



**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, JULY 9, 2021
9:00 A.M.**

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

The meeting will be held via ZOOM Webinar

Please click the link below to access the webinar:

<https://us02web.zoom.us/j/88969670223?pwd=TnRJd21Hc2JjWUZhcGpuQ296MVIQZz09>

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings completely telephonically or by other electronic means. On June 11, 2021, the Governor subsequently issued Executive Order N-08-21 maintaining the suspension of certain provisions of the Brown Act to continue to allow for local legislative bodies to conduct their meetings completely telephonically or by other electronic means through September 30, 2021. As such, VCTC will continue to conduct its meetings by teleconference, its commissioners will participate in the meeting from individual remote locations, and no physical location will be open to the public for the Commission meeting. 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, JULY 8, 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 those 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 updates 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 JUNE 4, 2021, VCTC MEETING- PG.5](#)

Recommended Action:

- Approve the summary minutes of JUNE 4, 2021.

Responsible Staff: Roxanna Ibarra

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

Recommended Action:

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

Responsible Staff: Sally DeGeorge

8C. [FISCAL YEAR 2021/2022 BUDGET AMENDMENT FOR OPERATING INSURANCE INCREASE INSURANCE COSTS-PG.19](#)

Recommended Action:

- Amend the VCTC Fiscal Year 2021/2022 operating Insurance line item to increase expenditures by \$74,200 for a total of \$471,200.

Responsible Staff: Sally DeGeorge

8D. [INVESTMENT POLICY UPDATE-PG.21](#)

Recommended Action:

- Adopt the Investment Policy as shown in the Attachment.

Responsible Staff: Sally DeGeorge

8E. [DELERROK-CUBIC AGREEMENT FOR CONTACTLESS FARE COLLECTION SYSTEM- PG.23](#)

Recommended Action:

- Approve "Addendum A" to the Master Equipment Software License, and Services Agreement (Addendum between Delerrok Inc., a wholly owned subsidiary of Cubic Transportation Systems, Inc., and the Ventura County Transportation Commission (VCTC); and authorize the Executive Director to execute the Addendum.

Responsible Staff: Aaron Bonfilio

8F. [SERVICE AUTHORITY FOR FREEWAY EMERGENCIES \(SAFE\) INCIDENT RESPONDER GRANT PROGRAM-ROUND 2- PG.31](#)

Recommended Action:

- Approve program guidelines and initiation of the application process for a second round of grants for the Incident Responder Grant Program to provide up to \$1,000,000 to agencies that respond to highway incidents within Ventura County.

Responsible Staff: Amanda Fagan

8G. COLLEGE RIDE PROGRAM REIMBURSEMENT AGREEMENT AMENDMENT - PG.41

Recommended Action:

- Authorize the Executive Director to Approve Amendment No.1 to the Reimbursement Agreement with Ventura County Operators for the College Ride Program.

Responsible Staff: Claire Grasty

8H. PROCUREMENT POLICY UPDATE-PG.45

Recommended Action:

- Adopt Resolution No. 2021-10 amending the Ventura County Transportation Commission Procurement Policy and Procedures (separate attachment).

Responsible Staff: Peter De Haan

8I. PERSONNEL POLICIES AND PROCEDURES UPDATES-PG.47

Recommended Action:

- Approve Updates to the Personnel Policies and Procedures Manual.

Responsible Staff: Darren Kettle

DISCUSSION CALENDAR:

9. LEGISLATIVE UPDATE-PG.51

Recommended Action:

- Receive and File.

Responsible Staff: Darrin Peschka

10. RIDESHARE UPDATE-PG.65

Recommended Action:

- Receive and file Rideshare Update.
- Authorize the Executive Director to execute Amendment #2 with Innovative TDM Solutions (ITS) to exercise the option to include administration and promotion of the Guaranteed Ride Home program and revise the Scope of Work to include Regional Rideshare Database Administration for a not to exceed amount of \$24,470.04. Because this is a sole source procurement, a 2/3 Commission vote is required for approval.

Responsible Staff: Claire Grasty

11. DISTRIBUTION OF FEDERAL COVID RELIEF FUNDS-PG.71

Recommended Action:

- Approve distribution of federal relief funds from the Coronavirus Response and Relief Supplemental Apportions (CRSSA) Act and the American Recovery Plan (ARP) Act as shown in the Attachment A table.

Responsible Staff: Peter De Haan

12. BUDGET AMENDMENT INCORPORATING AMERICAN RELIEF PLAN ACT FUNDS AND CARRYOVER VCTC INTERCITY DEMONSTRATION FUNDS- PG.75

Recommended Action:

- Amend Transit Grant Administration Budget by adding \$2,434,953 in Federal Transit Administration (FTA) American Rescue Plan (ARP) funds revenue, and reducing FTA CARES revenues by \$517,253, and increasing pass through expenditures by \$1,917,700.

- Amend VCTC Intercity Transit Budget by adding \$2,211,599 in DTA ARP revenues and \$208,619 in carryover FTA Congestion Mitigation Air Quality (CMAQ) route demonstration revenues, and by reducing \$2,126,448 in State Transit Assistance revenues and by reducing \$293,730 in Local Contribution revenues.

Responsible Staff: Peter De Haan and Aaron Bonfilio

13. AGREEMENT FOR ADA TITLE II SURVEY OF THE CAMARILLO METROLINK STATION -PG.77

Recommended Action:

- Authorize the Executive Director to sign an Agreement with Psomas to perform an ADA Title II Survey of the Camarillo Metrolink Station for \$57,734.32. This is a sole-source agreement and requires two-thirds of the Commission for approval.

Responsible Staff: Martin Erickson

14. UPDATE ON TRANSIT INTEGRATION AND EFFICIENCY STUDY (TIES) -PG.79

Recommended Action:

- Receive Transit Integration and Efficiency Study (TIES) from Fehr and Peers

Responsible Staff: Martin Erickson

15. VCTC GENERAL COUNSEL'S REPORT

16. 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 Councils of Governments

Primary: Commissioner Carmen Ramirez

California Vanpool Authority (CalVans)

Primary: Commissioner Jim White

Alternate: Commissioner Lynn Edmonds

17. ADJOURN to 9:00 a.m. Friday, September 10, 2021



Item #8A

July 9, 2021

**MEETING MINUTES OF JUNE 4, 2021, VCTC COMMISSION MEETING
AT 9:00 A.M. VIA ZOOM**

CALL TO ORDER:

Vice-Chair Trembley called the regular meeting of the Ventura County Transportation Commission to order at 9:00 A.M. Via-Zoom.

PLEDGE OF ALLEGIANCE was led by Commissioner MacDonald.

ROLL CALL/MEMBERS PRESENT:

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

ABSENT:

Kelly Long, County of Ventura
Jim White, Citizen Rep., County

4. PUBLIC COMMENTS FOR THOSE ITEMS NOT LISTED ON THIS AGENDA: A public comment was submitted via email by Mr. Keith Millhouse resident of Thousand Oaks about the issue regarding the fly over bridge from the 23 freeway to the 118 in Moorpark and the most recent suicide tragedy. The public comment was fully read into the record by Executive Director Darren Kettle.

5. CALTRANS REPORT- District Director Tony Tavares gave the update report regarding Caltrans projects. One of the projects is the 118/23 task force that will help identify multi-prong approach, they would like to start this month with a kick-off meeting with the participation VCTC's Commissioners Parks, Huber and Enegreen as part of the Task Force. The Caltrans report was distributed via email to the Commission.

6. COMMISSIONERS/EXECUTIVE DIRECTOR REPORT:

Executive Director Darren Kettle reported to the Commission the following items:

- The release of the third beat for the Freeway Service Patrol is now operating from the LA County line to Moorpark.
- Governors' executive orders allow for continuation of the virtual public meetings and continuation to operate in virtual format.
- Requested to Vice-Chair Trembley if VCTC would adjourn the June commission meeting in memory of the nine colleagues who were slain at the Santa Clara Valley Transportation Authority light rail yard recently.

Commissioner Chavez stated he would like to see about having GCTD's director of operations Jim Beck give a presentation in the future of projects GCTD is working on most recently on zero emission which is a great benefit to our communities and residents. Executive Director Kettle stated he would look into identifying a good agenda to add the Zero-Emission topic to a future agenda.

7. ADDITIONS/REVISIONS- There were none.

8. CONSENT CALENDAR-

Commissioner Chavez made a request to pull for discussion item 8H, Surface Transportation Program Apportionment Loan to Sacramento Area Council of Governments. Item 8I, Low Carbon Transit Operations Program (LCTOP) Apportionment Revised Allocation and 8L, VCTC Intercity Bus and Rail Transit Ridership and Performance Measures Quarterly Report. These items were discussed during the consent calendar by VCTC staff to the Commission. **Commissioner Chavez** moved to approve items 8A thru 8O. The motion was seconded by **Commissioner MacDonald** and passed unanimously.

8A. APPROVE MINUTES FROM MAY 7,2021 VCTC MEETING

- Approved the summary minutes of MAY 7,2021.

8B. MONTHLY BUDGET REPORT

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

8C. RESOLUTION FOR VCTC TO CLAIM FISCAL YEAR 2021/2022 TRANSPORTATION DEVELOPMENT ACT LOCAL TRANSPORTATION FUNDS, STATE TRANSIT ASSISTANCE FUNDS AND STATE OF GOOD REPAIR FUNDS

- Approve the attached Resolution #2021-08 authorizing VCTC's claims for Fiscal Year 2021/2022 Transportation Development Act Local Transportation Funds, State Transit Assistance funds and State of good Repair funds for transit, planning and administration.

8D. TRANSPORTATION DEVELOPMENT ACT (TDA) LOCAL TRANSPORTATION FUND (LTF) FINAL APPORTIONMENT FOR FISCAL YEAR 2021/2022

- Approve the Local Transportation Fund Final Apportionment for Fiscal Year 2021/2022, apportioning \$35.25 million as shown in Attachment 1.

8E. LEGISLATIVE UPDATE

- Receive and file.

8F. VALLEY EXPRESS MARKETING AGREEMENT WITH CELTIS VENTURES

- Authorize the Executive Director to execute the one-year extension option with Celtis Ventures.

8G. SUBRECIPIENT AGREEMENT FOR FEDERAL TRANSIT ADMINISTRATION FUNDS

- Approve the attached Subrecipient Agreements for administration of Federal Transit Administration (FTA) funds on behalf of Camarillo, Moorpark, Thousand Oaks, County of Ventura Area Agency on Aging, and County of Ventura Human Services Agency.

8H. SURFACE TRANSPORTATION PROGRAM APPORTIONMENT LOAN TO SACRAMENTO AREA COUNCIL OF GOVERNMENTS

- Approve loan of \$14,555,000 from the Ventura County Regional Surface Transportation Program apportionment to the Sacramento Council of Governments (SCAG) , with the repayment to occur in FY 2022/23, the earliest that funding is expected to be needed for US 101 final design.

8I. LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) APPORTIONMENT REVISED ALLOCATION

- Ratify the revised Ventura County Regional Surface Transportation Commission (VCTC) FY 2020/2021 Low Carbon Transit Operations Program (LCTOP) Allocation Request of \$886,110 for the College Ride Transit Fare Promotion Project (including a total of \$18,983 of FY 2020/21 LCTOP funds contributed by the cities of Camarillo, Moorpark, Simi Valley, and Thousand Oaks),
- Adopt Resolution 2021-01 in Attachment A, authorizing the Executive Director to execute all required documents including the Certifications and Assurances and Authorized Agent Form to receive VCTC's FY 2020/21 Low Carbon Transit Operations Program funds.

8J. VCTC PERSONNEL RULES VACATION REDEMPTION POLICY UPDATE

- It is recommended that the Ventura County Transportation Commission ("Commission") adopt Resolution No. 2021-09 approving an amendment to the Personnel Policies and Procedures adopting a vacation leave buy-out policy and terminating the current discretionary authority of the Executive Director to temporarily waive the vacation accrual cap.

8K. REGIONAL RIDESHARE DATABASE SERVICES MEMORANDUM OF UNDERSTANDING

- Authorize the Executive Director to execute the Regional Rideshare Consolidated Database Project Memorandum of Understanding (MOU); and
- Authorize the Executive Director to execute the Regional Rideshare Software Agreement for the regional ride matching database.

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

- Receive and file.

8M. AMENDMENT TO THE PASSENGER TRANSFER AGREEMENT FOR LOSSAN AMTRAK PACIFIC SURFLINER

- Approve Amendment No. 6 to Cooperative Agreement between LOSSAN and VCTC for facilitating passenger transfer between Pacific Surfliner Intercity Rail Service and VCTC Intercity Transit Service.

8N. REGIONAL BROADBAND INFRASTRUCTURE

1. Approve incorporating the following language into VCTC's Legislative Platform "Support efforts to accelerate deployment of affordable, high speed broadband as a means to reduce auto trips and cut greenhouse gas emission."
2. Participate in SCAG regional broadband/digital divide working group and Expert Advisory Committee in support of "Transportation Broadband Strategies to Reduce Vehicle Miles Traveled (VMT) and Greenhouse Gas Emissions (GHG).
3. Authorize the Executive Director to negotiate with the County of Ventura for the use of the Santa Paula Branch Line right of way for the implementation/construction of broadband high speed fiber optic internet to service the communities of Ventura, Santa Paula, Fillmore and Piru.

