plan that describes how the bidder would utilize digital construction management technology to significantly reduce project cost, improve project delivery times, or increase project quality, as specified. The bill would require a state agency that constructs or manages a civil infrastructure project to develop a comprehensive multiyear and multidiscipline plan to fully integrate and deploy digital construction management technologies across the agency by January 1, 2025, as specified.

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

Introduced: 2/18/2021

Status: 4/6/2021-From committee: Do pass and re-refer to Committee on Appropriations with recommendation: To Consent Calendar. (Ayes 14. Noes 0.) (April 5). Re-referred to Committee on Appropriations

Summary: Would require the Transportation Agency to improve the capability of the SB 1 internet website hosted by the agency to provide a comprehensive one-stop reporting interface available to the public. The bill would require the interface to provide timely fiscal information compiled from data provided by each administering agency regarding the development and implementation status of each transportation program or project funded, at least in part, by revenues from SB 1.

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: 3/26/2021-Re-referred to Committee on Natural Resources

Summary: The State General Obligation Bond Law contains procedures for use in authorizing the issuance, sale, and providing for the repayment of, state general obligation bonds. Current law establishes various funds in the State Treasury for purposes of providing financial incentives to eligible entities for specified purposes. This bill would require the administration of proceeds from the sales of bonds issued under a bond act that is enacted by the Legislature and is approved by the voters on or after January 1, 2022, pursuant to the State General Obligation Bond Law and that addresses environmental issues, and the administration of certain funds established on or after January 1, 2022, that provide financial assistance to eligible entities to incorporate certain principles of environmental equity.

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: 4/14/2021-From committee: Do pass and re-refer to Committee on Appropriations (Ayes 8. Noes 3.) (April 14). Re-referred to Committee on Appropriations.

Summary: Current law requires the Strategic Growth Council, by January 31, 2022, to complete an overview of the California Transportation Plan and all sustainable communities strategies and alternative planning strategies, an assessment of how implementation of the California Transportation Plan, sustainable communities strategies, and alternative planning strategies will influence the configuration of the statewide integrated multimodal transportation system, and a review of the potential impacts and opportunities for coordination of specified funding programs. This bill would require the council to convene key state agencies, metropolitan planning agencies, and local governments to assist the council in completing the report.

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: 4/6/2021-From committee: Do pass and re-refer to Committee on Appropriations with recommendation: To Consent Calendar. (Ayes 14. Noes 0.) (April 5). Re-referred to Committee on Appropriations

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: 4/13/2021-Re-referred to Committee on Transportations

Summary: Current law prohibits a pedestrian from entering the roadway if the pedestrian is facing a steady circular yellow or yellow arrow warning signal unless otherwise directed by a pedestrian control signal, as specified. This bill would delete that prohibition.

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

Introduced: 2/19/2021

Status: 4/12/2021-From committee: Do pass and re-refer to Committee on Appropriations with recommendation: To Consent Calendar. (Ayes 22. Noes 0.) (April 8). Re-referred to Committee on Appropriations

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: From committee: Do pass and re-refer to Committee on Transportations with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (April 13). Re-referred to Committee on Transportations

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: 4/6/2021-From committee: Do pass and re-refer to Committee on Appropriations with recommendation: To Consent Calendar. (Ayes 14. Noes 0.) (April 5). Re-referred to Committee on Appropriations

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: 4/8/2021-Referred to Committee on Natural Resources

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: 4/14/2021-From committee: Do pass and re-refer to Committee on Appropriations (Ayes 9. Noes 0.) (April 13). Re-referred to Committee on Appropriations.

Summary: Would establish specified procedures for the administrative and judicial review of the environmental review and approvals granted for an environmental leadership transit project, as defined,

proposed by a public or private entity or its affiliates. The bill 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: 4/16/2021-Set for hearing April 27.

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 and transit 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 22 additional members, selected by the chair or designated, as specified.

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

Introduced: 1/27/2021

Status: 4/19/2021-April 27 hearing postponed by committee.

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: 4/20/2021-Read second time. Ordered to consent calendar.

