



**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, OCTOBER 1, 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/82669051374?pwd=YzNHVkQrVkJiWEczYXcrVVc3L3hWQT09>

Call-in Option:

Dial: US 1-669-900-6833

Webinar I.D. 826 6905 1374

Passcode: 048559

*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. Members of the public who wish to address the commission on an item to be considered at this meeting are asked to please use the raise hand feature in Zoom (or *9 if you are calling into the Zoom meeting) at the time the Chairperson requests public comments. The Clerk will then advise you when it is your turn to speak. Verbal public comments are limited to three minutes.*

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

8A. APPROVE MINUTES FROM SEPTEMBER 10, 2021, VCTC MEETING- PG.5

Recommended Action:

- Approve the summary minutes of SEPTEMBER 10, 2021.

Responsible Staff: Roxanna Ibarra

8B. MONTHLY BUDGET REPORTS- PG.9

Recommended Action:

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

Responsible Staff: Sally DeGeorge

8C. MONTHLY BUDGET REPORT- PG.17

Recommended Action:

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

Responsible Staff: Sally DeGeorge

8D. FISCAL YEAR 2020/2021 CARRY-OVER BUDGET AMENDMENTS -PG.25

Recommended Action:

- Amend the VCTC Fiscal Year 2020/2021 budget revenues and expenditures as stated in Attachment-Carry-over Budget Amendments from Fiscal Year 2020/2021 to 2021/2022.

Responsible Staff: Sally DeGeorge

8E. AGREEMENT WITH HELP OF OJAI FOR PURCHASE OF VAN WITH SECTION 5310 FUNDS-PG.29

Recommended Action:

- Approve agreement (Attachment A) with HELP of Ojai to provide a van using \$50,062 of Federal Transit Administration (FTA) Section 5310 funds with match provided by HELP of Ojai.
- Authorize Executive Director to place an order with Creative Bus Sales to purchase on behalf of HELP of Ojai a Ford Transit 350EL lift-equipped vehicle through the California Association for Coordinated Transportation (CalACT) purchasing schedule, at a total cost of \$64,015.28, contingent upon the receipt of \$13,953.28 in match from HELP of Ojai.

Responsible Staff: Heather Miller

8F. ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT (TDA) FISCAL YEAR (FY) 2021/22 ARTICLE 3 BIKE PATH MAINTENANCE FUNDS -PG.41

Recommended Action:

- Approve the allocation of Fiscal Year 2021/2022 Transportation Development Act (TDA) Article 3 Bike Path Maintenance Funds totaling \$125,307 as shown in the attached Table

Responsible Staff: Heather Miller

8G. MOTION TO RE-AUTHORIZE REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE VENTURA COUNTY TRANSPORTATION COMMISSION, INCLUDING ALL ASSOCIATED AGENCIES, AUTHORITIES, AND COMMITTEES, DUE TO THE IMMINENT RISKS TO THE HEALTH AND SAFETY OF ATTENDEES AND MAKING RELATED FINDINGS PURSUANT TO AB 361-PG.43

Recommended Action:

- It is recommended that the Ventura County Transportation Commission ("Commission"), on behalf of itself and in the role as the Local Transportation Authority, ALUC, Service Authority for Freeway Emergencies, Consolidated Transportation Service Agency and CMA, make a motion, pursuant to the authority set forth in AB 361 (Government Code Section 54953[e][1]), to re-authorize remote teleconference meetings of all legislative bodies of the Commission, including all associated agencies, authorities, and committees, due to imminent risks to the health and safety of attendees if the meetings are held in person.

Responsible Staff: Steve Mattas

DISCUSSION CALENDAR:

9. LEGISLATIVE UPDATE-PG.45

Recommended Action:

- Receive and File.

Responsible Staff: Darrin Peschka

10. VENTURA COUNTY REGIONAL IMPROVEMENT PROGRAM- SUBMITTAL FOR 2022 STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)-PG.61

Recommended Action:

- Approve the 2022 STIP submittal to the California Transportation Commission.

Responsible Staff: Heather Miller

11. VCBUSPASS - VENTURA COUNTY'S REGIONAL BUS PASS PROGRAM -PG.65

Recommended Action:

- Receive and file presentation on the VCbuspass program.

Responsible Staff: Aaron Bonfilio

12. VENTURA COUNTY FREIGHT CORRIDORS STUDY- PG.67

Recommended Action:

- *Receive a presentation and provide feedback on the Draft Ventura County Freight Corridors Study.*

Responsible Staff: Amanda Fagan

13. PRESENTATION FROM VENTURA COUNTY CITIZENS FROM TRAFFIC RELIEF- PG.73

Recommended Action:

- *Receive presentation and direct staff as desired.*

Responsible Staff: Mark Watkins

14. VCTC GENERAL COUNSEL'S REPORT:

15. AGENCY REPORTS:

Southern California Association of Governments (SCAG)

Primary: Commissioner Mike Judge

Southern California Regional Rail Authority (Metrolink-SCRRA)

Primary: Vice-Chair Tony Trembley

Alternate: Daniel Chavez

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

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Jim White

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

16. CLOSED SESSION: PUBLIC EMPLOYMENT

(Pursuant to Government Code Section 54957)

Position: Executive Director

17. ADJOURN to 9:00 a.m. Friday, November 5, 2021



Item #8A

October 1, 2021

**MEETING MINUTES OF SEPTEMBER 10, 2021, VCTC COMMISSION MEETING
AT 9:00 A.M. VIA ZOOM**

CALL TO ORDER:

Chair Long called the regular meeting of the Ventura County Transportation Commission to order at 9:04 A.M. Via-Zoom.

PLEDGE OF ALLEGIANCE was led by Commissioner LaVere.

ROLL CALL/MEMBERS PRESENT:

Kelly Long, County of Ventura
Tony Trembley, City of Camarillo
Claudia Bill-de la Peña, City of Thousand Oaks
Daniel Chavez, Citizen Rep., Cities **(joined at 10:04am)**
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
Richard Rollins, City of Port Hueneme
Andy Sobel, City of Santa Paula
Tony Tavares, Caltrans District 7
William Weirick, City of Ojai
Jim White, Citizen Rep., County

ABSENT:

Carmen Ramirez, County of Ventura

4. PUBLIC COMMENTS – A public comment was submitted by Sandy Smith representing the Ventura County Citizens for Traffic Relief regarding bringing forward to voters of Ventura County a ½ cent increase in the sales tax to pay for transportation improvements and requesting VCTC place the spending plan on the October agenda. The public comment was fully read into the record by Interim Executive Director Mark Watkins.

Commissioner Bill-de la Peña requested that a copy of the public comment letter that was submitted to VCTC be provided to the commission. Chair Long requested for the record that the next agenda have the public comment item as an information receive and file. Commissioner Parks also requested that with the letter VCTC also include the information from the most recent survey that was done about the people's concern for traffic on freeways which was significantly less in Ventura County than in other areas as she recalls. Commissioner Parks would like to have the information to confirm Mr. Smith's letter.

5. CALTRANS REPORT - District Director Tony Tavares gave an update report regarding Caltrans projects in Ventura County. The Caltrans report was distributed via email to the Commission.

6. COMMISSIONERS/INTERIM EXECUTIVE DIRECTOR REPORT – There were no Commissioner reports. Interim Executive Director, Mark Watkins congratulated Steve Brown, Gold Coast Transit District General Manager on his upcoming retirement and stated GCTD will also be going through a General Manager recruitment the next couple months. Mr. Watkins announced VCTC would be holding public workshop next week for the Freight Corridors Study on Thursday, September 16th. The workshops would be held in English and Spanish. The Comprehensive Transportation Plan update would kick off on September 14th along with an advisory series of meetings which would also be held in English and Spanish. Mr. Watkins stated all details and information to these workshops and meetings are available on the VCTC website. Lastly, Mr. Watkins stated Metrolink resumed Saturday service in Ventura County.

7. ADDITIONS/REVISIONS – There were no additions or revisions.

8. CONSENT CALENDAR – **Vice-Chair Trembley** moved to approve items 8A thru 8K as recommended. The motion was seconded by **Commissioner Huber** and passed unanimously.

8A. APPROVE MINUTES FROM JULY 9, 2021, VCTC MEETING

- Approve the summary minutes of JULY 9, 2021.

8B. MONTHLY BUDGET REPORT

- Receive and file the monthly budget report for 2021.

8C. CALTRANS DISADVANTAGED BUSINESS ENTERPRISE (DBE) AGREEMENT

- Authorize Interim Executive Director to sign the attached agreement implementing the Caltrans Disadvantaged Business Enterprise (DBE) program.

8D. RESOLUTION APPROVING VENTURA COUNTY'S FY 2021/22 STATE OF GOOD REPAIR PROJECT LIST

- Adopt Resolution 2021-12 (Attachment 1) approving the project list for the FY 2021-2022 State of Good Repair funds for a total of \$1,446,865 and authorizing the Interim Executive Director to submit all required documents to receive the funds.

8E. SURFACE TRANSPORTATION PROGRAM (STP) LOAN TO CALTRANS

- Ratify approval by the Executive Director of a \$10 million loan from the Ventura County Regional Surface Transportation Program apportionment to the Caltrans Local Bridge Program, with repayment to occur using Surface Transportation Block Grant or other suitable funds in Fiscal Year (FY) 2022/2023, the earliest that funding is expected to be needed for the US 101 final design.

8F. DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL FOR VCTC AND SUBRECIPIENTS PROJECTS FUNDED BY THE FEDERAL TRANSIT ADMINISTRATION (FTA)

- Adopt a Disadvantaged Business Enterprise (DBE) annual goal of 3.57%, with 1.48% to be met through race- and gender-neutral means, and 2.09% through gender – and race-conscious means, for VCTC and subrecipient contracts funded by the Federal Transit Administration for Federal Fiscal Years (FFY) 2021/2022 through 2023/2024.

8G. RATIFICATION OF SECOND AMENDMENT TO VCTC COMMUTER TRAIN ACCESS AGREEMENT WITH UNION PACIFIC RAILROAD

- Ratify the Second Amendment to the VCTC Commuter Train Access Agreement with Union Pacific Railroad

8H. COOPERATIVE AGREEMENT BETWEEN VCTC AND CALIFORNIA STATE UNIVERSITY CHANNEL ISLANDS (CSUCI)

- Approve Amendment No. 23 to the Cooperative Agreement between California State University Channel Islands (CSUCI) and VCTC for FY 2021-2022 bus service to CSUCI.

8I. INCREASE OF VCTC TRANSIT OUTREACH AND COMMUNITY OUTREACH CONTRACT

- Increase the not-to-exceed amount of the transit outreach and community outreach contract with Celtis Ventures by \$50,000 for Fiscal Year 2021/2022.

8J. VENTURA COUNTY FREIGHT CORRIDORS STUDY UPDATE

- Receive and file a report on the status of the Ventura County Freight Corridors Study.

8K. BUS AND RAIL RIDERSHIP AND PERFORMANCE MEASURES REPORT

- Receive and File.

DISCUSSION CALENDAR:

9. LEGISLATIVE UPDATE

- Receive and File.

The legislative update was received and filed by the commission.

10. AMEND TEMPORARY TRACK AND SIGNAL MAINTENANCE AGREEMENT FOR THE SANTA PAULA BRANCH LINE

- Amend the Santa Paula Branch Line program budget by increasing the Revenues (Local Fees- Leases) by \$50,000 and increasing the Expenditures line item for Track Maintenance by \$50,000.
- Approve Amendment No. 1 to the Agreement with Sierra Northern Railway to extend the Term of Services for an additional three (3) months through December 31, 2021, increase Compensation by \$50,000 to a total of \$100,000, and update the VCTC Point of Contact for Notices.

A public comment was received from Mason Clark on behalf of HANDCAR TOURS regarding the opportunity to provide their custom designed and built fleet of people-powered handcars to transport people across the Santa Paula Branch line at no cost to VCTC and grow tourism in Ventura County. Interim Executive Director Mark Watkins fully read into the record the public comment.

Commissioner MacDonald moved to approve item 10; Amend Temporary Track and Signal Maintenance Agreement for the Santa Paula Branch Line. The motion was seconded by **Commissioner Edmonds** and passed unanimously.

11. APPROVE FISCAL YEAR 2021/2022 PROGRAM OF PROJECTS- PUBLIC HEARING

- Open a public hearing and receive testimony
- Approve the Program of Projects (POP) for federal transit operating, planning and capital assistance for FY 2021/22 (Attachment)

Chair Long opened the public hearing for the approval of Fiscal Year 2021/2022 Program of Projects. Director of Programming Peter De Haan reported on Fiscal Year 2021/2022 Program of Projects and its process. There were no public comments. Chair Long closed the public hearing.

Commissioner Judge made a motion to approve Fiscal Year 2021/2022 Program of Projects. The motion was seconded by **Commissioner Bill-de la Peña** and passed unanimously.

12. VCTC GENERAL COUNSEL'S REPORT-There were none.

13. AGENCY REPORTS:

Southern California Association of Governments (SCAG)

Primary: Commissioner Mike Judge

Commissioner Judge reported on the recent SCAG meeting which gave a presentation regarding a corridor in the Coachella/San Geronimo Pass.

Southern California Regional Rail Authority (Metrolink-SCRRRA)

Primary: Vice-Chair Tony Trembley

Alternate: Daniel Chavez

Vice-Chair Trembley reported that on July 23, Metrolink's board did certify and finalize the final EIR for Simi Valley doubletrack project as part of the SCORE Program. Adding a 2.2-mile second main track immediately adjacent to the existing track to construct a second platform at the Simi Valley Station with a pedestrian underpass to the existing side platform and to install all the ancillary equipment.

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

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Jim White

Commissioner MacDonald reported they continue to see an uptick in ridership.

Coastal Rail Coordinating Council

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Richard Rollins

Commissioner MacDonald stated there is nothing to report since the Coastal Rail Coordinating Council only meets quarterly.

California Association of Councils of Governments

Primary: Commissioner Carmen Ramirez

Commissioner Ramirez was absent; there was no report at this time.

California Vanpool Authority (CalVans)

Primary: Commissioner Jim White

Alternate: Commissioner Lynn Edmonds

Commissioner White reported there has been no CalVans meeting recently due to lack of items on the agenda. The next CalVans meeting is scheduled for October 14, 2021.

14. CLOSED SESSION- The commission went into closed session at 10:04 a.m. General Counsel reported there would be no reportable action at this time.

15. ADJOURN to 9:00 a.m. Friday, October 1, 2021



Item #8B

October 1, 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 July 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 July 31, 2021, budget report indicates that the revenues were approximately 1.02% of the adopted budget while expenditures were approximately 4.16% of the adopted budget. The revenues and expenditures are as expected at this time. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on an even percentage or monthly basis. Furthermore, revenues are often billed and reimbursed in arrears.

It should be noted that the Fiscal Year 2020/2021 is in the process of being finalized and has not yet been audited. The fund balances and accruals are considered estimates until Fiscal Year 2020/2021 is closed, and the audit is final. Because of the lengthy and time-consuming year-end closing process, the invoicing for July reimbursements have not been processed. These revenues will be reflected in the September financials.

Some revenues are received at the beginning of the year while other revenues are received after grants are approved. In many instances, the Ventura County Transportation Commission (VCTC) incurs expenditures and then submits for reimbursement from federal, state, and local agencies which may also cause a slight lag in reporting revenues. Furthermore, the STA, SGR, LTF and SAFE revenues are received in arrears. The State Board of Equalization collects the taxes and remits them to the Commission after the reporting period for the business. STA and SGR revenues are paid quarterly with a

two to three-month additional lag and LTF receipts are paid monthly with a two-month lag. For example, the July through September STA and SGR receipts are often not received until October or November and the July LTF receipts are not received until September. The Department of Motor Vehicle collects the SAFE funds and remits them monthly with a two-month lag.