8O. 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 \$15,00 and increasing the General Fund Motorist Aid Services SAFE revenues and fund transfer-in by \$15,000.

DISCUSSION CALENDAR:

9. FISCAL YEAR 2021/2022 BUDGET- PUBLIC HEARING

- Conduct a Public Hearing to receive testimony on the Fiscal Year 2021/2022 Budget.
- Adopt the Fiscal Year 2021/2022 Salary Schedule (Attachment 1 of this item and Appendix C in the Fiscal Year 2021/2022 Budget) effective July 1, 2021.
- Adopt the Resolution 2021-07, the proposed Fiscal Year 2021/2022 Budget.

Vice-Chair Trembley opened the public hearing of the Fiscal Year 2021/2022 Budget at 9:38 a.m. There were no public comments submitted to VCTC. Finance Director Sally DeGeorge and Executive Director Darren Kettle gave the Fiscal Year 2021/2022 Budget presentation. Vice-Chair Trembley closed the public hearing at 9:54 a.m.

Commissioner Chavez moved to approve item 9; The Fiscal Year 2021/2022 Budget as recommended. The motion was seconded by **Commissioner Huber** and passed unanimously.

10. VENTURA COUNTY COMPREHENSIVE TRANSPORTATION PLAN UPDATE

- Receive a presentation on the Ventura County Comprehensive Transportation Plan Update.

The Ventura County Comprehensive Transportation Plan update was received and filed by the Commission.

11. VCTC GENERAL COUNSEL REPORT- None

12. AGENCY REPORTS-

Southern California Association of Governments (SCAG): Commissioner Judge reported there was a presentation from UC Davis on COVID-19 post COVID related to transportation, which was very interesting and would forward to anyone interested.

Southern California Regional Rail Authority (Metrolink-SCRRRA):

Vice-Chair Trembley reported Metrolink had its Inaugural Saturday Service this past weekend. Vice-Chair Trembley reported three items from their May 28 Metrolink board meeting. They adopted Equity definitions along with a resolution for LCTOP Low Income Discount Program. Vice-Chair Trembley reported he would be attending the APTA Rail Conference and Metrolink is currently recruiting for a Chief Officer and the deadline is June 7, 2021.

LOSSAN and Coastal Rail Coordinating Council: Commissioner MacDonald reported there has been a general uptick in ridership. The Coastal Rail Coordinating Council meets quarterly but has not met recently.

California Vanpool Authority (CalVans): There were none.

California Association of Council of Governments: Commissioner Edmonds stated there are a large number of vans that are being used around the county.

13. 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.

The Commission went into closed session at 10:28 a.m.

At this time General Counsel stated there would be no reportable action to report out of closed session and the VCTC meeting would be adjourning right after closed session.

17. ADJOURN- The VCTC's meeting of June 4, 2021, was adjourned in memory of the nine employees/colleagues who were slain at the Santa Clara Valley Transportation Authority Light Rail yard most recently last week.

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



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Item #8B

July 9, 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 May 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 May 31, 2021 budget report indicates that the revenues were approximately 64.45% of the adopted budget while expenditures were approximately 53.18% 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 MAY 31, 2021**

Assets and Deferred Outflows

Cash and Investments	\$ 42,767,771
Receivables/Due from other funds	3,235,607
Prepays and Deposits	70,608
Capital Assets, undepreciated	25,971,001
Capital Assets, depreciated, net	35,191,932
Deferred Outflows	879,100
Total Assets and Deferred Outflows	<u>\$ 108,116,019</u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:

Accrued Expenses and Due to Other	\$ 2,665,228
Deferred Revenue	3,163,037
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>\$ 8,866,347</u>

Net Position:

Invested in Capital Assets	\$ 60,892,975
Fund Balance	38,356,697
Total Net Position	<u>\$ 99,249,672</u>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE ELEVEN MONTHS ENDED MAY 31, 2021**

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley	Fund	Budgeted	Variance	
	Fund Actual	Actual	Actual	Actual	Actual	Actual Intercity	Actual Express	Actual	Totals	Actual	Actual	% Year
Revenues												
Federal Revenues	\$ 11,917,337	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,609,379	\$ 1,253,235	\$ 18,779,951	\$ 37,915,206	(19,135,255)	49.53
State Revenues	1,122,208	29,346,284	4,979,454	799,763	1,167,951	0	550,351	0	37,966,011	50,397,445	(12,431,434)	75.33
Local Revenues	185,292	0	0	0	0	329,075	824,117	100,000	1,438,484	1,978,096	(539,612)	72.72
Other Revenues	2,115	0	0	60	0	0	207,736	0	209,911	315,812	(105,901)	66.47
Interest	14,616	44,444	52,589	22,532	19,893	166	1,024	1,132	156,396	235,000	(78,604)	66.55
Total Revenues	13,241,568	29,390,728	5,032,043	822,355	1,187,844	329,241	7,192,607	1,354,367	58,550,753	90,841,559	(32,290,806)	64.45
Expenditures												
Administration												
Personnel Expenditures	2,712,977	0	0	0	0	0	179,956	44,442	2,937,375	3,678,900	(741,525)	79.84
Legal Services	22,858	0	0	0	0	0	0	0	22,858	40,000	(17,142)	57.15
Professional Services	88,731	0	0	0	0	0	0	0	88,731	149,500	(60,769)	59.35
Office Leases	106,398	0	0	0	0	0	0	0	106,398	134,800	(28,402)	78.93
Office Expenditures	243,638	0	0	0	0	0	98,760	24,390	366,788	495,800	(129,012)	73.98
Total Administration	3,174,602	0	0	0	0	0	278,716	68,832	3,522,150	4,499,000	(976,850)	78.29
Programs and Projects												
Transit and Transportation Program												
Regional Transit Technology	1,021,739	0	0	0	0	0	0	0	1,021,739	3,428,477	(2,406,738)	29.80
Senior-Disabled Transportation	275,334	0	0	0	0	0	0	0	275,334	393,100	(117,766)	70.04
VCTC Intercity Bus Services	0	0	0	0	0	0	6,691,306	0	6,691,306	11,663,790	(4,972,484)	57.37
Valley Express Bus Services	0	0	0	0	0	0	0	1,184,410	1,184,410	1,906,800	(722,390)	62.12
Transit Grant Administration	6,022,392	0	0	0	0	0	0	0	6,022,392	14,323,900	(8,301,508)	42.04
Total Transit and Transportation	7,319,465	0	0	0	0	0	6,691,306	1,184,410	15,195,181	31,716,067	(16,520,886)	47.91
Highway Program												
Motorist Aid Services	0	0	0	535,705	0	0	0	0	535,705	1,446,500	(910,795)	37.03
Highway Program Management	3,347,550	0	0	0	0	0	0	0	3,347,550	9,639,030	(6,291,480)	34.73
Total Highway	3,347,550	0	0	535,705	0	0	0	0	3,883,255	11,085,530	(7,202,275)	35.03

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE ELEVEN MONTHS ENDED MAY 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	3,953,920	0	0	0	0	0	0	0	3,953,920	13,214,916	(9,260,996)	29.92
LOSSAN and Coastal Rail	3,491	0	0	0	0	0	0	0	3,491	12,300	(8,809)	28.38
Santa Paula Branch Line	0	0	0	0	0	557,448	0	0	557,448	912,943	(355,495)	61.06
Total Rail	3,957,411	0	0	0	0	557,448	0	0	4,514,859	14,140,159	(9,625,300)	31.93
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	189,778	0	0	0	0	0	0	0	189,778	356,654	(166,876)	53.21
Total Commuter Assistance	191,344	0	0	0	0	0	0	0	191,344	400,454	(209,110)	47.78
Planning and Programming												
TDA Administration	110,000	22,352,154	342,765	0	74,677	0	0	0	22,879,596	31,076,486	(8,196,890)	73.62
Transportation Programming	6,236	0	0	0	0	0	0	0	6,236	21,300	(15,064)	29.28
Regional Transportation Planning	110,580	0	0	0	0	0	0	0	110,580	931,000	(820,420)	11.88
Airport Land Use Commission	0	0	0	0	0	0	0	0	0	18,500	(18,500)	0.00
Regional Transit Planning	122,132	0	0	0	0	0	0	0	122,132	2,087,764	(1,965,632)	5.85
Total Planning and Programming	348,948	22,352,154	342,765	0	74,677	0	0	0	23,118,544	34,135,050	(11,016,506)	67.73
General Government												
Community Outreach	130,969	0	0	0	0	0	0	0	130,969	253,500	(122,531)	51.66
State and Federal Relations	87,606	0	0	0	0	0	0	0	87,606	114,200	(26,594)	76.71
Management and Administration	1,479,613	0	0	0	0	0	0	0	1,479,613	1,669,241	(189,628)	88.64
Total General Government	1,698,188	0	0	0	0	0	0	0	1,698,188	2,036,941	(338,753)	83.37
Total Expenditures	20,037,508	22,352,154	342,765	535,705	74,677	557,448	6,970,022	1,253,242	52,123,521	98,013,201	(45,889,680)	53.18

For Management Reporting Purposes Only

VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE ELEVEN MONTHS ENDED MAY 31, 2021

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley	Fund	Budgeted	Variance	
	Fund Actual	Actual	Actual	Actual	Actual	Actual	Intercity Actual	Express Actual	Totals	Actual	Actual	% Year
Revenues over (under) expenditures	(6,795,940)	7,038,574	4,689,278	286,650	1,113,167	(228,207)	222,585	101,125	6,427,232	(7,171,642)	13,598,874	(89.62)
Other Financing Sources												
Transfers Into GF From LTF	6,231,367	0	0	0	0	0	0	0	6,231,367	6,193,103	38,264	100.62
Transfers Into GF From STA	1,188,548	0	0	0	0	0	0	0	1,188,548	3,730,980	(2,542,432)	31.86
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	56,809	0	0	0	0	0	0	0	56,809	64,100	(7,291)	88.63
Transfers Into GF From SPBL	114,308	0	0	0	0	0	0	0	114,308	127,300	(12,992)	89.79
Transfers Into SPBL From LTF	0	0	0	0	0	112,636	0	0	112,636	127,300	(14,664)	88.48
Transfers Into SPBL From STA	0	0	0	0	0	235,185	0	0	235,185	606,443	(371,258)	38.78
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	(6,231,367)	0	0	0	0	0	0	(6,231,367)	(6,193,103)	(38,264)	100.62
Transfers Out of LTF Into SPBL	0	(112,636)	0	0	0	0	0	0	(112,636)	(127,300)	14,664	88.48
Transfers Out of STA Into GF	0	0	(1,188,548)	0	0	0	0	0	(1,188,548)	(3,730,980)	2,542,432	31.86
Transfers Out of STA Into SPBL	0	0	(235,185)	0	0	0	0	0	(235,185)	(606,443)	371,258	38.78
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	(56,809)	0	0	0	0	(56,809)	(64,100)	7,291	88.63
Transfers Out of SPBL Into GF	0	0	0	0	0	(114,308)	0	0	(114,308)	(127,300)	12,992	89.79
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	7,591,032	(6,344,003)	(2,423,733)	(56,809)	0	233,513	1,000,000	0	0	0	0	0.00
Net Change in Fund Balances	795,092	694,571	2,265,545	229,841	1,113,167	5,306	1,222,585	101,125	6,427,232	(7,171,642)	13,598,874	(89.62)
Beginning Fund Balance w/o capital assets	2,598,747	9,649,449	13,224,224	4,625,197	3,898,381	25,370	19	0	34,021,387	33,572,663	448,724	101.34
Long-term Pension/OPEB/Vacation Adjustment*	(1,925,453)	0	0	0	0	0	(166,469)	0	(2,091,922)	0	(2,091,922)	0.00
Ending Fund Balance	\$ 1,468,386	\$ 10,344,020	\$ 15,489,769	\$ 4,855,038	\$ 5,011,548	\$ 30,676	\$ 1,056,135	\$ 101,125	\$ 38,356,697	\$ 26,401,021	\$ 11,955,676	145.28

*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 MAY 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	\$ 1,212,677.21
LAIF	State Pool	N/A	18,862.33	0.44%	7,656,095.09
County of Ventura	Treasury Pool	N/A	137,532.48	0.39%	33,788,299.82
Total			\$156,394.81		\$42,657,072.12

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" applied 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

July 9, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: FISCAL YEAR 2021/2022 BUDGET AMENDMENT FOR OPERATING INSURANCE

RECOMMENDATION:

- Amend the VCTC Fiscal Year 2021/2022 operating Insurance line item to increase expenditures by \$74,200 for a total of \$471,200.

DISCUSSION:

VCTC prepared its Fiscal Year 2021/2022 operating business insurance costs based on estimates received from the Special Districts Risk Management Authority (SDRMA) and Alliant Insurance in March 2021. In May 2021 (after the final budget was prepared), staff received notice that the SDRMA costs were likely to increase but an exact amount was unknown. In June 2021, VCTC received the invoice from SDRMA indicating that insurance costs for its property, cyber, liability, errors and omissions, and employee/public officials insurance would increase approximately \$74,200 over the original estimate. The payment is due in July 2021.

The business insurance costs are part of the indirect costs and are allocated over all budgets. At yearend, actual indirect costs are reconciled to the budgeted costs and a “true-up” occurs. Any under or over collection of costs are accounted for and adjusted in the carryforward adjustment schedule that is used to prepare the indirect cost allocation plan in future years. If the Commission approves the budget amendment, the additional insurance costs will be accounted for in the yearend reconciliation and adjusted as required.