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: 4/13/2021-From committee: Do pass and re-refer to Committee on Appropriations (Ayes 10. Noes 4.) (April 13). Re-referred to Committee on Appropriations

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: 4/12/2021-From committee: Do pass and re-refer to Committee on Governance and Finance (Ayes 5. Noes 0.) (April 12). Re-referred to Committee on Governance and Finance.

Summary: Current law establishes the South Coast Air Quality Management District vested with the authority to regulate air emissions from stationary sources located in the South Coast Air Basin and establishes a district board, consisting of 13 members. This bill would add 2 members to the district board, appointed by the Senate Committee on Rules and the Speaker of the Assembly. The bill would require the 2 additional members to reside in and work directly with communities in the South Coast Air Basin that are disproportionately burdened by and vulnerable to high levels of pollution and issues of environmental justice.

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

Introduced: 2/12/2021

Status: 4/5/2021-From committee with author's amendments. Read second time and amended. Re-referred to Committee on Transportation

Summary: The Community Services District Law authorizes the formation of community services districts for various specified purposes including acquiring, constructing, improving, and maintaining streets, roads, and any incidental works. Current law grants a district that acquires, constructs, improves, and maintains streets, roads, and any incidental works the powers, duties, and authority of a county for those works. This bill would require a county that forms a community services district to maintain public roads within the district to report the mileage of the roads maintained by the district to the Department of Transportation as maintained county highways. The bill would require the Controller to deem those roads reported by a county, and certified by the department, to be maintained county roads for purposes of apportioning funds from the Highway Users Tax Account and the Road Maintenance and Rehabilitation Account.

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

Introduced: 2/17/2021

Status: 4/8/2021-Set for hearing April 26.

Summary: Would require the State Air Resources Board, on or before June 30, 2023, and in coordination with the California Transportation Commission and the Department of Housing and Community Development, to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years. The bill would delete the provisions related to the Regional Targets Advisory Committee and instead require the State Air Resources Board to appoint, on or before January 31, 2022, the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The bill would require the State-Regional Collaborative for Climate, Equity, and Resilience to develop a quantitative tool for metropolitan planning organizations to use to evaluate a transportation plan's consistency with long-range greenhouse gas emission reduction targets and recommend guidelines for metropolitan planning organizations to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity.

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

Introduced: 2/17/2021

Status: 4/7/2021-April 12 set for first hearing canceled at the request of author.

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: 4/20/2021-Read second time and amended. Re-referred to Committee on Governance and Finance

Summary: Current sales and use tax laws impose taxes on retailers measured by gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, measured by sales price. The Sales and Use Tax Law defines the terms "gross receipts" and "sales price." would, for sales made prior to January 1, 2032, exclude from the terms "gross receipts" and "sales price" for purposes of the Sales and Use Tax Law the amount charged for the purchase of a new on-road medium- or heavy-duty zero-emission truck that is in excess of the amount that would be charged for an equivalent new medium- or heavy-duty diesel or gasoline truck, as determined by the State Air Resources Board.

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: 4/15/2021-Set for hearing April 29.

Summary: The Second Neighborhood Infill Finance and Transit Improvements Act, or NIFTI-2, authorizes a city or county to adopt a resolution to allocate its tax revenues to an enhanced infrastructure financing district, including revenues derived from local sales and use taxes imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or transactions and use taxes imposed in accordance with the Transactions and Use Tax Law, if certain conditions are or will be met. Among those conditions, existing law includes requirements that the area financed with those funds is

within 1/2 mile of a major transit stop, as specified, and that the boundaries of the enhanced infrastructure financing district are coterminous with the city or county that established the district. Current law also requires the infrastructure financing plan to require specified minimum percentages of the funds to be used to develop affordable housing, as specified, and to give first priority to income-qualified households displaced from the district, as specified, and secondary priority to households with a member or members employed within 2 miles of the district. Current law authorizes the remaining funds to be used for certain affordable housing, mixed-use, transit, or greenhouse gas emission reduction related projects or programs. This bill would revise NIFTI-2 to, among other things, remove the requirements that the area financed be within 1/2 mile of a major transit stop and that the boundaries of the district be coterminous with the city or county.