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

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

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

**VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF JULY 31, 2021**

Assets and Deferred Outflows

Cash and Investments	\$ 40,370,971
Receivables/Due from other funds	13,556,101
Prepays and Deposits	466,378
Capital Assets, undepreciated	26,329,395
Capital Assets, depreciated, net	32,669,510
Deferred Outflows	1,948,045
Total Assets and Deferred Outflows	<u>\$ 115,340,400</u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:

Accrued Expenses and Due to Other	\$ 7,384,554
Deferred Revenue	2,853,837
Deposits	67,059
Accrued Vacation	226,041
Pension Liability	2,406,909
OPEB Liability	334,163
Deferred Inflows	274,655
Total Liabilities and Deferred Inflows:	<u>\$ 13,547,218</u>

Net Position:

Invested in Capital Assets	\$ 58,998,906
Fund Balance	42,794,276
Total Net Position	<u>\$ 101,793,182</u>

For Management Reporting Purposes Only

VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE ONE MONTH ENDED JULY 31, 2021

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	SGR Actual	SPBL Actual	VCCTC Intercity Actual	Valley Express Actual	Fund Totals	Budgeted Actual	Variance Actual	% Year
Revenues												
Federal Revenues	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	20,098,225	(20,098,225)	0.00
State Revenues	0	0	0	0	0	0	0	0	0	47,341,178	(47,341,178)	0.00
Local Revenues	51,692	0	0	0	0	222,508	17,819	431,366	723,385	3,260,820	(2,537,435)	22.18
Other Revenues	110	0	0	0	0	0	0	0	110	0	110	0.00
Interest	0	0	0	0	0	0	0	0	0	206,000	(206,000)	0.00
Total Revenues	51,802	0	0	0	0	222,508	17,819	431,366	723,495	70,906,223	(70,182,728)	1.02
Expenditures												
Administration												
Personnel Expenditures	181,880	0	0	0	0	0	0	0	181,880	3,958,000	(3,776,120)	4.60
Legal Services	14,289	0	0	0	0	0	0	0	14,289	40,000	(25,711)	35.72
Professional Services	4,692	0	0	0	0	0	0	0	4,692	155,600	(150,908)	3.02
Office Leases	15,345	0	0	0	0	0	0	0	15,345	189,400	(174,055)	8.10
Office Expenditures	457,461	0	0	0	0	0	0	0	457,461	514,200	(56,739)	88.97
Total Administration	673,667	0	0	0	0	0	0	0	673,667	4,857,200	(4,183,533)	13.87
Programs and Projects												
Transit and Transportation Program												
Regional Transit Technology	10,542	0	0	0	0	0	0	0	10,542	621,200	(610,658)	1.70
Senior-Disabled Transportation	26,048	0	0	0	0	0	0	0	26,048	401,500	(375,452)	6.49
VCCTC Intercity Bus Services	0	0	0	0	0	0	679,164	0	679,164	11,488,000	(10,808,836)	5.91
Valley Express Bus Services	0	0	0	0	0	0	0	155,230	155,230	1,962,300	(1,807,070)	7.91
Transit Grant Administration	57,820	0	0	0	0	0	0	0	57,820	8,040,600	(7,982,780)	0.72
Total Transit and Transportation	94,410	0	0	0	0	0	679,164	155,230	928,804	22,513,600	(21,584,796)	4.13
Highway Program												
Motorist Aid Services	0	0	0	114,925	0	0	0	0	114,925	2,557,500	(2,442,575)	4.49
Highway Program Management	0	0	0	0	0	0	0	0	0	4,997,200	(4,997,200)	0.00
Total Highway	0	0	0	114,925	0	0	0	0	114,925	7,554,700	(7,439,775)	1.52

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE ONE MONTH ENDED JULY 31, 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	1,591,776	0	0	0	0	0	0	0	1,591,776	14,314,696	(12,722,920)	11.12
LOSSAN and Coastal Rail	0	0	0	0	0	0	0	0	0	11,800	(11,800)	0.00
Santa Paula Branch Line	0	0	0	0	0	21,391	0	0	21,391	161,500	(140,109)	13.25
Total Rail	1,591,776	0	0	0	0	21,391	0	0	1,613,167	14,487,996	(12,874,829)	11.13
Commuter Assistance Program												
Reg Transit Information Center	351	0	0	0	0	0	0	0	351	37,400	(37,049)	0.94
Rideshare Programs	7,348	0	0	0	0	0	0	0	7,348	298,900	(291,552)	2.46
Total Commuter Assistance	7,699	0	0	0	0	0	0	0	7,699	336,300	(328,601)	2.29
Planning and Programming												
TDA Administration	0	14,500	0	0	0	0	0	0	14,500	30,007,187	(29,992,687)	0.05
Transportation Programming	0	0	0	0	0	0	0	0	0	21,300	(21,300)	0.00
Regional Transportation Planning	13,617	0	0	0	0	0	0	0	13,617	770,600	(756,983)	1.77
Airport Land Use Commission	0	0	0	0	0	0	0	0	0	18,500	(18,500)	0.00
Regional Transit Planning	10,316	0	0	0	0	0	0	0	10,316	1,210,200	(1,199,884)	0.85
Total Planning and Programming	23,933	14,500	0	0	0	0	0	0	38,433	32,027,787	(31,989,354)	0.12
General Government												
Community Outreach	10,010	0	0	0	0	0	0	0	10,010	215,000	(204,990)	4.66
State and Federal Relations	30,007	0	0	0	0	0	0	0	30,007	112,100	(82,093)	26.77
Management and Administration	8,920	0	0	0	0	0	0	0	8,920	154,300	(145,380)	5.78
Total General Government	48,937	0	0	0	0	0	0	0	48,937	481,400	(432,463)	10.17
Total Expenditures	2,440,422	14,500	0	114,925	0	21,391	679,164	155,230	3,425,632	82,258,983	(78,833,351)	4.16

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE ONE MONTH ENDED JULY 31, 2021**

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley	Fund	Budgeted	Variance	% Year
	Fund Actual	Actual	Actual	Actual	Actual	Actual Intercity	Actual Express	Actual	Totals	Actual	Actual	
Revenues over (under) expenditures	(2,388,620)	(14,500)	0	(114,925)	0	201,117	(661,345)	276,136	(2,702,137)	(11,352,760)	8,650,623	23.80
Other Financing Sources												
Transfers Into GF From LTF	1,600,619	0	0	0	0	0	0	0	1,600,619	6,634,116	''	24.13
Transfers Into GF From STA	0	0	0	0	0	0	0	0	0	2,179,563	(2,179,563)	0.00
Transfers In GF From SGR	0	0	0	0	0	0	0	0	0	6,285,557	(6,285,557)	0.00
Transfers Into GF From SAFE	0	0	0	0	0	0	0	0	0	66,600	(66,600)	0.00
Transfers Into VI From STA	0	0	0	0	0	0	0	0	0	5,433,223	(5,433,223)	0.00
Transfers Out of LTF Into GF	0	(1,600,619)	0	0	0	0	0	0	(1,600,619)	(6,634,116)	5,033,497	24.13
Transfers Out of STA Into GF	0	0	0	0	0	0	0	0	0	(2,179,563)	2,179,563	0.00
Transfers Out of STA Into VI	0	0	0	0	0	0	0	0	0	(5,433,223)	5,433,223	0.00
Transfers Out of SAFE Into GF	0	0	0	0	0	0	0	0	0	(66,600)	66,600	0.00
Transfers Out of SGR Into GF	0	0	0	0	0	0	0	0	0	(6,285,557)	6,285,557	0.00
Total Other Financing Sources	1,600,619	(1,600,619)	0	0	0	0	0	0	0	0	0	0.00
Net Change in Fund Balances	(788,001)	(1,615,119)	0	(114,925)	0	201,117	(661,345)	276,136	(2,702,137)	(11,352,760)	8,650,623	23.80
Beginning Fund Balance w/o capital assets	3,611,690	15,177,134	17,598,320	4,994,852	5,183,759	25,367	199,014	0	46,790,136	33,572,663	13,217,473	139.37
Long-term Pension/OPEB/Vacation Adjustment*	(1,195,482)	0	0	0	0	0	(98,241)	0	(1,293,723)	0	(1,293,723)	0.00
Ending Fund Balance	\$ 1,628,207	\$ 13,562,015	\$ 17,598,320	\$ 4,879,927	\$ 5,183,759	\$ 226,484	\$ (560,572)	\$ 276,136	\$ 42,794,276	\$ 22,219,903	\$ 20,574,373	192.59

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

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF JULY 31, 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	\$ 948,460.70
LAIF	State Pool	N/A	0.00	0.00%	6,661,937.88
County of Ventura	Treasury Pool	N/A	0.00	0.00%	32,792,658.41
VCCF Bike Fund	Investment	N/A	0.00	0.00%	14,393.70
Total			\$ 0.00		\$40,417,450.69

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

October 1, 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 August 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 August 31, 2021, budget report indicates that the revenues were approximately 1.60% of the adopted budget while expenditures were approximately 4.93% of the adopted budget. The revenues and expenditures are as expected at this time. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on an even percentage or monthly basis. Furthermore, revenues are often billed and reimbursed in arrears.

It should be noted that the Fiscal Year 2020/2021 is in the process of being finalized and has not yet been audited. The fund balances and accruals are considered estimates until Fiscal Year 2020/2021 is closed, and the audit is final. Because of the lengthy and time-consuming year-end closing process, the invoicing for July reimbursements have not been processed. These revenues will be reflected in the September financials.

Some revenues are received at the beginning of the year while other revenues are received after grants are approved. In many instances, the Ventura County Transportation Commission (VCTC) incurs expenditures and then submits for reimbursement from federal, state, and local agencies which may also cause a slight lag in reporting revenues. Furthermore, the STA, SGR, LTF and SAFE revenues are received in arrears. The State Board of Equalization collects the taxes and remits them to the Commission after the reporting period for the business. STA and SGR revenues are paid quarterly with a

two to three-month additional lag and LTF receipts are paid monthly with a two-month lag. For example, the July through September STA and SGR receipts are often not received until October or November and the July LTF receipts are not received until September. The Department of Motor Vehicle collects the SAFE funds and remits them monthly with a two-month lag.

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

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

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

**VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF AUGUST 31, 2021**

Assets and Deferred Outflows

Cash and Investments	\$ 42,388,173
Receivables/Due from other funds	7,567,850
Prepays and Deposits	451,414
Capital Assets, undepreciated	26,329,395
Capital Assets, depreciated, net	32,669,510
Deferred Outflows	1,948,045
Total Assets and Deferred Outflows	<u>\$ 111,354,387</u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:

Accrued Expenses and Due to Other	\$ 3,643,025
Deferred Revenue	2,856,202
Deposits	67,059
Accrued Vacation	226,041
Pension Liability	2,406,909
OPEB Liability	334,163
Deferred Inflows	274,655
Total Liabilities and Deferred Inflows:	<u>\$ 9,808,054</u>

Net Position:

Invested in Capital Assets	\$ 58,998,906
Fund Balance	42,547,427
Total Net Position	<u>\$ 101,546,333</u>

For Management Reporting Purposes Only

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

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	SGR Actual	SPBL Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals	Budgeted Actual	Variance Actual	% Year
Revenues												
Federal Revenues	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	24,436,103	(24,436,103)	0.00
State Revenues	0	0	0	0	0	0	0	0	0	47,341,178	(47,341,178)	0.00
Local Revenues	57,232	0	0	0	0	226,976	27,819	890,689	1,202,716	2,967,090	(1,764,374)	40.54
Other Revenues	110	0	0	0	0	0	0	0	110	0	110	0.00
Interest	0	0	0	0	0	0	0	0	0	206,000	(206,000)	0.00
Total Revenues	57,342	0	0	0	0	226,976	27,819	890,689	1,202,826	74,950,371	(73,747,545)	1.60
Expenditures												
Administration												
Personnel Expenditures	476,794	0	0	0	0	0	0	0	476,794	3,958,000	(3,481,206)	12.05
Legal Services	14,289	0	0	0	0	0	0	0	14,289	40,000	(25,711)	35.72
Professional Services	9,476	0	0	0	0	0	0	0	9,476	155,600	(146,124)	6.09
Office Leases	30,689	0	0	0	0	0	0	0	30,689	189,400	(158,711)	16.20
Office Expenditures	461,525	0	0	0	0	0	0	0	461,525	588,400	(126,875)	78.44
Total Administration	992,773	0	0	0	0	0	0	0	992,773	4,931,400	(3,938,627)	20.13
Programs and Projects												
Transit and Transportation Program												
Regional Transit Technology	11,734	0	0	0	0	0	0	0	11,734	621,200	(609,466)	1.89
Senior-Disabled Transportation	26,048	0	0	0	0	0	0	0	26,048	401,500	(375,452)	6.49
VCTC Intercity Bus Services	0	0	0	0	0	0	679,303	0	679,303	11,488,000	(10,808,697)	5.91
Valley Express Bus Services	0	0	0	0	0	0	0	155,996	155,996	1,962,300	(1,806,304)	7.95
Transit Grant Administration	58,580	0	0	0	0	0	0	0	58,580	9,958,300	(9,899,720)	0.59
Total Transit and Transportation	96,362	0	0	0	0	0	679,303	155,996	931,661	24,431,300	(23,499,639)	3.81
Highway Program												
Motorist Aid Services	0	0	0	217,113	0	0	0	0	217,113	2,557,500	(2,340,387)	8.49
Highway Program Management	188,280	0	0	0	0	0	0	0	188,280	4,997,200	(4,808,920)	3.77
Total Highway	188,280	0	0	217,113	0	0	0	0	405,393	7,554,700	(7,149,307)	5.37

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE TWO MONTHS ENDED AUGUST 31, 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	1,616,250	0	0	0	0	0	0	0	1,616,250	14,314,696	(12,698,446)	11.29
LOSSAN and Coastal Rail	0	0	0	0	0	0	0	0	0	11,800	(11,800)	0.00
Santa Paula Branch Line	0	0	0	0	0	43,091	0	0	43,091	161,500	(118,409)	26.68
Total Rail	1,616,250	0	0	0	0	43,091	0	0	1,659,341	14,487,996	(12,828,655)	11.45
Commuter Assistance Program												
Reg Transit Information Center	351	0	0	0	0	0	0	0	351	37,400	(37,049)	0.94
Rideshare Programs	31,457	0	0	0	0	0	0	0	31,457	298,900	(267,443)	10.52
Total Commuter Assistance	31,808	0	0	0	0	0	0	0	31,808	336,300	(304,492)	9.46
Planning and Programming												
TDA Administration	0	14,500	0	0	0	0	0	0	14,500	30,007,187	(29,992,687)	0.05
Transportation Programming	18	0	0	0	0	0	0	0	18	21,300	(21,282)	0.08
Regional Transportation Planning	16,427	0	0	0	0	0	0	0	16,427	770,600	(754,173)	2.13
Airport Land Use Commission	0	0	0	0	0	0	0	0	0	18,500	(18,500)	0.00
Regional Transit Planning	32,549	0	0	0	0	0	0	0	32,549	1,210,200	(1,177,651)	2.69
Total Planning and Programming	48,994	14,500	0	0	0	0	0	0	63,494	32,027,787	(31,964,293)	0.20
General Government												
Community Outreach	19,145	0	0	0	0	0	0	0	19,145	217,000	(197,855)	8.82
State and Federal Relations	34,507	0	0	0	0	0	0	0	34,507	112,100	(77,593)	30.78
Management and Administration	13,690	0	0	0	0	0	0	0	13,690	152,300	(138,610)	8.99
Total General Government	67,342	0	0	0	0	0	0	0	67,342	481,400	(414,058)	13.99
Total Expenditures	3,041,809	14,500	0	217,113	0	43,091	679,303	155,996	4,151,812	84,250,883	(80,099,071)	4.93