Therefore, Staff’s recommendation is to increase expenditures by \$74,200 for a total business insurance line item of \$471,200. As stated above, the “revenues” for this increase will be adjusted as part of the indirect cost carry-over reconciliation adjustment.



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Item #8D

July 9, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: INVESTMENT POLICY UPDATE

RECOMMENDATION:

- Adopt the Investment Policy as shown in the Attachment.

BACKGROUND:

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

The last Commission review and adoption of the Investment Policy occurred in April 2020 with only minor updates. The Investment Policy adopted in September 2017 was submitted to the California Municipal Treasures Association (CMTA) and received the "Investment Policy Certification" award. VCTC's investment policy conforms to State code and reflects recommended best practices as suggested by the California Municipal Treasures Association (CMTA), California Debt and Investment Advisory Commission (CDIAC) and Government Finance Officers Association (GFOA).

DISCUSSION:

The Ventura County Transportation Commission (VCTC) Investment Policy (see Attachment) contains the same investment vehicles previously approved by the Commission. All investments comply with the California Investment Code. The investment policy presented to the Commission contains a few minor clarifying changes and formatting corrections as indicated in red. A Table of Contents was also added to make the policy easier to use.

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

The investment policy requires an annual review and approval by the Commission; therefore, the Investment Policy is submitted to the Commission for review and staff recommends adoption of the Investment Policy.



Item #8E

July 9, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AARON B. BONFILIO, PROGRAM MANAGER

SUBJECT: AGREEMENT WITH DELERROK INC.

RECOMMENDATION:

- Approve "Addendum A" to the Master Equipment Software License, and Services Agreement (Addendum) between Delerrok, Inc., a wholly owned subsidiary of Cubic Transportation Systems, Inc. and the Ventura County Transportation Commission (VCTC); and authorize the Executive Director to execute the Addendum.

BACKGROUND:

At the December 2020 Commission meeting, the Commission approved an agreement with Delerrok Inc., (a wholly owned subsidiary of Cubic Transportation Systems) for the provision of a regional contactless fare collection system, which includes implementation of mobile ticketing, reloadable smartcards as well as contract options for other technologies and to scale the system to additional fleets. Through the new countywide system, passengers will be able to purchase passes as well as "stored value", which can be used like cash across all eight participating Ventura county transit operators. Passes and stored value product can be sold online, and at the traditional transit center ticket counters and partner locations such as city halls.

As part of VCTC's Agreement with Delerrok, there is an option to expand fare media sales locations using a third-party retailer network called InComm. The InComm network in Ventura County includes over 90 brick and mortar locations such as at pharmacies and local markets. Participating retailers include, but are not limited to, Rite Aid, CVS, Walgreens, Seven-Eleven and Circle K.

VCTC staff has met with Delerrok and InComm to review the program, charges and fees. The proposed transaction fees are 3.5% of the value loaded onto the passenger account. There are no additional charges or fees, such as from credit card processors, or the retailer at the time of transaction. This amount is charged to the Commission and the passenger simply pays for the fare media. The fee of 3.5% is comparable to what VCTC is currently charged for its online transactions presently and is within the estimated range for this service. The retail locations will accept traditional forms of payment including cash and major credit cards. If VCTC elects to expand the program to include card production or distribution, additional charges of \$1.00 to \$3.00 per card sold are anticipated. Such charges are similar to what VCTC currently pays for card production and are within range for similar services. Staff's

recommendation is that the Commission approve “Addendum A” to the Agreement with Delerrok, and to authorize the Executive Director to execute the Addendum.

Attachment

Addendum A to the Master Equipment Software License and Service Agreement

Addendum A
InComm Sales and Reload Network Terms and Conditions

This Addendum ("Addendum") is made as of this _____ day of _____, 2021 ("Effective Date") between Delerok Inc. and the VENTURA COUNTY TRANSPORTATION COMMISSION ("AGENCY"), and is governed by, and incorporated by reference into the Master Equipment Software License, and Services Agreement with an effective date of December 09, 2020 (the "Agreement").

1. Program

Interactive Communications International, Inc. ("InComm") will provide products and services associated with the production, retail distribution, loading and reloading of electronic fare media, which shall be implemented at AGENCY's option, subject to final approval by InComm, over time as set forth herein and in Exhibit A "Statement of Work" (SOW).

2. Compensation

Reload Network Load/Reload Fees

Load/Reload Fees are applicable for loading and/or reloading of stored value to UmoPass Accounts within the InComm Reload Network at an associated InComm retailer and are not applicable for any loading and/or reloading of UmoPass Accounts on the UmoPass Passenger Portal, Mobile App, Merchant Portal or Administrative Console or any other sales channel supported by the UmoPass Hosted Services other than the InComm Reload Network. Load/Reload Fees are a percentage based on the total stored value loaded for pre-existing UmoPass Accounts and UmoPass Accounts created by the sale of a UmoPass Card by the retailer as part of the same transaction. The stored value is added to the UmoPass Account associated with the fare media (e.g. UmoPass Card, smartphone) presented by the consumer. Load/Reload Fees are inclusive of the amounts to be paid to InComm and/or an InComm retailer. Net Proceeds, less Load/Reload Fees, shall be transmitted directly to the AGENCY designated account.

Reload Network Load/Reload Fee – Total Commission Margin: **3.5%** of the value loaded onto cards issued by AGENCY, plus all applicable taxes. This cost is incurred when value is loaded to any UmoPass Account, regardless of the form of fare media (e.g. contactless card, smartphone) associated with the UmoPass Account.

Card Production Fees

(Subject to a separate agreement to be entered into between the AGENCY and InComm)

Card Production Fees are applicable for UmoPass Card manufacturing, printing packaging and delivery to an InComm warehouse for distribution via the InComm Sales Network. These Card Production Fees are applicable only when UmoPass Cards are ordered from InComm and are estimates only. Actual fees may vary depending on (i) the then-current cost of cards and chip modules to InComm, (ii) agency's specifications for the cards, (iii) agency's requirements for printing of graphics, text and variable elements on the card, and d) agency's requirements for packaging.

Card Production Fees (estimate): \$2.00/card plus all applicable taxes

Card Distribution Fees

(Subject to a separate agreement to be entered into between the Agency and InComm)

Card Distribution Fees are applicable for the sale of UmoPass Cards to consumers via the InComm Sales Network. These Card Distribution Fees are applicable only when UmoPass Cards are sold by an associated InComm retailer and are not applicable for sales or replacement of cards performed by AGENCY or AGENCY-authorized third parties using the UmoPass Merchant Portal or Administrative Console or any other sales channel supported by the UmoPass Hosted Services other than the InComm Sales Network.

Card Distribution Fees: \$1.00/card plus all applicable taxes

3. Flow of Funds

For the sales and activations of UmoPass Cards or completion of load/reload transactions at retail points of sale using the Retail Sales Network or InComm Reload Network, InComm shall transmit net proceeds due to AGENCY by electronic funds transfer to the AGENCY's designated bank account on a daily net 7 basis.

4. Termination Right of InComm

InComm shall have the right to terminate services under this Addendum immediately upon written notice to Agency and Delerok in the event that (i) InComm or any InComm retailed is deemed, or (ii) InComm reasonably determines that InComm or any InComm retailed may be deemed, a "seller of prepaid access" or "provided of prepaid access" (as each term is defined under 31 CFR 1010.100(ff) or any successor provision) as a result of their respective activities related to participation in the Retail Sales Network or Retail Distribution Network.

5. Agreement for Use of Services

By using the InComm Retail Reload Network, InComm Sales Network or InComm Card Production Services, AGENCY agrees to pay the fees and accepts the terms and conditions defined within this Addendum A and to provide properly completed EFT Funds Authorization and W9 Request for Taxpayer Identification Number forms to facilitate the electronic transfer of funds from InComm.

IN WITNESS WHEREOF, the Parties have executed this Addendum by their duly authorized representatives in one or more counterparts, each of which shall be deemed an original, effective as of the date first signed by either Party.

Ventura County Transportation Commission. Delerrok Inc.

By: _____	By: _____
(Authorized Signature)	(Authorized Signature)
Name: _____	Name: _____
(Print or Type)	(Print or Type)
Title: _____	Title: _____
Date: _____	Date: _____

Exhibit A
InComm Reload and Card Distribution Network
Statement of Work

InComm Reload Network

Task	Delierrok	InComm	AGENCY
Retailer recruitment, relationship management and contract management		X	
Reload Network setup, training, management and maintenance		X	
Retailer funds collection and reconciliation		X	
Retailer commission payment		X	
Retailer marketing program management		X	
Retailer technical support		X	
AGENCY Reload Network account creation and management	X	X	X
AGENCY-specific Reload Network configuration and testing	X	X	
AGENCY Code creation	X		
Umopass Card Specification creation, maintenance and distribution	X		
Unpackaged Umopass Card manufacturing, encoding and delivery to AGENCY	X		Option
AGENCY-specific testing with Retailer systems	X	X	
AGENCY funds remittance and reconciliation		X	X
AGENCY fee calculation and collection		X	
AGENCY reload program marketing			X
Accept and process passenger requests for reloads of stored value to Umopass accounts		X	
Submit stored value reload requests to Umopass		X	
Reload Network transaction reporting	X	X	
Integration with Umopass System	X	X	
Reload Network – Umopass Interface setup, operation and maintenance	X		
Accept and process stored value reload transactions from InComm	X		
Accept reloaded stored value for fare payments on AGENCY vehicles	X		X
Umopass technical support	2 nd /3 rd Tier		1 st Tier

InComm Card Production and Distribution Network

Task	Delerrok	InComm	AGENCY
Retailer recruitment, relationship management and contract management		X	
Card Distribution Network setup, training, management and maintenance		X	
Accept and process passenger requests for Umopass Card purchase, activation and loading		X	
Retailer funds collection and reconciliation		X	
Retailer commission payment		X	
Retailer card sales marketing program management		X	
Retailer technical support		X	
AGENCY Card Distribution Network account creation and management		X	
AGENCY Code creation	X		
AGENCY UPC creation		X	
Umopass Card Specification creation, maintenance and distribution	X		
Card order file generation	X		
Card production and packaging		X	Option
Card re-order processing		X	Option
Card package warehousing and distribution		X	
AGENCY-specific Card Distribution Network configuration and testing		X	
AGENCY-specific testing with Retailer systems	X	X	
AGENCY funds remittance and reconciliation		X	
AGENCY fee calculation and collection		X	
Submit sales, activation and load requests to Umopass		X	
Card sales and load transaction reporting	X	X	
Integration with Umopass System	X	X	
Reload Network – Umopass Interface setup, operation and maintenance	X	X	
Accept and process card sales, activation and load requests from InComm	X		
Accept InComm-sold cards and stored value for fare payments on AGENCY vehicles	X		X
Umopass technical support	2 nd / 3 rd Tier		1 st Tier

**EFT AUTHORIZATION**

InComm Company							
InComm Corp	_____	ICI	_____	US South	_____	IFS	_____
IHA	_____	Pre PR	_____	Epay US	_____	Kwik	_____
Adility	_____	IDS	_____	IPC	_____	AMEX	_____
GCI	_____	InComm CAD	_____	Hong Kong	_____		

New _____ Change _____ ACH _____ Wire _____

Company Name:
Company Address:
Company Contact Name:
Company Contact Telephone Number:
Company Contact Email:

Company sells goods and/or provides services, or has another distributor/partner relationship with or through Interactive Communications International, Inc. ("InComm"). The signer on this request hereby (1) authorizes InComm to make payments by EFT, (2) confirms that it has selected the following Depository Financial Institution to receive payments, and (3) certifies that the following payment instructions are accurate, current and can be relied upon by InComm to affect all EFTs.

Name on Account:		
Bank Name:	Country:	
US Payments	Routing Number/ABA:	Account Number:
International Payments	SWIFT Code:	
Account or IBAN:		
Currency to be Paid:		
Bank Contact Name:		
Bank Contact Telephone Number:	Bank Contact Email:	

If using an intermediary bank – please contact Corporate Treasury at 770-882-2297 for the appropriate form.

Company acknowledges and agrees that the terms and conditions of all agreements with InComm concerning the manner and method of payments for goods and/or services shall be amended as provided herein. Company shall provide InComm thirty (30) days advance written notice of any changes to its payment instructions using this form.

COMPANY (Legal Name):		
Authorized Signature:		DUNS#:
Printed Name:		FEIN#:
Date:		Title:

E-mail completed form to: AccountsPayableHQ@incomm.com & contractadmin@incomm.com

All information will be kept confidential and used for payment purposes only

Rev 07-01-2019

Cubic Transportation Systems, Inc. – Proprietary and Confidential



Item #8F

July 9, 2021

MEMO TO: SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

FROM: AMANDA FAGAN, DIRECTOR OF PLANNING AND SUSTAINABILITY

SUBJECT: INCIDENT RESPONDER GRANT PROGRAM - ROUND 2

RECOMMENDATION:

- Approve program guidelines and initiation of the application process for a second round of grants for the Incident Responder Grant Program to provide up to \$1,000,000 to agencies that respond to highway incidents within Ventura County.