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

Introduced: 2/18/2021

Status: 4/13/2021-From committee: Do pass and re-refer to Committee on Appropriations (Ayes 16. Noes 0.) (April 13). Re-referred to Committee on Appropriations

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: 4/20/2021-April 19 hearing: Placed on Appropriations suspense file.

Summary: Current law requires the Division of Occupational Safety and Health to issue a citation for a violation of provisions relating to the spraying of asbestos, or any standard, rule, order, or regulation established pursuant to specified provisions of the California Occupational Safety and Health Act of 1973 if, upon inspection or investigation, the division believes that an employer has committed a violation. Existing law imposes penalties of certain maximum amounts depending on whether the violation is serious, uncorrected, or willful or repeated. Current law authorizes the division to seek an injunction restraining certain uses or operations of employment that constitute a serious menace to the lives or safety of persons, as specified. This bill, instead, would require the division to issue a citation for a violation of provisions relating to the spraying of asbestos, certain employment safety related provisions of the Labor Code, or any standard, rule, order or regulation established pursuant to specified provisions of the California Safety and Health Act of 1973 or other safety related provisions of the Labor Code if, upon inspection or investigation, or upon evidence or documents obtained by the division in lieu of or in addition to an on-site inspection, the division believes that an employer has committed a violation.

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

Introduced: 2/19/2021

Status: 4/13/2021-From committee: Do pass and re-refer to Committee on Appropriations with recommendation: To consent calendar. (Ayes 16. Noes 0.) (April 13). Re-referred to Committee on Appropriations

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 propose 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: 4/12/2021-From committee with author's amendments. Read second time and amended. Re-referred to Committee on 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. This bill would provide that an employer may distribute any required posting or notice by email with the document or documents attached and would specify that this does not alter the employer's existing responsibilities to physically display a required posting or notice.

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

Introduced: 2/19/2021

Status: 4/15/2021-Set for hearing April 26.

Summary: Would establish the Clean Freight Corridor Efficiency Assessment, to be developed by the California Transportation Commission, in coordination with other state agencies. In developing the assessment, the bill would require the commission to identify freight corridors, or segments of corridors, throughout the state that would be priority candidates for the deployment of zero-emission medium- and heavy-duty vehicles. The bill would require the commission to submit a report containing the assessment's findings and recommendations to certain committees of the Legislature by December 31, 2023. The bill would require the assessment's findings and recommendations to be incorporated into the development of the California Transportation Plan.

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

Introduced: 2/19/2021

Status: 4/19/2021-From committee with author's amendments. Read second time and amended. Re-referred to Committee on Transportation

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: 4/14/2021-Read second time and amended. Re-referred to Committee on Rules

Summary: Current law vests the Department of Fish and Wildlife (DFW) with jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. Current law vests the Department of Transportation (Caltrans) with full possession and control of the state highway system. This bill would require DFW, in consultation with Caltrans, to provide compensatory mitigation credits to support modifications and planning of projects on the state highway system that improve local and regional habitat connectivity and result in fish passage, wildlife connectivity, and other environmental improvements.

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: 4/7/2021-Referred to Committees on Budget and Fiscal Review and Elections and Constitutional Amendments

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.



Item #10

May 7, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)
FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR
JENI EDDINGTON, TRANSIT PLANNER
SUBJECT: DRAFT VCTC 2021 TITLE VI PROGRAM UPDATE

RECOMMENDATION:

- Conduct public hearing for the VCTC 2021 Title VI Program update
- Adopt Resolution 2021-04 approving the 2021 Title VI Program update including the Public Participation Plan and Language Assistance Plan.

DISCUSSION:

The Federal Transit Administration (FTA) requires recipients of federal assistance to provide assessments of compliance with Title VI of the Civil Rights Act of 1964 as part of the grant approval process. An updated program must be submitted by grantees every three years; VCTC will submit the attached report by July 31, 2021. Title VI regulations mandate that no person in the United States shall, on the grounds of race, color and national origin, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance from the FTA.

