



**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, DECEMBER 3, 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/81245698806?pwd=aVFmVGVJMTgwaFpQV05ZcStsbDRUQT09>

Call-In Option:
Dial: 1-669-900-6833
Webinar I.D.: 812 4569 8806
Passcode: 011448

*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. In accordance with [AB 361](#), VCTC meetings 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 will be able to virtually view and participate in the Commission 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/click 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 NOVEMBER 5, 2021, VCTC MEETING- PG.7](#)

Recommended Action:

- Approve the summary minutes of NOVEMBER 5, 2021.

Responsible Staff: Roxanna Ibarra

8B. [MONTHLY BUDGET REPORTS- PG.13](#)

Recommended Action:

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

Responsible Staff: Sally DeGeorge

8C. [ANNUAL COMPREHENSIVE FINANCIAL REPORT AND SINGLE AUDIT-PG.21](#)

Recommended Action:

- Approve the audited Annual Comprehensive Financial Report (ACFR) and Single Audit for Fiscal Year 2020/2021.

Responsible Staff: Sally DeGeorge

8D. [FEDERAL TRANSIT ADMINISTRATION ELECTRONIC CLEARING HOUSE OPERATION REVIEW -PG.23](#)

Recommended Action:

- Receive and file the Federal Transit Administration Electronic Clearing House Operation review.

Responsible Staff: Sally DeGeorge

8E. [FISCAL YEAR 2022/2023 TRANSPORTATION DEVELOPMENT ACT \(TDA\) UNMET TRANSIT NEEDS \(UTN\) DEFINITIONS AND SCHEDULE-PG.25](#)

Recommended Action:

- *Review and Approve the Fiscal Year 2022-2023 Unmet Transit Needs definitions and schedule.*

Responsible Staff: Martin Erickson & Jeni Eddington

8F. BUS AND RAIL RIDERSHIP AND PERFORMANCE MEASURES REPORT-PG.31

Recommended Action:

- *Receive and File.*

Responsible Staff: Martin R. Erickson & Jeni F. Eddington

8G. REVISION TO CAMARILLO CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM-PG.33

Recommended Action:

- *Approve reprogramming \$400,000 in CMAQ funds from the Springville Road Bike Path Design project in Camarillo to the Pleasant Valley Road Bike Lanes project.*

Responsible Staff: Peter De Haan

8H. POLICY TO PROGRAM FUNDS TO LOCAL STREETS AND ROADS ON A ONE-TIME BASIS-PG.35

Recommended Action:

- *Approve a policy to program funds on a one-time basis to local streets and roads with projects to be recommended by TTAC, in amounts consisting of \$7,739,750 in unprogrammed Coronavirus Relief and Recovery Supplemental Appropriations (CRRSA) Act funds and \$3,175,917 in unprogrammed Highway Infrastructure Program (HIP) funds, for a total of \$10,915,667.*

Responsible Staff: Peter De Haan

8I. REVISION OF TRANSPORTATION TECHNICAL ADVISORY COMMITTEE (TTAC) OPERATING RULES-PG.37

Recommended Action:

- *Approve Resolution 2021-13 (Attachment A) revising the TTAC Operating Rules.*
- *Approve Ordinance 2021-01 (Attachment B) revising the VCTC Administrative Code Section 1.2.b*

Responsible Staff: Peter DeHaan

8J. INFRASTRUCTURE UPDATE-PG.47

Recommended Action:

- *Receive and file.*

Responsible Staff: Darrin Peschka

8K. 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.49

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 AV 361 (Government Code Section 54953[e][1]), to reauthorize remote teleconference meetings of all legislative bodies of the Commission, including all associated agencies, authorities and committees, due to imminent risk to the health and safety of attendees if the meetings are held in person.*

Responsible Staff: Steve Mattas

8L. EXTENSION OF FARE PROMOTION FOR VCTC INTERCITY AND VALLEY EXPRESS SERVICES-PG.51

Recommended Action:

- To extend the current "Half Off" fare promotion through the end of the Fiscal Year 2021/2022

Responsible Staff: Aaron Bonfilio

DISCUSSION CALENDAR:

9. AUTHORIZATION FOR VCTC-SCRRRA PROPERTY ACQUISITION AND NEGOTIATION ACTIVITIES RELATING TO THE DEVELOPMENT OF SIMI VALLEY DOUBLE TRACK AND PLATFORM PROJECT-PG.53

Recommended Action:

- Authorize the Southern California Regional Rail Authority (SCRRRA) to proceed with property acquisition offers and negotiation activities for the Simi Valley Double Track and Platform Improvement Project.

Responsible Staff: Martin Erickson

10. SANTA PAULA BRANCH LINE RAILROAD LEASE AND OPERATIONS AGREEMENT-PG.57

Recommended Action:

- Approve a Railroad Lease and Operations Agreement with Sierra Northern Railway to operate and maintain the Santa Paula Branch Line railroad and right-of-way for a 35-year term.
- Approve a Budget Amendment to the Santa Paula Branch Line budget to increase the State Transit Assistance (STA) Fund Transfer-In to the Santa Paula Branch Line (SPBL) Fund by \$282,100 and increase the Local Fees-Leases by \$22,900, and accordingly, increase the Salaries by \$13,100, Fringe Benefits by \$5,700, Indirect Costs by \$11,200, Consultant Services by \$10,000, Legal Services by \$40,000, and Track Maintenance by \$225,000. Also, approve increasing the Santa Paula Branch Line Fund Transfer-Out to the General Fund by \$30,000 for the associated Salaries, Fringe Benefits and Indirect Costs mentioned above.
- Approve a Budget Amendment to the State Transit Assistance Fund to Increase the State Transit Assistance (STA) Fund Transfer-Out to the Santa Paula Branch Line Fund by \$282,100.
- Approve a Budget Amendment to the General Fund to increase the Santa Paula Branch Line Transfer-In by \$30,000 for the Salaries, Fringe, and Indirect Costs mentioned above.

Responsible Staff: Amanda Fagan

11. U.S. DEPARTMENT OF LABOR DECISION REGARDING FEDERAL GRANTS FOR CALIFORNIA TRANSIT AGENCIES -PG.61

Recommended Action:

- Receive and file.

Responsible Staff: Darrin Peschka & Peter De Haan

12. OXNARD HARBOR DISTRICT UPDATE-PG.65

Recommended Action:

- Receive and file.

Responsible Staff: Kristen Decas, CEO and Port Director

13. VCTC GENERAL COUNSEL'S REPORT:

14. AGENCY REPORTS:

Southern California Association of Governments (SCAG)

Primary: Commissioner Mike Judge

Southern California Regional Rail Authority (Metrolink-SCRRRA)

Primary: Vice-Chair Tony Trembley

Alternate: Daniel Chavez

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

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Jim White

Coastal Rail Coordinating Council

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Richard Rollins

California Association of Councils of Governments

Primary: Commissioner Carmen Ramirez

California Vanpool Authority (CalVans)

Primary: Commissioner Jim White

Alternate: Commissioner Lynn Edmonds

15. CLOSED SESSION: PUBLIC EMPLOYMENT

(Pursuant to Government Code Section 54957)

Position: Executive Director

16. ADJOURN to 9:00 a.m. Friday, January 7, 2022



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Item #8A

December 3, 2021

**MEETING MINUTES OF NOVEMBER 5, 2021, VCTC COMMISSION MEETING
AT 9:00 A.M. VIA ZOOM**

CALL TO ORDER:

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

PLEDGE OF ALLEGIANCE was led by Commissioner Edmonds.

ROLL CALL/MEMBERS PRESENT:

Kelly Long, County of Ventura
Tony Trembley, City of Camarillo
Claudia Bill-de la Peña, City of Thousand Oaks (arrival 9:14 a.m.)
Daniel Chavez, Citizen Rep., Cities
Lynn Edmonds, City of Fillmore
Chris Enegren, City of Moorpark
Robert Huber, County of Ventura
Mike Johnson, City of Ventura
Mike Judge, City of Simi Valley
Matt LaVere, County of Ventura
Bryan MacDonald, City of Oxnard
Linda Parks, County of Ventura
Carmen Ramirez, County of Ventura
Richard Rollins, City of Port Hueneme (arrival 9:27 a.m.)
Andy Sobel, City of Santa Paula
Gloria Roberts, Caltrans Deputy Director District 7 (arrival 9:45 a.m.)
William Weirick, City of Ojai
Jim White, Citizen Rep., County

4. PUBLIC COMMENTS – There were no public comments submitted during the regular comment period of the November 5, 2021 meeting.

5. CALTRANS REPORT - The Caltrans report was distributed via email to the Commission. There was no verbal report update at the November 5, 2021.

6. COMMISSIONERS/INTERIM EXECUTIVE DIRECTOR REPORTS-

Commissioner Chavez stated currently sits on the Ventura County Climate Emergency Council as Vice-Chair and also participates as part of the Technical Advisory Committee on Transportation. Commissioner Chavez

stated one of the items of discussion has been carpooling park & ride and electric vehicle stations. Commissioner Chavez stated he would like to meet with VCTC staff and learn more about carpooling park and ride and electric vehicle emission stations and try to help best determine where these stations can be set-up around the County.

Interim Executive Director Mark Watkins clarified that at last month's commission meeting he had commented commissioners can receive a free bus pass to ride the VCTC bus routes which was inaccurate information. He clarified commissioners are welcomed and encouraged to ride VCTC bus routes, but they will have to pay the regular bus fare or if interested they can go on-line and purchase a bus pass as VCTC cannot provide free bus fare passes to the commission. Mr. Watkins also stated the Comprehensive Transportation Plan community outreach is still ongoing and if anyone would still like to participate, they can access the link on the VCTC website. He also reported that in preparation of the releasing of the ERI 101 Project VCTC will be coming back to provide an update to the commission in the future.

8. CONSENT CALENDAR- Vice-Chair Trembley commented on item 8G-Incident Responder Grant Program Round One (1) Extension commending staff and asking staff to provide a report once it's implemented. Vice-Chair Trembley also pulled item 8C-2022 VCTC Regular Meeting Schedule due to conflict with the League of Cities Conference which is scheduled during the same time as the September 9, 2022 commission meeting and asked the meeting be moved to the following Friday, September 16. Interim Executive Director Mark Watkins stated the meeting can also be moved to Friday, September 2, 2022. The request was made to amend the VCTC Commission meeting of September to the first Friday, September 2, 2022.

Vice-Chair Trembley made a motion to approve items **8A thru 8J**. The motion was seconded by **Commissioner Huber** and passed by a roll call vote

Roll Call Vote:

Yes: Chair Long, Vice-Chair Trembley, Commissioners Chavez, Edmonds, Enegren, Huber, Johnson, Judge, LaVere, MacDonald, Parks, Ramirez, Sobel, Weirick, White,

No: None

Abstain: None

Absent: Bill-de la Peña, Rollins

8A. APPROVE MINUTES FROM OCTOBER 1, 2021, VCTC MEETING

- Approve the summary minutes of OCTOBER 1, 2021.

8B. MONTHLY BUDGET REPORTS-

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

8C. 2022 VCTC REGULAR MEETING SCHEDULE

Recommended Action:

- Adopt following schedule of regular monthly VCTC meeting dates for 2022.

8D. REVISED DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

Recommended Action:

- Approve the revised Disadvantaged Business (DBE) Program (Attachment A)

8E. CALTRANS SUSTAINABLE TRANSPORTATION PLANNING GRANT PROGRAM

Recommended Action:

- Approve submission of a grant application requesting \$326,890 from the Caltrans Sustainable Transportation Planning Grant Program for the U.S. 101 Conejo Pass Area Wildlife Tracking Study, with in-kind match to be provided by the National Park Service through Santa Monica Mountains National Recreation Area.