BACKGROUND:

The Ventura County Transportation Commission, acting in its capacity as the Service Authority for Freeway Emergencies (SAFE), manages the Motorist Aid Services Program, which is financed by a \$1 annual fee provides for a motorist aid system in Ventura County, including emergency roadside call boxes and Freeway Service Patrols, and is funded by a \$1 vehicle registration fee on all vehicles registered in Ventura County. Motorist Aid includes emergency roadside call boxes, Freeway Service Patrol, Advance Traveler Information System, and the Incident Responder Grant Program.

In November 2018, the Commission approved the development of new programs funded through the SAFE to provide expanded services to Ventura County motorists and established a policy to maintain a \$1.5 million reserve fund balance. In June 2019, the Commission established the Incident Responder Grant Program to provide financial assistance to agencies that respond to highway incidents.

Entities responding to freeway and highway incidents play a significant role in aiding motorists involved in incidents and those simply caught in the resultant congestion until the incident is cleared. These entities use a wide variety of tools to assist motorists, from life saving devices to photographic equipment for incident analysis. These tools heighten the efficiency of incident responders allowing them to save lives and reduce congestion. To accommodate the purchase of the widest possible array of tools and/or equipment by agencies both large and small, the Commission established a wide range of grants available from \$5,000 to \$500,000. With Program approval in June 2019, the Commission also approved grant participant eligibility criteria, eligible expenditures, grant amount and frequency, expenditure life cycle, ownership requirements, and application process and scoring.

The first round of Incident Responder Grants provided five awards for a total of \$905,519.62, with award amounts ranging from \$45,000 to \$437,519.62. These awards supported the purchase of a major incident response vehicle, lighting systems, traffic control devices, changeable message signs, and a variety of other tools to improve incident response. Round 1 awardees included the Fillmore Fire Department, Oxnard Police Department, Ventura Police Department, Ventura County Fire Protection District, and Ventura County Sheriff.

DISCUSSION:

The Incident Responder Grant Program requires review of the SAFE Fund Balance every two years with an allocation set at not less than \$500,000, subject to available funding. As of June 30, 2021, the SAFE Fund Balance is approximately \$4.85 million. The approved Motorist Aid Program Budget for Fiscal Year 2021/2022 includes \$1,000,000 for a second round of Incident Responder Grant Program awards.

The proposed Round 2 program carries forward grant eligibility criteria and other requirements and follows the application process approved by the Commission in June 2019, and provides an updated timeline for grant submittal and review.

While the full outline and schedule of the grant program can be found in Attachment 1 to this item, highlights include:

- Minimum and maximum grant amounts to be \$5,000 and \$500,000 respectively;
- Open to government agencies either singularly or working in collaboration that respond to highway incidents;
- Must be on the roadway network as defined in SAFE statutes;
- Grants to be for capital expenditures only; and,
- Grant recommendations will be brought back to the Commission for final approval.

Grant proposals are due no later than 4:00PM on Thursday, September 30, 2021. Staff anticipates returning to the Commission at the November 2021 meeting to request approval of grant awards.

Ventura County Service Authority for Freeway Emergencies (SAFE) Incident Responder Grant Program

Introduction

The California Legislature established Service Authorities for Freeway Emergencies (SAFE) in order to encourage the development of a motorist aid system comprised of multiple service elements and infrastructure along the California Freeway System to enable motorists in need of assistance to obtain aid.

Entities responding to freeway and highway incidents play a significant role in providing assistance to motorists involved as well as those simply caught in the resultant congestion until the incident is cleared. Entities responding to freeway and highway incidents use a variety of tools to assist motorists from life saving devices to photographic equipment for incident analysis. These tools heighten the efficiency of incident responders allowing them to save lives as well as reduce congestion.

The Ventura County SAFE finds it is beneficial to Ventura County motorists for incident responders to have the best tools available for their use. To that end, Ventura County SAFE establishes the Incident Responder Grant Program to provide funds to incident responders in Ventura County. Funding is provided through the Ventura County SAFE, which receives a \$1 vehicle registration fee on all vehicles registered in Ventura County.

1. Grant Participant Eligibility

Eligible participants in this grant program consist of government agencies, either singularly or in collaboration, that provide roadway incident response on the segments of Ventura County's roadway network shown in Figure 1 below and that meet the following criteria:

"...money's received by [the Service Authority] pursuant to subdivision (b) of Section 9250.10 of the Vehicle Code shall be used for the implementation, maintenance, and operation of a motorist aid system on the portions of the California Freeway and Expressway System and, the unincorporated county roads that county, and on state highway routes that connect segments of these systems, which are located within the county in which the authority is established."

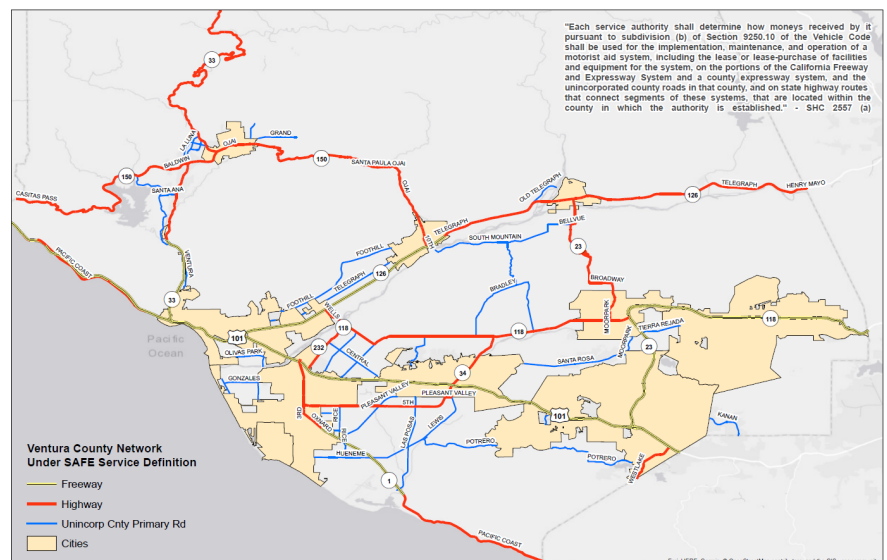


Figure 1

2. Eligible Grant Expenditures

Eligible grant expenditure categories include capital assets including computer hardware and software, equipment used to clear, manage, analyze, and prevent roadway incidents on the roadways that conform with Section 1 above. Grant funds may not be used for personnel costs or ongoing operational costs. Capital assets must remain with the grant recipient for the reasonable life cycle of the asset; they may not be sold, transferred, or assigned to other agencies or entities.

3. Grant Amount and Frequency

The SAFE Board shall determine the total amount of and frequency of grant allocations based a review of the SAFE Fund Balance every two years. The review of the SAFE Fund Balance shall occur with the development of the draft SAFE budget with grant application process beginning July 1 of the fiscal year for which the budget is appropriated. Subject to available funding the SAFE Board will consider setting the minimum total grant allocation at not less than \$500,000 to ensure the greatest value to incident responders.

4. Grant Expenditure Lifecycle

Government agencies receiving Incident Responder Grant funds shall expend funds in accordance with the following criteria:

- a. Agencies must expend funds within two (2) years of receipt of funds, with a one (1) year extension possible upon submission of a request from the agency that received the grant showing the necessity of the extension and upon, approval by SAFE. If funds are not expended by the government agency that received the funds within the approved time period, the agency that received the funds shall return the funds to Ventura County SAFE.
- b. Any unused or excess grant funds related to the capital project funded by the grant shall be returned to Ventura County SAFE within sixty days of the determination that there are unused or excess grant funds.
- c. Grant funds may not be transferred or assigned to another government agency or sub recipient or to another project without prior approval by Ventura County SAFE.
- d. Each December, recipients of grant funds must provide an accounting of grant funds for the previous fiscal year to Ventura County SAFE providing the status of grant funds and when grant closeout is anticipated.
- e. If assets purchased through this grant program are damaged within their reasonable lifespan and the agency receives reimbursement funds through property insurance or other mechanisms, the reimbursed funds may be; 1) used to purchase replacement assets with the agency responsible for any balance above the reimbursement; 2) if the amount of reimbursement funds are \$5,000 or greater, the reimbursement funds shall be returned to Ventura County SAFE; 3) if the reimbursement funds are less than \$5,000 they may be retained by the agency that received the grant and the funds applied to the agency's ongoing efforts in roadway incident responses.
- f. When all or needed grant funds have been expended or at the end of three (3) years, the grant fund recipient shall submit a grant close out report to Ventura County SAFE. The close out report shall include copies of receipts and point of delivery for capital purchases.

5. Ownership

Grant recipients will hold ownership, title, maintenance responsibilities and all liability associated with the purchases made through this grant program. Ventura County SAFE is not responsible for the proper use or training associated with equipment purchased through this grant program.

6. Application Process

Qualifying government agencies shall follow the application process as detailed in Attachment 1 to this document. The Grant Application process may be amended by the Ventura County SAFE Board at any time and in the Board's sole discretion.

Grant applicants may receive partial grant funding if grant requests are in excess of total grant funds available or the Ventura County SAFE Board may choose to appropriate additional SAFE funds into the grant program to fully fund any one partially funded application.

7. Application Scoring

A Grant Scoring Committee comprised of one (1) Ventura County SAFE staff member and two (2) experts in incident response, and one (1) local jurisdiction representative selected by the SAFE Executive Director shall be convened and grant applications shall be scored and ranked according to the criteria below. Final grant allocations are subject to approval by the SAFE Board.

Incident Responder Grant Program Scoring Rubric				
Rating Factor	Point Range	Percent of Total Value	Maximum Points	Total
1 Qualifications	1-5	20%	20	
2 Project description, goals and objectives	1-5	25%	25	
3 Collaboration	1-5	20%	20	
4 Capability and Qualifications to provide services	1-5	15%	15	
5 Proposal Budget: Cost effectiveness and budget review.	1-5	20%	20	
Total		100%	100	

Attachment 1 Grant Application

Grant Submittals

Applicants shall submit four (4) hard copies, including one (1) original with wet signatures and three copies, plus one electronic copy of the application package below. All grant submittals must conform to the schedule detailed below and must be delivered no later than **4:00 PM** of the grant submittal deadline to:

Ventura County SAFE Grant Program
751 E. Daily Drive, Suite 420
Camarillo, CA 93010

Grant submittals received after the application deadline **will not be considered**.

Grant Submittal Schedule

July 12 – 16, 2021 – Grant Informational packages distributed.


August 3, 2021 at 10:00 AM - Informational meeting at VCTC offices at the address above. Remote option available via Zoom.


September 30, 2021 – Proposals due to Ventura County SAFE no later than **4:00 PM**

October 15, 2021 – Proposals scored.

November 5, 2021 – Ventura County SAFE Board Grant consideration and approval.*

*Authorization to proceed and grant funds for approved grants will be distributed to grant recipients no later than thirty (30) after Board approval.

 Ventura County Service Authority for Freeway Emergencies (SAFE) Incident Responder Grant Program Application Form				Page 1
Minimum Grant Amount: \$5,000 - Maximum Grant Amount: \$500,000				
Date:		Amount of Request:		
Willing to accept partial grant: Yes <input type="checkbox"/> No <input type="checkbox"/>				
Multi Agency Application (please fill out Page 1 for each partner agency): <input type="checkbox"/>				
Agency Name:				
Agency Contact:				
Contact Title:				
Agency Street Address:				
City:		Zip Code:		
Telephone:		Email:		
Agency Type:				
Law Enforcement <input type="checkbox"/>	Fire <input type="checkbox"/>	Municipal <input type="checkbox"/>	Other <input type="checkbox"/>	
Explain:				
Jurisdictional Boundaries (mark all that apply):				
Camarillo <input type="checkbox"/>	Fillmore <input type="checkbox"/>	Moorpark <input type="checkbox"/>	Ojai <input type="checkbox"/>	
Oxnard <input type="checkbox"/>	Port Hueneme <input type="checkbox"/>	Santa Paula <input type="checkbox"/>	Simi Valley <input type="checkbox"/>	
Thousand Oaks <input type="checkbox"/>	Ventura <input type="checkbox"/>	County of Ventura <input type="checkbox"/>	Ventura County <input type="checkbox"/> (countywide)	
Other <input type="checkbox"/>	Explain:			

 <div>Ventura County Service Authority for Freeway Emergencies (SAFE) Incident Responder Grant Program Application Questionnaire</div>	
Page 2	
Please answer the questions below with as much specificity as needed to fully answer the questions. If additional space is required, it is allowable to attached additional sheets to this application.	
1. What is your agency's role in responding to roadway incidents?	
2. Please describe the problem that your agency has identified concerning roadway incident response within your jurisdiction that would be improved by grant funding for capital assets.	
3. Please describe how grant funding would provide the solution that your agency is proposing to the problem identified above. Please include specific tasks, timelines, processes and possible collaboration with other agencies.	
4. Please describe your agency's capability to carry out the proposed solution described above.	



**Ventura County Service Authority for Freeway Emergencies (SAFE)
Incident Responder Grant Program
Application Questionnaire**

Page 3

Please answer the questions below with as much specificity as needed to fully answer the questions. If additional space is required it is allowable to attach additional sheets to this application.

5. Please describe how other agencies might benefit from your agency's proposal.

6. Please describe in detail how grant funds are proposed to be expended. Include a draft budget and timeline for expenditures.

7. How will your agency measure the outcomes and impacts of that result from the capital asset funded with the Ventura County SAFE grant funds? If available, please share any evidence or research that supports your agency's proposal and expected outcomes.