The existing practices conform to Caltrans' requirements for implementing Title VI and the Americans with Disabilities Act (ADA) regulations. However, as a recipient of FTA funds, requirements for implementing Title VI are more extensive and require the adoption of a Title VI Program under the guidelines set forth in FTA Circular 4702.1B, *Title VI Requirements and Guidelines for Federal Transit Administration Recipients*.

The Circular has general requirements and guidelines for all recipients and additional requirements for fixed route transit providers. Below is a summary of the 2021 VCTC Title VI Program:

- **The Title VI Notice to the Public** informs the public of their rights and is posted in public locations including transit vehicles, schedule brochures, and at www.goventura.org.
- **Title VI Complaint Forms and Procedures** are available at www.goventura.org.
- **The list of transit-related Title VI investigations, complaints, or lawsuits** is required by the FTA to be held for five years. VCTC's Transit Department and Programming Department

manage this list and the complaint process.

- **The Public Participation Plan and Language Assistance Plan** (both included in this update) promote inclusive public participation and ensure meaningful access for persons who speak English less than very well by using bilingual outreach events, bilingual print material, interpreter services, bilingual staff, and the Unmet Transit Needs process to solicit input from all residents.
- **The Membership of non-elected committees and councils** is not included in VCTC's Title VI Program as VCTC staff does not appoint members to these committees.
- **The monitoring procedures for subrecipients** are managed by VCTC's Programming Department, which is responsible for establishing the monitoring procedures for subrecipients who are extended federal funds, unless the subrecipient is also a direct recipient of FTA.
- **The Title VI equity analysis for the site and location of facilities** is not required at this time since VCTC has not purchased or constructed facilities.
- **Documentation that the governing board has reviewed and approved the Program** will be submitted in the form of a resolution along with VCTC's Title VI Program update.

TRANSCOM reviewed and approved the Title VI Program on April 14, 2021. Upon approval of the Title VI Program by the Commission, staff will submit the report to the FTA via the Transit Award Management System (TrAMS) system. Concurrence and approval of the report by the FTA Regional Civil Rights Office is anticipated within 30 days. The Title VI Program will be updated every three years, or as necessary, when guidelines are revised or as compliance reviews require.

Attachment: Draft VCTC 2021 Title VI Program

RESOLUTION NO. 2021-04

A RESOLUTION APPROVING A TITLE VI PLAN FOR THE
VENTURA COUNTY TRANSPORTATION COMMISSION

WHEREAS, the Ventura County Transportation Commission (VCTC) is a recipient of Federal revenues and is required to meet Federal Regulatory requirements for Title VI of the Civil Rights Act of 1964, established by CFR part 21.7; and

WHEREAS, the VCTC has or will provide all annual certifications and assurances to the Federal Transit Administration (FTA) required for the Title VI Program; and

WHEREAS, the VCTC assures that no person or group of persons will, on the basis of race, color, national origin or limited English proficiency be subjected to discrimination in the level and quality of transportation services, programs, or activities provided by the VCTC, whether federally funded or not; and

WHEREAS, the VCTC assures that all residents and visitors are afforded meaningful access to the VCTC's programs, activities and services; and

WHEREAS, the VCTC has updated the VCTC's Title VI Program to meet current FTA guidelines;

NOW, THEREFORE, BE IT RESOLVED that the Ventura County Transportation Commission approves and adopts the updated Title VI Program.

PASSED AND ADOPTED by the Ventura County Transportation Commission this seventh day of May 2021.