For Management Reporting Purposes Only

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

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley	Fund	Budgeted	Variance	% Year
	Fund Actual	Actual	Actual	Actual	Actual	Actual Intercity Actual	Express Actual		Totals	Actual	Actual	
Revenues over (under) expenditures	(2,984,467)	(14,500)	0	(217,113)	0	183,885	(651,484)	734,693	(2,948,986)	(9,300,512)	6,351,526	31.71
Other Financing Sources												
Transfers Into GF From LTF	1,600,619	0	0	0	0	0	0	0	1,600,619	6,634,116	(5,033,497)	24.13
Transfers Into GF From STA	500,663	0	0	0	0	0	0	0	500,663	2,179,563	(1,678,900)	22.97
Transfers In GF From SGR	0	0	0	0	0	0	0	0	0	6,285,557	(6,285,557)	0.00
Transfers Into GF From SAFE	0	0	0	0	0	0	0	0	0	66,600	(66,600)	0.00
Transfers Into VI From STA	0	0	0	0	0	0	648,809	0	648,809	3,306,775	(2,657,966)	19.62
Transfers Out of LTF Into GF	0	(1,600,619)	0	0	0	0	0	0	(1,600,619)	(6,634,116)	5,033,497	24.13
Transfers Out of STA Into GF	0	0	(500,663)	0	0	0	0	0	(500,663)	(2,179,563)	1,678,900	22.97
Transfers Out of STA Into VI	0	0	(648,809)	0	0	0	0	0	(648,809)	(3,306,775)	2,657,966	19.62
Transfers Out of SAFE Into GF	0	0	0	0	0	0	0	0	0	(66,600)	66,600	0.00
Transfers Out of SGR Into GF	0	0	0	0	0	0	0	0	0	(6,285,557)	6,285,557	0.00
Total Other Financing Sources	2,101,282	(1,600,619)	(1,149,472)	0	0	0	648,809	0	0	0	0	0.00
Net Change in Fund Balances	(883,185)	(1,615,119)	(1,149,472)	(217,113)	0	183,885	(2,675)	734,693	(2,948,986)	(9,300,512)	6,351,526	31.71
Beginning Fund Balance w/o capital assets	3,611,690	15,177,134	17,598,320	4,994,852	5,183,759	25,367	199,014	0	46,790,136	33,572,663	13,217,473	139.37
Long-term Pension/OPEB/Vacation Adjustment*	(1,195,482)	0	0	0	0	0	(98,241)	0	(1,293,723)	0	(1,293,723)	0.00
Ending Fund Balance	\$ 1,533,023	\$ 13,562,015	\$ 16,448,848	\$ 4,777,739	\$ 5,183,759	\$ 209,252	\$ 98,098	\$ 734,693	\$ 42,547,427	\$ 24,272,151	\$ 18,275,276	175.29

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

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF AUGUST 31, 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	\$3,157,073.60
LAIF	State Pool	N/A	0.00	0.00%	5,661,937.88
County of Ventura	Treasury Pool	N/A	0.00	0.00%	33,601,248.16
VCCF Bike Fund	Investment	N/A	0.00	0.00%	14,393.70
Total			\$ 0.00		\$42,434,653.34

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 #8D

October 1, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: FISCAL YEAR 2021/2022 CARRY-OVER BUDGET AMENDMENTS

RECOMMENDATION:

- Amend the VCTC Fiscal Year 2021/2022 budget revenues and expenditures as stated in Attachment - Carry-over Budget Amendments from Fiscal Year 2020/2021 to 2021/2022.

DISCUSSION:

The Fiscal Year 2021/2022 budget was in part prepared on estimates for projects that occurred in Fiscal Year 2020/2021. Some projects experienced delays, all funds were not expended as anticipated and/or funds were expended, and other funding sources need to be substituted. Therefore, staff is recommending the following budget amendments of revenues and expenditures from the prior year be adjusted to the Fiscal Year 2021/2022 budget as indicated in the "Carry-over Amendments from Fiscal Year 2020/2021 to 2021/2022" attachment which indicates the budget task, budget line item, funding source, expenditure and explanation.

Attachment
Carry-over Budget Amendments from Fiscal Year 2020/2021 to 2021/2022

Budget Task:	Regional Transit Technology
Funding Source	Adjustment To Revenues
FTA	\$80,000
LTF Fund Transfer	20,000
Total Funding Increase	\$100,000

Expenditure	Adjustment to Expenditures
Professional Services	\$100,000
Total Expenditures Increase	\$100,000

The AVL project funding for Professional Services to support expenditures related to onboard equipment and installation services for contactless payment and real-time information systems was not expended in FY 20/21 and therefore was carried -over into FY 21/22.

Budget Task:	VCTC Intercity
Funding Source	Adjustment To Revenues
Other Revenue - Insurance Proceeds	\$3,790
Total Funding Increase	\$3,790

Expenditure	Adjustment to Expenditures
Bus Equipment	\$3,790
Total Expenditures Increase	\$3,790

The Insurance proceeds for bus equipment for the bus replacement project was not fully expended in FY 20/21 and therefore, is carried-over into FY 21/22.

Budget Task:	Transit Grant Administration
Funding Source	Adjustment To Revenues
LTF Fund Transfer	\$9,880
Total Funding Increase	\$9,880

Expenditure	Adjustment to Expenditures
Consultant	\$9,880
Total Expenditures Increase	\$9,880

The Consultant funds for Transit Grant Administration were not expended in FY 20/21 and are being carried-over into the new fiscal year, to be used for DBE analysis and subrecipient monitoring that remains to be completed during FY 21/22.

Budget Task:	Highway Project Management
Funding Source	Adjustment To Revenues
STP	\$252,357
Total Funding Increase	\$252,357

Expenditure	Adjustment to Expenditures
Consultant	\$252,357
Total Expenditures Increase	\$252,357

The Consultant funds for the US101 PAED study were expended slightly more slowly than anticipated in FY 20/21 but will be required in FY 21/22 to cover the approved contract scope.

Budget Task:	Motorist Aid Services
Funding Source	Adjustment To Revenues
SAFE Revenues	\$50,000
State Highway Account - FSP Program	\$178,800
Senate Bill 1 (SB 1) - FSP Program	278,966
Total Funding Increase	\$507,766

Expenditure	Adjustment to Expenditures
CHP Dispatch	\$22,500
Consultant	\$27,500
FSP Contract Services	457,766
Total Expenditures Increase	\$507,766

The CHP invoices for FY 2021 were not received for the whole year and therefore are carried over into FY 21/22. The uprage of callboxes from 3G to 4G LTE was delayed due to COVID-related deliver of parts and will be completed in FY 21/22. Service initiation was delayed until March 2021, therefore grant funds and associated expenses are carried-over into FY 21/22.

Budget Task:	Metrolink Commuter Rail
Funding Source	Adjustment To Revenues
LTF Fund Transfer	\$150,000
STA Fund Transfer	739,000
Total Funding Increase	\$889,000

Expenditure	Adjustment to Expenditures
Operations	\$679,000
Right of Way	\$60,000
Capital Rehabilitation	150,000
Total Expenditures Increase	\$889,000

Carry-over LTF and STA funds will be used on Operations for mid-yuear service increases and to cover lower than projected fare revenue, on Capital Rehabilitation for ADA improvements to the Camarillo Station if necessary and potential station sinage, and on Righ of Way for Independent Licensed Architect review of the Camarillo Station.

Budget Task:	Rideshare Programs
Funding Source	Adjustment To Revenues
CMAQ	\$30,000
Total Funding Increase	\$30,000

Expenditure	Adjustment to Expenditures
Consultant	\$30,000
Total Expenditures Increase	\$30,000

The carry-over funds will be used for consultant services for a telework survey and resources.

Budget Task:	Regional Transportation Planning
Funding Source	Adjustment To Revenues
LTF Fund Transfer	(\$67,303)
REAP-SCAG/VCOG	\$26,603
Sustainable Communities	(69,816)
Total Funding Increase	(\$110,516)

Expenditure	Adjustment to Expenditures
Consultant	(110,516)
Total Expenditures Increase	(\$110,516)

The Vehicle Miles Traveled Advance Mitigation program funded by REAP was delayed and funding for staff time is carried over into FY 21/22 offset with a reduction in associated LTF funds. The Comprehensive Transportation Plan (CTP) funded by the Sustainable Communities grant proceeded ahead of schedule in FY 21/22, and therefore, the associated grant and consultant line item are reduced to reflect the current balances. The Congestion Management Program (CMP) is integrated with the CTP update. Work performed in last FY was initially carried over into FY 21/22 but was completed in FY 20/21, and therefore, the consultant line item and associated LTF funding is reduced to reflect the current balances.

Budget Task:	Transportation Development Act
Funding Source	Adjustment To Revenues
STA Fund Balance	\$476,787
SGR Fund Balance	20,185
Total Funding Increase	\$496,972

Expenditure	Adjustment to Expenditures
Pass-Through State Transit Assistance	\$476,787
Pass-Through State of Good Repair	20,185
Total Expenditures Increase	\$496,972

The pass-through STA and SGR funds were not claimed by local agencies in FY 20/21, and therefore, the funds are being carried-over for local agencies to claim in the current year.

Budget Task:	Management and Administration
Funding Source	Adjustment To Revenues
LTF Fund Transfer	\$74,100
Total Funding Increase	\$74,100

Expenditure	Adjustment to Expenditures
Consultant	\$50,000
Legal	\$4,100
Office Relocation	20,000
Total Expenditures Increase	\$74,100

The LTF funds for the consultant, legal and office relocation for furniture and fixtures were not expended in FY 20/21 and are being carried-over into the new fiscal year.

Budget Task:	STA Fund
Expenditure	Adjustment to Expenditures
STA Fund Transfer out	\$1,215,787
SGR Fund Transfer out	20,185
Total Transfers	\$1,235,972

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



Item #8E

October 1, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: HEATHER MILLER, PROGRAMMING MANAGER
SUBJECT: SECTION 5310 FUNDED VAN PURCHASE FOR HELP OF OJAI

RECOMMENDATION:

- Approve agreement (Attachment A) with HELP of Ojai to provide a van using \$50,062 of Federal Transit Administration (FTA) Section 5310 funds with match provided by HELP of Ojai.
- Authorize Executive Director to place an order with Creative Bus Sales to purchase on behalf of HELP of Ojai a Ford Transit 350EL lift-equipped vehicle through the California Association for Coordinated Transportation (CalACT) purchasing schedule, at a total cost of \$64,015.28, contingent upon the receipt of \$13,953.28 in match from HELP of Ojai.

BACKGROUND:

The FTA Section 5310 program funds eligible projects that provide transportation targeted to serve seniors and persons with disabilities. VCTC is designated to select projects to be funded from the Section 5310 apportionments to large urban areas. In July 2019, the Commission approved the programming of FTA Section 5310 funds in the amount of \$38,228 for the purchase of one vehicle with a wheelchair lift for HELP of Ojai, a non-profit organization which provides transport services to seniors and persons with disabilities in the Ojai Valley. Additionally, under a previous 2018 Section 5310 call-for-projects, HELP of Ojai was able to purchase a van for a lower cost than originally anticipated, providing an additional \$11,774 in remaining 5310 funds that can be used toward the purchase of this vehicle. In total, \$50,062 in FTA Section 5310 funds are available for the purchase of the vehicle with HELP of Ojai providing match. VCTC will be administering the vehicle purchase on behalf of the applicant through the bid schedule managed by CalACT, of which VCTC is a dues-paying member. CalACT is a statewide, non-profit organization that represents over 300 small, rural, and specialized transportation providers and provides the means to purchase vehicles through a federal and California State compliant purchasing cooperative.

DISCUSSION:

HELP of Ojai obtained quotes from A-Z Bus Sales and Creative Bus Sales on the CalACT procurement schedule for a Ford Transit 350EL equipped to accommodate nine (9) ambulatory riders plus a driver with no wheelchair passenger and/or five (5) ambulatory riders plus driver with one wheelchair passenger. With information provided in the quotes, HELP of Ojai selected Creative Bus Sales to purchase the vehicle based on purchase price and customer service. The proposed price is \$64,015.28. Under the terms of the agreement with VCTC, HELP of Ojai will pay VCTC the local match share of \$13,953.28 and VCTC will then order the vehicle on HELP of

Ojai's behalf, obtaining reimbursement of the federal share from the FTA in the amount of \$50,062. HELP of Ojai will be the registered owner of the vehicle and VCTC will be the lienholder until the vehicle reaches the end of its useful life as defined by FTA.

COOPERATIVE AGREEMENT
BETWEEN
VENTURA COUNTY TRANSPORTATION COMMISSION
AND
HELP OF OJAI

THIS AGREEMENT is entered into on this 1st day of October ("Effective Date") between Ventura County Transportation Commission (hereinafter referred to as VCTC) and HELP of Ojai (hereinafter referred to as RECIPIENT), with the RECIPIENT being registered with a Dunn & Bradstreet number of 040956609, regarding the provision of a vehicle funded in part by the Federal Transit Administration (FTA) for transportation service of the RECIPIENT.

WHEREAS Chapter 53 of Title 49, United States Code, as amended, authorizes the Secretary of Transportation to apportion funds for public transportation projects for planning, capital, and operating assistance purposes; and,

WHEREAS, VCTC serves as the administrator of federal funds apportioned by FTA to Ventura County; and,

WHEREAS, VCTC authorized VCTC staff to apply for FTA funds on behalf of transportation providers including RECIPIENT, with the provision that the local match funds be provided by RECIPIENT; and

WHEREAS, it is the intention of VCTC to enter into this Cooperative Agreement with the RECIPIENT for the purchase of a vehicle as described in the attached Scope of Work (VEHICLE).

NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS:

I. FUNDING/PROGRAM MANAGEMENT

1. **Assignments of Participants:** VCTC hereby agrees to purchase the VEHICLE on behalf of RECIPIENT, and provide \$50,062 in FTA Section 5310 funds towards its cost. Prior to VCTC placing the order for the VEHICLE, RECIPIENT will pay VCTC \$13,953.28, towards the purchase price, for a total cost of \$64,015.28.
2. **Scope of Services:**
 - a. Grant Administration: VCTC agrees to carry out the administrative requirements necessary to reserve, apply for and receive FTA funds.
 - b. Use of VEHICLE: RECIPIENT shall operate the VEHICLE in its transportation service targeted towards persons with disabilities. Should

the vehicle be removed from service, RECIPIENT shall return the VEHICLE to VCTC or another agency that VCTC shall designate, or shall reimburse VCTC for federal share of the depreciated value of the VEHICLE based on a straight-line depreciation from \$50,062 of the useful life defined as 5 years in service or 150,000 miles whichever occurs first (hereinafter "useful life of the VEHICLE").

3. Duration of Agreement: The period of performance of this Agreement shall commence upon the approval of the FTA grant obligating the funds for the project, and shall continue until the VEHICLE purchased with the funds has reached the end of the useful life of the VEHICLE, except the language in Section III-1 regarding disposal of the VEHICLE with proceeds of over \$5,000 shall remain in effect until the VEHICLE is sold.
4. Amendments to the Agreement: The provisions of this Agreement may be amended upon written acceptance and ratification of any such amendment by both VCTC and RECIPIENT.
5. Method of Payment: Subsequent to the Effective Date, RECIPIENT shall pay VCTC \$13,953.28. Upon receipt of these funds, VCTC shall purchase the VEHICLE on behalf of RECIPIENT through the California Association for Coordinated Transportation purchasing program, and shall arrange for the delivery of the VEHICLE to the RECIPIENT. VCTC shall receive the FTA funds directly from FTA and apply those funds to the cost of the VEHICLE.

II. FEDERAL REQUIREMENTS

RECIPIENT shall note that the following provisions apply to grants-in-aid from the United States Department of Transportation (US DOT), and RECIPIENT must take all necessary action to ensure their compliance as though they were the grantee directly.

1. Equal Employment Opportunity: During the performance of this Agreement the RECIPIENT agrees as follows: RECIPIENT shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, political belief, marital status, age, national origin, sex, or handicap. RECIPIENT shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, marital status, religion, political belief, age, national origin, sex, or any handicap not limiting the ability of the person to perform the job contemplated. Such action shall include but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment, or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection of training, including apprenticeship. Such shall be in compliance with Executive Order 11246 amended by Executive Order 11375 and as supplemented in United States Department of Labor regulations (41 CFR, Part 60). RECIPIENT agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of the Equal Opportunity Clause.

2. Audit and Inspection: RECIPIENT shall permit, and shall require that its contractors permit, the authorized representatives of VCTC, the US DOT and the Controller General of the United States to inspect and audit all data and records of RECIPIENT relating to its performance under this Agreement, as required in FTA Circular 9030.1C, Chapter VI, Application Instruction, Section 9(d), Oversight.