The representative below has read and agrees to the Ventura County SAFE guidelines and is authorized to submit grant applications and accept funds for the agency named above.

Agency Director (please Print)

Agency Director Signature and Date

Agency Contact (if different)

Agency Contact Signature and Date



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Item #8G

July 9, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: CLAIRE GRASTY, PROGRAM MANAGER

SUBJECT: COLLEGE RIDE PROGRAM REIMBURSEMENT AGREEMENT AMENDMENT

RECOMMENDATION:

- Authorize Executive Director to Approve Amendment No.1 to the Reimbursement Agreement with Ventura County Operators for the College Ride Program

DISCUSSION:

In the summer 2018, VCTC in coordination with the Ventura County transit operators and the colleges in Ventura County, implemented the College Ride Program. The program is funded by the state Low Carbon Transit Operations Program (LCTOP). The stated goal of the College Ride Program is to increase transit ridership among the college student population by waiving fares for enrolled students of colleges within Ventura County. The schools include: CSUCI, Ventura College, Moorpark College, Oxnard College and CLU. All enrolled students are able to ride the for free anytime on any of the Ventura County transit operators.

From its inception until the onset of the COVID-19 pandemic, this program was extremely successful and led to continuously increasing College Ride boardings and was very popular with the schools and the community. When the pandemic began, most operators in the county ceased collecting fares. As many restrictions begin to relax and transit operators begin charging fares again, VCTC, in coordination with the transit operators, has revised it the College Ride Reimbursement Agreement.

The grant funding is used to support a defined per passenger reimbursement to the operators. The reimbursement rate was originally \$1.10 per boarding and was planned to be increased until that was stalled due to the pandemic. In recognition that a number of operators have increased their fares since the inception of this program, VCTC is proposing to reimburse the agencies at their agency fare, rather than one set fare for the entire county. The operators are in the process of or have completed the amendment, which is attached.

**FIRST AMENDMENT TO REIMBURSEMENT AGREEMENT FOR TRANSIT PROVIDERS
VCTC COLLEGE RIDE PROGRAM**

AGREEMENT BETWEEN VCTC AND VENTURA COUNTY TRANSIT OPERATORS

This First Amendment to the Reimbursement Agreement for Transit Providers (First Amendment) between the Ventura County Transportation Commission ("VCTC") and Participating Transit Providers, (collectively referred to herein as "AGENCIES") is entered into as of this 9th day of July 2021 and shall become effective July 1, 2021.

WHEREAS, VCTC and the AGENCIES entered into a Reimbursement Agreement with Transit Providers ("Agreement") for acceptance of College and University students identification as fare payment for general public transit services; and,

WHEREAS, the Transit Providers each charge a unique fare price set by their governing board, and the current Reimbursement Agreement provides fixed reimbursement rate of \$1.10 per passenger boarding, and VCTC and the AGENCIES desire to update the reimbursement rate to match Transit Providers' current fare prices; and,

WHEREAS, VCTC and the AGENCIES now desire to amend the Agreement to update the basis for per trip reimbursement, and the methods by which VCTC and the AGENCIES may additionally validate, report and transmit data concerning usage and the associated revenues for disbursements.

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

1. **Operation.** Section 3 of the Agreement, "Operation" is hereby amended, in part to modify the provision titled "Reimbursement" to read as follows:

Reimbursement: AGENCIES shall submit an accounting invoice listing the number of boardings by Enrolled College Students no more than once a month to the VCTC. As backup AGENCIES shall provide Tally Sheets OR original, unedited, and untampered data system reports that accurately reflect the number of times valid Enrolled College Students were provided a passenger trip. The VCTC will reimburse the transit provider agency at the rate per trip equal to the Transit Provider's fare, as approved by the Transit Partner's governing body for the trip taken. The VCTC will provide the reimbursement within thirty days following acceptance of a complete invoice packet (i.e. invoice and tickets). Reimbursement amounts per trip are subject to change if the Transit Partner's governing board (City Council, Board of Directors, etc.) approves adjustment to the value of the per trip fare charge. The AGENCIES shall provide sixty (60) days prior written notice to VCTC for changes to the reimbursement rate.

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

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

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

VENTURA COUNTY TRANSPORTATION COMMISSION

Darren M. Kettle, Executive Director
VCTC

APPROVED AS TO FORM

Steve Mattas, General Counsel
VCTC

[INSERT PARTICIPATING TRANSIT PROVIDER NAME]

[Insert signatory]

[Insert Agency]



Item #8H

July 9, 2021

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

RECOMMENDATION:

- Adopt Resolution #2021-10 amending the Ventura County Transportation Commission Procurement Policy and Procedures (separate attachment).

BACKGROUND:

The Ventura County Transportation Commission (VCTC) administers grants provided by the Federal Transit Administration (FTA), Federal Highway Administration (FHWA), and the State of California for transit services, regional planning, and capital improvements within Ventura County. As a condition of funding, VCTC is responsible for overall grant management, including submitting quarterly progress reports, monitoring project status, approving payment of invoices, and ensuring compliance with Federal and State requirements. These requirements include rules and regulations pertaining to the procurement of goods and services and for contract administration.

DISCUSSION:

Periodically, State and Federal rules regarding procurement and contract administration change. The proposed amendment to the VCTC Procurement Policy and Procedures address a recent change, namely that the federal government has raised the threshold for using the Micro Purchase Procedures from \$3,500 to \$10,000. Micro purchase procedures are informal or convenience purchases and may be made without obtaining competitive quotations if the price is determined to be fair and reasonable, based on recent research, experience, or purchases. The proposed amendment would increase the dollar amount of the threshold to match FTA's new \$10,000 threshold.

Staff recommends that the Commission adopt Resolution #2021-10 amending the Ventura County Transportation Commission Procurement Policy and Procedures (Separate Attachment).

RESOLUTION NO. 2021-10
A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION APPROVING
AMENDMENTS TO ITS PROCUREMENT POLICY AND PROCEDURES

WHEREAS, the Ventura County Transportation Commission (VCTC) administers grants provided by the Federal Transit Administration (FTA), Federal Highway Administration (FHWA), and the State of California for transit services, regional planning, and capital improvements within Ventura County; and,

WHEREAS, as a condition of funding, VCTC is responsible for overall grant management, including submitting quarterly progress reports, monitoring project status, approving payment of invoices and ensuring compliance with Federal and State requirements, including rules and regulations pertaining to the procurement of goods and services and for contract administration; and,

WHEREAS, On September 7, 2018, the Ventura County Transportation Commission adopted the amended Procurement Policy and Procedures to ensure that materials and services are obtained in an effective manner and in compliance with state and federal requirements; and,

WHEREAS, the Ventura County Transportation Commission wishes to update its Procurement Policy and Procedures to reflect recent changes in Federal procurement procedures.

NOW, THEREFORE, the Ventura County Transportation Commission does hereby approve the amendments to VCTC's Procurement Policy and Procedures as reflected in Exhibit 1, attached hereto and incorporated herein.

PASSED, APPROVED AND ADOPTED this 9th day of July, 2021.

Kelly Long, Chair, VCTC

ATTEST:

Roxanna Ibarra, Clerk of the Commission

APPROVED AS TO FORM:

Steven T. Mattas, General Counsel

Date



Item #81

July 9, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN M. KETTLE, EXECUTIVE DIRECTOR

SUBJECT: PERSONNEL POLICIES AND PROCEDURES UPDATES

RECOMMENDATION:

- Approve Updates to the Personnel Policies and Procedures Manual.

BACKGROUND:

The Commission previously adopted rules and regulations in 2000, entitled Resolution No: 00-07: A resolution of the Ventura County Transportation Commission establishing a Personnel Procedures and Policies Code for the Ventura County Transportation Commission. The Commission adopted an updated version of that document, entitled, Personnel Policies and Procedures in March of 2011 and October 2015.

The Personnel Policies and Procedures document has not been updated since 2015. The changes reflect past Commission action, auditor's recommendations, changes to any federal or state laws, and general clarification of VCTC practices. VCTC's legal counsel has previously reviewed the changes and VCTC staff members have had an opportunity for review, as well.

Attachment A is a summary of the highlighted (tracked) changes and the reason for the recommended language changes. The manual will continue to be updated to reflect legal and operational changes as needed and brought to the Commission once a year or as appropriate with changes highlighted.

I recommend approval of the listed changes to the Personnel Policies and Procedures Manual.

Attachment:

Attachment A- Summary of the highlighted (tracked) changes.

Attachment B-Updated Personnel Policies and Procedures Manual July 2, 2021

ATTACHMENT A

The following items are the key changes to VCTC's Personnel Policies and Procedures. Minor typing errors and formatting corrections are included in the final document but not listed below:

Reason for change: Reflects prior VCTC Commission action

10.2.2.2 Maximum Vacation Accrual: Employees may accrue vacation leave up to the maximum amount of 320 hours except as provided herein. Employees may continue to accrue vacation leave within a particular calendar year above the 320-hour accrual limit, but those hours accrued above the limit during that specific calendar year that are not used by the end of that same calendar year shall be paid out pursuant to Section 10.2.2.5. This 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. Once the maximum accrued leave has been reached, the employee ceases to accrue any additional vacation leave until such time as employee has used enough vacation leave to drop below the not to exceed maximum levels.

~~Maximum Vacation Accrual: Employees may accrue vacation leave up to the maximum amount of 320 hours. This 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. Once the maximum accrued leave has been reached, the employee ceases to accrue any additional vacation leave until such time as employee has used enough up vacation leave to drop below the not to exceed maximum levels.~~

10.2.2.5 Annual Vacation Leave Buy-Out: Any unused vacation leave accrued within a particular calendar year above the 320-hour accrual limit, as described in **Section 10.2.2.2**, shall be paid out to the employee in the last pay period of such year. Any vacation leave cashed out shall be calculated based on the employee's then current hourly pay rate.

Reason for change: Reflects prior VCTC Commission action

8.7.4 Approval: Employees may be reimbursed for books, tuition, and fees to the maximum amount equal to a part-time student's books, tuition, and fees at the California State University Channel Islands (CSUCI). Reimbursement shall not exceed the Internal Revenue Code's section 127 maximum educational reimbursement amount in any calendar year nor exceed CSUCI's costs for any two semesters in a fiscal year. Reimbursement will be made upon successful completion of the course, provided that the employee submits the following to his/her department director within 30 days of course completion: evidence of earning a grade C or better for the course, or proof of attendance for classes that do not use a formal grading system or a verified statement including adequate receipts of tuition, fees and book expenses. An employee may seek reimbursement for courses taken at an accredited higher education institution in pursuit of an Associates, Bachelors, or Masters degree in a field related to transportation, planning, public policy, or public or business administration.

~~Employees may be reimbursed for books and tuition fees to the maximum of \$1,000 per fiscal year upon successful completion of the course, provided that the employee submits the following to his/her department director within 30 days of course completion: completion: evidence of earning a grade C or better for the course, or proof of attendance for classes that do not use a formal grading system or a certified statement including adequate receipts of tuition and book expenses.~~

Reason for change: Revisions to State Law

10.4.1 Family and Medical Leave Policy: Under the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), VCTC employees are eligible for FMLA or CFRA leave benefits.

~~VCTC does not employ 50 or more employees. Unless and until VCTC employs 50 or more employees, employees are not legally entitled to FMLA or CFRA leave benefits. However, it is the executive director's intent to follow the FMLA and CFRA laws as much as practicable.~~



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Item #9

JULY 9, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

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

SUBJECT: LEGISLATIVE UPDATE

RECOMMENDATION:

Receive and file.

DISCUSSION:

Federal Issues

June was an active month in Washington, with significant progress reported on both a surface transportation reauthorization bill and a proposal to invest nearly \$1 trillion in infrastructure projects nationwide.

On June 10, the House Transportation & Infrastructure Committee passed the Investing in a New Vision for Environment and Surface Transportation (INVEST) in America Act (H.R. 3684), a five-year, \$547-billion surface transportation reauthorization bill.

This bill would replace the Fixing America's Surface Transportation (FAST) Act, a \$305-billion bill that received a one-year extension in 2020 and is set to expire in September. Compared to the FAST Act, the new bill would provide significant funding increases for transit and rail service. The INVEST Act increases funding for passenger rail by 514 percent, for transit by 59 percent, and for highways by 29 percent. The bill also includes a zero-emission bus funding "set aside" for states such as California that have enacted requirements for full-fleet conversions.

For the first time in several years, members of the House agreed to include member-designated projects, or earmarks, in the bill. More than 2,300 earmark requests were submitted, and roughly 1,500 were accepted. As previously reported to the Commission, VCTC had submitted two projects to Rep. Julia Brownley and one project to Rep. Mike Garcia for consideration.

As passed by the House T&I Committee, the INVEST in America Act bill includes eight projects that would benefit Ventura County. The projects and funding amounts are:

- \$6 million for the Leesdale passing extension and upgrade, a project submitted by VCTC and the Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency (LOSSAN);
- \$4 million for the widening of Central Avenue to add Class II Bike Lanes near U.S. 101 to the northwest city limits in Camarillo;
- \$4 million for the Sequoia Avenue Railroad Crossing Upgrade in the city of Simi Valley;
- \$3 million for the U.S. 101/Del Norte interchange in the city of Oxnard;
- \$3 million to the Port of Hueneme and Oxnard Harbor District for the intermodal improvement project;
- \$1.675 million to the Gold Coast Transit District for zero-emission bus replacements, charging infrastructure and zero-emissions job training;
- \$440,000 for Ojai Avenue pedestrian crossing safety lighting improvements in the city of Ojai;
- \$440,000 for an electric trolley in the city of Ojai.