8F. SANTA PAULA BRANCH LINE 2021 BRIDGE INSPECTION

Recommendation:

- Amend the Santa Paula Branch Line (SBPL) budget to meet annual bridge inspections requirements, by increasing the Consultants Services line item by \$45,000, increasing the Revenues category State Transit Assistance (STA) fund transfer-in by a corresponding \$45,000, and increasing the transfer-out of the STA account to the SPBL Fund by \$45,000.
- Approve the release of a Request for Proposals for professional engineering services to perform annual structural inspections of bridges on the Santa Paula Branch Line to comply with 49 CFR, Part 237, Bridge Safety Standards.

8G. INCIDENT RESPONDER GRANT PROGRAM ROUND ONE (1) EXTENSION

Recommendation:

- Approve One-Year Extensions of the Round One (1) Incident Responder Grant Program Awards to the City of Ventura Police Department and the Fillmore Fire Department.

8H. VETERANS DAY PUBLIC TRANSIT FARE PROMOTION

Recommendation:

- Receive and File

8I. REQUEST FOR PROPOSAL (RFP) FOR PROFESSIONAL SERVICES FOR GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STANDARD 87, LEASES

Recommendation:

- Release Request for Proposals for Professional Services (Attachment 1) for GASB 87, Leases.

8J. 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.

DISCUSSION CALENDAR:

8K. AMENDMENT TO PERSONNEL POLICIES AND PROCEDURES ADOPTING A COVID-19 VACCINATION REQUIREMENT POLICY

Recommendation:

- It is recommended that the Ventura County Transportation Commission (“Commission”) approve an amendment to the Personnel Policies and Procedures section 12.12 adopting a COVID-19 vaccination requirement policy for all employees, current and future, effective immediately.

Chair Long made a request to pull item 8K-Amendment to Personnel Policies and Procedures adopting a COVID-19 Vaccination Requirement Policy. Item 8K was pulled and moved to the discussion calendar at the request of the Chair and the commission.

Commissioner Ramirez stated that for the record her vote would be yes before leaving the commission meeting of November 5, 2021, at 9:58 a.m.

Commissioner Ramirez moved to approve item 8K, Amendment to Personnel Policies and Procedures Adopting a Covid-19 Vaccination Requirement Policy. The motion was seconded by **Commissioner Johnson**. The motion failed by the following votes:

Roll Call Vote:

Yes: (4) Commissioners Edmonds, Johnson, Ramirez, Sobel

No: (10) Chair Long, Vice-Chair Trembley, Commissioners Chavez, Enegren, Huber, Judge, MacDonald, Rollins, Weirick and White

Abstain: (2) Commissioners Bill-de la Peña and Parks

Absent: (1) Commissioner LaVere

9. YEARS OF SERVICE RECOGNITION FOR VCTC EMPLOYEES

Recommendation:

- Recognize VCTC Employees for Five Year Service Increments with a Commendation signed by the Chair.

Mr. Watkins recognized the VCTC employees who were celebrating five years or more and commended their years of service and dedication to the Ventura County Transportation Commission. The following employees were recognized for their years of service:

Five Years:

Aaron Bonfilio, Program Manager, Transit Contracts
Jeni Eddington, Transit Planner
Martin R. Erickson, Public Transit Director
Thao Le, Program Manager, Accounting

Ten Years:

Avit Castillo, Customer Service Representative
Stephen Efner, Program Manager, IT

Fifteen Years:

Danisha Riley, Receptionist/Secretary
Dolores Lopez, Transit Information Ctr., and Technology Specialist

Twenty Years:

Peter De Haan, Programming Director

Twenty-Five Years:

Sally DeGeorge, Finance Director

Commissioners thanked and commended staff for their many years of dedicated service to VCTC.

10. LEGISLATIVE UPDATE

Recommendation:

- Receive and File.

Darrin Peschka gave a legislative update to the commission, the legislative update was received and filed.

11. INCIDENT RESPONDER GRANT PROGRAM ROUND 2 ALLOCATIONS

Recommendation:

- Approve allocations for the Incident Responder Grant Program Round 2 awards.

Planning Director Amanda Fagan gave a presentation to the commission regarding the Incident Responder Grant Program Round 2 Allocations.

Commissioner Chavez moved to approve item 11 Incident Responder Grant Program Round 2 Allocations. The motion was seconded by **Commissioner Huber** and passed by a roll call vote.

Roll Call Vote:

Yes: Chair Long, Vice-Chair Trembley, Commissioners Bill-de la Peña, Chavez, Edmonds, Enegren, Huber, Johnson, Judge, MacDonald, Parks, Rollins, Sobel, Weirick, White

No: None

Abstain: None
Absent: LaVere, Ramirez

12. VENTURA COUNTY FREIGHT CORRIDOR STUDY

Recommendation:

- Approve the Ventura County Freight Corridors Study.

Planning Director Amanda Fagan and Consultant Sean Daly gave a final update and presentation on the Ventura County Freight Corridor Study.

Commissioner Edmonds moved to approve item 12 Ventura County Freight Corridor Study. The motion was seconded by **Commissioner White** and passed by roll call vote.

Roll Call Vote:

Yes: Chair Long, Vice-Chair Trembley, Commissioners Bill-de la Pena, Chavez, Edmonds, Enegren, Huber, Johnson, Judge, MacDonald, LaVere, Parks, Rollins, Sobel, Weirick, White

No: None

Abstain: None

Absent: Ramirez

13. VCTC GENERAL COUNSEL'S REPORT:

General Counsel Steve Mattas stated there was nothing to report at this time, only the anticipation of a brief closed session.

14. AGENCY REPORTS:

Southern California Association of Governments (SCAG)

Primary: Commissioner Mike Judge

Commissioner Judge stated SCAG had its monthly meeting. During their update the Transportation Committee moved forward the Last Mile Freight Program Phase One to the regional council, the regional council passed the program.

Southern California Regional Rail Authority (Metrolink-SCRRRA)

Primary: Vice-Chair Tony Trembley

Alternate: Daniel Chavez

Vice-Chair Trembley reported Metrolink met on October 22, in which Metrolink CEO Darren Kettle gave an update on ridership recovery levels which are at 28% with a slow increase. Student ridership levels have returned to pre-pandemic levels approximately 18%. There has been a growth in leisure travel ridership. There will be an increment in service with a few a.m. and p.m. times. Vice-Chair Trembley also reported the Metrolink board will have an in-person workshop to discuss the new ways to determine ridership patterns which will be on December 10, 2021.

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

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Jim White

There was nothing to report.

Coastal Rail Coordinating Council

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Richard Rollins

There was nothing to report.

California Association of Councils of Governments

Primary: Commissioner Carmen Ramirez

Commissioner Ramirez was absent during agency reports, no report updates at this time.

California Vanpool Authority (CalVans)

Primary: Commissioner Jim White

Alternate: Commissioner Lynn Edmonds

Commissioner White stated there are about 80 CalVans continuing to provide their transportation services out in Ventura County.

15. CLOSED SESSION:

CONFERENCE WITH REAL PROPERTY NEGOTIATIONS PROPERTY

(Pursuant to Government code Section 54956.8)

Property: Santa Paula Branch Line Railroad Right of Way

Negotiating Parties: VCTC and Potential Bidders

Under negotiations: Price and terms for lease.

General Counsel Steve Mattas stated there would be no reportable action at this time. The commission went into closed session at 11:06am.

16. ADJOURN-The meeting was adjourned at 11:07 a.m. The next VCTC Commission meeting will be held on **Friday, December 3, 2021, at 9:00 a.m.**



Item #8B

December 3, 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 October 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 October 31, 2021, budget report indicates that the revenues were approximately 16.55% of the adopted budget while expenditures were approximately 14.45% of the adopted budget. The revenues and expenditures are as expected at this time. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on an even percentage or monthly basis. Furthermore, revenues are often billed and reimbursed in arrears.

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 OCTOBER 31, 2021**

Assets and Deferred Outflows

Cash and Investments	\$ 49,376,022
Receivables/Due from other funds	3,465,987
Prepays and Deposits	421,485
Capital Assets, undepreciated	26,329,395
Capital Assets, depreciated, net	32,669,510
Deferred Outflows	<u>1,948,045</u>
Total Assets and Deferred Outflows	<u><u>\$ 114,210,444</u></u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:

Accrued Expenses and Due to Other	\$ 2,366,703
Deferred Revenue	3,637,784
Deposits	67,059
Accrued Vacation	226,041
Pension Liability	2,406,909
OPEB Liability	334,163
Deferred Inflows	<u>274,655</u>
Total Liabilities and Deferred Inflows:	<u><u>\$ 9,313,314</u></u>

Net Position:

Invested in Capital Assets	\$ 58,998,906
Fund Balance	<u>45,898,224</u>
Total Net Position	<u><u>\$ 104,897,130</u></u>

For Management Reporting Purposes Only

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

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley	Fund		Variance	% Year
	Fund Actual	Actual	Actual	Actual	Actual	Actual Intercity	Actual Express	Actual	Totals	Budgeted	Actual	
Revenues												
Federal Revenues	\$ 1,184,597	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	1,835,806	\$ 354,532	\$ 3,374,935	\$ 27,010,019	(23,635,084)	12.50
State Revenues	225,203	7,437,963	0	398,193	0	0	0	0	8,061,359	47,755,731	(39,694,372)	16.88
Local Revenues	86,245	0	0	0	0	243,419	134,650	938,820	1,403,134	3,017,090	(1,613,956)	46.51
Other Revenues	1,772	0	0	60	0	0	41,102	0	42,934	3,790	39,144	1,132.82
Interest	1,712	6,788	9,720	2,970	3,353	0	200	110	24,853	206,000	(181,147)	12.06
Total Revenues	1,499,529	7,444,751	9,720	401,223	3,353	243,419	2,011,758	1,293,462	12,907,215	77,992,630	(65,085,415)	16.55
Expenditures												
Administration												
Personnel Expenditures	1,014,547	0	0	0	0	0	70,502	16,076	1,101,125	3,958,000	(2,856,875)	27.82
Legal Services	19,300	0	0	0	0	0	0	0	19,300	40,000	(20,700)	48.25
Professional Services	21,460	0	0	0	0	0	0	0	21,460	155,600	(134,140)	13.79
Office Leases	62,393	0	0	0	0	0	0	0	62,393	189,400	(127,007)	32.94
Office Expenditures	422,348	0	0	0	0	0	42,224	9,628	474,200	588,400	(114,200)	80.59
Total Administration	1,540,048	0	0	0	0	0	112,726	25,704	1,678,478	4,931,400	(3,252,922)	34.04
Programs and Projects												
Transit and Transportation Program												
Regional Transit Technology	14,800	0	0	0	0	0	0	0	14,800	721,200	(706,400)	2.05
Senior-Disabled Transportation	103,294	0	0	0	0	0	0	0	103,294	401,500	(298,206)	25.73
VCTC Intercity Bus Services	0	0	0	0	0	0	2,082,726	0	2,082,726	11,491,790	(9,409,064)	18.12
Valley Express Bus Services	0	0	0	0	0	0	0	378,273	378,273	1,962,300	(1,584,027)	19.28
Transit Grant Administration	239,925	0	0	0	0	0	0	0	239,925	9,968,180	(9,728,255)	2.41
Total Transit and Transportation	358,019	0	0	0	0	0	2,082,726	378,273	2,819,018	24,544,970	(21,725,952)	11.49
Highway Program												
Motorist Aid Services	0	0	0	416,965	0	0	0	0	416,965	3,065,266	(2,648,301)	13.60
Highway Program Management	371,822	0	0	0	0	0	0	0	371,822	5,249,557	(4,877,735)	7.08
Total Highway	371,822	0	0	416,965	0	0	0	0	788,787	8,314,823	(7,526,036)	9.49