RECIPIENT also agrees, and shall require that its contractor(s) agree, to maintain all required records relating to this project for at least three (3) years after the VEHICLE purchased under this agreement has reached the end of the useful life of the VEHICLE.

3. Title VI of the Civil Rights Act of 1964

During the performance of this Agreement, RECIPIENT, for itself its assignees and successors in interest agrees as follows:

- a. Compliance with Regulations: RECIPIENT shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the US DOT Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
- b. Nondiscrimination: RECIPIENT with regard to the use of the VEHICLE, shall not discriminate on the grounds of race, color or national origin in the selection and retention of contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.56 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulation.
- c. Solicitation for Subcontractors, Including Procurement of Materials and Equipment: In all solicitations related to the use of the VEHICLE either by competitive bidding or negotiation made by RECIPIENT for work to be performed under a contract, including procurement of materials or leases of equipment, each potential contractor or supplier shall be notified by RECIPIENT of the contractor's obligations under this contract and regulations relative to non-discrimination on the grounds of race, color or national origin.
- d. Information and Reports: RECIPIENT shall require that subcontractor provide all information and reports required by the Regulations or directives issued pursuant thereto, and permit access to its books, record, accounts, other sources of information, and its facilities as may be determined by FTA to be pertinent to ascertain compliance with such regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to VCTC or FTA as appropriate, and shall set forth what efforts it has made to obtain the information.

- e. Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, VCTC shall impose contract sanctions as it or the FTA may determine to be appropriate, including, but not limited to cancellation, termination, or suspension of the contract, in whole or in part.
 - f. Incorporation of Provisions: RECIPIENT shall include the provisions of paragraphs "a" through "e" of this section 3 of Part II in every contract funded through this Agreement, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. RECIPIENT shall take such reasonable action with respect to any contract or procurement as VCTC or FTA may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, RECIPIENT may request VCTC, and in addition, RECIPIENT may request the United States to enter into such litigation to protect the interest of the United States.
- 4. Rolling Stock Requirements: RECIPIENT shall maintain VEHICLE purchased with FTA funds in conformance with FTA rolling stock guidelines outlined in FTA Circular 9030 and further detailed in FTA Circular 5010, as incorporated herein by this reference, including the development and utilization of a vehicle maintenance plan, minimum insurance requirements, maintaining a written log of all maintenance work, as well as additional requirements. VCTC and FTA shall have the right to conduct periodic inspections for the purpose of confirming proper maintenance.
 - 5. Quarterly Reporting: RECIPIENT shall submit a quarterly report of its use of the VEHICLE within thirty (30) calendar days after the close of each quarter. The report shall contain information requested by VCTC to indicate the extent to which RECIPIENT is utilizing the VEHICLE for service targeted to persons with disabilities.

III. MISCELLANEOUS PROVISIONS

1. Legal Title to VEHICLE, Inventory and Disposition

RECIPIENT shall become and remain the registered, legal owner of VEHICLE purchased with FTA funds. VCTC shall hold the title to the VEHICLE as the lienholder, and shall transfer title to RECIPIENT upon the VEHICLE reaching the end of the useful life of the VEHICLE. VCTC will have no liability or responsibility for the VEHICLE either for its use, operation or maintenance. RECIPIENT shall participate in VCTC's biennial inventory of equipment as required by FTA. Should a VEHICLE be lost or damaged by fire, casualty, or natural disaster, the fair market value shall be calculated based on the condition of the VEHICLE immediately before the fire, casualty, or natural disaster, irrespective of the extent of insurance coverage, and the amount resulting from the calculation shall be provided by RECIPIENT to

offset the cost of replacing the lost or damaged VEHICLE. If a VEHICLE is sold for more than \$5,000 subsequent to reaching end of the useful life of the VEHICLE, RECIPIENT shall remit to VCTC a proportional share of the VEHICLE's net proceeds of the sale based on the original 80% FTA share of the VEHICLE's purchase price.

2. Insurance

A. LIABILITY INSURANCE

Before beginning any operation of the VEHICLE purchased pursuant to this Agreement, RECIPIENT, at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the operation of the VEHICLE provided hereunder by the RECIPIENT and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, RECIPIENT shall provide proof satisfactory to VCTC of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects, and that such insurance is in effect prior to taking delivery of the VEHICLE. RECIPIENT shall maintain the insurance policies required by this section throughout the term of this Agreement. RECIPIENT shall not allow any subcontractor to commence work on any subcontract funded through this agreement until RECIPIENT has obtained all insurance required herein for the subcontractor(s). RECIPIENT shall maintain all required insurance listed herein for the duration of this Agreement.

B. COMMERCIAL GENERAL AND AUTOMOBILE LIABILITY INSURANCE

Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than **\$2,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.

Automobile Liability: ISO Form Number CA 00 01 covering **VEHICLE** (Code 1), with limit no less than **\$2,000,000** per accident for bodily injury and property damage.

Additional requirements. Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:

- a. The Insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.

b. Any failure of RECIPIENT to comply with reporting provisions of the policy shall not affect coverage provided to VCTC and its officers, employees, agents, and volunteers.

Additional Insured Status VCTC, its officers, officials, employees, and volunteers are to be covered as additional insureds on the auto policy with respect to liability arising out of VEHICLE purchased under this agreement; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of RECIPIENT including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the RECIPIENT's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 23 37 forms if later revisions used).

C. AUTOMOBILE COLLISION INSURANCE

RECIPIENT will provide collision coverage for partial and total repair/replacement for the VEHICLE, as per FTA requirements set forth in FTA Circular 5010. This shall be noted by the equipment inventory/management certification which must be filed with VCTC at least once every two years.

D. WORKERS' COMPENSATION INSURANCE

RECIPIENT will provide Workers' Compensation insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than **\$1,000,000** per accident for bodily injury or disease.

E. ALL POLICIES REQUIREMENTS

Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

Verification of coverage. Prior to beginning operations of the VEHICLE purchased under this Agreement, RECIPIENT shall furnish VCTC with complete copies of all policies delivered to RECIPIENT by the insurer, including complete copies of all endorsements attached to those policies. All copies of policies and certified endorsements shall show the signature of a person authorized by that insurer to bind coverage on its behalf. If VCTC does not receive the required insurance documents prior to RECIPIENT beginning VEHICLE operation, this shall not waive RECIPIENT's obligation to provide them. VCTC reserves the right to require complete copies of all required insurance policies at any time.

Notice of Reduction in or Cancellation of Coverage. A certified endorsement shall be attached to all insurance obtained pursuant to this Agreement stating that coverage shall not be suspended, voided, canceled by either party, or reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been

given to VCTC. In the event that any coverage required by this section is reduced, limited, cancelled, or materially affected in any other manner, RECIPIENT shall provide written notice to VCTC at RECIPIENT's earliest possible opportunity and in no case later than ten (10) working days after RECIPIENT is notified of the change in coverage.

Additional insured; primary insurance. VCTC and its officers, employees, agents, and volunteers shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of RECIPIENT, including VCTC's general supervision of RECIPIENT; products and completed operations of RECIPIENT, as applicable; premises owned, occupied, or used by RECIPIENT; and automobiles owned, leased, or used by the RECIPIENT in the course of providing services pursuant to this Agreement. The coverage shall contain no special limitations on the scope of protection afforded to VCTC or its officers, employees, agents, or volunteers.

A certified endorsement must be attached to all policies stating that coverage is primary insurance with respect to VCTC and its officers, officials, employees and volunteers, and that no insurance or self-insurance maintained by VCTC shall be called upon to contribute to a loss under the coverage.

Deductibles and Self-Insured Retentions. RECIPIENT shall disclose to and obtain the approval of VCTC for the self-insured retentions and deductibles before beginning any of the activities contemplated by any term of this Agreement. Further, if RECIPIENT's insurance policy includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability. Additionally, the certificates of insurance must note whether the policy does or does not include any self-insured retention and also must disclose the deductible.

During the period covered by this Agreement, only upon the prior express written authorization of Agreement Administrator, RECIPIENT may increase such deductibles or self-insured retentions with respect to VCTC, its officers, employees, agents, and volunteers. The Agreement Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that RECIPIENT procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.

Subcontractors. RECIPIENT shall include all subcontractors as insureds under its policies or shall furnish separate certificates and certified endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

Wasting Policy. No insurance policy required by Section 4 shall include a “wasting” policy limit.

Variation. VCTC may approve a variation in the foregoing insurance requirements, upon a determination that the coverage, scope, limits, and forms of such insurance are either not commercially available, or that VCTC’s interests are otherwise fully protected.

Remedies. In addition to any other remedies VCTC may have if RECIPIENT fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, VCTC may, at its sole option exercise any of the following remedies, which are alternatives to other remedies VCTC may have and are not the exclusive remedy for RECIPIENT’s breach:

Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;

Order RECIPIENT to stop work under this Agreement or withhold any payment that becomes due to RECIPIENT hereunder, or both stop work and withhold any payment, until RECIPIENT demonstrates compliance with the requirements hereof; and/or terminate this Agreement.

Waiver of Subrogation. RECIPIENT hereby grants to VCTC a waiver of any right to subrogation which any insurer of said RECIPIENT may acquire against VCTC by virtue of the payment of any loss under such insurance. RECIPIENT agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not VCTC has received a waiver of subrogation endorsement from the insurer.

3. **Indemnification**

To the fullest extent permitted by law, RECIPIENT shall defend, indemnify and hold harmless the Ventura County Transportation Commission, from all liability costs, damages, or expenses, including attorneys’ fees arising out of or incurred in connection with the RECIPIENT and its employees’/agents’ and subcontractors’ acts or omissions arising out of the acquisition and operation of the VEHICLE and/or the performance of the activities contemplated pursuant to this Agreement, and agrees at its own cost, expense and risk to defend any and all resulting actions, suits, or other legal proceedings brought or instituted against VCTC arising out of the RECIPIENT’s acquisition and operation of the VEHICLE and/or performance of any of the activities contemplated under this Agreement, and to pay and satisfy any resulting judgments, claims, damages and costs.

4. **VCTC Contact Information**

The VCTC contact person for this agreement is as follows:

Peter De Haan
Programming Director
Ventura County Transportation Commission
751 East Daily Drive, Suite 420
Camarillo, CA 93010

HELP OF OJAI

VENTURA COUNTY TRANSPORTATION
COMMISSION

Terri Wolfe
Director

Kelly Long
Chair

Approved as to Content:

Mark Watkins
Interim Executive Director

APPROVED AS TO FORM:

Steven T. Mattas
General Counsel



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Item #8F

October 1, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: HEATHER MILLER, PROGRAM MANAGER

SUBJECT: ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT (TDA) FISCAL YEAR (FY) 2021/22 ARTICLE 3 BIKE PATH MAINTENANCE FUNDS

RECOMMENDATION:

- Approve the allocation of Fiscal Year 2021/22 Transportation Development Act (TDA) Article 3 Bike Path Maintenance Funds totaling \$125,307 as shown in the attached Table.

BACKGROUND:

Pursuant to California PUC Section 99233.3, two percent (2%) of Transportation Development Act (TDA) Local Transportation Funds are set aside for planning, constructing and maintaining bicycle and pedestrian facilities. In Ventura County 25% of the TDA Article 3 Bicycle/Pedestrian funds are set aside for maintenance of Class I pathways based upon the proportional share of pathway miles within each jurisdiction. The remainder of the annual TDA Article 3 Bicycle/Pedestrian funding is allocated on a competitive basis for projects that foster an increase in bicycling and walking.

DISCUSSION:

This year there is an estimated \$166,403 (25%) of FY 2021/22 Article 3 funds available for distribution to local jurisdictions for Class I Bike Path maintenance. Local agencies were asked to review and update the mileage information for their jurisdictions. The attached table provides a breakdown of Class I Bicycle Path mileage reported by each jurisdiction and their recommended proportional share of the FY 2021/22 TDA Article 3 maintenance funds.

The \$166,403 in available funding this year is an increase of approximately 33% from last year's funding due to the economic recovery. TDA revenue in Ventura County is sales tax revenue equal to ¼% of taxable sales (out of a state sales tax of 7¼%). Last year's funding fell 31% so this year's funding reflects a mostly "back to normal" level of funding.

The Article 3 Bike Path Maintenance Funds were reviewed and approved by the Transportation Technical Advisory Committee (TTAC) on September 15, 2021.

ATTACHMENT A

FY 2021/22 TDA Article 3 Maintenance Funding			
City	Existing Class I Mileage	Class I Maintenance Allocation	% Share
Simi Valley	13.6	\$26,105	16%
Oxnard	4.74	\$9,099	5%
Ojai	0.4	\$768	0%
San Buenaventura	32.5	\$62,384	37%
Thousand Oaks	3.13	\$6,008	4%
Ventura County	13	\$24,954	15%
Port Hueneme	5.1	\$9,790	6%
Camarillo	4.4	\$8,446	5%
Santa Paula	1.8	\$3,455	2%
Fillmore	5.62	\$10,788	6%
Moorpark	2.4	\$4,607	3%
TOTAL	86.69	\$166,403	100%



Item #8G

October 1, 2021

TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: STEVE MATTAS, GENERAL COUNSEL

SUBJECT: MOTION TO RE-AUTHORIZE REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE VENTURA COUNTY TRANSPORTATION COMMISSION, INCLUDING ALL ASSOCIATED AGENCIES, AUTHORITIES, AND COMMITTEES, DUE TO THE IMMINENT RISKS TO THE HEALTH AND SAFETY OF ATTENDEES AND MAKING RELATED FINDINGS PURSUANT TO AB 361

RECOMMENDATION:

It is recommended that the Ventura County Transportation Commission ("Commission"), on behalf of itself and in the role as the Local Transportation Authority, ALUC, Service Authority for Freeway Emergencies, Consolidated Transportation Service Agency and CMA, make a motion, pursuant to the authority set forth in AB 361 (Government Code Section 54953[e][1]), to re-authorize remote teleconference meetings of all legislative bodies of the Commission, including all associated agencies, authorities, and committees, due to imminent risks to the health and safety of attendees if the meetings are held in person.

BACKGROUND:

On September 24, 2021 the Commission approved a motion to continue conducting Commission meetings, and all associated agency, authority, and committee meetings, remotely due to imminent risks to the health or safety of attendees if the meetings are held in person. The Commission made findings that the requisite conditions exist for the legislative bodies of the Commission to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953.

Pursuant to Government Code Section 54953(e)(3), in order for all legislative bodies to continue meeting remotely, the Board must declare every 30 days that:

1. The legislative body has reconsidered the circumstances of the state of emergency; and
2. Either the state of emergency continues to directly impact the ability of the members to meet safely in person, or State or local officials continue to impose or recommend measures to promote social distancing.

Emergency conditions persist in Ventura County and throughout the state. The Governor's State of Emergency, declared on March 4, 2020, is ongoing. The local proclamation of emergency, made by the Ventura County Board of Supervisors on March 17, 2020, ratifying the Ventura County Health Officer's declaration of a local health emergency due to COVID-19, continues to exist until its termination is proclaimed by the Ventura County Board of Supervisors.

Due to the continued threat of COVID-19, the Commission continues to implement multiple layers of protection against COVID-19, including physical distancing, for the safety of employees and members of the public. The ongoing state of emergency related to COVID-19, as declared by the Governor and the Ventura County Board of Supervisors, continues to directly impact the ability of members of the legislative bodies of the Commission to meet safely in person, due to imminent risks to the health and safety of attendees if the meetings are held in person.

RECOMMENDATION

It is recommended that the Commission, on behalf of itself and in the role as the Local Transportation Authority, ALUC, Service Authority for Freeway Emergencies, Consolidated Transportation Service Agency and CMA, make a motion, pursuant to the authority set forth in AB 361 (Government Code Section 54953[e][1]), to re-authorize remote teleconference meetings of all legislative bodies of the Commission, including all associated agencies, authorities, and committees, due to imminent risks to the health and safety of attendees if the meetings are held in person.