Kelly Long, Chair

ATTEST:

Roxanna Ibarra, Clerk of the Commission

APPROVED AS TO FORM:

Steven T. Mattas, General Counsel



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Item #11

May 5, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)
FROM: CLAIRE GRASTY, PROGRAM MANAGER – REGIONAL TRANSIT PLANNING
JENI EDDINGTON, TRANSIT PLANNER
SUBJECT: FISCAL YEAR (FY) 2021/22 TRANSPORTATION DEVELOPMENT ACT (TDA)
UNMET TRANSIT NEEDS (UTN) FINDINGS

RECOMMENDATION:

- Review and Approve the Fiscal Year 2021/2022 Unmet Transit Needs Findings and determination that there are no Unmet Transit Needs that are reasonable to meet.
- Adopt Resolution No. 2021-05

DISCUSSION:

As part of the annual Unmet Transit Needs process, VCTC presents the Findings to the Commission. The Findings have been approved by the Citizen's Transportation Advisory Committee/Social Service Transportation Advisory Committee (CTAC/SSTAC), as they are required to review and comment on the recommendations. The Findings have also been reviewed by Transcom.

Pursuant to Senate Bill 203, the cities of Santa Paula, Fillmore, Moorpark, and Camarillo are subject to the Unmet Transit Needs process. Additionally, on June 11, 2018, legislation allowed Thousand Oaks to spend TDA funds on streets and roads, so they participate in the process as well. VCTC Intercity service does not use Article 8 funds for non-transit purposes; however, service requests for the regional service it provides are included in the process. The Gold Coast Transit District (GCTD), City of Ojai and the City of Simi Valley do not utilize or claim TDA Article 8 funds for non-transit purposes and their service is not subject to the Unmet Transit Needs process.

Adopted Criteria

In order for a request to be considered an Unmet Transit Need, it must meet either of the two following definitions and must receive at least 15 requests for general public service or 10 requests for disabled service:

- Public transit services not currently provided to reach employment, medical assistance, shop for food or clothing, to obtain social services such as health care, county welfare programs and education programs. Service must be needed by and benefit the general public.
- Service expansions including new routes, significant modifications to existing routes, and major increases in service hours and frequency.

If they fulfill the above criteria, the need must also be determined to be reasonable to meet.

Public Input Process

Between mid-December 2020 and mid-February 2021 VCTC staff solicited public input using the goventura.org website, an online survey, social media advertising, eblasts, and the GOVCbus app. VCTC hosted two countywide virtual community meetings and the noticed public hearing at its February 5, 2021 Commission meeting. Most of the 166 comments received were submitted through the online survey, social media, and at the virtual community meetings.

Analysis

Staff screened each comment received based on the criteria and none of the requests met the 15-comment threshold for fixed route or the 10-comment threshold for dial-a-ride service and therefore were not further screened to determine if the need was reasonable to meet.

It should be noted that the FY20-21 Unmet Transit Needs process had two requests that met the threshold: service to Santa Clarita from Fillmore and Santa Paula, and service between Fillmore and Moorpark. Service to Santa Clarita is not technically an Unmet Transit Need as the request is for service into Los Angeles County. However, since this has been the most requested service improvement over the last several years, VCTC staff has endeavored to plan for a scenario to bring the service forward as a potential partnership with Santa Clarita Transit and the cities in the Heritage Valley. There has been repeat demand expressed for several years regarding connectivity between the cities of Fillmore and Moorpark, including this year where it was the most frequent comment received during the public participation process.

However, planning for these service improvements has been superseded by responding to the COVID-19 pandemic that has resulted in significant service reductions and uncertain funding for transit. VCTC has been focused on providing transit safely and effectively for essential trips for individuals who continue to rely on public transit. As transit agencies work to recover from the reduced ridership and revenue brought on by COVID-19, the priority is to reinstate suspended service. VCTC staff intends to restart planning efforts for these routes after reduced transit service has been reinstated and the funding picture is clearer.

VCTC and the local transit operators value all comments and public input as they are essential to improving public transit in Ventura County. The transit providers receive comments about their service through this process and take all feedback received into consideration for future planning purposes. The most frequent comments that are not applicable to the Unmet Transit Needs process but are nonetheless valuable for the operators are the following:

- Expanded service to multiple Los Angeles County locations.
- Expanded service and increased service hours into Santa Barbara County.
- The reinstatement of pre-Coronavirus routes that were suspended.
- Countywide Sunday Service

Currently, staff is recommending that there are no Unmet Transit Needs that are reasonable to meet. As noted above, staff will restart the planning efforts of these highly requested routes after reduced transit service has been reinstated and the funding picture is clearer.