For Management Reporting Purposes Only

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

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	SGR Actual	SPBL Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals	Budgeted	Variance Actual	% Year
Rail Program												
Metrolink and Commuter Rail	2,852,632	0	0	0	0	0	0	0	2,852,632	15,203,696	(12,351,064)	18.76
LOSSAN and Coastal Rail	2,500	0	0	0	0	0	0	0	2,500	11,800	(9,300)	21.19
Santa Paula Branch Line	0	0	0	0	0	93,338	0	0	93,338	211,500	(118,162)	44.13
Total Rail	2,855,132	0	0	0	0	93,338	0	0	2,948,470	15,426,996	(12,478,526)	19.11
Commuter Assistance Program												
Reg Transit Information Center	890	0	0	0	0	0	0	0	890	37,400	(36,510)	2.38
Rideshare Programs	70,549	0	0	0	0	0	0	0	70,549	328,900	(258,351)	21.45
Total Commuter Assistance	71,439	0	0	0	0	0	0	0	71,439	366,300	(294,861)	19.50
Planning and Programming												
TDA Administration	0	3,707,297	208,311	0	0	0	0	0	3,915,608	30,504,159	(26,588,551)	12.84
Transportation Programming	2,043	0	0	0	0	0	0	0	2,043	21,300	(19,257)	9.59
Regional Transportation Planning	108,165	0	0	0	0	0	0	0	108,165	660,084	(551,919)	16.39
Airport Land Use Commission	0	0	0	0	0	0	0	0	0	18,500	(18,500)	0.00
Regional Transit Planning	57,056	0	0	0	0	0	0	0	57,056	1,210,200	(1,153,144)	4.71
Total Planning and Programming	167,264	3,707,297	208,311	0	0	0	0	0	4,082,872	32,414,243	(28,331,371)	12.60
General Government												
Community Outreach	30,525	0	0	0	0	0	0	0	30,525	217,000	(186,475)	14.07
State and Federal Relations	43,507	0	0	0	0	0	0	0	43,507	112,100	(68,593)	38.81
Management and Administration	42,308	0	0	0	0	0	0	0	42,308	226,400	(184,092)	18.69
Total General Government	116,340	0	0	0	0	0	0	0	116,340	555,500	(439,160)	20.94
Total Expenditures	5,480,064	3,707,297	208,311	416,965	0	93,338	2,195,452	403,977	12,505,404	86,554,232	(74,048,828)	14.45

For Management Reporting Purposes Only

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

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley	Fund		Variance	% Year
	Fund Actual	Actual	Actual	Actual	Actual	Actual Intercity	Actual Express	Actual	Totals	Budgeted	Actual	
Revenues over (under) expenditures	(3,980,535)	3,737,454	(198,591)	(15,742)	3,353	150,081	(183,694)	889,485	401,811	(8,561,602)	8,963,413	(4.69)
Other Financing Sources												
Transfers Into GF From LTF	3,201,238	0	0	0	0	0	0	0	3,201,238	6,634,116	(3,432,878)	48.25
Transfers Into GF From STA	541,089	0	0	0	0	0	0	0	541,089	3,415,535	(2,874,446)	15.84
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	13,806	0	0	0	0	0	0	0	13,806	66,600	(52,794)	20.73
Transfers Into GF From SPBL	37,002	0	0	0	0	0	0	0	37,002	137,900	(100,898)	26.83
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	(3,201,238)	0	0	0	0	0	0	(3,201,238)	(6,634,116)	3,432,878	48.25
Transfers Out of STA Into GF	0	0	(541,089)	0	0	0	0	0	(541,089)	(3,395,350)	2,854,261	15.94
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	(13,806)	0	0	0	0	(13,806)	(66,600)	52,794	20.73
Transfers Out of SPBL Into GF	0	0	0	0	0	(37,002)	0	0	(37,002)	(137,900)	100,898	26.83
Transfers Out of SGR Into GF	0	0	0	0	0	0	0	0	0	(6,305,742)	6,305,742	0.00
Total Other Financing Sources	3,793,135	(3,201,238)	(1,189,898)	(13,806)	0	(37,002)	648,809	0	0	0	0	0.00
Net Change in Fund Balances	(187,400)	536,216	(1,388,489)	(29,548)	3,353	113,079	465,115	889,485	401,811	(8,561,602)	8,963,413	(4.69)
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	\$ 2,228,808	\$ 15,713,350	\$ 16,209,831	\$ 4,965,304	\$ 5,187,112	\$ 138,446	\$ 565,888	\$ 889,485	\$ 45,898,224	\$ 25,011,061	\$ 20,887,163	183.51

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF OCTOBER 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	EAC only	EAC only	\$769,862.28
LAIF	State Pool	N/A	\$ 2,273.37	0.25%	8,665,809.79
County of Ventura	Treasury Pool	N/A	22,579.64	0.26%	39,972,437.29
VCCF Bike Fund	Investment	N/A	annually	annually	14,393.70
Total			\$24,853.01		\$49,422,503.06

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 value. Wells Fargo Bank, County of Ventura and LAIF statements are the source for provided information.

VCTC receives an annual disbursement from a permanent fund from the Ventura County Community Foundation (VCCF). The funds are invested in a money market account at VCCF and can only be used for bike purposes. Information is posted once a year at yearend.



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Item #8C

December 3, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: ANNUAL COMPREHENSIVE FINANCIAL REPORT AND SINGLE AUDIT

RECOMMENDATION:

- Approve the audited Annual Comprehensive Financial Report (ACFR) and Single Audit for Fiscal Year 2020/2021.

BACKGROUND:

State law requires that the Ventura County Transportation Commission (Commission) publish within six months of the close of each fiscal year a complete set of audited financial statements presented in conformity with generally accepted accounting principles (GAAP) and audited in accordance with generally accepted auditing standards by independent certified public accountants. Pursuant to that requirement, staff hereby issues the Annual Comprehensive Financial Report (ACFR) of the Ventura County Transportation commission for fiscal year ended June 30, 2021.

Furthermore, since VCTC receives federal funds, a Single Audit of federal funds is required. Single Audits cover the entire organization's financial operations and are substantially more detailed than a regular independent audit. A Single Audit requires higher levels of testing by the independent auditor to establish that: The financial statements are presented fairly and accurately, and in accordance with federal cost principles; The organization has an adequate internal control structure, and that; The organization is in compliance with any special government regulations/laws that apply to the specific federal funding stream.

DISCUSSION:

The Commission's auditors, Eide Bailly, LLP, have completed the Fiscal Year 2020/2021 audit and associated reports. Eide Bailly, LLP has issued reports stating that in their opinion, the Ventura County Transportation commission's financial statements are presented fairly in all material respects, the financial position of the governmental activities, the business-type activities and each major fund, and the aggregate remaining fund information of the Commission as of June 30, 2021, and the respective changes in the financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America. The independent auditor reports begin on page 3 of the ACFR.

The Commission maintains six governmental funds and two business-type funds. Information is presented separately for the governmental funds comprised of the General Fund, Local Transportation Fund (LTF), State Transit Assistance (STA) Fund, the Service Authority for Freeway Emergencies (SAFE) Fund, State of Good Repair (SGR) Fund and the Santa Paula Branch Line (SPBL) Fund. Information is presented separately for the two business-type funds comprised of the VCTC Intercity and Valley Express funds.

The Commission adopted annual budgets for all funds. Budgetary comparison schedules to demonstrate compliance with these budgets are provided on page 87-89 and 101-106 of the ACFR as required supplementary information.

The Letter of Transmittal at the beginning of the ACFR is an introduction to the financial statements. The Management's Discussion and Analysis Report (MD&A) begins on page 7 and provides a narrative overview and analysis of the Commission's financial activities for the fiscal year. The statistical section can be found at the end of the ACFR beginning on page 109.

At the June 30, 2021, the Commission's General Fund balance was \$3,634,735, of which \$303,897 was nonspendable for prepaids and \$2,650,683 was restricted for rail and transit. The remaining \$680,155 was unassigned with \$212,679 set aside for compensated absences and \$467,476 available for Commission projects and/or operations in future years.

The remaining balances for the other governmental funds were: \$15,177,134 for the LTF Fund; \$17,598,321 for the STA Fund; \$4,994,073 for the SAFE Fund, \$5,183,759 for the SGR Fund and \$25,367 for the SPBL fund with the total governmental fund balance for Fiscal Year 2020/2021 being \$46,614,168 which was approximately \$12.6 million higher than the previous year largely due to increased LTF revenues and lower expenditures of STA funds. The net position for the business-type activities was \$11,306,521 for VCTC Intercity (largely capital assets) and \$0 for Valley Express. The decrease to the VCTC Intercity fund was due to depreciation.

In Fiscal Year 2020/2021, the Single Audit included \$22,212,520 in federal funds through multiple grants. The federal funds included \$12,025,080 in Coronavirus Aid, Relief, and Economic Security Act (CARES) funding. The federal funds were utilized not only for VCTC projects but are also passed through projects of local agencies as sub-recipients. VCTC has both financial and compliance requirements for itself and its sub-recipients. The auditor's opinion was that "the Commission complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on its major federal program for the year ended June 30, 2021". However, the results of the auditing procedures disclosed an instance of noncompliance with sub-recipient monitoring. The programming staff has updated their sub-recipient monitoring procedures to correct this issue. The details of the noncompliance and staff's response can be found on pages 10-11 of the single audit report.

Attached as separate attachments to the agenda item are the audited Annual Comprehensive Financial Statement (ACFR) that includes the independent auditor report, the Auditor's Communication with Those Charged with Governance report (AU-C 260), and the Single Audit which includes the Report on Internal Control over Financial Reporting and on Compliance and Other Matters (GAGAS). These reports are available upon request or on the Commission's website, www.goventura.org, as agenda attachments.

An auditor from Eide Bailly, LLP will be available to answer any questions the Commission may have.



Item #8D

December 3, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

**SUBJECT: FEDERAL TRANSIT ADMINISTRATION ELECTRONIC CLEARING HOUSE
OPERATION REVIEW**

RECOMMENDATION:

- Receive and file the Federal Transit Administration Electronic Clearing House Operation review.

BACKGROUND:

VCTC receives federal funds from the Federal Transit Administration (FTA) via the Electronic Clearing House Operating (ECHO) system. In addition to the annually required federal Single Audit, the FTA selected the Ventura County Transportation Commission (VCTC) to participate in its COVID-19 Relief Electronic Clearing House Operation System Drawdown Review for financial procedures and compliance. The FTA's ECHO Drawdown Review focuses only on CARES, CRRSAA, and ARP funds. This spot financial review is part of the FTA's supplemental oversight for the funds that Congress appropriated to assist the transit industry with its COVID-19 response and recovery efforts. Although not an audit, this review provides an assessment of compliance with federal requirements, determined by examining a sample of ECHO draws.

DISCUSSION:

VCTC staff met remotely with the FTA reviewers, Calyptus Consulting Group, Inc., to discuss the COVID-19 Relief Electronic Clearing House Operation System Drawdown Review and its process. Staff provided financial documentation and procedural information and met with the reviewers to discuss the information provided and to review procedures.