Item #9

October 1, 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

In Washington, members of Congress have spent the past few weeks negotiating details of the Infrastructure Investment and Jobs Act (IIJA) and the Build Back Better Act.

The IIJA is a \$1.2 trillion bipartisan bill passed by the Senate in August. The bill consists of two pieces: reauthorization of the Fixing America's Surface Transportation (FAST) Act, and \$550 billion in supplemental funding above current FAST Act levels. The new spending includes \$106.9 billion for public transit and \$102.15 billion for rail programs.

The House of Representatives scheduled a vote on the IIJA for September 27th, which is three days before the FAST Act expires. If the IIJA is not passed and signed by President Biden by September 30th, Congress may have to authorize an extension of the FAST Act.

The Build Back Better Act is a \$3.5 billion budget reconciliation bill that would support expansion of so-called social infrastructure programs such as childcare and Medicare. Objections over the size of the bill from some members of both the Democratic and Republican parties could delay passage of the reconciliation bill, which currently contains additional funding for public transit and rail.

Congress faces several critical deadlines in September. In addition to reauthorization of the FAST Act, members of Congress have until October 1, the start of the new federal fiscal year, to pass budget legislation to keep the government funded. As a stopgap, Democratic leaders on Sept. 20 introduced legislation that would keep spending at current levels through Dec. 30, though no action had been taken as of September 21st.

State Issues

In Sacramento, the Legislature wrapped up its session September 10th, sending any remaining approved bills to Gov. Gavin Newsom for consideration. Among those are two that the Commission took “support” positions on earlier this year: Assembly Bill 361 (Rivas) and Senate Bill 790 (Stern).

Assembly Bill (AB) 361

AB 361, signed by the governor on September 16th, addresses teleconference meetings by state and local agencies. An urgency clause added to the bill allowed the law to take effect immediately, instead of the standard date of January 1, 2022.

AB 361 codifies Executive Order N-29-20, issued by Gov. Newsom in March 2020. The bill allows boards of local and state agencies to meet remotely through teleconferencing without complying with the requirements of the Brown Act under certain circumstances, such as the COVID-19 pandemic, when a state of emergency has been declared and when state or local health officials have imposed or recommended measures to promote social distancing.

Agencies that choose to use this exemption to the Brown Act still must comply with other Brown Act provisions. For example, an agency must allow the public to attend the meeting and the agenda must provide an opportunity for members of the public to directly address the legislative body. An agency must also include in the agenda an opportunity for people to attend via a call-in or internet-based service option.

Senate Bill (SB) 790

SB 790 addresses compensatory mitigation credits for wildlife crossing actions. This bill requires the Department of Fish and Wildlife, in consultation with Caltrans, to provide compensatory mitigation credits to support planning and modifications of transportation projects that improve local and regional habitat connectivity and result in fish passage, wildlife connectivity and other environmental improvements.

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

SB 790 passed the Legislature and was presented to the governor on September 9th. As of September 21st, the bill had not yet been signed.

The last day for the governor to sign or veto outstanding legislation is October 10th.

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



CALIFORNIA ADVISORS, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION MONTHLY STATE ADVOCACY REPORT SEPTEMBER 2021

Legislative Update

The 2021 Legislative Session concluded on Friday, September 10th with both houses gaveling down before 9:30 pm. Notably, this was one of the earliest adjournments when compared to the last several years. Often the Legislature works late on the final day – often going well past midnight in the first year of a two-year session. However, this year, there were fewer measures with each lawmaker capped at a dozen bills given the ongoing pandemic. Further, the Legislature worked to address many of the most prominent items for the year in the weeks leading up to the end-of-session.

Proposition 54, which was passed by the voters in 2016, has brought a level of predictability to the last night of the session by requiring that all bills be in their final form 72-hours before they are voted on by both houses. This means no last-minute amendments could be introduced, which limits the Legislature's ability to continue negotiations on the budget or legislative deals.

Unfortunately, on the budget side, there was not a deal struck on a final transportation package. The Governor continued to advocate for funding for the Central Valley segment of the High Speed Rail and the Legislature wanted to prioritize that money for other projects. Ultimately, there were billions of dollars earmarked for transportation projects that will now revert to the General Fund. The assumption is that negotiations over how to relocate that money and over the High Speed Rail project will pick up over the Fall and policymakers will address both in early January.

All things considered, legislators had a very productive year, with more than 2,000 bills passing through the legislative process and many of those measures are now sitting on the Governor's desk. The Governor has until October 10th to sign or veto those bills. Legislators have returned to their districts and will now shift their focus on local events and efforts.

Although the Legislature is on recess, the California Advisors team is continuing to keep close contact with the Capitol and will keep VCTC updated on any developments. Lastly, the Legislature will reconvene on January 3, 2022, to begin the new legislative session.

Governor's Recall Election

With some 9.1 million ballots counted so far — 64% of voters opted to keep Newsom in office, compared to 36% who wanted to recall him, according to a CalMatters live tracker of election results. Conservative talk show host Larry Elder was leading the pack of replacement candidates at 47% of the vote, with Democratic real estate investor and YouTube personality Kevin Paffrath a distant second at less than 10%. Though county elections officials still have many ballots to count — and the results won't be certified until Oct. 22 — the Associated Press and numerous other outlets called the race for Newsom on Tuesday night, indicating his lead is wide enough to keep him in office even if most of the remaining votes support the recall. Elder, who alleged days before the election that the results would be “twisted,” conceded the race on Tuesday night, CalMatters' Laurel Rosenhall and Sameea Kamal report.

Upcoming Bill Deadlines and 2 Year Bills

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

January 3 – Legislature reconvene for a second year of session

Below is a list of VCTC tracked bills:

AB 43 (Friedman D) Traffic Safety.

Introduced: 12/7/2020

Status: 9/9/2021-Senate amendments concurred in. To Engrossing and Enrolling.

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: 9/9/2021-Read third time. Passed. Ordered to the Assembly. (Ayes 25. Noes 8.). In Assembly. Concurrence in Senate amendments pending. Assembly Rule 63 suspended. Senate amendments concurred in. To Engrossing and Enrolling.

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

entitled to, is guilty of a crime. This bill would require local agencies to conduct meetings subject to the act consistent with applicable state and federal civil rights laws, as specified.

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

Introduced: 2/1/2021

Status: 9/10/2021-Read second time. Ordered to third reading. Senate Rules Suspended Read third time. Urgency clause adopted. Passed. Ordered to the Assembly. (Ayes 28. Noes 7.). In Assembly. Concurrence in Senate amendments pending. Ordered to the unfinished business file. Urgency clause adopted. Senate amendments concurred in. To Engrossing and Enrolling.

Summary: Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. This bill, until January 1, 2024, 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 during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

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

Introduced: 2/8/2021

Status: 6/28/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 25, Statutes of 2021.

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: 9/8/2021-Enrolled and presented to the Governor at 4:30 p.m.

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: 9/9/2021-Enrolled and presented to the Governor at 4 p.m.

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: 9/10/2021-Enrolled and presented to the Governor at 4 p.m.

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: 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 7/15/2021)(May be acted upon Jan 2022)

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: 9/2/2021-Enrolled and presented to the Governor at 3 p.m.

Summary: Would authorize a local authority to adopt a rule or regulation by ordinance to implement a slow street program, which may include closures to vehicular traffic or through vehicular traffic of neighborhood local streets with connections to citywide bicycle networks, destinations that are within walking distance, or green space. The bill would require the local

authority to meet specified conditions to implement a slow street, including a determination that closure or traffic restriction is necessary for the safety and protection of persons using the closed or restricted portion of the street, conducting an outreach and engagement process, and clearly designating the closure or traffic restriction with specific signage.

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

Introduced: 2/16/2021

Status: 9/9/2021-Senate amendments concurred in. To Engrossing and Enrolling.

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: 7/16/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 97, Statutes of 2021.

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: 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on 7/12/2021)(May be acted upon Jan 2022)

Summary: Would authorize the Department of Transportation to sell its excess real property to the city, county, or city and county where the real property is located if the city, county, or city and county agrees to use the real property for the sole purpose of implementing

affordable housing, emergency shelters, or feeding programs, as specified. The bill would exempt these sales from the California Environmental Quality Act, except the department would be required to file a notice of exemption with the Office of Planning and Research and the county clerk of the county in which the real property is located.

AB 955 (Quirk D) Highways: encroachment permits.

Introduced: 2/17/2021

Status: 9/8/2021-Assembly Rule 77 suspended. (Ayes 42. Noes 13.) Senate amendments concurred in. To Engrossing and Enrolling.

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: 9/8/2021-Assembly Rule 77 suspended. (Ayes 42. Noes 13.) Senate amendments concurred in. To Engrossing and Enrolling.

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: 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 8/23/2021)(May be acted upon Jan 2022)

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: 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was TRANS. on 3/4/2021)(May be acted upon Jan 2022)

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: 9/10/2021-Enrolled and presented to the Governor at 4 p.m.

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: 9/7/2021-Enrolled and presented to the Governor at 4 p.m.

Summary: Current law, for purposes of the State Transit Assistance Program, requires local transportation agencies to report to the Controller by June 15 of each year the public transportation operators within its jurisdiction that are eligible to claim specified local transportation funds. This bill would instead require local transportation agencies to report this information within 7 months after the end of each fiscal year.

AB 1238 (Ting D) Transportation.

Introduced: 2/19/2021

Status: 9/9/2021-Senate amendments concurred in. To Engrossing and Enrolling.

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 eliminate that prohibition until January 1, 2029.

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

Introduced: 2/19/2021

Status: 7/9/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 63, Statutes of 2021.

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: 9/9/2021-Senate amendments concurred in. To Engrossing and Enrolling.

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: 9/7/2021-Enrolled and presented to the Governor at 4 p.m.

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 (Aguiar-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: 9/9/2021-Enrolled and presented to the Governor at 1 p.m.

Summary: Would, until January 1, 2025, 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 that is located wholly within the County of Los Angeles or connects to an existing transit project wholly located in that county and that is approved by the lead agency on or before January 1, 2024. The bill would require the project applicant of the environmental leadership transit project to take certain actions in order for those specified procedures to apply to the project. The bill would require the Judicial Council, on or before January 1, 2023, 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 365 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.

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

Introduced: 12/7/2020

Status: 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/19/2021)(May be acted upon Jan 2022)

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: 8/30/2021-Enrolled and presented to the Governor at 1 p.m.

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: 9/9/2021-Enrolled and presented to the Governor at 1 p.m.

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: 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 6/1/2021)(May be acted upon Jan 2022)

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: 9/9/2021-Assembly amendments concurred in. (Ayes 27. Noes 10.) Ordered to engrossing and enrolling.

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: 7/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 108, Statutes of 2021.

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: 7/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 109, Statutes of 2021.

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: 9/9/2021-Enrolled and presented to the Governor at 1 p.m.

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: 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/9/2021)(May be acted upon Jan 2022)

Summary: Would require the Labor and Workforce Development Agency to create 2 programs, to be known as the California Jobs Plan Program and the United States Jobs Plan Program. The bill would require the programs to meet specified objectives, including supporting the creation and retention of quality, nontemporary full-time jobs, as specified, and the hiring of displaced workers and individuals facing barriers to employment. The bill would require, as a component of applications for covered public contracts, as defined, the creation of forms for each program that state the minimum numbers of proposed jobs that are projected to be retained and created if the applicant wins the covered public contract. These components of the application would be known as the California Jobs Plan and the United States Jobs Plan, which the bill would define.

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

Introduced: 2/19/2021

Status: 9/9/2021-Enrolled and presented to the Governor at 3:30 p.m.

Summary: Would authorize the Department of Fish and Wildlife to approve compensatory mitigation credits for wildlife connectivity actions taken under the conservation and mitigation banking program or the regional conservation investment strategy program. In order to receive compensatory mitigation credits from the department under this authority, the bill would require the wildlife connectivity action to meet specified requirements. The bill would authorize a compensatory mitigation credit created under this authority to be used to fulfill, in whole or in part, compensatory mitigation requirements established under any state or federal environmental law, as determined by the applicable local, state, or federal regulatory agency.

SB 798 (Wieckowski D) Trade Corridor Enhancement Account.

Introduced: 2/19/2021

Status: 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was RLS. on 2/19/2021)(May be acted upon Jan 2022)

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

October 1, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: HEATHER MILLER, PROGRAM MANAGER
**SUBJECT: VENTURA COUNTY REGIONAL IMPROVEMENT PROGRAM –
SUBMITTAL FOR 2022 STATE TRANSPORTATION IMPROVEMENT
PROGRAM (STIP)**

RECOMMENDATION:

- Approve the 2022 STIP submittal to the California Transportation Commission.

BACKGROUND:

State law requires the adoption and submittal of a five-year State Transportation Improvement Program (STIP) by December 15 of each odd-numbered year. The Ventura County Transportation Commission (VCTC) is the agency responsible for developing the STIP for Ventura County working cooperatively with Caltrans. The STIP is comprised of a five-year list of capital improvement projects to be funded from VCTC's share of STIP Regional Improvement Program (RIP) funds for the period starting July 1, 2022 (FY 2022/2023) and ending June 30, 2027 (FY 2026/2027).

The 2022 STIP for Ventura County is due to the California Transportation Commission (CTC) on December 15, 2021. Projects to be included in the STIP must also be submitted to SCAG for modelling no later than September 24, 2021. VCTC has only one project to submit to the STIP, the Planning, Programming & Monitoring (PPM) project which requires no modeling. The CTC is responsible for reviewing and approving STIP submittals and is scheduled to publish the 2022 STIP staff recommendations on February 28, 2022, and adopt the 2022 STIP on March 24, 2022.

DISCUSSION:

Each STIP covers a five-year period adding two new years of programming capacity. The new STIP includes projects carried forward from the previous STIP plus new projects and reserves from among those proposed by regional agencies in their regional transportation improvement programs (RTIPs). The statewide capacity for the 2022 STIP Fund Estimate identifies net new capacity in the two years added to the STIP (2025/26 and 2026/27) and identifies a small amount of new capacity in the first three years of the 2022 STIP (2022-23 through 2024-25). County shares are calculated using the statutorily driven formula distribution taking into account population and highway lane miles. Ventura County's 2022 STIP share includes a net carryover/unprogrammed balance of \$67,789,000 and new County Share formula distribution funds of \$13,882,000 through 2026/27 for a total amount of \$81,671,000.

Additionally, the federal Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act apportioned transportation capital funds to states, resulting in a share of separate CRRSA funds being distributed through the STIP county shares, with Ventura County's share being \$3,965,568. These funds are also available for programming at this time, with the caveat that the funds must be allocated by June 2024.

PROPOSED 2022 PROGRAM

Planning, Programming & Monitoring (PPM)

PPM is utilized annually by VCTC to fund planning and programming activities performed by VCTC staff and consultants and can be programmed up to a maximum of 5% of the county share. There is \$694,000 in new programming capacity for PPM over the last two years of the STIP. In the prior STIP submittal, FY 2022/23 and 2023/24 PPM funding was \$308,000 per year for a total of \$616,000. Due to the mid-cycle STIP (CRRSA) providing an additional \$198,278 in funds (5% of the total CRRSA share), the proposed PPM for 2022/23 and 2023/24 would be \$407,000 per year, front loading CRRSA funds in 2022/23. Staff recommends dividing the 2022 STIP Fund Estimate of \$1,050,00 of PPM for 2024/25 through 2026/27 equally among the three remaining years for totals of \$350,000 per year.

The recommended PPM program submittal is summarized in the following tables showing previously programmed amounts, proposed changes, and proposed PPM amounts for the 2022 STIP.