Two other VCTC projects submitted to the Committee were not included in the reauthorization bill: auxiliary lanes along U.S. 101 and soundwall mitigations for portions of State Route 118. In both cases the Committee had concerns about the cost of the projects and the lack of additional funds that would be needed to complete them.

The full House was expected to vote on the bill the week of June 28. If the bill passes, it will head to the Senate for consideration. On the Senate side, several committees are also working on reauthorization legislation to fund transportation investment over the next five years.

On June 24, President Biden and a bipartisan group of senators announced they had reached a tentative deal on a \$973-billion infrastructure plan. While the proposal is much smaller than the original package proposed by the Biden administration in March, the \$579 billion in new spending would represent a significant investment in infrastructure. The proposed deal also lays out tentative sources of funding, such as closing the IRS tax gap and repurposing unused COVID-19 relief funds.

Details of the proposal include:

- \$109 billion for roads and bridges;
- \$66 billion for passenger and freight rail;
- \$49 billion for public transit;
- \$7.5 billion for electric vehicle infrastructure;
- \$7.5 billion for electric buses and transit

Both the reauthorization bill and infrastructure proposal have a long way to go before they are final, but the significant progress made on each is positive news.

State Issues

California lawmakers on June 14 passed a \$247-billion budget, meeting the June 15 deadline to have a spending plan in place. However, Gov. Gavin Newsom did not immediately sign the budget, and negotiations between the governor and legislators continued. The new fiscal year begins July 1, and the governor may sign the budget bill and budget-related bills by that date.

On transportation-related issues, the budget passed by the Legislature largely mirrors the budget plan submitted by the governor in the May Revision. That plan, which was described in the June report to the Commission, includes \$11 billion in infrastructure and transportation investments, including \$500 million for the state's Active Transportation Program and \$1 billion for transportation projects related to the 2028 Olympics.

Neither plan addresses the requests from transit agencies for a statutory relief measure to offset the negative impacts of the pandemic, though it is expected that relief could come later this year in the form of a trailer bill.

The monthly report of Delaney Hunter, the Commission's state lobbyist, can be found in a separate attachment.



CALIFORNIA ADVISORS, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION MONTHLY STATE ADVOCACY REPORT JUNE 2021

Legislative Update

The Legislature and Governor spent the first half of the month negotiating the state budget. These negotiations involved budget subcommittee hearings which were broken down by subject, along with full committee to work on the differences between the Assembly, Senate, and Governor's versions of the budget. Ultimately, the Legislature passed a \$267.1 billion budget by the required June 15th deadline. However, the Legislature and the Governor remained far apart on many key items. After a couple more weeks of negotiations, on June 28th, both houses of the Legislature passed the "Budget Bill Jr." that reflected a compromise between the two sides. While there are still many trailer bills that need to be worked out the framework of the budget is in place. It is expected that the Governor will sign the budget bills ahead of the new fiscal year starting on July 1st.

During the budget process, there were a few policy committee hearings to begin dealing with bills the other house of the Legislature sent over. Now that the budget has been finalized, the beginning of July will again be focused solely on policy committee hearings to meet the next legislative deadline. All the bills that are not tagged fiscal must be heard before the upcoming July 14th deadline, so there will be several lengthy committee hearings over the next couple of weeks. After this first deadline, the Legislature must then hold all Appropriations Committee hearings by August 27th. However, Members will convene a month-long summer recess (July 16th to August 16th) before tackling the final month of the legislative session. California Advisors will continue to keep VCTC updated on relevant legislation and important committee hearings as bills advance through the second house.

Budget Update

As noted above, after the Governor released his May Revise, the budget subcommittees in each house reconvened to finalize their respective versions of the budget. The Legislature's framework differed from the May Revision in two primary ways. First, it maximizes flexible federal funds to support and improve core programs. And second, the Legislature's Version uses the revenue forecasts of the Legislative Analyst's Office, naturally, as well as up to date revenue performance through the month of May in the current year. In the end, they compromised on the amount of spending at \$262.6 billion, of which \$196.4 is from the General Fund, and total General Fund reserves equaling a record \$25.2 billion. Total Proposition 98 spending is a record, \$93.7 billion, including \$64.4 billion from the General Fund.

The final version provides billions of dollars in new spending for transportation infrastructure, including:

- \$3 billion in funding for transportation infrastructure across the state, including:
 - \$1 billion (General Fund) to deliver critical projects for completion by 2028.
 - \$1 billion (General Fund) for transit and rail projects statewide that improve rail and transit connectivity between state and regional/local services.
 - \$500 million (General Fund) to advance projects that increase active transportation
 - \$500 million (General Fund) to support critical safety improvements throughout the state
- Roughly \$2 billion in special funds and federal funds for streets, roads, and highway projects, and
- \$400 million for a State and Local Transportation Adaptation program.

- Provides that these funding pots are dependent on future legislation being enacted by October 10, 2021, and if no legislation, the funding reverts to the General Fund.

For the California Transportation Commission, it provides:

- \$30 million, leveraged against other funding sources for affordable housing development and construction of needed infrastructure,
- Includes trailer bill language that makes changes to the Maintenance of Effort (MOE) requirement for local governments that receive funding from the state for their local streets and roads.

Caltrans budget includes:

- Includes \$7,172,000 (\$1,829,000 in Personal Services (PS) and \$5,343,000 in Operating Expense (OE)) of the \$94,000,000 received from the Coronavirus Aid, Relief, and Economic Security (CARES) Act for support costs.
- Includes a permanent increase in State Highway Account (SHA) funds of \$20,600,000 beginning in 2021-22, for the Division of Maintenance (Maintenance) at Caltrans to dedicate resources for Hazardous Material Removal at Encampments. Adopts only two years of funding.
- Provides 2-year limited term increase of \$22,499,000 and five 2-year limited-term positions to fund safety projects throughout the state as part of its Highway Maintenance 4 Safety (HM-4) Program.
- Includes a permanent increase in the State Highway Account (SHA) funds of \$4 million in operating expenses beginning in 2021-22 for MAZEPP needs statewide. The permanent increase in resources will enhance worker safety in project work zones.
- Includes a total of \$8,295,000 comprised of a one-time operating expense increase of \$7,340,000 in 2021-22, and a permanent operating expense of \$955,000 beginning in 2021-22, for Caltrans. This increase in the State Highway Account (SHA) funds will be utilized for office space modifications, internal staffing relocations, modular systems furniture (MSF) reconfigurations and mobile workforce technology to enhance the ability of Caltrans to telework and explore further innovations related to housing employees.
- Adopts three-year, limited-term resources in the SHA funds totaling \$2,756,000 to support increase workload for wildfire litigation.
- Defers action on resources for a two-year limited term reimbursement authority of \$3.4 million and 14 positions for legal services rendered on behalf of the California High Speed Rail Authority.
- Adopts May Revision and placeholder budget bill language related to accountability and reporting for encampment relocation liaisons and homeless services liaisons.
- Includes an ongoing increase in State Highway Account funding to implement the replacement of the most critical end-of-life information technology infrastructure equipment.
- Provides \$5.5 million and 10 positions one-time for costs related to the Transportation System Network Replacement IT project.
- Adopts placeholder trailer bill language to authorize Caltrans to provide a \$250 stipend to an individual, organization, agency, or business upon completion of a clean-up and abatement of litter agreement.
- Adopts \$418 million for litter abatement; adopts state and local beautification, and education projects; rejects \$75 million for Arts; and approves \$83 for the Clean California Initiative. Adopts trailer bill language to implement the state and local beautification programs.
- Adopts trailer bill language will allow for the assessment before the ending the exemption.
- Approves \$7 million in one-time General Fund for the Liberty Canyon Wildlife Crossing project and trailer bill language.
- Approves \$400 million for state and local transportation adaptation grants. Adopts placeholder trailer bill language and budget bill language.

Secretary of Transportation Agency:

- Adopts trailer bill language to make changes to the Transportation Development Act (TDA) related to the distribution and uses of funding for transit.
- Adopts placeholder trailer bill language to extend NEPA delegation to 2025.
- Provides \$280 million to fund improvements that facilitate enhanced freight and passenger access in and around the seaport and to promote the efficient and safe movement of goods and people.

High Speed Rail Authority:

- Defers action on all proposals related to High-Speed Rail.

Upcoming Bill Deadlines and 2 Year Bills

July 14 – Last day for policy committees to meet and report bills.

July 16 – August 16 – Summer recess.

August 27 – Last day for fiscal committees to meet and report bills to the Floor.

August 30 – September 10 – Floor Sessions only.

September 3 – Last day to amend bills on the Floor.

September 10 – Last day for each house to pass bills.

October 10 – Last day for Governor to sign or veto bills.

Below is a list of VCTC tracked bills:

AB 43 (Friedman D) Traffic Safety.

Introduced: 12/7/2020

Status: 5/19/2021-Referred to Committee on Transportation

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: 6/16/2021-Referred to Committees on Governance and Finance and Judiciary.

Summary: Would, until December 31, 2023, require all open and public meetings of a city council or a county board of supervisors that governs a jurisdiction containing least 250,000 people to include an opportunity for members of the public to attend via a telephonic option or an internet-based service option. The bill would require all open and public 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 or an internet-based service option, as provided.

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

Introduced: 2/1/2021

Status: 5/27/2021- Referred to Committees on Governance and Finance and Judiciary

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 of emergency 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 determines, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees.

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

Introduced: 2/8/2021

Status: 6/22/2021-Enrolled and presented to the Governor at 4:15 p.m.

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: 6/16/2021-Referred to Committee on Judiciary.

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

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

Introduced: 2/8/2021

Status: 6/21/2021-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Committee on Judiciary.

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

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

Introduced: 2/11/2021

Status: 6/16/2021-Referred to Committee on Transportation.

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

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

Introduced: 2/16/2021

Status: 6/9/2021-Referred to Committee on Environmental Quality.

Summary: The State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state 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. 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 outcomes in the scoping plan, as specified.

AB 773 (Nazarian D) Street closures and designations.

Introduced: 2/16/2021

Status: 6/1/2021-In committee: Hearing postponed by committee.

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

Introduced: 2/16/2021

Status: 6/16/2021-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: 6/22/2021-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.

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

Introduced: 2/17/2021

Status: 6/16/2021-Referred to Committees on Transportation and Environmental Quality.

Summary: This bill 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: 6/16/2021-Referred to Committee on Transportation.

Summary: This bill 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: 6/9/2021-Referred to Committee on Transportation.

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: 6/9/2021-Referred to Committee on Governmental Organization.

Summary: Would require the Department of General Services to develop guidance, policies, and procedures for the integration and development of digital construction technologies for use on a civil infrastructure project, as defined, that is developed by specified state entities and has a state project cost of greater than \$50,000,000. The bill would require the guidance, policies, and procedures to be published in the State Administrative Manual and the State Contracting Manual, as appropriate, by January 1, 2023. The bill would require the guidance, policies, and procedures to include, among other things, the method for a state department to implement a requirement that a bid or proposal for a civil infrastructure project contract include a digital construction management plan, as specified.

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

Introduced: 2/18/2021

Status: 6/10/2021-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Committee on Environmental Quality.

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

Introduced: 2/18/2021

Status: 6/15/2021-From committee: Do pass and re-refer to Committee on Appropriations with recommendation: To Consent Calendar. (Ayes 17. Noes 0.) (June 15). 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 1238 (Ting D) Transportation.**Introduced:** 2/19/2021**Status:** 6/9/2021-Referred to Committees on Transportation and Appropriations.**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:** 6/22/2021-Read second time. Ordered to Consent Calendar.**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:** 6/15/2021-From committee: Do pass and re-refer to Committee on Transportation with recommendation: To Consent Calendar. (Ayes 4. Noes 0.) (June 15). Re-referred to Committee on Transportation.**Summary:** Under current law, a person who enters or remains upon any land, facilities, or vehicles owned, leased, or possessed by specified transit entities that are used to provide public transportation by rail or passenger bus, or are directly related to that use, without permission, or whose entry, presence, or conduct upon the property interferes with, interrupts, or hinders the safe and efficient operation of the transit-related facility, is guilty of a misdemeanor. This bill would specify that a person who enters or remains upon any property, facilities, or vehicles upon which the applicable transit entity owes policing responsibilities to a local government pursuant to an operations and maintenance agreement or similar interagency agreement without permission, or whose entry, presence, or conduct upon that property interferes with, interrupts, or hinders the safe and efficient operation of the transit-related facility, is guilty of a misdemeanor.**AB 1499 (Daly D) Transportation: design-build: highways.****Introduced:** 2/19/2021**Status:** 6/16/2021-Referred to Committee on Transportation.**Summary:** Current law authorizes regional transportation agencies, as defined, to utilize design-build procurement for projects on or adjacent to the state highway system. Current law also authorizes those regional transportation agencies to utilize design-build procurement for projects on expressways that are not on the state highway system, as specified. Current law repeals these provisions on January 1, 2024, or one year from the date that the Department of Transportation posts on its internet website that the provisions described below related to construction inspection services for these projects have been held by a court to be invalid. This bill would extend the operation of these provisions until January 1, 2034. The bill would require the department to submit a report to specified committees of the Legislature on or before January 1, 2033, on its experience with design-build procurement.**ACA 1 (Aguilar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.****Introduced:** 12/7/2020**Status:** 4/22/2021-Referred to Committees on Local Government and Appropriations.**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: 4/22/2021-Referred to Committee on Transportation

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: 5/20/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 19, Statutes of 2021.