During the review, no issues were found. Attached, as separate documents, are the FTA cover letter and Final report for the COVID-19 Relief Electronic Clearing House Operation System Drawdown Review.



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Item #8E

December 3, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)
FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR
JENI F. EDDINGTON, TRANSIT PLANNER
SUBJECT: FISCAL YEAR 2022-23 TRANSPORTATION DEVELOPMENT ACT (TDA)
UNMET TRANSIT NEEDS (UTN) DEFINITIONS AND SCHEDULE

RECOMMENDATION:

- Review and approve the Fiscal Year 2022-2023 Unmet Transit Needs definitions and schedule

BACKGROUND:

The State Transportation Development Act (TDA) requires that a public hearing be held to discuss public transit, take testimony on local/regional transit needs, and develop findings that ensure that all reasonable transit needs are satisfied before TDA funds can be allocated for street and road purposes.

DISCUSSION:

December 2021 marks the launch of the Fiscal Year 2022-23 Unmet Transit Needs (UTN) bi-lingual (English/Spanish) public outreach program including the online survey going live along with the posting of digital and print outreach. During the month of January 2022, community outreach events will be hosted by VCTC, and the required public hearing will be held during the February 2022 Regular Meeting of the Ventura County Transportation Commission.

By soliciting input through various formats, residents have several opportunities to be heard.

Public comments received throughout the year and testimony received at the public hearing is reviewed against adopted Unmet Transit Needs and Reasonable to Meet definitions approved by Citizen's Transportation Advisory Committee/Social Services Transportation Advisory Committee (CTAC/SSTAC) at their September meeting. The February 4, 2022 public hearing is required by the State to approve the UTN process (Attachment B).

The findings will be brought back to CTAC/SSTAC for discussion and approval in April 2022 in advance of staff's recommendation to the Commission in May 2022. In addition to the staff recommendation, CTAC/SSTAC also has the option of submitting a formal recommendation on or before the May 2022 Commission meeting.

Attachment A: Unmet Transit Needs Definition (Fiscal Year 2022-23)
Attachment B: Unmet Transit Needs Schedule (Fiscal Year 2022-23)

UNMET TRANSIT NEEDS PROCESS Definitions

Fiscal Year 2022-23

Unmet Transit Need

Public transportation services identified by the public with sufficient broad-based community support that have not been funded or implemented. Unmet transit needs identified in a government-approved plan must meet the definition of an unmet transit need. Sufficient broad-based community support means that persons who will likely use the service on a routine basis demonstrate support: at least 15 requests for general public service and 10 requests for disabled service.

Includes:

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

Excludes:

- Operational changes such as minor route changes, bus stop changes, or changes in schedule
- Requests for minor extended hours
- Service for groups or individuals that is not needed by or will not benefit the general public
- Comments about vehicles, facilities, driver performance and transit organizational structure
- Requests for better coordination
- Requests for reduced fares and changes to fare restrictions
- Improvements funded or scheduled for implementation in the following year
- Future transportation needs
- Duplication or replacement of existing service

“REASONABLE TO MEET”

Outcome	Definitions	Measures & Criteria
<i>Equity</i>	The proposed service will not cause reductions in existing transit services that have an equal or higher priority	Measures: Vehicle revenue service hours and revenue service miles. Criteria: Transit vehicle service hours and miles will not be reduced on existing routes to fund the proposed service
<i>Timing</i>	The proposed service is in response to an existing rather than future transit need	Criteria: Proposed service is in response to an existing rather than future transit need; based on public input
<i>Feasibility</i>	The proposed service can be provided with the existing fleet or under contract to a private provider	Measure: Vehicle spare ratio: Transit system must be able to maintain FTA’s spare ratio requirement of 20% (buses in peak service divided by the total bus fleet cannot fall below 20%). If less than 20%, can additional buses be obtained (purchased or leased) or can service be provided under contract to a private provider?
<i>Feasibility</i>	There are adequate roadways to safely accommodate transit vehicles	Measure & Criteria: Route inspection to determine adequacy of infrastructure to accommodate transit vehicles and passengers.
<i>Cost Effectiveness</i>	The proposed service will not unduly affect the operator’s ability to maintain the required passenger fare ratio for its system as a whole	Measure: Total estimate annual passenger fare revenue divided by total annual operating cost (the entire service including the proposed service) Criteria: Fare revenue/ operating cost cannot fall below the operator’s required passenger fare ratio.
<i>Cost Effectiveness</i>	The proposed service will meet the scheduled passenger fare ratio standards described in Attachment A	Measures and criteria described below.
<i>Service Effectiveness</i>	Estimated passengers per hour for the proposed service will not be less than the system-wide average after three years.	Measure: Passengers per hour. Criteria: Projected passengers per hour for the proposed service is not less than 70% of the system-wide average (without the proposed service) at the end of 12 month of service, 85% at the end of 24 months of service, and 100% at the end of 36 months of service.

PASSENGER FARE RATIOS

It is desirable for all proposed transit services in urban areas to achieve a 20% passenger fare ratio by the end of the third year of operation. A passenger fare ratio of 10% is desired for special services (i.e., elderly and disabled) and rural area services*. More detailed passenger fare ration standards, which will be used to evaluate services as they are proposed and implemented, are described below. Transit service both in urban and rural areas, per state law, may obtain an “intermediate” passenger fare ratio.

Urban Service	Rural Service	Recommended Action
New Service Performance Criteria: End of Twelve Months		
Less than 6%	Less than 3%	Provider may discontinue service
6% or more	3% or more	Provider will continue service, with modifications if needed
New Service Performance Criteria: End of Twenty-four Months		
Less than 10%	Less than 5%	Provider may discontinue service
10% or more	5% or more	Provider will continue service, with modifications if needed
New Service Performance Criteria: End of Thirty-Six Months **		
Less than 15%	Less than 7%	Provider may discontinue service
15% to 19%	7% to 9%	Provider may consider modifying and continue service
20% or more	10% or more	Provider will continue service, with modifications if needed

**Per statute the VCTC may establish a lower fare for community transit (dial-a-ride) services.*

***A review will take place after 30 months to develop a preliminary determination regarding the discontinuation of proposed services*

**Unmet Transit Needs
Public Hearing and Process Schedule
Fiscal Year 2022-23**

September 14, 2021	CTAC/SSTAC MEETING Review and approve Unmet Transit Needs definitions and schedule
December 3, 2021	VCTC MEETING Approve Unmet Transit Needs definitions and schedule
December 13, 2021	OUTREACH Unmet Transit Needs information and survey posted to digital and print channels
December 30, 2021	LEGAL NOTICES FOR PUBLIC HEARING PUBLISHED Local Spanish-language newspaper of record (VIDA Newspaper)
January 4, 2022	Local English-language newspaper of record (Ventura County Star)
February 4, 2022	PUBLIC HEARING VCTC meeting at 9:00 a.m.
April 12, 2022	CTAC/SSTAC MEETING Approve Unmet Transit Needs findings and staff recommendation
April 13, 2022	TRANSIT OPERATORS ADVISORY COMMITTEE (TRANSCOM) MEETING Approve Unmet Transit Needs findings and staff recommendation
May 6, 2022	VCTC MEETING Staff presents Unmet Transit Needs findings Adopt Unmet Transit Needs Assessment
June 3, 2022	VCTC MEETING Adopt Fiscal Year 2022-23 Transportation Development Act (TDA) apportionments
August 15, 2022	SUBMITTAL Deadline to submit findings to the State of California for review



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Item #8F

December 3, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)

**FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR
JENI F. EDDINGTON, TRANSIT PLANNER**

SUBJECT: BUS AND RAIL RIDERSHIP AND PERFORMANCE MEASURES REPORT

RECOMMENDATION:

- Receive and File.

BACKGROUND:

As a data driven and transparent organization, VCTC staff provide quarterly reports that include ridership data, performance measures, and goals for VCTC Intercity Transit as well as Metrolink and Pacific Surfliner. This report looks at the first quarter of Fiscal Year (FY) 2022.

DISCUSSION:

Ridership is still down but slowly improving. We are anticipating ridership levels to continue to increase, especially as more vaccinations and boosters continue to be administered and as COVID-19 rates decline.

VCTC Intercity's ridership increased this quarter (Q1 FY22) by 47% over the same period of FY21. However, ridership also continues to be approximately 50% below pre-pandemic levels, which is similar to other transit operators in the region. On-time performance has improved from 80% in FY20 to 86% this quarter. Regarding rider composition, VCTC Intercity saw a greater percentage of riders using mobility devices and bicycles, and a large decline in passengers transferring to/from rail service.

The Metrolink Ventura County Line launched Saturday service between Moorpark and Los Angeles in May 2021 with a monthly average of 45 riders. Metrolink's first quarter ridership increased by 108% when compared to Q1 FY2021 with station boardings increasing by 97 percent. However, overall Metrolink ridership is still down 70% since the pandemic began (March 2020).



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Item #8G

December 3, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: REVISION TO CAMARILLO CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM

RECOMMENDATION:

- Approve reprogramming \$400,000 in CMAQ funds from the Springville Road Bike Path Design project in Camarillo to the Pleasant Valley Road Bike Lanes project.

BACKGROUND:

In 2015, as part of the CMAQ call for projects, VCTC programmed \$2,213,250 for bike lanes on Pleasant Valley Road from Las Posas Road to Lewis Road. In 2018, the Commission approved an increase of \$400,000 for this project. In 2020, TTAC and the Commission approved an increase of \$635,783 for this project, using funds that the City no longer needed for a bike lanes project on Las Posas Road. Then, in the 2021 CMAQ programming round, VCTC approved an additional \$1 million for the project, for a total CMAQ funding of \$4,249,033. Meanwhile, VCTC programmed and Camarillo obligated \$400,000 for design of a bike path in the Springville area. However, the Springville project is expected to be funded by a developer so the \$400,000 is not needed for that project and will be deobligated. Due to increased costs the Pleasant Valley Road project can use the \$400,000 previously obligated for the Springville project.

DISCUSSION:

Since the Commission commits CMAQ funds to specific projects, if an agency drops or places an indefinite hold on a previously programmed project, the general practice is to make that project's funds available for a future call for projects. On the other hand, if a completed project has an unexpended balance, if requested by the project sponsor, staff will recommend shifting the balance to another project selected by VCTC through its competitive process. In this case, Camarillo has not dropped the Springville Road project, but has found a way to implement the project with other funds. Therefore, it would be appropriate for Camarillo to be allowed to utilize the unneeded CMAQ funds for another approved project. Staff recommends the Commission approve Camarillo's request to transfer the \$400,000 deobligated from Springville to the Pleasant Valley Road project, bringing the total CMAQ funding to \$4,649,033. The City has committed \$420,947 in local matching funds, including what was previously committed for the Springville project, for a total project cost of \$5,069,980. The project is currently in the environmental clearance phase and is expected to obligate construction funds this coming summer.

TTAC approved this staff recommendation at its November 17th meeting.



Item #8H

December 3, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: POLICY TO PROGRAM FUNDS TO LOCAL STREETS AND ROADS ON A ONE-TIME BASIS

RECOMMENDATION:

- Approve a policy to program funds on a one-time basis to local streets and roads with projects to be recommended by TTAC, in amounts consisting of \$7,739,750 in unprogrammed Coronavirus Relief and Recovery Supplemental Appropriations (CRRSA) Act funds and \$3,175,917 in unprogrammed Highway Infrastructure Program (HIP) funds, for a total of \$10,915,667.