RESOLUTION NO. 2021-05

**A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION
APPROVING UNMET TRANSIT NEEDS FINDINGS FOR FISCAL YEAR 2021/2022**

- I. THE VENTURA COUNTY TRANSPORTATION COMMISSION DOES HEREBY FIND THE FOLLOWING FACTS AND DECLARE THAT SAID FACTS ARE MATERIAL TO ITS DETERMINATIONS MADE HEREIN:**
- A. The Ventura County Transportation Commission, hereinafter referred to as VCTC, has been designated as the Regional Transportation Planning Agency; and
 - B. VCTC shall allocate monies in the Local Transportation Fund and State Transit Assistance Fund in accordance with the rules and regulations which implement the Transportation Development Act of 1971 as amended; and
 - C. The Public Utilities Code, Section 99401.5, requires VCTC to hold a public hearing to determine whether there are any Unmet Public Transportation Needs prior to allocations for streets and roads; and
 - D. VCTC, on December 4, 2020, reaffirmed methodology and definitions for noticing and conducting the annual Unmet Needs Hearings; and
 - E. The said Public Hearing was duly noticed and advertised in conformance with these procedures by means of publication of public hearing notices in the major newspapers in the region; press releases, agency web posting; and written notices to interested organizations and individuals; and
 - F. VCTC has given specific consideration to the following factors in the planning process pursuant to Public Utilities Code 99401.5
 - a. Established a Social Services Transportation Advisory Committee (SSTAC) by including social services and users' representatives as well as transit operators in conformance with Public Utility Code 99238;
 - b. In consultation with the Social Services Transportation Advisory Committee, conducted a transit needs assessment including an assessment of the size and location of identifiable groups likely to be transit dependent or transit disadvantaged and an analysis of the adequacy of existing an alternative public transportation services in meeting the demand; and
 - G. VCTC, after a review of these factors, considered public testimony at said advertised Public Hearing held on February 5, 2021; and
 - H. VCTC directed staff in conjunction with its advisory committees to evaluate and determine whether requests received by February 12, 2021 are "unmet transit needs" and are "reasonable to meet" based upon adopted definitions and criteria; and
 - I. Staff and input from the CTAC/SSTAC advise that there are no regional and community public transit needs within the Cities of Santa Paula, Fillmore, Moorpark, Camarillo and/or Thousand Oaks that are be reasonable to meet at this time, based upon adopted definitions.
- II. NOW, THEREFORE, BE IT RESOLVED THAT:** VCTC, acting as the Regional Transportation Planning Agency, makes the following determinations and findings that there are no "unmet transit needs," which are "reasonable to meet" for FY 2021-2022.

- A. The Chair shall execute this Resolution on behalf of VCTC and the Clerk of the Board shall attest to her signature and the adoption of this resolution.
- B. The Executive Director shall before August 15, 2021 forward to the Department of Transportation on behalf of VCTC all of the following:
 - a. A copy of the notice of hearing and proof of publication and a description of the actions taken to solicit citizen participation pursuant to Public Utilities Code Section 99238.5;
 - b. A copy of the Resolution or minutes documenting VCTC's definitions of "unmet transit needs" and "reasonable to meet", as determined pursuant to Public Utilities Code (use the symbol) 99401.5; and
 - c. A copy of this Resolution adopted as required by Public Utilities Code § 99401.5(d).

Executed this 7th day of May 2021.

KELLY LONG, CHAIR, VCTC

ATTEST:

Roxanna Ibarra, Clerk of the Commission

APPROVED AS TO FORM:

Steven T. Mattas, General Counsel

Date



Item # 12

May 7, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR

SUBJECT: UPDATE ON TRANSIT INTEGRATION AND EFFICIENCY STUDY (TIES)

RECOMMENDATION:

- Receive an update on the Transit Integration and Efficiency Study (TIES) from Fehr & Peers.