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: 6/23/2021-VOTE: Do pass as amended and be re-referred to the Committee on [Judiciary] (PASS).

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 calendar 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: 6/22/2021-From committee: Do pass and re-refer to Committee on Communications and Conveyance. (Ayes 14. Noes 0.) (June 21). Re-referred to Committee on Communications and Conveyance.

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 274 (Wieckowski D) Local government meetings: agenda and documents.**Introduced:** 1/29/2021**Status:** 5/13/2021-Referred to Committee on Local Government

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: 6/22/2021-From committee: Do pass and re-refer to Committee on Appropriations (Ayes 11. Noes 4.) (June 21). 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 542 (Limon D) Zero-emission vehicles: fees.**Introduced:** 2/18/2021

Status: 6/1/2021-Ordered to inactive file on request of Senator Limón.

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 provides various exemptions from those taxes. This bill would provide an exemption from those taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, a qualified motor vehicle. The bill would define "qualified motor vehicle" as a specified zero-emission truck. The bill would disallow the exemption for sales or uses made on or after January 1, 2025, if the purchaser also received other specified benefits.

SB 606 (Gonzalez D) Workplace safety: citations: employer retaliation.**Introduced:** 2/18/2021

Status: 6/23/2021-From committee: Do pass and re-refer to Committee on Judiciary (Ayes 5. Noes 2.) (June 22). Re-referred to Committee on Judiciary.

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 Occupational Safety and Health Act of 1973 or other

safety related provisions of the Labor Code if, upon inspection or investigation, the division believes that an employer has committed a violation.

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

Introduced: 2/19/2021

Status: 6/22/2021-From committee: Do pass and re-refer to Committee on Appropriations with recommendation: To consent calendar. (Ayes 15. Noes 0.) (June 21). 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: 6/23/2021-Read second time. Ordered to consent calendar.

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, in any instance in which an employer is required to physically post information, an employer may also distribute that information to employees by email with the document or documents attached. The bill would specify that this does not alter the employer's obligation to physically display the required posting.

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

Introduced: 2/19/2021

Status: 6/22/2021-From committee: Do pass and re-refer to Committee on Natural Resources with recommendation: To consent calendar. (Ayes 15. Noes 0.) (June 21). Re-referred to Committee on Natural Resources

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 1, 2023. The bill would require the assessment's findings and recommendations to be incorporated into the development of the California Transportation Plan. The bill would require the state freight plan to include a description of needed infrastructure, projects, and operations for the deployment of zero-emission medium- and heavy-duty vehicles and the development of freight corridors identified in the assessment.

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

Introduced: 2/19/2021

Status: 6/23/2021-From committee: Do pass and re-refer to Committee on Transportation (Ayes 5. Noes 0.) (June 22). Re-referred to Committee on Transportation

Summary: Would require the Labor and Workforce Development Agency 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: 6/14/2021-Assembly Rule 56 suspended.

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

July 9, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: CLAIRE GRASTY, PROGRAM MANAGER

SUBJECT: RIDESHARE UPDATE

RECOMMENDATION:

- Receive and file Rideshare Update
- Authorize the Executive Director to execute Amendment #2 with Innovative TDM Solutions (ITS) to exercise the option to include administration and promotion of the Guaranteed Ride Home program and revise the Scope of Work to include Regional Rideshare Database Administration for a not to exceed amount of \$24,470.04. Because this is a sole source procurement, a 2/3 Commission vote is required for approval.

BACKGROUND:

With the addition of a number of new commissioners, VCTC staff thought it appropriate to give an update of the Rideshare program it and current projects. The aim of the Rideshare program is to reduce usage of single occupancy vehicles through various options, including carpooling, vanpooling, teleworking biking and using transit. To further this effort, the Rideshare program includes many programs and resources to support ridesharers.

Some of the efforts VCTC engages in to support this program are engaging in the Regional Rideshare program. VCTC partners with the counties of Los Angeles, Orange, Riverside and San Bernardino to coordinate on rideshare activities. This includes information and resource sharing but most importantly includes partnering on the RideMatch database that provides significant resources for both employees and employers, including ridematching, finding biking partners, transit directions, data on employees for employers and overall data for VCTC. It also helps employers comply with the Ventura County Air Pollution Control District (APCD) Rule 211, the regulation that requires Ventura County employers with more than 100 employees to collect information about their workers' commuting habits. An important benefit of having a regional ridematching system, besides a significant cost savings, is that commuters who travel between counties have seamless information available.

The Rideshare program also includes vanpooling. VCTC is part of the CalVans JPA, which provides vanpools throughout the state and county, both traditional vanpools and agricultural vanpools. Commissioner White is the VCTC representative, and Commissioner Edmonds is the alternate. There are other vanpools in the county run by Enterprise to specific employer destinations. Currently vanpool

information is lacking in the RideMatch database. In the future, VCTC plans to enhance the information available to commuters regarding vanpooling options.

VCTC helps support companies with teleworking policies and teleworkers through a number of resources on the website. During the pandemic, VCTC significantly enhanced its teleworking resources, including participating with the Santa Barbara County Association of Governments (SBCAG), Traffic Solutions Division in a regional webinar 4-part series that included best practices and incorporating teleworking policies. Numerous resources and tips can be found on the website. In the coming months, VCTC intends to conduct a survey to employers regarding their short term and long-term return to work policies.

VCTC puts considerable effort into marketing the Rideshare program. Regular annual efforts include Bike to Work Week and Rideshare Week campaigns. In addition to highlighting teleworking resources and tips since the pandemic began, VCTC has put a lot of effort into promoting biking, capitalizing on the increase in usage. Some efforts included highlighting bike trails throughout the county, providing safe trips for drivers encountering bikers and the upcoming bike safety campaign.

DISCUSSION:

A major upcoming initiative is to update the Guaranteed Ride Home (GRH) program. The GRH program provides free rides via taxi or rental car to employees who rideshare in case of emergency. Significant policy changes are being made to the program to reflect the current availability of transportation options and to be more in line with the programs of our regional partners. VCTC is planning to implement changes July 19. Major planned changes to the policy include:

- Changing the allowable transportation options from rental cars and taxis to transportation network companies (TNCs) such as Uber and Lyft. Taxis will still be allowable
- Discontinuing the voucher payment system. Rides will now be reimbursed to payer (either to GRH participant or employer)
- Adding natural disasters as an approved use of the program. Public transit delays of an hour or more or unscheduled cancellations and carpool/mechanical breakdown will also be allowed twice a year.
- Adding walking and biking as modes of travel
- Removing the provision that participants must sign up a week before they use the program
- Changing the frequency of program availability from twice per month to six times per year in alignment with GRH programs nationwide

VCTC is also proposing to have ITS review and approve the GRH Reimbursement Claim Forms and issue reimbursement accordingly. The ITS contract has an option to include the GRH administration that staff would like to execute. However, the monthly cost of the administration is higher than proposed in the contract due to increased program promotional tasks that are deemed necessary to ensure success of the program. Funds for GRH program administration through ITS are available within the Rideshare budget as VCTC had planned to update the GRH program.

Additionally, staff is proposing the Scope of Work will be updated to include Regional Rideshare Database Administration. This work is currently being done by ITS through their contract with LA Metro (Metro) on behalf of VCTC and the Orange County Transportation Commission. VCTC proposes to add these services to the VCTC contract in order to increase efficiency and to eliminate redundancy. By adding these tasks to the contract, Metro will not have to prepare additional invoices on behalf of VCTC and VCTC will be able to spend the money more quickly. Funds for these tasks exist within the budget currently and would be paid to ITS rather than Metro.

The ITS contract is a sole-source contract due to the common shared regional database work, as a second contractor working on the shared database, would be disruptive, require additional training, time, and cost to achieve to the same level of service. As such, a sole-source contract requires a 2/3 Commission vote for approval. Amendment #2 to the ITS contract agreement is attached.

CONTRACT AMENDMENT NO. 2
CONSULTANT SERVICES AGREEMENT BETWEEN
THE VENTURA COUNTY TRANSPORTATION COMMISSION ("VCTC") AND
INNOVATIVE TDM SOLUTIONS (ITS)

This Amendment No. 2 ("Amendment") by and between the Ventura County Transportation Commission ("VCTC") and ITS, herein referred to as "Consultant," is entered into as of this 9th day of July 2021. VCTC and Consultant shall be referred to collectively herein as "parties."

WHEREAS, on June 6, 2019, VCTC entered into a consultant services agreement ("Agreement") with Consultant; and,

WHEREAS, on October 20, 2020, VCTC and Consultant entered into Contract Amendment No. 1 to extend the contract from November 1, 2020 to January 31, 2022 for an amount not to exceed \$95,575.

WHEREAS, VCTC and Consultant now desire to amend the Agreement to (1) exercise the option to include administration and promotion of the Guaranteed Ride Home program, (2) revise the Scope of Work to include Regional Rideshare Database Administration and (3) increase the contract amount by \$24,470.04.

NOW, THEREFORE, VCTC and Consultant agree as follows:

1. The following language shall replace Section 3.1 of the Agreement:

3.1 - The total compensation payable by VCTC to CONTRACTOR for the above stated services is not to exceed \$119,313.04 for the period beginning July 1, 2019 and concluding January 31, 2022. The VCTC shall not be obligated to pay CONTRACTOR for costs incurred in excess of this amount unless received in writing and agreed to by VCTC prior to the commencement of the work.

2. The Scope of Work contained in Attachment A to the Agreement shall be amended to include the new language shown in Attachment A-1 attached hereto.

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

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

[Signatures on the Following Page]

IN WITNESS THEREOF, the parties have executed this Agreement No. 2 on the 9th day of July 2021.

VENTURA COUNTY TRANSPORTATION COMMISSION

by: _____
Darren M. Kettle, Executive Director

Approved as to form

by: _____
Steven T. Mattas, General Counsel

CONSULTANT: Innovative TDM Solutions

by: _____

Attachment A-1
Scope of Work
for Guaranteed Ride Home Program and Regional Administration Tasks

VCTC Guaranteed Ride Home (GRH) Program – Scope of Work (SOW)

Task 1 – GRH Program Outreach

ITS, in collaboration with VCTC and Celtis, will create new Guaranteed Ride Home (GRH) Program marketing and promotional materials for Ventura County employers and commuters. Materials will include but are not limited to:

- GRH Reimbursement Claim Form
- GRH employer marketing flyer (digital and printable)
- GRH commuter marketing flyer (digital and printable)
- GRH employer/employee poster/flyer

ITS will support VCTC in creating a detailed GRH Program Handbook for employers, which will provide program policies and procedures for how to participate in the program.

ITS will create a new VCTC Employer Partnership Agreement, which will outline the services VCTC will offer to employers and their employees, in exchange for the employer agreeing to market, administer and track the programs.

Task 2 – GRH Program Administration

ITS will receive, review and validate all GRH Reimbursement Claim Forms before processing. ITS will collaborate with employers/commuters regarding rides that do not qualify or for missing required paperwork or claim information.

ITS will open a dedicated checking account to administer and reimburse GRH rides paid for by employers or commuters who use alternative modes of transportation such as a carpool, vanpool, public transit (bus and rail), walk or bike. All GRH expense receipts, Reimbursement Claim Forms, QuickBooks Reconciliation reports and monthly bank statements will be provided to VCTC on a monthly basis.

Task 3 – Regional Administration

Manage and Coordinate the Regional Rideshare Database

ITS is responsible for managing the Regional Rideshare Database on behalf of and in partnership with the County Transportation Commissions (CTCs) of VCTC, OCTA and Metro and will represent the needs of the CTCs in communicating with TripSpark. ITS will also ensure that the CTCs are informed of the software upgrades available from TripSpark and throughout the industry.

ITS will coordinate communication between the CTCs and assist in resolving inconsistencies or issues that may arise as a result of implementing the Regional Rideshare Database. Tasks will include, but not be limited to:

- Facilitate collaborative policy decisions relating to operational and procedural functionality of the regional rideshare system.
- Provide liaison between TripSpark and the CTCs and the various regulatory agencies in the region, including AQMD, VCAPCD, and cities in the region.
- Produce monthly rideshare services reports in collaboration with and as specified by the CTCs, which will include a summary of database activity.

Provide Technical Support Services to CTC Staff

Provide assistance with troubleshooting of problems related to functionality of the RidePro software. Provide training or instructional materials (in coordination with TripSpark) on new programs and functions to CTC staff. ITS will also manage the testing and installation of enhancements and ensure that they comply with the various regulatory agencies in the region, including South Coast AQMD, VCAPCD, and cities in the region.

- Provide technical support to online/telephone inquiries from CTCs daily and assess source of reported problems, determine appropriate actions, and facilitate resolution by appropriate CTC staff or with TripSpark.
- Provide RidePro training to new CTC employees. In addition, provide support training to existing CTC staff regarding ongoing RidePro developments and enhancements.
- Coordinate the testing and installation of product enhancements, including customized programming authorized by CTCs.