BACKGROUND:

Last year the federal government approved the CRRSA Act, which provided a one-time emergency appropriation of highway funds to states. California has since adopted policies to apportion these funds to counties, with VCTC receiving an apportionment of \$7,938,028. These funds can be used for transportation capital projects, and a portion of the funds can also be used for operational purposes. Up to \$198,278 of VCTC's apportionment can be used by VCTC for Planning, Programming and Monitoring, and VCTC approved that use of the funds at its October meeting. Thus, there remains a \$7,739,750 unprogrammed CRRSA fund balance. All the CRRSA funds must be obligated by September 2024, or they will be lost. VCTC has no policy to date regarding the use of these unprogrammed funds.

Since FY 2017/18, Congress has supplemented the authorized funds with additional monies using the name "Highway Infrastructure Program," or HIP. California has apportioned these funds following the same distribution method as the Regional Surface Transportation Program (STP), and VCTC has applied to these funds its policy of the U.S. 101 project being the top priority for STP money. These funds have various lapse dates based on the years of appropriation, and VCTC has attempted to loan these funds to other counties as it did with its other Regional STP funds, but has found that due to various federal restrictions the loaning of HIP is more difficult. VCTC currently has an unprogrammed HIP balance of \$3,175,917.

DISCUSSION:

Although SB 1, approved in 2017, has significantly improved the local streets and roads funding outlook, it has not completely filled the need that VCTC previously recognized in developing the

expenditure plan for Measure AA in 2016. Meanwhile, VCTC has a relatively short time frame to obligate federal highway funds that were provided in recent years above and beyond the amounts anticipated at the time that the U.S. 101 project was identified as the funding priority through the Comprehensive Transportation Plan. Therefore, it appears to be prudent at this time to make a one-time set aside of these one-time federal CRRSA and HIP funds, for use by local jurisdictions for street and road priorities, especially maintenance. Therefore, staff recommends that the Commission approve a policy indicating its intent to use the remaining unprogrammed CRRSA and HIP funds for local streets and roads projects to be recommended by VCTC's Transportation Technical Advisory Committee (TTAC), providing that these projects can use the funds by the required federal deadlines. TTAC approved this recommendation at its November 17th meeting, and is proceeding with a process to identify projects for funding, with the intent of having a recommendation to the Commission for its January 7th meeting.



December 3, 2021

MEMO TO: TRANSPORTATION TECHNICAL ADVISORY COMMITTEE
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: REVISION OF TRANSPORTATION TECHNICAL ADVISORY COMMITTEE (TTAC)
OPERATING RULES

RECOMMENDATION:

- Approve Resolution 2021-13 (Attachment A) revising the TTAC Operating Rules.
- Approve Ordinance 2021-01 (Attachment B) revising the VCTC Administrative Code Section I.2.b.

BACKGROUND:

The original Operating Rules for the Transportation Technical Advisory Committee were approved by the Commission in 1992, when TTAC was created. The rules were amended, in 2000, when the quorum was reduced from eight to six members, and then again in 2012, when the voting membership was reduced to twelve and the quorum increased back to eight. However, the quorum requirement for the Transit Operators Committee (TRANSCOM), remains at six members, even though that Committee has more voting members, 14 rather than 12.

DISCUSSION:

Over the last several years, TTAC has demonstrated a difficulty in establishing a quorum. Although most meetings have ultimately attained a quorum, VCTC staff has often had to make several phone calls after the meeting start time to contact various committee members to request attendance so that a quorum of eight can be established. With TRANSCOM, on the other hand, establishing the required quorum of six members has rarely if ever been an issue.

For TTAC, in particular, the difficulty in establishing quorum is possibly due to four of the ten cities being relatively small, with limited staff, who generally are absent from TTAC more often than they are present. This means that all of the remaining Committee members must be present to establish quorum. While VCTC staff and other TTAC members have continued to strongly encourage regular attendance of the smaller town staff, there are real limitations under which they operate, due to their need to “wear many hats.” As for the concern that TTAC recommendations represent a consensus, the lack of attendance can also be seen as a signal TTAC members do not have any major issues with a proposed recommendation. All agendas are published ahead of time, so TTAC members can choose to participate based on the items on the agenda. By reducing the TTAC quorum requirement to six, there will be a

significant time savings for VCTC staff, not to mention avoidance of delays in starting the meeting, due to avoiding the additional work and time required to contact Committee members to achieve a quorum.

Also, this past year, to facilitate remote and in-person work time, VCTC staff after polling Committee members made a decision to change the meeting date from the third Thursday to the third Wednesday to address Committee members and VCTC staff needs. Since the meeting date and time is part of the TTAC Operating Rules, at this time there also should be an amendment to these Rules to incorporate the date change. The recommended amendment also removes obsolete language designating the meeting location as the Camarillo City Hall.

To enact these changes, the VCTC Administrative Code, Section I.2.b., must be updated as well. The VCTC Administrative Code must be revised as well to include these changes.

TTAC approved this recommendation at its November 17th meeting.

RESOLUTION #2021-13

A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION (“VCTC”), FOR ITSELF, AND IN ITS CAPACITY AS THE VENTURA COUNTY AIRPORT LAND USE COMMISSION (“ALUC”), THE VENTURA COUNTY SERVICE AUTHORITY FOR FREEWAY EMERGENCIES (“SAFE”), THE CONSOLIDATED TRANSPORTATION SERVICE AGENCY FOR VENTURA COUNTY (“CTSA”), AND THE VENTURA COUNTY CONGESTION MANAGEMENT AGENCY (“CMA”), AMENDING THE TRANSPORTATION TECHNICAL ADVISORY COMMITTEE OPERATING RULES

WHEREAS, the Transportation Technical Advisory Committee (TTAC) is a duly constituted transportation advisory committee formed at the direction of the Ventura County Transportation Commission (VCTC); and

WHEREAS, the purpose of the TTAC is to act as an advisory body to the VCTC for purposes of reviewing countywide transportation issues, preparing the local agency component of the regional transportation improvement program, and making recommendations to the VCTC regarding various transportation issues; and

WHEREAS, in its operations, the TTAC follows the TTAC Operating Rules; and

WHEREAS, the TTAC Operating Rules currently provide that normal meetings of the TTAC, unless otherwise changed by the TTAC, shall be held on a Thursday of the month at 9:00 a.m. at least six times per year; and

WHEREAS, the TTAC Operating Rules currently require eight members of the voting representatives appointed to the TTAC to constitute a quorum for conducting TTAC business; and

WHEREAS, VCTC now desires to amend the TTAC Operating Rules to reduce the number of voting representatives required to constitute a quorum for conducting TTAC business, from eight members to six members, and amend the meeting date and time to provide that normal meetings of the TTAC, unless otherwise changed by the TTAC, shall be held the third Wednesday of the month at 1:00 p.m, at least six times per year; and

NOW, THEREFORE, BE IT RESOLVED, the TTAC Operating Rules are hereby amended at Section IX as set forth in Exhibit A attached hereto and incorporated by this reference.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the TTAC Operating Rules, as amended, continue in full force and effect.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this amendment shall become effective upon the date of the adoption of this Resolution.

PASSED AND ADOPTED on this ____ day of _____ 2021 by VCTC action.

KELLY LONG, Chair

ATTEST:

ROXANNA IBARRA, Clerk of the Board

APPROVED AS TO FORM:

STEVEN MATTAS, General Counsel

VENTURA COUNTY TRANSPORTATION COMMISSION
TRANSPORTATION TECHNICAL ADVISORY COMMITTEE
OPERATING RULES

I. PURPOSE OF THE TTAC

The Transportation Technical Advisory Committee (TTAC) is a duly constituted transportation advisory committee formed at the direction of the Ventura County Transportation Commission (VCTC). Member agencies shall serve at the pleasure of the Commission. The VCTC is the sole policy board of the TTAC. The purpose of the TTAC is to act as an advisory body to the VCTC for purposes of reviewing countywide transportation issues, preparing the local agency component of the regional transportation improvement program, and making recommendations to the VCTC regarding various transportation issues.

II. MEMBERSHIP

The public agencies who comprise the members of the TTAC shall be as shown on Exhibit A. Member agencies shall each have one representative, and representatives may designate alternates. Representatives must inform VCTC in writing or by e-mail of the designation of alternates.

III. METHOD OF APPOINTMENT

Each member agency's public works director, city engineer, or transportation director, or equivalent, as determined by that agency, shall serve as the agency's representative to TTAC. All representatives shall serve at the pleasure of the appointing entities. At the discretion of the appointing entity, an appointment may specify either a position or an individual currently in the position. The TTAC may recommend additions or deletion of member agencies shown on Exhibit A, but all changes in member agencies are subject to confirmation by the VCTC.

IV. TERM OF OFFICE

The term of office of membership of each agency on the TTAC shall be for an indeterminate period of time at the discretion of the VCTC.

V. OFFICERS OF TTAC

The officers of the TTAC shall be Chairperson and Vice Chairperson who shall be selected from among the representatives by majority vote at the January meeting each year and shall serve in their respective capacities at the pleasure of the TTAC. If the Chairperson or Vice Chairperson resigns, a new officer or officers shall be selected as soon as possible.

VI. DUTIES OF OFFICERS

Chairperson

The Chairperson of the TTAC shall be responsible for:

1. The calling for meetings.
2. Presiding at the meetings.
3. Assisting with agenda preparation.
4. Reporting to the VCTC when called upon to do so.
5. Establishing subcommittees as necessary.
6. Other duties as he/she may be directed by the VCTC and the TTAC to perform.

Vice Chairperson

The Vice Chairperson of the TTAC shall serve in the absence of the Chair and perform such duties as he/she may be directed by the Chair to perform.

VII. DUTIES AND RESPONSIBILITIES OF THE TTAC

It shall be the duty and responsibility of the TTAC to:

1. Serve as the technical advisory committee for the VCTC.
2. Share any and all pertinent information relating to the field of transportation, including, but not limited to transportation programming.
3. Review documents and make recommendations to the VCTC regarding transportation improvement programs and projects.
4. Serve as a forum to discuss the technical aspects of countywide transportation issues, and formulate recommendations for consideration by VCTC.
5. Review the Congestion Management Program update.
6. Other such duties as may be requested by the VCTC.

VIII. SECRETARY OF THE TTAC

The staff of the VCTC shall serve as the secretary of the TTAC and shall provide staff support, including preparation of the minutes of each meeting.

IX. QUORUM

Six of the voting representatives appointed to the TTAC shall constitute a quorum for conducting TTAC business.

X. ACTIONS BY THE TTAC

All actions on items before the TTAC shall be determined by a vote of a simple majority of the members present.

XI. MEETINGS

Normal meetings of the TTAC, unless otherwise changed by the TTAC, shall be held the third Wednesday of the month at 1:00 P.M., at least six times per year. The TTAC shall conform to the requirements of Section 54950 et seq. of the Government Code, also known as the "Ralph M. Brown Act".

XII. AMENDMENTS TO OPERATING RULES

The TTAC may recommend amendments to these Operating Rules by a majority vote, which recommendation shall be forwarded to VCTC for its consideration.

XIII. VOTING

Each member agency has one vote. In the absence of a representative, the designated alternate may vote in the representative's place.

XIV. POWERS

The TTAC is an advisory committee to, and created by the authority of, the VCTC and shall have no powers of existence separate or apart from that of VCTC.

Approved by Ventura County Transportation Commission _____, 2021.