Programmed PPM Amounts (\$1,000)					
FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Total
\$ 401	\$ 401	\$ 308	\$ 308	\$ 356	\$ 1,774

Proposed Changes (\$1,000)					
FY22/23	FY23/24	FY24/25	FY25/26	FY26/27	Total
\$ 99	\$ 99	\$ (6)	\$ 350	\$ 350	\$ 892

Proposed PPM Amounts (\$1,000)					
FY22/23*	FY23/24	FY24/25	FY25/26	FY26/27	Total
\$ 407	\$ 407	\$ 350	\$ 350	\$ 350	\$ 1,864

* Includes CRRSA funds of \$198,278

US 101 Construction

Under VCTC's adopted policy, the US 101 Improvement project has been and is the regional priority for STIP funds, as well as federal Surface Transportation Program (STP) funds. Without a source of local funds, these state and federal resources provide a relatively small portion of what is required for the full project. Nevertheless, the objective is to build up whatever funds have accumulated through these programs over the years and apply them to "Early Action" items for the US 101 project. Therefore, after programming \$694,000 of new STIP funds for PPM, the remaining unprogrammed \$80,977,000 of the Ventura County share would be carried over for future use on the US 101 project. The US 101 environmental clearance is currently underway and is anticipated to be completed in FY 2022/23, thus allowing the nomination of a specific "Early Action" improvement phase for the 2022 STIP. CRRSA funds, with an allocation deadline of June 2024, would also be available to assist with the final design cost. US 101 construction funds from STIP are likely to become available in FY 2027/28. At that point, staff projects that the combined STIP and STP funds will make a total of \$250 million available to implement the "Early Action" plan.

The VCTC nomination to the 2022 STIP was reviewed and approved by the Transportation Technical Advisory Committee (TTAC) on September 15, 2021.



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Item #11

October 1, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AARON BONFILIO, PROGRAM MANAGER

SUBJECT: VCBUSPASS – VENTURA COUNTY’S REGIONAL BUS PASS PROGRAM

RECOMMENDATION:

- Receive and file presentation on the VCbuspass program.

BACKGROUND:

At the December 4, 2020, Commission meeting, the Commission approved an agreement to implement a new regional contactless fare collection system. Subsequently, the system was configured, installed and training of each agency’s staff was completed. The total fleet includes over 160 transit vehicles, across eight Ventura County transit operators.

On July 1, 2021, VCTC launched the new regional contactless fare collection system, *VCbuspass*. The VCbuspass fare media includes both mobile tickets and reloadable smartcards. The VCbuspass is accepted by all fixed route and general public dial-a-ride services in Ventura County.

Staff will provide a brief presentation to the Commission about the VCbuspass program to-date at the October 1, 2021, Commission meeting.



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Item #12

October 1, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)

FROM: AMANDA FAGAN, DIRECTOR OF PLANNING & SUSTAINABILITY

SUBJECT: VENTURA COUNTY FREIGHT CORRIDORS STUDY

RECOMMENDATION:

- Receive a presentation and provide feedback on the Draft Ventura County Freight Corridors Study.

BACKGROUND:

VCTC, the Port of Hueneme, and Caltrans partnered with the Southern California Association of Governments to develop the Ventura County Freight Corridors Study, to identify and prioritize the most significant freight corridors for safer, more efficient, and sustainable freight connections. The project team worked with community and industry groups and the general public to refine the project objectives, focus analysis efforts, and develop solutions with the greatest benefit to both the County's economic competitiveness and environmental health.

The identification of critical freight corridors and mitigations through the Ventura County Freight Corridors Study is essential. Generators of freight movement in Ventura County include production through the manufacturing and agricultural sector, imports and exports passing through the Port of Hueneme, local household and business consumption, and interregional commerce between Los Angeles and Santa Barbara Counties.

The purpose of this Study is to establish a better understanding of the freight corridors in Ventura County to inform future investment decisions by:

- Identifying opportunities to support cleaner freight movement, while promoting Ventura County's industries and agricultural economy and regional and State economic growth;
- Assisting the Port of Hueneme and Ventura County to achieve State and regional emission reduction goals; and,
- Increase social equity by planning for an efficient transportation system that does not disproportionately affect disadvantaged communities.

The Study will also position Ventura County to apply for future state and federal funding opportunities, including Senate Bill 1 Trade Corridor Enhancement Program (TCEP) funding.

DISCUSSION:

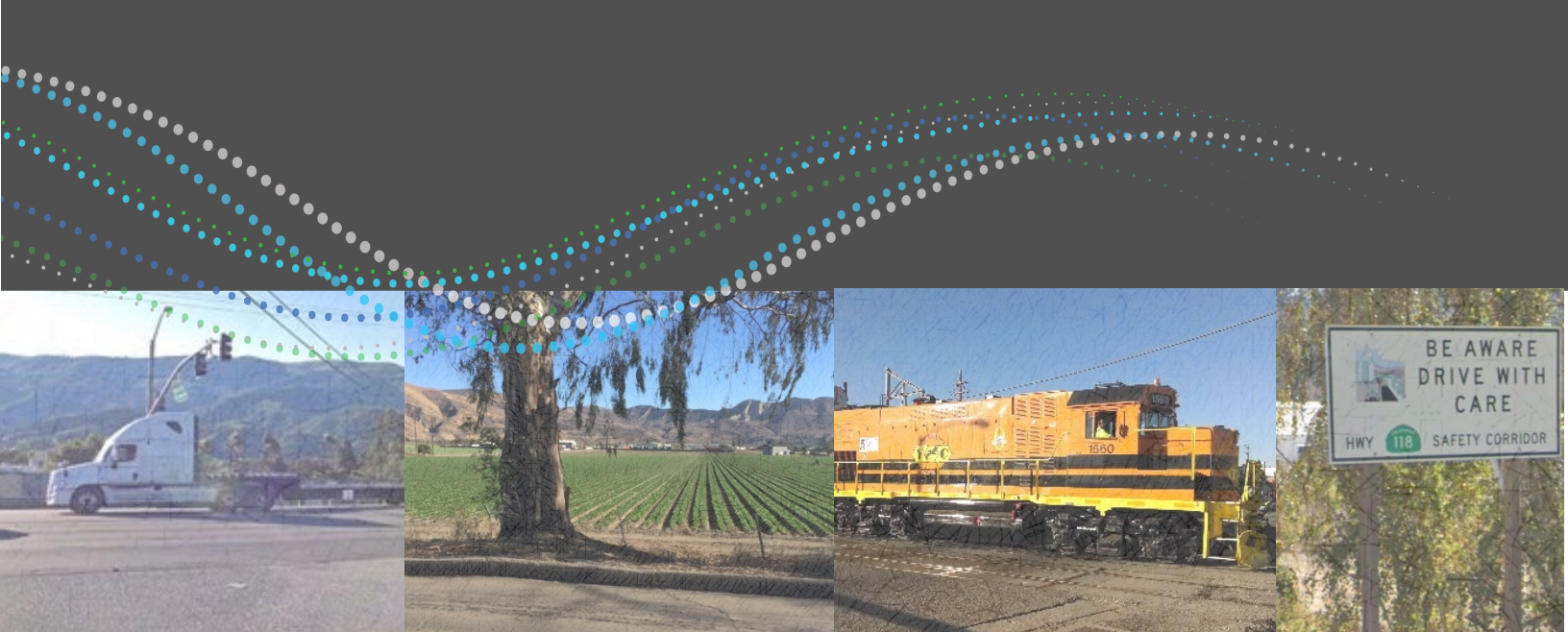
The Draft Study was developed through extensive stakeholder input that included a web-based project portal, 27 one-on-one stakeholder interviews, three public workshops, and email and phone communications with business and community stakeholders. Recorded videos of the three virtual public workshops, held in both English and Spanish, and the comprehensive draft study are available on the project website: www.goventura.org/vcfreight.

VCTC received a status update regarding the Ventura County Freight Corridors Study during the September 10, 2021 Commission meeting. Also on that date, VCTC posted the comprehensive draft Study online and available for public review on the project website under the Resources tab. VCTC presented the draft Study to the Transportation Technical Advisory Committee (TTAC) on September 15th and held the last of the three (3) public workshops on September 16th. The deadline for TTAC members, stakeholders, and the public to provide comments to VCTC staff on the Draft Study is October 15th. Comments can be sent to vcfreight@goventura.org or submitted through the website.

The Draft Study presents Recommended Areas of Focus developed in response to stakeholder input, technical analysis, review of existing plans, and assessment of vulnerabilities and opportunities to improve freight corridors. Recommended Areas of Focus are organized in three categories: Improve Existing Freight Corridors; Strengthen Port Access; and Improve Truck Supportive Infrastructure.

The project team will incorporate feedback from the public, stakeholders, TTAC, and Commissioners into the final Study. Staff plans to return to the Commission with the Final Study for consideration of approval at the November 5, 2021 VCTC meeting.

Ventura County Freight Corridors Study Executive Summary



September 2021



Submitted to:



10055.20 | Prepared by Iteris, Inc.

VENTURA COUNTY FREIGHT CORRIDORS STUDY

The Ventura County Transportation Commission (VCTC) and the Southern California Association of Governments (SCAG), in cooperation with Caltrans and the Port of Hueneme (Port), studied freight corridors in Ventura County to identify impacts associated with freight traffic, and develop inclusive freight corridor strategies to promote safer, more efficient, and sustainable freight connections that support the economy, social outcomes, and health of Ventura County.

The Freight Corridors Study process was driven by data, literature review, and stakeholder involvement, which informed Study goals and performance measures, identified opportunities and vulnerabilities, and used each previous step to identify priorities. The Study was developed using extensive stakeholder input through the web-based project portal, 30 one-on-one stakeholder interviews, three public workshops, and email and phone communications with port customers, trucking companies, local and regional agencies, businesses and community stakeholders, and representatives of disadvantaged communities.

Goals and Performance Measures

The project goals and performance measures bring values into the process and allow for a balanced review of conditions, needs and solutions. This study integrates measures to assess performance of the transportation system and takes a broad view of the role transportation plays in moving goods throughout Ventura County.

Study Goals included:

- Multimodal Mobility
- Economic Prosperity
- Environmental Stewardship
- Healthy Communities
- Safety and Resiliency
- Asset Management
- Connectivity and Accessibility

Ventura County's Freight Assets

Ventura's freight system supports the County's manufacturing, agriculture, construction, and consumer industries. The Freight Corridors Study surveys the roads, rail, port, truck supportive infrastructure, safety, and other assets critical to freight movement.

Opportunities and Vulnerabilities

The Freight Corridors Study Opportunities and Vulnerabilities section integrates data with stakeholder inputs and literature review into common topic areas to establish a qualitative and quantitative understanding of the transportation system as it relates to freight movement and community health.

IMPLEMENTING FREIGHT CORRIDOR IMPROVEMENTS

The Study intent was to move to a deeper understanding of the role of freight movement in Ventura County, by bringing in other complementary values to freight mobility and safety, such as environmental stewardship, community health, and equity. The Freight Corridors Study is not a funding allocation program, but rather an organizing document to focus on priorities of partner implementing agencies in Ventura County. With limited transportation infrastructure funds, several priorities compete for funding, and this Study provides an understanding of those projects and programs which support freight corridors. Ventura County does not have a dedicated source of freight transportation infrastructure, therefore many of the actions to improve freight movement are components of broader mobility, safety, and connectivity strategies involving passenger travel and mitigation of community impacts from the transportation system.

Understanding the relationship between freight transportation and the economy is critical to future freight transport system decision making to optimize opportunities for economic growth in Ventura County. The Ventura County Comprehensive Economic Development Strategy listed “investments in infrastructure and the development of new resources in hazard mitigation” as the first regional economic development goal.

At the same time, the Freight Corridors Study seeks to address the primary negative externalities of freight movement, such as air pollution emissions, traffic and safety issues, noise pollution and aesthetic impacts. Few areas within southern Ventura County are not located adjacent to an agricultural area, industrial area, or major freight-carrying transportation facility. Thus, all communities in the county are impacted by freight transportation to some degree. Historic siting of low-income housing adjacent to industrial land uses and transportation facilities led to disproportionate burdens of the freight system being placed on disadvantaged residents nationwide and in Ventura County. To summarize the findings in concise principles:

- Sustained involvement in the development of transportation infrastructure investment to ensure capital improvements are both freight corridor and community assets.
- Commitment to safety and the transition to a fleet of zero emission vehicles.
- Favor routes that avoid impacts on communities, especially disadvantaged communities.

Potential Solutions

Literature review identified a total of 157 planned projects and programs related to freight movement, which were incorporated into a potential solutions list. A gap analysis comparing planned projects to safety data and issues raised by stakeholders resulted in 25 additional concepts added to the solutions list, to bring the total number of potential solution strategies to 182. Implementation status ranges the full spectrum of the project development process from project concepts without an identified lead agency to fully funded projects in the design phase.

While each solution strategy plays a role in improving freight corridors, the performance measures were used to identify the most effective strategies to achieve the goals of the Freight Corridors Study. The top 18 solutions assessed with the Freight Corridors Study performance measures are designated as “Recommended Areas of Focus” to be emphasized over the near-term of five to ten years.

RECOMMENDED AREAS OF FOCUS

While each area represents a priority for improving freight movement, a manageable set of solutions needs to be prioritized as the next step for major improvement projects. The following actions met the most performance criteria of the Ventura County Freight Corridors Study, and are presented to help focus agencies, elected officials, businesses, community groups and residents on a set of effective transportation solutions that balance freight mobility with safety and broader community goals. Recommended areas of focus are listed in three categories:

Strengthen Existing Freight Corridors

- Controlled Access Facility Improvements
 - Enhanced Truck Route Identification (signage, geofencing, etc.)
 - State Route 126 Westbound to US 101 Southbound Connector
 - Improve State Route 126 through the communities of Fillmore and Piru
- Other Existing Freight Corridor Improvements
 - State Route 118 Corridor Safety Project
 - State Route 33 Stanley Avenue / Shell Road Interchange Improvements
 - US 101 / Del Norte Boulevard Interchange Improvements
 - State Route 232 (Vineyard Avenue) pedestrian crossing
 - Community Traffic Calming Program
 - US 101 at Victoria Avenue Interchange Improvements
 - Rail Corridor Fencing / Pedestrian Rail Crossings

Strengthen the Port Intermodal Corridor

- Rice Avenue Designation of State Route 1
- Hueneme Road Access
- Ventura County Railroad Emission Reduction
- Port of Hueneme Environmental Framework and Policy (Clean Air and Port Decarbonization) and Port Corridor Optimization & Efficiency Projects

Improve Truck Supportive Infrastructure

- Public Truck Parking
- Commercial Vehicle Enforcement Facility Upgrades
- Transition to Zero Emissions Vehicles

Turning priority ideas into reality requires several steps of procuring funding, designing a project, performing environmental assessments and cost estimation and construction. However, regardless of the funding or process for development, transportation system improvement is a cooperative process that includes significant public involvement and a balancing of transportation and broader community goals. The Freight Corridors Study helps in this process by providing early consensus on priorities, focusing project development efforts and providing momentum to projects that meet countywide goals.



ITEM #13

October 1, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: MARK WATKINS, INTERIM EXECUTIVE DIRECTOR

SUBJECT: PRESENTATION FROM VENTURA COUNTY CITIZENS FOR TRAFFIC RELIEF

RECOMMENDATION:

- Receive presentation and direct staff as desired.

DISCUSSION:

During the public comments portion of the September 10, 2021, Ventura County Transportation Commission meeting Interim Executive Director Mark Watkins read into the record a letter from the Ventura County Citizens for Traffic Relief (VCCTR) requesting that VCTC place an item on the October 1, 2021 VCTC meeting agenda for a presentation from the VCCTR in regards to a proposed citizen's initiative to place a ½ cent sales tax for transportation on the 2022 ballot.

In subsequent discussion during the Commission meeting, staff was asked to provide information regarding the state and federal funds lost to Ventura County due to the lack of a local revenue source to provide match. Staff was also asked to obtain the most recent polling data to determine public support for the VCCTR proposal.

Staff has prepared the Attachment 1 fact sheet to respond to the request for information regarding funding that is lost to a lack of a local revenue source. The first item shown, the Senate Bill (SB) 1 Local Partnership Program, describes a funding mechanism established in 2017 which provides formula funds to agencies having local revenues earmarked for transportation. Due to there being no such revenues in Ventura County, the County has lost approximately \$16 million over the past four years and will continue to lose about \$3 million per year going forward, absent a local funding mechanism.