Item #11

July 9, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: DISTRIBUTION OF FEDERAL COVID RELIEF FUNDS

RECOMMENDATION:

- Approve distribution of federal relief funds from the Coronavirus Response and Relief Supplemental Appropriations (CRSSA) Act and the American Recovery Plan (ARP) Act as shown in the Attachment A table.

BACKGROUND:

The federal government has approved three COVID-19 relief bills, each of which provides emergency transit funding distributed according to a different method. The following are the apportionments for Ventura County from the three bills:

- Coronavirus Aid, Relief, and Economic Security (CARES Act) –

Urban Area Funds = \$67,166,310
Rural Area Funds = \$1,303,379

- Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act –

Urban Area Funds = \$0
Rural Area Funds = \$1,172,336

- American Relief Plan (ARP) Act –

Urban Area Funds = \$15,023,627
Rural Area Funds = \$500,000 (estimate)

The initial CARES Act provided timely relief to what was an extremely urgent transit funding crisis, utilizing the existing transit funding formula. For urban funds, the standard formula for Section 5307 Urbanized Area funds is based primarily on population and service miles for large urban areas, and a much more heavily-weighted population factor only for small urban areas which in Ventura County are defined as Simi Valley and Camarillo. This formula also includes track miles which result in a large amount of additional funds due to Metrolink. VCTC's policy has been to distribute funds to transit operators based on what they generate in the formula, minus an

amount taken proportionally off-the-top for VCTC countywide expenses. The Commission approved using the same policy for CARES funds, with the exception that due to Metrolink's large number, an additional \$1 million was taken off Metrolink's share and applied towards future VCTC countywide costs.

In the CRSSA Act, Congress for the first time introduced a distribution based on transit operating expenses. CRSSA also took into account the funds already provided in CARES. Since FTA calculates apportionments by urbanized area rather than by individual operator, the large amount of funds generated by Metrolink under the CARES Act caused Ventura County to be excluded from the CRSSA urbanized funds.

The ARP Act continued in the direction of CRSSA, providing funds to urbanized areas such that the total from CARES, CRSSA, and ARP would be at least 132% of annual operating expenses. ARP contained an additional provision that urbanized areas that already received at least 132% from the first two acts would receive 25% of annual operating costs, to ensure that every area received funds from ARP.

With regard to rural areas, all three acts distributed funds based on population, in a similar manner to the regular rural funds (Section 5311). By long-standing agreement, the rural funds going to Ventura County are used by Ojai Trolley, and as a result Ojai has received the rural CARES funds and has submitted its application to receive the CRSSA funds.

ANALYSIS:

Although VCTC's policy has been to distribute FTA funds based on what is generated by the funding formula, this method must be adjusted based on the new formulas introduced by CRSSA and ARP, while recognizing the differences in the federal allocation methods for the county's large urban areas (Oxnard/Ventura/Port Hueneme/Ojai and Thousand Oaks/Moorpark) and small urban areas (Simi Valley and Camarillo).

In the case of the small urban areas, that funding in ARP was solely based on the operating expenses of Simi Valley and Camarillo. The Simi Valley area is receiving \$2,225,515 from ARP, so that the area's total CARES and ARP funds equal 132% of Simi Valley's annual operating expense. Since the Camarillo area initially received from CARES over 132% of Camarillo's annual cost, ARP provided \$517,253, which is equal to 25% of Camarillo's annual operating cost.

For the large urban areas, the apportionments were based on the operating costs of multiple operators. Due to Metrolink receiving CARES funds that were significantly over 132% of its annual cost, there is only enough funding in the ARP apportionments for the remaining transit operators to receive 92.95% of annual operating costs from CARES, CRSSA, and ARP combined.

With regard to the rural CRSSA funds, although in keeping with the current policy Ojai has already submitted, and VCTC has already approved, the claim for the \$1,172,336 Ventura County apportionment, staff has included this amount in the countywide distribution used to provide the "floor" of 92.95% of operating costs for each operator. Since it is not feasible to cancel this claim without potentially losing these funds, it is recommended that the \$1,172,336 CRSSA rural apportionment included in the overall distribution come instead from future-year Section 5311 Rural Area apportionments. The CARES funds already received put Ojai Trolley well over the 92.95% of operating expenses being received by most other operators. Furthermore, due to the large amount of funding being received through both CARES and CRSSA, it is likely that Ojai will have sufficient funds for several years' of operations even with no regular Section 5311. Attachment B includes information on this proposed revision to Ojai's Section 5311 funding and how it will be redistributed. The rural ARP funds, estimated to be \$500,000, are also included in the distribution rather than provided to Ojai.

As with CARES funds, no local match is required for ARP funds. Expenses incurred before ARP passed can be eligible, going back to January 20, 2020. FTA has again stipulated for ARP that any expense incurred after January 20, 2020, can be considered to be responding to COVID, thus meeting the ARP requirement that funds be used to respond to COVID. Although CARES contains no deadline for obligating and expending funds, all ARP funds must be obligated by September 30, 2024, and disbursed by September 30, 2029.

This recommendation was approved by the Transit Operators Committee (TRANSCOM) at its May 12th meeting.

CRSSA/ARP Urban/Rural Fund Distribution			
Based on equalized operating cost proportion for Oxnard & Thousand Oaks UZAs			
	CARES Apportionment	CRSSA/ARP to get 92.95% of annual operating cost	Total
Metrolink	32,053,845		32,053,845
Gold Coast Transit	13,883,352	8,151,600	22,034,952
VCTC Intercity	3,630,510	3,882,996	7,513,506
Valley Express	1,882,370		1,882,370
Thousand Oaks	3,509,925	1,488,135	4,998,060
Ojai	1,303,379		1,303,379
Moorpark	1,002,706	429,565	1,432,271
TOTAL	57,266,087	13,952,296	71,218,383
Camarillo and Simi Valley			
	CARES Apportionment	ARP Apportionment	Total
Camarillo	3,765,723	517,253	4,282,976
Simi Valley	7,437,879	2,225,515	9,663,394
Total CRSSA/ARP		16,695,064	

The analysis combines the 5307 Urban with the 5311 Rural funds generally received by Ojai. As stipulated by the ARP, the distribution is based on FY 2017/18 operating cost.

Rural ARP apportionment is not yet published and is therefore only an estimate. Since the rural CRSSA is currently being obligated by Ojai, Ojai has already submitted the rural CRSSA of \$1,172,336 for obligation. Because this additional funding places Ojai even further over the 132% of operating expenses, VCTC will use \$1,172,336 of future 5311 apportionments that would otherwise go to Ojai, thus keeping the total large urbanized area distribution at 92.95% of annual operating costs for agencies that did not get 92.95%.

Due to Metrolink receiving well over 132% of annual cost from CARES, the remaining CRSSA/ARP large urban apportionments are sufficient to provide the remaining operators with 92.95% of annual cost when combined with CARES.

Although Valley Express received less than 132% of annual cost from CARES, it did receive over 92.95%, so it gets no more money.

Ventura County only received 5311 funds from CRSSA. The CRSSA/ARP 5311 funds are included in the redistribution to reach 92.95%.



Item #12

July 9, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
AARON BONFILIO, PROGRAM MANAGER**

**SUBJECT: BUDGET AMENDMENTS INCORPORATING AMERICAN RELIEF PLAN
ACT FUNDS AND CARRYOVER VCTC INTERCITY DEMONSTRATION FUNDS**

RECOMMENDATION:

- Amend Transit Grant Administration Budget by adding \$2,434,953 in Federal Transit Administration (FTA) American Rescue Plan (ARP) funds revenue, and reducing FTA CARES revenues by \$517,253, and increasing pass through expenditures by \$1,917,700.
- Amend VCTC Intercity Transit Budget by adding \$2,211,559 in FTA ARP revenues and \$208,619 in carryover FTA Congestion Mitigation Air Quality (CMAQ) route demonstration revenues, and by reducing \$2,126,448 in State Transit Assistance revenues and by reducing \$293,730 in Local Contribution revenues.

BACKGROUND:

As noted in another item in this agenda, and as described in that item, the American Rescue Plan (ARP) act passed March 2021 and included Federal Transit Administration funds for use by transit agencies. These proposed budget amendments incorporate ARP funding for both VCTC Intercity and VCTC subrecipients.

The first amendment includes the \$2,434,953 in ARP funds which VCTC is allocating to its subrecipients, including Thousand Oaks, Moorpark, and Camarillo. Therefore, the recommendation adds these funds to the Transit Grant Administration revenue. Since the ARP Act, unlike the CARES Act, contains an expenditure deadline (2029), it is anticipated that the ARP funds will have priority for expenditure. Therefore, the availability of the ARP money is expected to result in deferring \$517,253 of CARES revenue, so those funds are being removed from this year's budget, resulting in a new Transit Grant Administration Pass Through expenditure increase of \$1,917,700.

The second amendment in this item incorporates \$2,211,559 ARP funds into the VCTC Intercity Budget. In addition to incorporation of ARP revenues, this item amends into the budget available carryover route demonstration funds provided by a CMAQ grant, in the amount of \$208,619. Altogether the new revenues amended into the VCTC Intercity budget total \$2,420,178. The CMAQ grant funds will be utilized for the ongoing "Cross County Limited" demonstration route, while the distribution of ARP funds will be utilized

by all VCTC Intercity routes. As a result of the addition of the ARP and carryover CMAQ grant funds, this amendment reduces the use of local funding by a commensurate amount, \$2,126,448 of State Transit Assistance and \$293,730 of local route guarantee funding).



Item #13

July 9, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR
CLAIRE GRASTY, PROGRAM MANAGER – REGIONAL PLANNING, RAIL and TDA
PROGRAMS**

**SUBJECT: AGREEMENT FOR ADA TITLE II SURVEY OF THE CAMARILLO METROLINK
STATION**

RECOMMENDATION:

- Authorize the Executive Director to sign an Agreement with Psomas to perform an ADA Title II Survey of the Camarillo Metrolink Station for \$54,734.32 This is a sole-source agreement and requires two-thirds of the Commission for approval.

BACKGROUND:

In 2018 the Department of Justice (DOJ) began conducting periodic Americans with Disabilities Act (ADA) compliance investigations of railroad stations within Ventura County, including the stations owned by VCTC (East Ventura, Montalvo, Camarillo, Moorpark, and Simi Valley (station platform)). To staff's knowledge, these investigations are conducted on DOJ's own volition and not in response to any complaint or allegation of violations at VCTC-owned stations.

In March of this year, the DOJ determined that certain parts of the Camarillo station are not in compliance with certain ADA requirements. This includes elevation changes, slopes, ramps, and directional signs. The DOJ proposed to resolve the matter via VCTC executing a settlement agreement signed by the Executive Director and VCTC's legal counsel (attached under separate cover) and complying with its terms. Specifically, VCTC is required hire an independent licensed architect (ILA) to survey and identify any portion of the Camarillo station that must be remediated to meet ADA requirements. Upon completion of the survey, VCTC will need to provide the survey results to the DOJ and thereafter must remedy all items identified in the survey within three years of the date of the agreement. The ILA would also be required to conduct annual inspections during the term of the agreement for submission to the DOJ. Due to the terms of the agreement, the DOJ had to approve the ILA before VCTC could enter into an agreement with them to perform the survey, and therefore VCTC was not able to follow its typical procurement process. VCTC did solicit multiple firms to submit proposals, two of which were submitted to the DOJ for consideration and PSOMAS, specifically the ILA Glenn Dea as identified in the proposed

scope of work, was approved by the DOJ. Once the agreement is executed, Glenn Dea will conduct the survey and related services for VCTC. The cost for the agreement is \$54,734.32 and it will be funded through the Metrolink Budget. The DOJ requires VCTC to have the survey completed by September 2021 and submit the survey results to the DOJ by November 2021.

- Attachment 1 Camarillo Station Settlement Agreement
- Attachment 2 Agreement with PSOMAS to conduct and ADA Title II Survey of the Camarillo Metrolink Station



Item # 14

July 9, 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 Transit Integration and Efficiency Study (TIES) Update.

BACKGROUND:

At the May Commission meeting, the Commission received an initial update from Fehr Peers, VCTC's consultant, on the TIES study, which is evaluating ways to improve the public transit network in Ventura County. This important study was initiated at the request of the Commissioners, who have an integral role in its development. This meeting is another opportunity to gain insight from Commissioners on their priorities and views on how transit in Ventura County can be improved.

The key primary stakeholders in the development of the study are:

- Riders and the general public
- VCTC Commissioners
- Agency and jurisdiction staff

The purpose of this second update to the Commission is twofold: 1) to apprise the Commission of the results of the survey of regional transit issues and priorities, based on the online survey the Commissioners participated in after the May Commission meeting; and 2) to share with the Commission a discussion of the latest transit trends, based on forecasts of near and medium term travel demand.

Fehr & Peers has been working on gathering information from the transit operators through interviews to supplement the Memorandum of Existing Conditions that was developed by VCTC staff and the operators. The data collected will be used by the consulting team as it identifies gaps and opportunities that will lead to development of alternatives later in the study process.

Fehr & Peers is in the process of interviewing individual VCTC Commissioners. Additionally, Fehr and Peers and VCTC staff have jointly developed a comprehensive Stakeholder Participation Plan that will ensure the views of riders and the general public are captured through public forums and a website, so that all stakeholders have an opportunity to express their views and concerns throughout the study process.



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