KELLY LONG, Chairperson

EXHIBIT A

VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC) TRANSPORTATION TECHNICAL
ADVISORY COMMITTEE (TTAC) LIST OF MEMBER AGENCIES

1. City of Camarillo
2. City of Fillmore
3. City of Moorpark
4. City of Ojai
5. City of Oxnard
6. City of Port Hueneme
7. City of San Buenaventura
8. City of Santa Paula
9. City of Simi Valley
10. City of Thousand Oaks
11. County of Ventura
12. Oxnard Harbor District

Non-voting Members

Gold Coast Transit

Ventura County Air Pollution Control District

Caltrans

California Highway Patrol

ORDINANCE 2021-01

AN ORDINANCE OF THE VENTURA COUNTY TRANSPORTATION COMMISSION (“VCTC”), FOR ITSELF, AND IN ITS CAPACITY AS THE VENTURA COUNTY AIRPORT LAND USE COMMISSION (“ALUC”), THE VENTURA COUNTY SERVICE AUTHORITY FOR FREEWAY EMERGENCIES (“SAFE”), THE CONSOLIDATED TRANSPORTATION SERVICE AGENCY FOR VENTURA COUNTY (“CTSA”), AND THE VENTURA COUNTY CONGESTION MANAGEMENT AGENCY (“CMA”), AMENDING THE ADMINISTRATIVE CODE

- I. VCTC, ALUC, SAFE, CTSA, and CMA (hereinafter, collectively, “VCTC”) hereby find as follows:
 - A. Public Utilities Code section 130105, subsection (b), requires the VCTC Administrative Code be adopted by ordinance.
 - B. That portion of the VCTC Administrative Code relating to the Transportation Technical Advisory Committee (“TTAC”) quorum, and meeting date and time, requires an amendment by ordinance to change the quorum, and meeting date and time, and bring the VCTC Administrative Code into conformity with proposed TTAC Operating Rules.
- II. THEREFORE, VCTC does hereby ordain as follows:
 - A. The VCTC Administrative Code is hereby amended at Article III, Section I, subsection 2.b. as set forth in Exhibit A attached hereto and incorporated by this reference.
 - B. The VCTC Administrative Code, as amended, continues in full force and effect.
 - C. This amendment shall become effective upon the date of the adoption of this Ordinance.
- III. The Chair shall execute this Ordinance and the Clerk of the Commission shall attest to its adoption and the signature of the Chair.

Adopted this _____ day of _____, at Camarillo, California.

KELLY LONG, Chair

ATTEST:

ROXANNA IBARRA, Clerk of the Commission

Approved as to Form:

By: _____
STEVEN MATTAS, General Counsel

VCTC Administrative Code, Article III, Section I, subsection 2.b. is amended as follows, with deletions in strikethrough and additions in double underline:

b. Transportation Technical Advisory Committee ("TTAC") shall serve at the pleasure of VCTC and shall have no powers apart from VCTC. TTAC shall be composed of each city in Ventura County, the County of Ventura, and the Oxnard Harbor District. Each agency listed above may appoint one (1) member of TTAC and an alternate to each Committee member. Each member shall have one (1) vote and, in the absence of a member of the Committee, his or her alternate may vote. Gold Coast Transit, the Ventura County Air Pollution Control District, the California Highway Patrol, and the California Department of Transportation (District 7) shall be non-voting members.

(1) TTAC shall meet, unless otherwise arranged by TTAC or called by its Chair, on the third Wednesday ~~a Thursday~~ of the month at 10:00 ~~19:00~~ p.a.m. at least six (6) times a year.

(2) A quorum of TTAC shall consist of six (6) ~~eight (8)~~ of the representatives appointed to it. Actions on items before TTAC shall be approved by vote of a simple majority of the quorum.

(3) The duties and responsibilities of TTAC shall be to serve as a technical advisory committee for VCTC, share any and all pertinent information relating to the field of transportation with VCTC, review documents and make recommendations to VCTC regarding transportation improvements and projects, serve as a forum to discuss the technical aspects of countywide transportation issues and formulate recommendations for consideration by VCTC, perform an annual review of the Congestion Management Program update and other such duties as requested by VCTC.



Item #8J

December 3, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

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

SUBJECT: INFRASTRUCTURE UPDATE

RECOMMENDATION:

- Receive and file

DISCUSSION:

In November, President Joseph R. Biden signed into law the Infrastructure Investment and Jobs Act (IIJA), a landmark piece of legislation that will significantly increase investment in infrastructure in the United States over the next five years. With total anticipated spending of roughly \$1.2 trillion, the IIJA is being called the largest investment in U.S. infrastructure in at least six decades. It will provide a long-term infusion of funds to repair roads and bridges, improve public transportation and railroads, and support expansion of electric vehicle networks, among other benefits. While the IIJA will not provide enough funding to perform every needed repair and complete each new project, it is expected to go a long way toward helping states, including California, update and transform their transportation networks.

The IIJA is considered historic not only because of its size and scope, but also because it gained bipartisan support in both houses of Congress. The Senate passed the IIJA on a vote of 69-30 in August, and the House of Representatives voted 228-206 in support on November 5.

IIJA Overview

The IIJA consists of two pieces: a five-year reauthorization of the Fixing America's Surface Transportation (FAST) Act, which was first passed in 2015, and roughly \$550 billion in new spending above current FAST Act levels. The bulk of the money will come through existing programs, or formula funding. The remainder will likely be distributed through competitive grant programs that will either require a local match or make it difficult to compete for the funds without a local match. Ventura County will be at a disadvantage competing for funds due to the lack of a local sales tax measure to support transportation.

The IIJA breakdown of new spending includes:

- \$110 billion for roads and bridges
- \$73 billion for power grid upgrades

- \$66 billion for rail and Amtrak
- \$65 billion for broadband expansion
- \$55 billion for clean water
- \$39 billion for transit
- \$17 billion in port infrastructure and waterways
- \$7.5 billion to build a national network of electric vehicle chargers

In addition to funding for what's considered traditional infrastructure, such as highways and bridges, the legislation includes funding for the first Safe Streets and Roads for All program to support projects to reduce traffic fatalities. The IIJA also increases funding for the Transportation Alternatives Program (TAP), which in California is used to fund the state's Active Transportation Program. Across all five years, it is expected to bring a \$2.5 billion increase for sidewalks, bike lanes, Safe Routes to School Programming, and trails. The IIJA also adds new rules that would limit transfers of TAP funding to ensure the money is used to improve safety. The legislation recodifies Safe Routes to School funding into law and expands the program to include high schools.

The IIJA also provides across-the-board formula funding increases for transit. The Urbanized Area Formula program (Section 5307), the primary federal transit formula program, receives a 30% increase in the first year. The first-year increases for the smaller transit formula programs include 47.5% for Senior and Persons with Disabilities (Section 5310); 22.7% for Rural Formula (Section 5311); and 63.9% for State of Good Repair (Section 5337). In subsequent years all these programs continue to receive 2% to 3% increases.

California Impact

California is expected to receive an estimated \$40 billion, the largest portion of IIJA funding, for highway, bridge, public transit and other investments. The state has more than 1,500 bridges and more than 14,000 miles of highway in poor condition, according to a fact sheet distributed by the White House.

The breakdown of anticipated funding for California includes:

- \$25.3 billion for roads
- \$9.45 billion for public transportation
- \$4.2 billion for bridges
- \$1.5 billion for infrastructure development for airports
- \$384 million to help expand the state's electric-vehicle charging network
- \$100 million to expand broadband coverage
- \$84 million to help protect against wildfires

In addition to funding received through existing programs, California will be eligible to compete for additional funding through several avenues, such as the Bridge Investment Program.

Ventura County Impact

The exact details of how IIJA funding might be distributed are still being finalized, so it is not yet certain how the IIJA will impact Ventura County cities, agencies and transit operators. Ventura County Transportation Commission (VCTC) staff will continue to follow IIJA developments and will provide specific reports to the Commission as more information becomes available.



Item #8K

December 3, 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 #8L

December 3, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AARON BONFILIO, PROGRAM MANAGER

SUBJECT: EXTENSION OF FARE PROMOTION FOR VCTC INTERCITY AND VALLEY EXPRESS SERVICES

RECOMMENDATION:

- To extend the current “Half Off” fare promotion through the end of the Fiscal Year 2021/2022

BACKGROUND:

At the outset of the COVID-19 Pandemic, VCTC and Valley Express bus services halted fare collection in late March 2020 to reduce touch points inside the bus and prevent “queueing” at the front door farebox, with the goal of later instituting a “contactless” fare collection system. Contactless fare systems were identified by Cal-OSHA and the Federal Transit Administration (FTA) as a best practice for transit services, and the American Public Transit Association’s COVID-19 Health and Safety pledge included it among a set of preventative measures, all of which VCTC has pledged to uphold. In December 2020, the Commission awarded an agreement for such a system, which was then installed, tested, and launched over a six-month period on July 1, 2021. This coincided with the resumption of fare collection, after 14 months of not charging fares.

Despite the suspension of fare collection, transit demand across the county had declined sharply as a result of the COVID-19 pandemic. Specifically, VCTC and Valley Express’ ridership had declined by more than 70% of the prior year’s averages. As a promotional effort to incentivize transit usage, VCTC and Valley Express implemented a “Half Off” fare promotion effective with the resumption of fare collection. We were able to do this as the State’s typical requirements for farebox revenue were suspended to ensure transit agencies could provide such essential services without further financial penalty from the State.¹ This suspension in the requirement is still in place through the current fiscal year ending June 30, 2022. In addition, VCTC and the Valley Express both received significant stimulus revenues from the FTA with the express intent to support operational costs and offset any losses in local revenues, such as passenger fares, as well as, to provide ability to resume services that may have been cut during the pandemic.

¹ It should be noted that the State has convened a working group to examine amendments to the 1970s-era law’s financial penalty provisions, potentially removing farebox recovery requirements altogether.

In light of this, and in consideration of the steep decline in ridership, rather than reinstitute full priced fares, VCTC's then Executive Director utilized his authority as provided by the Commission to institute the "Half Off" fare promotion. The term of the fare promotion was initially described as a "*half year, half off*" promotion, wherein fare prices would return to the pre-pandemic price structure after six months, effective January 1, 2022. While we believe the promotion has helped facilitate a return in ridership year over year, current ridership is approximately 45% of pre-pandemic levels. Compounding the impacts of the pandemic for our ridership, VCTC most recently *reduced its intercity service levels*, cutting routes and frequencies in response to the unprecedented challenges with driver recruitment and retention.

As a continued incentive to grow ridership, staff's recommendation is that the Commission formally extend the current fare promotion for the VCTC Intercity and Valley Express services for the remainder of the fiscal year, through June 30, 2022.



Item #9

December 3, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: MARTIN R. ERICKSON, PUBLIC TRANSIT DIRECTOR
**SUBJECT: AUTHORIZATION FOR VCTC-SCRRA PROPERTY ACQUISITION AND
NEGOTIATION ACTIVITIES RELATING TO THE DEVELOPMENT OF SIMI VALLEY
DOUBLE TRACK AND PLATFORM PROJECT**

RECOMMENDATION:

- Authorize the Southern California Regional Rail Authority (SCRRA) to proceed with property acquisition offers and negotiation activities for the Simi Valley Double Track and Platform Improvement Project

BACKGROUND:

In April 2018, the Southern California Regional Rail Authority (SCRRA), who operates Metrolink service, was awarded \$876 million from the State's Transit and Intercity Rail Capital Program (TIRCP) from California State Transportation Agency (CalSTA) for the Southern California Optimized Rail Expansion (SCORE) Program. The program is a collection of infrastructure projects aimed at delivering the enhanced services envisioned in the Metrolink 10-Year Strategic Plan. Metrolink's SCORE program is an ambitious capital program that will upgrade Metrolink's system in time for the 2028 Olympics and Paralympic Games.