BACKGROUND:

The purpose of this update from Fehr & Peers to the Commission is to apprise the Commission of the overall purpose and scope of the TIES study, and also to gain insight from Commissioners on their priorities and views on how transit in Ventura County can be improved.

The TIES study seeks to improve the public transit network in Ventura County. It is an important study initiated at the request of the Commissioners, and as such the Commissioners will play an integral role in its development. After a competitive procurement that included a selection panel representing GCTD, VCTC, the County of Ventura, City of Thousand Oaks and City of Moorpark, Fehr & Peers was selected to conduct the TIES study. The key primary stakeholders in the development of the study are:

- VCTC Commissioners
- Riders and the General Public
- Agency and jurisdiction staff

VCTC Commissioners will participate in a survey of regional transit issues/priorities, as well as interviews with the consultant. A committee of agency and jurisdiction staff, the Operators Working Group, has already been developed and had an initial meeting on March 24. Fehr and Peers is developing a comprehensive Stakeholder Participation Plan that will ensure the views of riders and the general public are captured as well through public forums and a website so that all key stakeholders are included as the plan is developed. Although the TIES project is in its early stages, Fehr & Peers has been working on information gathering from the transit operators (assisted by the development of a Memorandum of Existing Conditions that was developed by VCTC staff and the operators) to help the consultant team have access to the most recent transit data as the project commences.

Taking the time to do a thorough, comprehensive analysis of how transit operations and structure are delivered in Ventura County is a timely and prudent exercise, particularly in light of the extraordinary economic and social impacts of the pandemic on public transit. Some of the principal reasons that underscore the importance of this study are as follows:

- COVID-19 has created an unparalleled worldwide impact on public transit operations, finances, and ridership. Nationally, transit operations in our largest metropolitan areas are facing significant challenges to keeping their systems functioning, despite the unprecedented federal operating assistance. In a medium-sized transit community like Ventura County, transit has also been significantly affected. All of Ventura County's nine transit operators experienced significant drops in ridership when the pandemic began in March, ranging from 60% to 85%. Now, ridership has recovered slightly but is nowhere close to the pre-pandemic levels. The drop in rail ridership (on Metrolink and Amtrak) has been even more acute and sustained.
- Moreover, the pandemic has also underscored systemic race and equity issues nationwide, and also for public transit which has historically served under-represented communities and communities of color. The study will help inform how VCTC utilizes its broad discretion in determining how future federal and state funding is allocated. VCTC staff will continue to identify and advise the Commission on equity and access issues related to future federal and state public transit funding.
- Additionally, even before the pandemic, transit in southern California was facing significant challenges with overall declining ridership and increasing costs. A 2018 Southern California Association of Governments (SCAG) transportation study prepared by UCLA's Institute of Transportation Studies linked the significant growth in personal automobile ownership, facilitated by low-cost automobile financing, as a major reason why people were driving instead of taking the bus. To illustrate the point, the study noted that from 1990 – 2000 the population of the six county Southern California Association of Governments (SCAG) region (which includes Ventura county) increased by 1.8M people, and 456,000 household vehicles (or roughly a 4-1 ratio of people to cars; however, from 2000 – 2015 the population grew by 2.3M people and 2.1M household vehicles (a nearly one to one ratio of people to cars). The study also indicated that Transportation Network Companies (TNC's) such as Uber and Lyft also accounted for a smaller part of the shift. An equally concerning development for all of transit is the over-arching question of when transit riders will return to transit, and in what numbers they will return? There are significant impacts on overall mobility stemming from the pandemic ranging from the increase in tele-working (especially in certain industries) and its attendant impact on transit commuter travel, and also the effect that job losses have on transit riders.

The next twelve to eighteen months present a propitious time to undertake this examination as that timeframe coincides with the likely depletion of the additional federal transit funding provided during the pandemic. The TIES study, authorized by the Commission in September, presents an opportunity to build on previous efforts and learn from the current challenges facing transit to make recommendations on how the delivery and quality of public transit can be improved in our region.