VCTC and other local jurisdictions have been able to match other state and federal apportioned funds using state fuel taxes and the Local Transportation Fund, which also comes from the state. Although these two funds come from the state, they can generally be used as match for any state or federal program except the Local Partnership. A significant issue, however, is that Ventura County has lost an unknown amount of funds because competitive grants generally give points (preference) for large local matches, an option which is not available in Ventura County without a dedicated local revenue source. For example, the California Transportation Commission has distributed 10 years' worth of Active Transportation Program funds, yet in all those years Ventura County agencies have only received one grant of \$6.2 million from the statewide competitive portion of the program. It is not possible to know how

much could have been obtained had larger local matches been available however it appears that based on its relative population size, Ventura County has generally received significantly less than its share from the competitive transportation grant programs.

Attachment 2 was provided by VCCTR in response to the request for recent polling data.

Attachment 3 is the current draft expenditure plan proposed by the VCCTR and as required by Public Utilities Code section 180206. VCTC staff has not conducted a review of the proposed expenditure plan pending direction from the Commission.

For the VCCTR group to proceed they are required to have an expenditure plan that has been approved by VCTC as well as the Board of Supervisors and the city councils representing both a majority of the cities in the county and a majority of the population residing in the incorporated areas of the county. VCTC previously approved an expenditure plan in 2016 prior to the last time a countywide transportation sales tax measure was presented to the voters. Staff understands from VCCTR that if VCCTR is successful in obtaining an initial approval of the proposed expenditure plan from VCTC they would then proceed to solicit approval from a majority of the cities, representing a majority of the population in the incorporated areas of the County, as well as from the Board of Supervisors. If VCCTR is successful in that effort they would then proceed to obtain sufficient signatures to place the initiative on the November 2022 ballot.

At this time the Commission has several options including accepting the report with no action, directing staff to perform research on specific items and report back to the commission, scheduling the expenditure plan for consideration at a future meeting, or other actions as the Commission might desire.

VENTURA COUNTY'S COMPETITIVE DISADVANTAGE FOR STATE/FEDERAL TRANSPORTATION FUNDS

Senate Bill (SB) 1 Local Partnership Program

- SB 1 in 2017 established this program which provides funds by formula to jurisdictions with a dedicated transportation funding measure. Since then, VCTC has missed out on receiving approximately \$16 million that it would otherwise be entitled to and will continue to forgo about \$3 million per year without its own transportation revenue source.

California Active Transportation Program

- The Active Transportation Program currently includes approximately \$90 million per year for statewide competitive grants for bicycle and pedestrian projects. The state has now awarded 10 years' worth of statewide competitive funds under this program, of which only one grant for \$6.2 million has gone to Ventura County.

SB 1 Competitive Grant Programs

- SB 1 heavily emphasized competitive grants, providing over \$1 billion per year for newly-established programs. The guidelines for project selection include extra points for the amount of local match offered by an applicant. Thus far after four years, thanks in particular to the support of Assembly Member Irwin, Ventura County has received \$107 million for one project, the Rice Avenue Grade Separation in Oxnard, despite having no local match available for that project.

Federal Competitive Grant Programs

- The federal government's various competitive transportation grant programs typically require a minimum a 20% - 50% match and assign priority based on the amount of match, placing Ventura County at a significant disadvantage for these highly-competitive funds.
- For example, for the federal government's premier transportation competitive grant program, currently called Rebuilding American Infrastructure with Sustainability and Equity (RAISE), Ventura County has successfully obtained only one grant for \$12.3 million, out of \$8.9 billion available since 2009.
- The current Federal Infrastructure Investment and Jobs Act, which has been passed by the U.S. Senate, would greatly increase the emphasis on competitive grants, with \$32 billion authorized over 5 years. Based on the track record, Ventura County is likely to compete poorly for these funds due to the lack of local funding.

Diversion of Federal Apportionment Funds

- Due to the lack of funds for state highway improvements such as the "Our Future 101" project, VCTC approved a policy to divert federal apportionment funds that previously went to local streets and road maintenance and improvement, to provide funding for US 101. These funds currently equal \$13 million annually.

Executive Summary

Voters are optimistic about the post-pandemic future in Ventura County and polling suggests that a smartly crafted transportation funding measure would be well received by a strong majority of Ventura County voters if it were on the ballot in the future.

BACKGROUND:

The mood in the county is trending positive presently, and reasons cited below, a citizens-drafted and -qualified transportation ballot measure in 2022 is likely to face an even more favorable environment.

By a 2:1 margin, voters are more likely to say things in the County are “headed in the right direction” as opposed to “headed down the wrong track” (59% to 24%).

Looking ahead, we asked voters to think how things in their area will be one year in the future. Just 11% say they think things will be “worse than now.” By contrast, a 54% majority say things will be either “back” (25%) or “better than things were prior to the pandemic” (29%). Roughly one in three (31%) say things will be “about the same” as today. However, it is worth noting that many COVID restrictions are already being lifted in the county, state, and country.

BALLOT MEASURE PERFORMANCE:

The main focus of the survey was a potential local ballot measure regarding transportation, and was initially tested conceptually with a plain-word sample ballot question:

This local ballot measure in Ventura County is designed to:

- Fix potholes, improve safety on local streets, and improve air quality,
- Widen and improve the 101, 118 and other regional roads,
- Protect waterways and beaches from polluted runoff, and
- Provide safe routes to schools, affordable transit to students, seniors, and veterans. This measure will levy a half-cent sales tax and will provide an estimated \$70 million dollars annually which will directly benefit Ventura County residents. All funding and fiscal accountability will be overseen locally and the state cannot take these funds.

61% said they would vote “YES” on the measure if the election were held today.

Opposition to this measure is significantly less – just 33% say “NO.”

By a resounding nearly 4:1 margin, voters greatly prefer having the power to rescind the measure themselves versus having it expire on its own. 71% say “the measure should stay in effect until ended by the voters” whereas just 18% say “the measure should stay in effect for 30-years.”

We examined a variety of programs and projects that might be funded by this ballot measure. Those of greatest popular interest – as well as most compelling to undecided and persuadable voters, include the following:

- Adding lanes to the 101 and 118. Reducing traffic congestion
- Allocating funds to address regional roads and highways
- Paving, maintaining and fixing potholes on local streets
- Protecting waterways and beaches from polluted runoff
- Providing students with safe routes to walk and bike to school, and improving safety generally on local streets
- Establishing programs that provide affordable transit fares for students, seniors, veterans, and the disabled

When the question was asked again and this time it had the measure in effect until ended by the voters and had specific projects in the measure, the support increased.

On final ballot, “Vote Yes” is +3% points higher (64% at final ballot, compared to 61% at the start) while opposition remains unchanged.

ATTACHMENT 3

The Ventura County Citizens' Traffic Reduction and Transportation Investment Act (TRATIA)

The Expenditure Plan

Investment Area	Approximate Percentage	Approximate 30-year Total
1. Local Streets and Roads	25.00%	\$825,000,000
2. Freeway Traffic Reduction Program	33.00%	\$1,089,000,000
3. Regional Roads / Military Access / Goods Movement	11.00%	\$363,000,000
4. Bus Transit Enhancements & Fare Support	10.00%	\$330,000,000
5. Commuter Rail Enhancements	7.50%	\$247,500,000
6. Bicycle & Pedestrian Improvements	5.00%	\$165,000,000
7. Transportation Investment in the Natural Environment	6.00%	\$198,000,000
8. Administration / Taxpayer Oversight	1.00%	\$33,000,000
9. State Board of Equalization Fees	1.50%	\$49,500,000
totals (may not add to 100 due to rounding)	100.00%	\$3,300,000,000

1. Investment in Local Streets, Roads & Transportation Priorities

Estimated Investment: \$825,000,000

Whether by car, bus, bike or walking, nearly every trip in Ventura County begins on a local street. The upkeep and maintenance of local streets and roads affects all of us as we travel throughout our day. Typically, we only think about streets and roads when the conditions start to deteriorate. Every city and the County of Ventura have expressed and quantified their struggle to maintain the condition of local streets and have advised of a substantial shortfall in funding just to maintain road conditions in their current state.

This Plan includes assistance for the cities and the County of Ventura that must maintain our local streets. A total of 25 percent of all Plan funds, approximately \$825,000,000, would be returned to local jurisdictions to augment their revenues for the maintenance and improvement of the nearly 2,500 miles of local streets and local transportation systems. To ensure an equitable distribution of those funds to the local jurisdictions, a formula has been developed by the cities and the County of Ventura, that a) provides a minimum of \$500,000 to each jurisdiction annually; b) provides the County of Ventura with 22.3% of the local street and roads funds; c) allocates the remainder of local streets and roads funds based on the percentage of lane miles within a jurisdiction. Each jurisdiction will receive funds as shown in the table below.

Jurisdiction	Approximate Percentage	Approximate 30-year Total (Millions)
Camarillo	8.64%	\$71.2
Fillmore	1.59%	\$11.35
Moorpark	3.45%	\$28.45
Ojai	1.59%	\$12.35
Oxnard	15.31%	\$126.3
Port Hueneme	1.59%	\$13.15
San Buenaventura	12.66%	\$104.4
Santa Paula	2.04%	\$16.8
Simi Valley	14.13%	\$116.55
Thousand Oaks	17.02%	\$140.45
County of Ventura	22.30%	\$183.95
totals (may not add to 100 due to rounding)	100.32%	\$824.95

The County of Ventura and the cities are best positioned to determine their local needs for maintenance and improvements and this program is designed to give local jurisdictions the greatest flexibility in the use of these funds. Local jurisdictions may apply these funds to any transportation related project including but not limited to street repair, pavement maintenance, road widening, installation of bike lanes, sidewalks, pedestrian walkways, transit stop improvements, contributions to transit services, Safe Routes to School Programs, Intelligent Transportation Systems (ITS), complete streets compliance, and/or other transportation projects as local jurisdictions deem necessary for the betterment of their residents under the conditions as follows:

- The funds distributed through this Plan to local jurisdictions are intended to augment local jurisdictions' funds that are normally or typically designated for transportation programs or projects. Local jurisdictions must continue their normal practices to fund transportation projects.
- Recognizing the local streets and roads funding provided by the Road Repair and Accountability Act of 2017 (SB1), local jurisdictions' road repair and maintenance budgets will be augmented even further through the passage of the Ventura County Citizens' Traffic Reduction and Transportation Funding Act.

- To ensure that all users of streets and roads are considered, all jurisdictions must be compliant with Assembly Bill 1358, the California Complete Streets Act of 2008. If a jurisdiction has not yet updated its circulation plan to include a complete streets element, it may utilize the first year's Plan allocation to become compliant, but no other funds will be allocated until the jurisdiction has completed a Complete Streets Plan as required by the legislation.
- All jurisdictions must comply with reporting requirements by submitting a five-year Capital Improvement Plan outlining the anticipated use of Plan funds, provide an annual accounting of Plan funds expended, and provide a timely use of Plan funds report for review by the Taxpayer Oversight Committee.

2. Freeway Traffic Reduction Program

Estimated Investment: \$1,089,000,000

Traffic relief for travelers across the County is of the utmost importance. Less time spent sitting in idling traffic is less greenhouse gases expended into our air and less productive working time lost.

Over the past 10 years Caltrans – with funding allocated by VCTC – has built several freeway traffic flow improvement projects thanks to the 2006 passage of Proposition 1B, a statewide transportation bond measure. However, as the economy has improved and businesses are reopened post-pandemic, traffic has become a renewed and continued source of frustration for commuters and businesses alike, especially on sections of 101 and 118 that have not recently been improved. With current state and federal funding, it will be many years before there can be any new traffic flow improvement projects started in Ventura County.

This Plan will implement critically needed traffic easement projects to, among others, improve the 101 and 118 freeways. By making local tax funds available, state and federal funds can be leveraged more quickly. The funding plan for these improvements includes the cost of related environmental mitigation measures such as new sound walls and water runoff pollution control features.

The Plan and tax measure make available \$1,089,000,000 for the program. The overall transportation program is also funded using 100% of expected State Transportation Improvement Program revenue (\$249 million) and 100% of federal Surface Transportation Program funds (\$332 million), for a total of \$1,670,000,000.

The traffic reduction program includes the following:

Route 101 from Ventura/Los Angeles County Line to Route 33 in Ventura

Route 101 is the “Main Street” of Ventura County and most of this freeway has not been improved since the 1980's. Congestion has become much worse in the past 10 years, causing several major bottlenecks, including those near the Moorpark Road, Rice Avenue, and Johnson Drive interchanges, as well as the entire stretch through Camarillo.

The freeway carries an average of 140,000 vehicles per day, and traffic congestion is expected to increase by 50% by 2035.

The planned improvements will improve traffic flow, increase safety, and expedite VCTC Intercity Bus service over 28 miles through Thousand Oaks, Camarillo, Oxnard, and Ventura, by adding carpool lanes in the center median and merging lanes between interchanges. Additionally, local interchanges will be rebuilt to accommodate mobility and safety improvements. VCTC will take the lead in the project, with Caltrans providing oversight in its role as the freeway owner/operator. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

Route 118 from Route 23 in Moorpark to Tapo Canyon Road in Simi Valley

Thanks to Proposition 1B, Route 118 has been widened from Tapo Canyon Road in Simi Valley to the Ventura / Los Angeles County line at Santa Susanna Pass Road. However, choke-points have now formed at Tapo Canyon, and also at the western end of the 118 Freeway where it joins the wider 23 Freeway.

The Plan includes widening over 9 miles of freeway between Tapo Canyon and Route 23, to eliminate the traffic bottlenecks and increase safety. Besides adding lanes, the widening plan includes sound walls, a concrete median safety barrier, and interchange and bridge improvements. When completed, the project will result in Routes 23 and 118 forming a continuous freeway of 3 lanes in each direction from the 101 in Thousand Oaks to Collins Drive in Moorpark, and 4 lanes in each direction from Collins Drive in Moorpark to Santa Susana Pass Road near Simi Valley. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

Other Eligible Projects

While the above projects are deemed the utmost necessity to affect traffic reduction inter-County and to ease the burden of long hours sitting idle, other ancillary projects will be of necessity to complete and enhance the overall efficacy of the traffic reduction program.

Projects such as pedestrian walkways and overpasses, redesigned and configured on- and off-ramps, freeway bypass projects (such as in Moorpark) that increase the overall regional efficiency of the freeway and state route system will also be considered on a case-by-case, competitive basis and evaluated with criteria such as overall traffic reduction, ability to attract State and/or Federal matching funds, and the ability to increase economic benefit by using local construction hire, providing ease of access to job centers and affordable housing, etc.

3. Regional Roads/ Military Access / Goods Movement

Estimated Investment: \$363,000,000

Freight movement plays a vital role in maintaining Ventura County's economy. It's particularly important to keep freight flowing quickly and safely to and from the Port of Hueneme as well as to allow people and goods to access Naval Base Ventura County without degrading local traffic.

The County's regional roads and state highways play a significant role in connecting together the cities within the County and linking Routes 101 and 126.

The proposed road improvements will reduce the chance of auto, truck and bicycle accidents in rural areas. These projects will also make it easier for residents to access freeways, for emergency vehicles to respond quickly to serious incidents, and for goods, including agricultural products, to move freely throughout Ventura County. The final scope and project limits of all improvements will be determined through noticed public hearings, environmental clearance process, and agreement with affected agencies.

Congress recently authorized a new federal program to annually make available \$1.9 billion nationwide for freight projects. Given that VCTC has already developed a comprehensive transportation plan that addresses freight movement needs, Ventura County is well-positioned to benefit from this federal program, but only if there are local funds to leverage the available federal funds. This Plan will provide those necessary funds.

The Plan will provide nearly \$363 million for the regional road program. Under the Plan this funding would be used to leverage an additional \$63 million over 30 years from the newly established federal freight program. The projects will be implemented by local jurisdictions such as the County of Ventura and the cities.