One of the projects included in the SCORE program is the Simi Valley Double Track and Station Platform Improvement Project (Project). By adding additional track and a platform the Project will facilitate more efficient train travel for both freight and passenger rail and also include safety improvements. This Project will add 2.15 miles of track; up to 1.55 miles in the first segment of the project, and a further 0.6 miles in the second segment of the project. Segment 1 improvements would include three at-grade crossing improvements and up to two crossing improvements in segment 2, which would create a quiet zone ready corridor once both segments are complete. 1,400 feet of existing track will be shifted between East Los Angeles Avenue and Simi Valley Station. The improvements will require new track panels and warning devices at the following at-grade crossings: Sequoia Avenue (optional), Tapo Canyon Road, Tapo Street, East Los Angeles Avenue, and Hidden Ranch Drive. Simi Valley Station is included in segment 1 improvements and will require a new Metrolink safety standard pedestrian crossing and a new 680 foot long second platform

DISCUSSION:

In December of 2020, The Commission approved an MOU between VCTC and the Southern California Regional Rail Authority (SCRRA) for the development of the Project. The Project will provide additional capacity for train operations and improve safety and reliability of the system. The Project's right of way falls under the jurisdiction of the Ventura County Transportation Commission (VCTC). The Project is funded through a combination of state and federal rail grants.

The Project received CEQA environmental clearance on July 27, 2021. The Federal Railroad Administration (FRA) approved the NEPA Categorical Exclusion Worksheet on November 5, 2021. Right of way acquisition requirements have been identified by the design engineers. A list of those affected properties is included as Attachment A with property details and right of way requirements based on 60% design plans.

Metrolink seeks VCTC's statutory authority to proceed with property acquisition and negotiation activities. Metrolink, and its Program Management Consultant (PMC), will lead the right of way acquisition process, which includes ordering preliminary title reports to verify property ownership, preparing and submitting the offer packages to the property owners, conducting, and finalizing negotiations with the property owners, and processing payments to the property owners. During the past year Metrolink/PMC staff have collaborated with VCTC leadership and designated staff regarding right-of-way acquisitions. VCTC's legal counsel reviewed and approved the Metrolink/PMC offer package templates.

In the event negotiations reach an impasse, or there are other title discrepancies that may necessitate initiation of a condemnation process, VCTC's legal counsel will work with SCRRA to prepare and present to the Commission for consideration a Resolution of Necessity to acquire the property interests through condemnation.

Attachment A: List of affected properties property interests to be acquired based on 60% design plans

Attachment A – List of affected properties property interests to be acquired based on 60% design plans.

PROPERTY OWNER	APN	ESTIMATED SQ FT	TYPE OF ACQUISITION
Callahan Ranch	644-0-100-020	1,650	Temporary Construction Easement
Mullin Terry	644-0-111-050	24,851	Temporary Construction Easement
AJU BBI Holdings	644-0-140-440	45,512	Temporary Construction Easement
Simi Valley (Train Station)	644-0-210-060	48,805	Temporary Construction Easements
Simi Valley (Old LA Street)	NA	48,187	Temporary Construction Easement
Simi Valley (Old LA Street)	NA	285	Permanent Easement
Delaware Hidden Valley	644-0-210-095	12,440	Permanent Easement
Delaware Hidden Valley	644-0-210-115	8,204	Partial Fee, Permanent Easement, Temporary Construction Easement
Ventura County Flood	644-0-210-125	236	Encroachment Permit
Rancho Simi Rec & Park	644-0-210-185	20,093	Temporary Construction Easement



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Item #10

December 3, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AMANDA FAGAN, DIRECTOR OF PLANNING & SUSTAINABILITY

SUBJECT: SANTA PAULA BRANCH LINE RAILROAD LEASE AND OPERATIONS AGREEMENT

RECOMMENDATION:

- *Approve a Railroad Lease and Operations Agreement with Sierra Northern Railway to operate and maintain the Santa Paula Branch Line railroad and right-of-way for a 35-year term.*
- *Approve a Budget Amendment to the Santa Paula Branch Line budget to increase the State Transit Assistance (STA) Fund Transfer-In to the Santa Paula Branch Line (SPBL) Fund by \$282,100 and increase the Local Fees-Leases by \$22,900, and accordingly, increase the Salaries by \$13,100, Fringe Benefits by \$5,700, Indirect Costs by \$11,200, Consultant Services by \$10,000, Legal Services by \$40,000, and Track Maintenance by \$225,000. Also, approve increasing the Santa Paula Branch Line Fund Transfer-Out to the General Fund by \$30,000 for the associated Salaries, Fringe Benefits and Indirect Costs mentioned above.*
- *Approve a Budget Amendment to the State Transit Assistance Fund to Increase the State Transit Assistance (STA) Fund Transfer-Out to the Santa Paula Branch Line Fund by \$282,100.*
- *Approve a Budget Amendment to the General Fund to increase the Santa Paula Branch Line Transfer-In by \$30,000 for the Salaries, Fringe, and Indirect Costs mentioned above.*

BACKGROUND:

Anticipating the expiration of the 20-year operating lease for the Santa Paula Branch Line (SPBL) on June 30, 2021, VCTC issued on October 2, 2020, a Request for Proposals for an Operator of Rail Services, with proposals due in December 2020. VCTC received two proposals, which were reviewed by a team of VCTC Staff and short line rail experts. VCTC entered negotiations with the highest rated proposer, Sierra Northern Railway, and began work to reach agreement on the terms and conditions of a long-term lease for operations and maintenance of the SPBL.

On June 30, 2021, the lease and operating rights to the SPBL held by Fillmore & Western Railway expired, at which time Fillmore & Western would no longer conduct rail maintenance and inspections, nor respond to emergency calls. Though substantial progress had been made toward agreement between VCTC and the prospective rail operator, no formal contract had been approved by the Commission prior to the June 30th expiration of the operating lease with Fillmore & Western Railway. To ensure continuity of necessary rail maintenance and inspections and responsiveness to emergency calls on the SPBL while negotiations continued, VCTC entered into an Agreement with Sierra Northern Railway for Track and Signal Maintenance. The contract currently extends through December 31, 2021.

Sierra Northern Railway and Mendocino Railway are sister companies and wholly owned subsidiaries of Sierra Railroad Company, which was founded in 1897 to connect the California Central Valley to the Gold Country of the Sierra Nevada foothills.

The Fiscal Year 2021/2022 SPBL Program Budget was developed as a “reset” from past expenditure levels to reflect the Commission direction to avoid subsidizing the SPBL with public transit funds, and included modest levels of funding for administrative oversight, non-rail maintenance, consultant services, and legal services, and was later amended to provide for rail maintenance costs associated with the temporary Track and Signal Maintenance agreement. The proposed Railroad Lease and Operations Agreement will require an amendment to the budget, as further discussed below.

DISCUSSION:

VCTC Interim Executive Director, Staff, and General Counsel, and representatives of Sierra Northern Railway continued to negotiate in good faith toward an agreement for long-term operations and maintenance of the SPBL, resulting in the proposed Railroad Lease and Operations Agreement (Agreement) recommended for Commission approval.

The Agreement provides for economic activity in the Heritage Valley by continuing to support rail operations and a future recreational trail (bike path) by dedicating funds raised through SPBL leases, licenses, and permit fees to ongoing maintenance, while avoiding the continued expense of other transportation funds on the SPBL.

The Agreement with VCTC is entered into directly with Sierra Northern Railway, and freight, film, and tourist service will be provided through the cooperation of these sister companies. The Agreement defines the roles, responsibilities, and rights between VCTC and Sierra Northern Railway. **Key provisions of the Agreement include:**

- 35-year term with two options for 30-year extensions.
- Provides for use by Sierra Northern Railway for Railroad Purposes including all tourist and freight service excluding transit rail services, and includes still and motion picture production, filming, video production, freight service, mail, public/tourist excursions, charter and dinner train operations, informational/directional signs, storage and transload services, maintenance of way, railbikes, and any other purposes mutually agreed upon in writing.
- Grants to Sierra Northern license to use, maintain, repair, modify, and improve the SPBL as needed for the permitted uses, subject to existing rights associated with existing licenses and leases.
- Assigns to Sierra Northern Railway the responsibility to operate and maintain the SPBL railroad and right-of-way in exchange for assignment of revenues generated by leases and licenses on the SPBL (currently approximately \$325,000 annually), and addresses weed abatement, drainage, graffiti, and encampments.
- Provides for reimbursement of up to \$450,000 per year for the first five years to Sierra Northern to address maintenance requirements on the rail infrastructure.
- Acknowledges the primacy of the SPBL Recreational Trail as the purpose for which the Branch Line was acquired by VCTC.
- Identifies rental payment and fees to be paid by Sierra Northern Railway in consideration for the rights granted under the Agreement, including an annual rental payment (\$1,000 per mile, or \$31,870 annually), rail car storage fees (5% of the gross daily storage track rents charged to third parties), and film and video production revenue sharing (5% of gross revenue generated by Railway from filming).
- Reserves to VCTC the right to provide future rail transit services, should VCTC decide to provide Metrolink or other rail transit service on the Branch Line or connect to Santa Clarita.
- Includes termination provisions for cause and frustration of purpose.
- Includes insurance and indemnification provisions to protect the interests of VCTC and the Lessee.

Benefits of continued rail operations on the SPBL in partnership with Sierra Northern Railway include:

- Establishes a long-term operations and maintenance presence on the SPBL through a partnership with an operator with the capability and the aligned interests to invest in infrastructure and business development.
- Reduces VCTC's financial obligations to maintain the Branch Line for the first five years of the Agreement and eliminates the need to subsidize operations and maintenance of the Branch Line with State Transit Account (STA) funds beginning in Year 6 of the Agreement.
- Shifts the responsibility and associated workload from VCTC staff to Sierra Northern to maintain the entire railroad right-of-way, including weed abatement, trash removal, and other activities.
- Reduces Truck Trips on State Route (SR) 126 – The Agreement provides an opportunity to grow freight service to the Heritage Valley and reduce truck trips on SR 126. For every rail car, four trucks are removed from the roadway. Sierra Northern Railway has a strong record of success with freight service on short line railroads and has begun working with local businesses to provide freight and transload service along the corridor.
- Trains with Trails Approach – Mendocino Railway has direct experience pairing tourist train service with hiking and bicycle trails. For example, Mendocino Railway is building its own trail to align with the Skunk Train out of Fort Bragg, combining a one-way train trip with return by trail. A future combined train and bicycle service is an option for the SPBL once the trail is constructed.
- Railbikes – Mendocino Railway designed, built, and operates a patent-pending two-seat recumbent railbike service on two railroads in Northern California, and plans for expansion of railbike service on the SPBL.
- Film and Television Production – Mendocino Railway has extensive experience with filmmaking and owns the trademarked “The Movie Railroad” name, having hosted over 300 film productions since 1919. The Agreement allows for continued use of the SPBL for filming, and facilitates expanded resources (props, equipment, and staff) to expand the railroad film business, an important economic engine for the Santa Clara River Valley communities and Ventura County.
- Energy and Environment – Sierra Railroad Company owns and operates Sierra Energy, a waste-to-energy gasification company that cleanly converts any waste stream to clean energy without burning and in a carbon-negative manner. Sierra Northern Railway also received a grant from the California Air Resources Board (CARB) to develop a hydrogen powered locomotive, a clean railroad technology with potential applications to the SPBL.
- Sierra Northern Railway and its parent company, Sierra Railroad Company, demonstrated a strong financial position to undertake planned activities on the SPBL in the submitted proposal.