Item #13

May 7, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN KETTLE, EXECUTIVE DIRECTOR

SUBJECT: REGIONAL BROADBAND INFRASTRUCTURE

RECOMMENDATION:

- Receive, file, and provide direction on roles and activities that VCTC might entertain in the development of regional broadband infrastructure.

BACKGROUND:

At the April 2, 2021 Commission meeting Commission Chairwoman Long requested staff place on an upcoming Commission agenda a discussion item related to regional broadband infrastructure. Commissioner Linda Parks, who is currently Chair of the Board of Supervisors, echoed the request of Chairwoman Long, as both had recently received a presentation in their capacity as members of the Board of Supervisors from County staff and consultants regarding regional broadband infrastructure and the need for “middle-mile” connectivity. VCTC may have a role to play as the Ventura County region moves forward with regional broadband infrastructure development given its governance structure, its assets on which high speed broadband could be placed, and relationships with Caltrans who could be partner given the state highway network.

VCTC has a history of engaging in broadband/fiber optic high speed internet discussions. In the early 2000s VCTC engaged a consultant to study and determine the feasibility of using the Santa Paula Branch Line railroad corridor for the purpose installing high-speed fiber optic cable to serve the communities of the Santa Clara River Valley. The final report for that concept was “received” by the Commission in November 2005. At that time the study’s conclusion was there was not sufficient interest from the private sector or demand from Santa Clara River Valley communities to pursue a public-private partnership and/or cost sharing arrangement. A final Plans, Specifications, and Estimate (PS&E) package was delivered to VCTC by the consultant that included a construction cost estimate of \$7.6 million.

More recently, in the fall of 2018 VCTC co-hosted with the Economic Development Collaborative and the County of Ventura a Ventura County Regional Broadband Summit that was attended by over 100 government officials and information technology professionals. The theme for transportation was that technology is reshaping transportation in ways never before imagined. From autonomous and self-driving vehicles to innovative public transit, the transformation of transportation has only just begun. The Summit provided a glimpse of the disruptive changes to be expected in technology, policy, and regional

collaboration. Since then the VCTC Executive Director has been a regular participant in the monthly meetings of the Broadband Consortium Pacific Coast (BCPC).

The County of Ventura contracted with Magellan Advisors to develop a plan to create a regional fiber network to ensure robust broadband is available to support government innovation and economic development throughout the County. As Magellan Advisors was developing its draft plan the consultant team reached out to VCTC inquiring about public rights of way owned by VCTC that could be used for the purpose of a regional broadband network and specifically the Santa Paula Branch Line (SPBL) given that the rail corridor passes through communities that are unserved or underserved by high-speed internet. Magellan Advisors was of the opinion there are significant benefits for VCTC and Ventura County in general to include the SPBL in the upcoming Request for Information (RFI) solicitation to broadband service providers. The SPBL may offer lower construction costs for building fiber along the 126 Hwy which will be attractive to broadband service providers. In turn, this may stimulate broadband investment in underserved areas of the county, provide joint build cost reductions for all investors including the County, create a competitive environment for improved internet choice, services and cost, facilitate buildout of last mile services to Piru, Fillmore, Santa Paula and Ojai, and connection in Santa Clarita and it may offer revenue opportunities to VCTC. The Executive Director authorized Magellan Advisors to include the SPBL in the County's RFI.

County of Ventura Chief Information Officer Terry Theobald will be in attendance and discuss two primary focus areas for the County's regional broadband program. 1) County government facility interconnectivity and lowering government costs. 2) Discuss approaches of how to govern and administer the large amount of funding that may come to the Ventura County Region to eliminate the digital divide. It is this substantial federal and state investment that will be our first step in attempting to serve the disadvantaged and underserved communities in the Ventura County Region. Mr. Theobald's talking points will include:

- Review of County middle mile goals and the actual alignments for broadband installation.
- Provide an update on the results of the RFI related to the County's technology approach as well as interested partners.
- Provide updates on the potential \$8 billion from federal and state grant funds and how that amount might translate to Ventura County for regional broadband investment.
- Request that VCTC consider enter into an agreement with the County for exclusive use of the SPBL railway for broadband.