The Plan includes the following projects:

- Port Hueneme Access:
 - Enhance traffic flow, safety, and pavement strength on the main access route
 - Widen Hueneme Road from 2 to 4 lanes from Edison Drive to Rice Avenue.
 - Install safety improvements and strengthen pavement on Rice Avenue from Route 101 to Hueneme Road.
 - Facilitate next portion of road construction from N. Oxnard to SR 126.
- Better connect 101 and 126 through the following projects:
 - Widen from 2 to 4 lanes Rose Avenue from Central in Oxnard to Route 118 in Saticoy, Rice Avenue from Auto Center Drive in Oxnard to 118 in Saticoy, and Central Avenue between Santa Clara Avenue and Del Norte Road in Oxnard.
 - Improve the Rose/118 and Rice/118 intersections in Saticoy.
- Design, mitigation and construction for widening of SR 34 from Camarillo to Oxnard.
- Construct other projects selected by VCTC on a competitive basis. Projects will be selected based on congestion relief, safety improvement, cost effectiveness, project readiness, and similar criteria to be determined. State highways including but not limited to, State Route 1, 23, 33, 34, 118, 126, 150, and 232 will be eligible for these funds.
- Implement qualifying projects in the local jurisdictions' General Plan Circulation Elements.

4. Bus Transit Enhancement & Fare Support Program

Estimated Investment: \$330,000,000

Improving bus transit is a key component in Ventura County's transportation system. The bus system enables mobility for those who don't drive and offers a choice to those who do. Underscoring the need for improved bus service is the projection from the U.S. Census Bureau that the 65 and older population will double by 2030. The bus transit elements of this Plan benefits people who live in Ventura County by keeping fares affordable for seniors, youth/students, veterans, and people with disabilities, and maintaining and expanding bus, and demand responsive services. This program provides transit operators with a flexible, consistent funding source for maintaining, restoring, and improving transit services in Ventura County.

Countywide Affordable Fares Program: \$50,000,000

The plan provides funding for regional fare programs that keep fares affordable for seniors, youth/students, veterans, and people with disabilities. VCTC will work collaboratively with all Ventura County transit operators, providing direct funding to keep fares affordable and utilizing proven technologies and fare mediums to ensure an effective and sustainable program.

County Transit Improvement Program: \$280,000,000

This program provides funds for local solutions to the growing transportation needs through a flexible need-based process that will expand public transit services (including services to seniors and persons with disabilities) through increased frequencies, neighborhood feeder services, peak hour commute and express service, bus-rapid transit, expanded bike/bus programs, vehicle purchases, capital improvements and improved connectivity through enhanced intercity and intercounty service.

5. Commuter Rail Enhancements

Estimated Investment: \$247,500,000

These funds will maintain and increase safe and reliable commuter/passenger rail service for Ventura County residents. This program provides a stable and continuous source of funding for Metrolink commuter rail service. Metrolink commuter rail service is critical to all residents of Ventura County to relieve congestion and provide a commute alternative. Moreover, Metrolink service plays a key role in our environment, by reducing vehicle emissions to keep our air clean. This plan provides the funds to continue commuter/passenger rail operations in Ventura County and make the needed safety and capital improvements on all commuter/ passenger rail lines and support operating costs. Eligible expenditures are capital and operating costs.

In addition to the above, a portion of these funds shall be used to further the goal of providing double track Metrolink service to better provide access to job centers and allow for increased ridership

through frequency of service. Uses for these funds to this end shall include the following: public outreach and advocacy, design, mitigation, right-of-way access, or any other activities that provides a nexus to the eventual completion of a double track system.

6. Bicycle & Pedestrian Improvements

Estimated Investment: \$165,000,000

A comprehensive transportation system must ensure that all modes of transportation are integrated into it and supported. Furthermore, recognizing the inherent natural beauty of Ventura County, we strongly encourage residents and visitors alike to pursue make their way by bicycle or walking. To this end, this plan includes assistance for jurisdictions specifically for bicycle and pedestrian projects. A total of 5% of all Plan funds, approximately \$165,000,000, will be dedicated for bicycle and pedestrian projects.

Funding would occur through a competitive grant program designed to improve both the bicycling and pedestrian infrastructure throughout Ventura County. Funds could be used for planning, project development, construction, maintenance and/or to match federal and/or state grant funds including but not limited to Safe Routes to School Programs, Active Transportation Program (ATP) and Congestion Mitigation and Air Quality (CMAQ). Along with the cities and the County of Ventura, school districts, colleges, and universities would be eligible to compete for these funds.

Examples of eligible funding include:

- The study, design and completion of a county-wide master plan to connect existing bicycle trails with special attention given to connections between Camarillo and CSU Channel Islands, Fillmore to Santa Paula and the Arroyo Bike Trail and Parkway.
- The study, design and improvement of the Santa Clara River Trail
- Grants for complete streets programs that are part of a city master plan

These funds are meant to augment any existing funds and not as a replacement for funds that an entity has historically used for this activity. Each grant recipient would be subject to requirements for the timely use of funds and an annual reporting of expenditures for review by the Taxpayer Oversight Committee.

7. Transportation Investment in the Natural Environment

Estimated Investment: \$198,000,000

A transportation system that ensures mobility throughout Ventura County adds substantially to the quality of life, but development of that transportation system cannot ignore the impacts that it may have on the environment. While individual projects in this Plan would include project specific mitigations, this program includes a total of 6% of all Plan funds, approximately \$198,000,000, for transportation investments that enable the preservation and/or improvement of Ventura County's natural environment.

A regional advanced mitigation program will enhance funding for individual project mitigations by enabling comprehensive, rather than piecemeal mitigation of the environmental impacts of major regional transportation improvements funded by the Plan. Funds will be available to provide high-value, landscape-scale benefits such as habitat protection, wildlife corridors, and watershed protection in exchange for streamlined programmatic permits and approvals from regulatory agencies such as*:

- California Department of Fish and Wildlife
- U.S. Fish and Wildlife Service
- State and Regional Water Quality Control Boards
- U.S. Army Corps of Engineers
- U.S. Environmental Protection Agency

note: while such projects will be **eligible for State agency funding on a competitive basis, **ALL funds from this Traffic Reduction and Transportation Investment (TRATIA) must be spent in Ventura County***

Funding would occur through a competitive grant program, based upon an open, science-based process, involving interested, knowledgeable stakeholders, to ensure maximum benefit and protection to impacted areas and sensitive, threatened, and endangered habitat and species. Funds could be used for planning, project development, land acquisition, construction, maintenance, and/or to match other grant funds.

Priority will be given to projects that have strong community and stakeholder support, demonstrated readiness, and the ability to attract matching funds, grants, and in-kind contributions from local state, federal and non-profit entities. Projects must provide a direct nexus to transportation and may include but are not limited to:

- Reduction or elimination of runoff from highways, streets and roads including drainage improvements; bioswales and biofiltration channels; maintenance of catch basins, filters and screens; or other water quality improvements.
- Protection and/or restoration of habitat and watersheds including wetlands, rivers, streams, riparian corridors, and removal or modification of fish passage barriers that are or have been impacted by transportation infrastructure.
- Wildlife crossings that allow the safe passage of animals across freeways, county- or city-maintained roads, or other high traffic areas that are deemed necessary for the protection of native wildlife.
- Infrastructure or programs designed to enhance and protect opportunities for human interaction in natural areas such as hiking trails, raised trails, biking trails, trail bridges, signage, or other improvements.

Along with the cities and the County of Ventura, special districts, Caltrans, California Department of Fish and Wildlife, U.S. Fish and Wildlife and U.S. Army Corps of Engineers would be eligible to compete for these funds, with the express requirement that all TRATIA funds be spent inside of Ventura County. In addition, each grant recipient would be subject to requirements for the timely use of funds and an annual reporting of expenditures for review by the Taxpayer Oversight Committee.

Plan funds must augment, not replace, existing transportation related environmental quality, environmental mitigation, water quality and watershed expenditures.

In addition to the specific programs and projects outlined in this category, it is the intent of the TRATIA to combat environmental degradation due to greenhouse gas emissions. Thus funding from this category as well as other TRATIA funding categories shall be issued with the expectation that projects demonstrate a reduction in GHG, allowing for the County goals of reduced VMT, or other similar environmental targets.

8. Administration / Taxpayer Oversight

Estimated Investment: \$33,000,000

Implementation of the Transportation Investment/Expenditure Plan and all spending is subject to the following specific safeguards and requirements to ensure that sales tax funds collected for the Plan may be spent only for the purposes identified in the Plan. Under no circumstances may the proceeds be applied to any purpose other than transportation and transportation-related improvements, projects, and programs benefitting Ventura County, including administration of the Plan, the costs of which will be limited to one percent of funding over the life of the Plan. Under no circumstances may these funds be diverted or appropriated by the State of California or any other governmental agency. The State and other public agencies may qualify for grant funding identified elsewhere in the Plan.

Plan and Sales Tax Duration

The Plan will be in effect until ended by voters, with the current expenditure plan forecasting and providing for the first 30 years, beginning January 2023. VCTC shall institute a procedure by which the TRATIA expenditure plan is reviewed and updated on a timely basis.

Governing Body

The governing body for the Plan will be the Ventura County Transportation Commission (Commission), acting as the Local Transportation Authority under the Local Transportation Authority and Improvement Act, California Public Utilities Code Section 180000 et seq. The Commission consists of seventeen voting members as follows:

- All five members of the Ventura County Board of Supervisors
- A mayor or councilmember from each of the ten cities in Ventura County
- Two citizen representatives

No Diversion of Funds

Funds can be spent only on projects and programs that serve Ventura County outlined in the Plan or a subsequent update. Under no circumstances may these funds be appropriated by the State of California or any other entity not identified in the Plan. The state and other public agencies may qualify for grant funding identified elsewhere in the Plan.

The intent of this spending plan is to allow for specific and general projects and programs of necessity to be funded should a source of revenue be dedicated – it is NOT the intent to direct current levels of VCTC funding away from currently ongoing projects or programs therefore this spending plan shall only be implemented should a dedicated source of revenue be identified.

Should such a source be identified, it must reference TRATIA in order for this plan to be implemented. Should such a funding source not be identified, this spending plan will act as no more than a recommendation to the County for future priority consideration.

Open Decision Making Process

All decisions must be made through a fully noticed public process. The Commission will hold noticed public meetings subject to the Brown Act open meeting law; prepare annual budgets, strategic plans and annual spending reports with full public review and participation. All meetings relating to the updating of the plan, including previously-scheduled updates and non-regular updates, must similarly adhere to these requirements.

Strict Limit on Administrative Costs

Cost for staff salaries and benefits to administer the Plan will be strictly limited to no more than one percent of the revenues or \$33 million over the first thirty years. Costs of administration include reasonable consultant costs; reasonable attorneys' fees, including costs of defense of the Plan or the sales tax measure; and the costs of the election seeking voter approval of the sales tax.

Other costs of similar kind, if specifically mentioned, may be apportioned from a different funding category.

Annual Spending Limit

A limit on the amount that the Commission may spend annually will be established pursuant to Section 4 of Article XIII B of the California Constitution.

Maintenance of Effort

Pursuant to California Public Utilities Code Section 180000 (e), it is the intent of this Plan that funds generated by the sales tax be used to supplement, not replace, existing local revenues used for transportation purposes.

Comprehensive Review of Progress and Performance / Plan Updates

At least every ten years, a comprehensive review of all programs and projects implemented under the Plan will be undertaken to evaluate the status and performance of the overall program. The review shall include consideration of changes to local, state, and federal transportation plans and policies; changes in land use, travel and growth projections; changes in environmental standards and policies; changes in project cost estimates and revenue projections; project constraints; level of public support for the Plan; and the progress of the Commission and local jurisdictions in implementing the Plan.

The Commission may amend the Plan based upon its comprehensive review, subject to the following amendment process.

Amendment & Update Process

The Plan may be amended or updated to provide for the use of additional federal, state or local revenues, to account for unexpected revenues, to take into consideration unforeseen circumstances or respond to a comprehensive review. This process shall take place in the above-mentioned ten-year time frame.

An amendment must be adopted by a two-thirds vote of the Commission acting as both the Commission and the Local Transportation Authority following no fewer than three VCTC public hearings *AND* at least one official informational session held in *EACH* jurisdiction. Before the VCTC public hearing process, the proposed changes and updates shall be presented to the public a minimum of 45 days in advance of the *FIRST* public meeting.

Following a VCTC 2/3 vote, the changes and updates must be approved by a majority of Ventura County Jurisdictions. For these purposes, the Ventura County Board of Supervisors will act as one of the jurisdictions.

In addition to the regular review and amendment process, upon completion of a Countywide Transportation Plan update, the VCTC shall undertake a process by which the TRATIA spending plan is amended according to the goals, needs and priorities of the county as expressed in the CTP update, while demonstrating best efforts to adhere to the projects and programs outlined in the TRATIA spending plan. The adoption of the CTP update adherence amendment shall be subject to the same update process as outlined above.

Matching Funds

Leveraging matching funds from federal, state and local sources is strongly encouraged and incentivized by the Plan. Any sales tax funds made available through replacement by matching funds will be allocated to another project or program of the same type as outlined in the Plan and shall not be diverted to any other use.

Project and Program Financing

“Pay as you go” is the preferred method of financing transportation improvements and operations under the Plan. However, the Commission may and is authorized to use bond financing as an alternative method if the scope and timing of planned expenditures makes “pay as you go” infeasible. If used, bonds will be repaid with the proceeds of the sales tax. Costs associated with bonding, including interest payments, will be borne only by the capital projects or programs in the Plan that utilize bond proceeds. All costs and risks associated with bonding will be presented in the Commission’s strategic plan and subject to public comment before any bond sale is approved.

Audits & Annual Spending Review

All funds will be subject to an annual audit, and all expenditures will be reviewed annually by a Taxpayer Oversight Committee.

Taxpayer Oversight Committee

The Taxpayer Oversight Committee will have the responsibility to review and oversee all expenditures of sales tax funds under the Plan. The Committee reports directly to the public and has the following responsibilities:

- Hold public hearings and issue reports on at least an annual basis to inform Ventura County residents about how sales tax funds are being spent. Meetings and hearings of the full Committee will be open to the public and subject to the Brown Act open meeting law.
- The Committee will have full access to the Commission's independent auditor and will have the authority to request and review specific information regarding the use of sales tax funds and to comment on the auditor's reports.
- The Committee will have access to all sales tax audit reports prepared for local jurisdictions who receive sales tax allocations under the Plan.
- The Taxpayer Oversight Committee will prepare an annual report on spending and progress in implementing the Plan, and will make an annual finding, published and given broad distribution throughout Ventura County, as to whether the Commission is proceeding in accordance with the Plan.

Taxpayer Oversight Committee members will be private citizens who are not elected or appointed officials at any level of government, nor public employees from agencies that either oversee or benefit from the proceeds of the sales tax. Membership is limited to individuals who live in Ventura County. Members will be required to submit an annual statement of financial disclosure, and membership is restricted to those with no economic interest in any of the Plan's projects or programs.

Each city and the County of Ventura shall solicit and appoint a member of the public from its jurisdictional boundaries to the Committee. Appointees should have expertise in one of the following areas: accounting, active transportation, construction, environmental sciences, engineering, finance, mobility, public transit, or project management. Terms of service will be four (4) years with no appointee serving more than two terms. Chair and Vice Chair shall rotate among the jurisdictions every year beginning in 2023 with Camarillo (Chair) and County of Ventura (Vice Chair) and proceeding alphabetically.

Commitments from Fund Recipients

- All local jurisdictions receiving funds under the Plan for transit, roads, highways, bicycle and pedestrian improvements, goods movement, and environmental enhancements must expend funds expeditiously and report annually on completed or committed expenditures and any future planned expenditures. The reports will be made available to the public.
- All recipients of funds allocated under the Plan will be required to sign a Master Funding Agreement which details their role and responsibilities in spending the funds. Funding agreements will include performance and accountability measures, and recipients will be required to have an annual audit conducted by an independent CPA to ensure that funds are managed and spent in accordance with the requirements of the Plan and Master Funding Agreement.

Annual Budget and Strategic Plan

Each year the Commission will adopt an annual budget that projects expected sales tax receipts, other anticipated revenues and planned expenditures for administration, programs and projects under the Plan. The Commission will also prepare a strategic plan that will identify the priority for projects, and

dates for project and/or program implementation based upon readiness, the ability to attract matching funds and other relevant criteria. Both the budget and the strategic plan will be adopted at a fully noticed public meeting of the Commission.

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