Proposed Budget Amendment

When the Fiscal Year 2021/2022 budget was prepared, it was not yet known whether VCTC would enter into a new Railroad Lease and Operations Agreement, or whether the Commission would pursue rail banking for all or a portion of the Branch Line. As such, the initial approved budget provided for minimal maintenance of the rail right-of-way property and administrative program oversight. The Program Budget has been amended twice to date to provide for Track and Signal Maintenance for the period from July 1, 2021, through December 31, 2021. Staff requests further amendment to align with the negotiated Railroad Lease and Operations Agreement as shown in **Table 1**.

For both the Revenues and Expenditures categories, Column (A) shows actual revenues and expenditures for Fiscal Year 2020/2021 for comparison purposes. Column (B) shows the current Fiscal Year 2021/2022 budget, as amended. Column (C) shows the net changes between the current budget and the proposed budget. Column (D) shows the resulting proposed total amounts for the budget.

For the period of July 1, 2021, through October 31, 2021, VCTC has received \$237,070 in lease revenues and \$3,270 film revenues, for \$240,340 total Local Fees (Leases), and \$3,080 in Local Fees (Permits). An estimated \$87,330 of additional Local Fees (Leases) is anticipated to be received in the period between November 1, 2021, and June 30, 2022. To estimate the additional Local Fees (Leases) revenues to be generated for the first six months of the Agreement (January 1 – June 30, 2022), one half of the annual rent

to be paid by Sierra Northern ($\$31,870 / 2 = \$15,935$) is added to an estimated \$6,000 in film revenues and \$1,000 in rail car storage fees, for an approximate total of \$22,935, or \$22,900 (rounded for budget purposes). This is a conservative estimate, given the time required for the transition to a new rail operator during the first six months of the Agreement term.

In addition to the anticipated Local Fees (Leases) revenues to be generated by the Agreement during the first six months, the proposed amendment also requests \$282,100 of STA Fund revenues to be added to the SPBL Fund, with \$30,000 subsequently transferred to the General Fund, as described in the Recommended Action. Receipt of SPBL Lease Revenues is generally front-loaded each Fiscal Year, so the first six months of the Agreement will require a higher level of STA funding than is anticipated for future years. Starting with Fiscal Year 2022/2023 and continuing through the end of Year 5 of the Agreement, STA funding is estimated not to exceed \$125,000 annually, and STA is expected to cease altogether starting in Year 6. Compared to Fiscal Year 2020/2021 actual revenues, the STA subsidy for Fiscal Year 2021/2022 is \$11,610 below the preceding fiscal year, and the total budget is reduced by \$148,543 compared to the preceding fiscal year. Local Transportation Fund (LTF) would typically pay for Salaries, Fringe Benefits, and Indirect Costs. However, LTF funds are allocated only at the start of the Fiscal Year and cannot be included at this time. As such, STA funds are used for both staffing costs and right-of-way and track maintenance costs. When compared against actual expenditures during Fiscal Year 2020/2021, SPBL expenditures are anticipated to be approximately \$275,000 (~30%) lower in Years 1-5, and approximately \$400,000 (~50%) lower in Years 6 – 35, with the bulk of those costs covered by Lease and Permit Revenues.

TABLE 1. Santa Paula Branch Line Program Budget (Revenues and Expenditures)

REVENUES:

Funding Source	(A) Fiscal Year 2020/2021 Actual	(B) Fiscal Year 2021/2022 Approved Funding	(C) Proposed Amendment by Category	(D) Fiscal Year 2021/2022 Proposed Funding
LTF Fund Transfer	\$127,300	\$0	\$0	\$0
STA Fund Transfer	338,710	45,000	282,100	327,100
Signal Revenue	43,750	20,000	0	20,000
Local Fee – Leases	316,090	324,400	22,900	347,300
Local Fee – Permits	22,093	5,000	0	5,000
Total Funding	\$847,943	\$394,400	\$305,000	\$699,400

EXPENDITURES:

	(A) Fiscal Year 2020/2021 Actual	(B) Fiscal Year 2021/2022 Budget- As Amended	(C) Proposed Amendment by Category	(D) Fiscal Year 2021/2022 Proposed Expenses
Salaries	\$ 89,594	\$ 60,200	\$13,100	\$ 73,300
Fringe and Tax		26,000	5,700	31,700
Indirect Cost Allocation	49,169	51,700	11,200	62,900
Mileage	216	500	0	500
Office Support	214	500	0	500
Notices	2,026	500	0	500
Consultant Services	84,099	55,000	10,000	65,000
Legal Services	68,416	10,000	40,000	50,000
Non-Rail Maintenance	104,207	50,000	0	50,000
Signal Repair and Replacement	0	40,000	0	40,000
Track Maintenance	450,000	100,000	225,000	325,000
Total Expenditures	\$847,943	\$394,400	\$305,000	\$699,400



Item #11

December 3, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

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

SUBJECT: U.S. DEPARTMENT OF LABOR DECISION REGARDING FEDERAL GRANTS FOR CALIFORNIA TRANSIT AGENCIES

RECOMMENDATION:

- Receive and file.

DISCUSSION:

In October, the U.S. Department of Labor (DOL) made a determination that potentially could prevent California transit agencies, including those in Ventura County, from receiving billions in federal grants, including COVID-19 emergency relief funds and funds included in the \$1.2 trillion Infrastructure Investment and Jobs Act (IIJA), which President Joseph R. Biden recently signed.

Under Section 13(c) of the Urban Mass Transit Act of 1964, the Federal Transit Administration (FTA) cannot obligate funds to transit agencies under most programs unless the U.S. Department of Labor certifies that the grant recipient has labor protective agreements that the Labor Secretary determines are fair and equitable.

In response to a lawsuit filed in August 2019 by the Amalgamated Transit Union (ATU), the Department of Labor in October determined that California's pension reform law, the Public Employee Pension Reform Act of 2013 (PEPRA), interferes with the collective bargaining rights of transit workers. This determination was a reversal on the part of the Labor Department, which previously had determined that PEPRA does not interfere with employees' collective bargaining rights.

When this issue first surfaced almost a decade ago, the Department of Labor agreed with the ATU and blocked funding to two California transit agencies: the Sacramento Regional Transit District and Monterey-Salinas Transit. In response to a lawsuit filed by the State of California and the transit agencies, the U.S. District Court for the Eastern District Court of California ruled in favor of the state and transit agencies, allowing grants to be certified. Over the years, the courts have ruled in California's favor three times on this issue, and in 2019, the Department of Labor formally concluded

that PEPRA does not interfere with collective bargaining rights. The DOL changed that position in October.

The State of California has filed a cross-complaint and a motion asking the U.S. District Court for the Eastern District of California to stay implementation of the DOL determination. That motion is expected to be heard in mid-December. The exact timeline of court proceedings is still being determined; however, it appears this issue could extend for at least several months. For now, the Department of Labor has indicated that it will not take action on transit grants until at least December 21, meaning it will neither certify nor deny certification.

If the Labor Department's determination stands, the impact to California transit agencies will be severe. Published reports estimate that California could lose about \$9.5 billion in funding from the recently passed infrastructure bill and \$2.5 billion in American Rescue Plan Act (ARPA) money.

U.S. Sens. Alex Padilla and Dianne Feinstein of California, along with California Gov. Gavin Newsom, have sent letters to U.S. Labor Secretary Marty Walsh, as well as to leaders of the Department of Justice and Department of Transportation, strongly objecting to the Labor Department decision and urging the department to restore California transit agencies' access to federal grants. The letters point out that many essential workers need public transportation to get to their jobs, that transit agencies rely on federal grants to keep trains and buses running, and that public transit ridership has dropped dramatically because of the COVID-19 pandemic, making immediate access to emergency federal funding even more critical.

The nonprofit transit advocacy group California Transportation Association (CTA) has organized an effort to ensure federal grants to California transit agencies continue uninterrupted. The Ventura County Transportation Commission (VCTC) is a member of the CTA. In addition, the Southern California Association of Governments (SCAG) and its member agencies sent a letter to the Department of Transportation outlining the potential financial losses for transit agencies in Southern California. VCTC provided information and signed the letter. (Copy attached).

Impact on Current FTA Funding in Ventura County

The DOL position will not affect previously approved FTA grants, but it could potentially impact grants that are not yet approved. There are four transit operators that are direct recipients of FTA funds in the County, with VCTC being the grant recipient not only for its own bus service but also for Camarillo, Moorpark, and Thousand Oaks, which receive funds as VCTC subrecipients. Gold Coast Transit and Simi Valley administer their own FTA grants, as does the Southern California Regional Rail Authority (SCRRA), whose grants include Ventura County apportionments programmed by VCTC. For the current fiscal year, all of the transit operators were programmed to receive Urbanized Area Formula (Section 5307), and the bus operators were also programmed to receive a share of the one-time Ventura County apportionments from the American Rescue Plan (ARP) Act. FTA has already awarded all of this year's Section 5307 funds, as well as the ARP funds for VCTC and subrecipients and for Simi Valley. FTA has not awarded the \$8,151,600 from ARP for Gold Coast, so that grant is potentially impacted by the DOL issue. Also, there are pending Congestion Mitigation and Air Quality (CMAQ) transit vehicle replacement grants of \$4,664,076 for Gold Coast and \$2,444,542 for Simi Valley. These three Gold Coast and Simi Valley grants from ARP and CMAQ are the short-term bus funds currently in jeopardy. On the other hand, VCTC and its subrecipients currently have the awarded FTA grants for all their budgeted FY 2021/22 funds.

With regard to Metrolink, SCRRA has provided the following list of funding that is potentially delayed due to DOL's position:

- a. Annual Rehabilitation/New Capital Budget. The FTA will fund approximately \$23 million of the adopted FY22 capital budget. That \$23 million is spread across numerous projects, so a delay would prevent a significant number of projects from starting until the grant is ultimately

approved. A cascading effect would be the inability to utilize other grant funding allocated to stalled projects (e.g., state funds), some of which have looming expiration dates. Those funds would be at risk of expiring.

- b. Annual Preventive Maintenance (PM). The FTA funding of approximately \$10 million in formula funding towards preventive maintenance expenses in the annual operating budget is at risk from the DOL determination.
- c. Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act. Metrolink estimates that approximately \$4 million in funding for operations under the CRRSA Act is at risk due to the DOL determination.
- d. ARP. Metrolink estimates that approximately \$18 million in funding under the ARP Act used for operations are at risk due to the DOL determination.

All of the transit agencies will have additional FTA grants for next year's funding that could also be subject to delay should this issue not be resolved by spring of 2022. Furthermore, there is \$46,896 programmed to Thousand Oaks, which will be permanently lost if not approved in a grant by September 2022.

All of the county's FTA direct recipients are currently monitoring the situation. In particular, the agencies with pending grants are awaiting confirmation of the DOL's decisions with regards to their particular grants.



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Item #12

December 3, 2021

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: MARK WATKINS, INTERIM EXECUTIVE DIRECTOR
SUBJECT: OXNARD HARBOR DISTRICT UPDATE

RECOMMENDATION:

- Receive and file

BACKGROUND:

Kristin Decas, CEO and Port Director will provide an update on the significant role the Port plays in transporting goods from the Port to the nation.



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