



**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](http://www.goventura.org)

**AGENDA\*  
FRIDAY, FEBRUARY 4, 2022  
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/88410113256?pwd=Sko0V2JlVWVVG1FeVo3bkdQemNJUT09>**

**Call-In Option:  
Dial: 1-669-900-6833  
Webinar I.D.: 884 1011 3256  
Passcode: 943655**

*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. **ELECTION OF CHAIR AND VICE-CHAIR**
5. **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.*
6. **CALTRANS REPORT** - *This item provides the opportunity for the Caltrans representative to give updates and status reports on current projects.*
7. **COMMISSIONERS/EXECUTIVE DIRECTOR REPORT** - *This item provides the opportunity for the commissioners and the Executive Director to report on attended meetings/conferences and any other items related to Commission activities.*
8. **ADDITIONS/REVISIONS** – *The Commission may add an item to the agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Commission subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Commission. If there are less than 2/3 of the Commission members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.*
9. **CONSENT CALENDAR** - *All matters listed under the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no discussion of these items unless members of the Commission request specific items to be removed from the Consent Calendar for separate action.*

**9A. APPROVE MINUTES FROM DECEMBER 3, 2021- PG.5**

**Recommended Action:**

- Approve the summary minutes of DECEMBER 3, 2021.

**Responsible Staff: Roxanna Ibarra**

**9B. APPROVE MINUTES FROM DECEMBER 16, 2021- PG.11**

**Recommended Action:**

- Approve the summary minutes of DECEMBER 16, 2021.

**Responsible Staff: Roxanna Ibarra**

**9C. APPROVE MINUTES FROM JANUARY 7, 2021-PG.15**

**Recommended Action:**

- Approve the summary minutes of JANUARY 7, 2022.

**Responsible Staff: Roxanna Ibarra**

**9D. MONTHLY BUDGET REPORT- PG.21**

**Recommended Action:**

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

**Responsible Staff: Sally DeGeorge**

**9E. 13(C) AGREEMENT APPROVAL-PG.29**

**Recommended Action:**

- Approve the attached Agreement with Service Employees International Union (SEIU) Local 721 as required for VCTC's Fiscal Year 2021/2022 federal transit grant applications with the Federal Transit Administration.

**Responsible Staff: Peter De Haan**

**9F. 2023 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP) FINANCIAL RESOLUTION -PG.47**

**Recommended Action:**

- Approve attached Resolution No. 2022-02 certifying that there are sufficient financial resources to fund projects in the 2023 Federal Transportation Improvement Program (2023 FTIP).

**Responsible Staff: Heather Miller**

**9G. MOTORIST AID CALLBOX USAGE AND CONVERSION UPDATE-PG.51**

**Recommended Action:**

- Receive and file a report on the usage and cellular service conversion of the Motorist Aid Emergency Roadside Assistance Callboxes.

**Responsible Staff: Amanda Fagan**

**9H. AGREEMENT WITH INNOVATIVE TDM SOLUTIONS (ITS) FOR RIDESHARE DATABASE SERVICES-PG.53**

**Recommended Action:**

- Authorize a twelve (12) month extension of a sole source contract with Innovative TDM Solutions (ITS) not to exceed \$103,960 for rideshare database management services. Because this is a sole source procurement, a 2/3 Commission vote is required for approval.

**Responsible Staff: Martin Erickson and Dolores Lopez**

**9I. 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.57**

**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**

**DISCUSSION CALENDAR:**

**10. FISCAL YEAR 2022//2023 TRANSPORTATION DEVELOPMENT ACT (TDA) UNMET TRANSIT NEEDS (UTN) PUBLIC HEARING- PG.59**

**Recommended Action:**

- Hold public hearing and receive testimony of Unmet Transit Needs.

**Responsible Staff: Dolores Lopez**

**11. TRANSPORTATION DEVELOPMENT ACT (TDA) LOCAL TRANSPORTATION FUND (LTF) DRAFT APPORTIONMENT FOR FISCAL YEAR 2022/2023 -PG.67**

**Recommended Action:**

- *Approve the Local Transportation Fund Draft Apportionment for Fiscal Year 2022/2023, apportioning \$52.1 million as shown in Attachment A.*

**Responsible Staff: Sally DeGeorge**

**12. LEGISLATIVE UPDATE-PG.75**

**Recommended Action:**

- *Receive and File.*

**Responsible Staff: Darrin Peschka**

**13. UPDATE ON TRANSIT INTEGRATION AND EFFICIENCY STUDY (TIES)-PG.83**

**Recommended Action:**

- *Receive Transit Integration and Efficiency Study (TIES) Update*

**Responsible Staff: Aaron Bonfilio**

**14. REQUEST FOR PROPOSALS FOR ZERO EMISSION BUS FLEET ROLLOUT PLAN (ZEB PLAN) -PG.85**

**Recommended Action:**

- *Authorize Release of Request for Proposals for the ZEB Plan.*

**Responsible Staff: Aaron Bonfilio**

**15. VCTC GENERAL COUNSEL'S REPORT:**

**16. AGENCY REPORTS:**

**Southern California Association of Governments (SCAG)**

Primary: Commissioner Mike Judge

**Southern California Regional Rail Authority (Metrolink-SCRRA)**

Primary: Vice-Chair Tony Trembley

Alternate: Daniel Chavez

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

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Jim White

**Coastal Rail Coordinating Council**

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Richard Rollins

**California Association of Councils of Governments**

Primary: Commissioner Carmen Ramirez

**California Vanpool Authority (CalVans)**

Primary: Commissioner Jim White

Alternate: Commissioner Lynn Edmonds

**17. ADJOURN to 9:00 a.m. Friday, MARCH 4, 2022**



**Item #9A**

**February 4, 2022**

**MEETING MINUTES OF DECEMBER 3, 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 9:07 A.M. Via-Zoom.

**PLEDGE OF ALLEGIANCE** was led by Commissioner Weirick.

**ROLL CALL/MEMBERS PRESENT:**

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

**ABSENT:**

Lynn Edmonds, City of Fillmore

**4. PUBLIC COMMENTS** – Public comments were made by Mr. Sandy Smith from the Ventura County Citizen's Traffic Relief and Ms. Miranda Patton, President of the American Council of Engineering Companies. They spoke in regards to moving forward with allowing voters to decide if they want to increase tax rate that would support improvements for infrastructure funding and ballot measure of a ½ cent increase in Ventura County.

**5. CALTRANS REPORT** - The Caltrans report was distributed via email to the Commission. Caltrans Director Tony Tavares gave the Caltrans report update to the commission.

**6. COMMISSIONERS REPORTS**- None.

**INTERIM EXECUTIVE DIRECTOR REPORT** – Mr. Watkins congratulated employees Dolores Lopez on her promotion as VCTC’s new transit planner and Andrew Kent on obtaining his professional transit planner certification. Mr. Watkins stated VCTC received the Budget Presentation Award from the Government Finance Office Association.

**7. ADDITIONS/REVISIONS** – None.

**8. CONSENT CALENDAR- Vice-Chair Trembley** made a motion to approve items **8A** through **8L**. The motion was seconded by **Commissioner Chavez** and passed by a roll call vote.

**Roll Call Vote:**

**Yes:** Vice-Chair Trembley, Commissioners Bill-de la Peña, Enegren, Huber, Johnson, Judge, MacDonald, Parks, Ramirez, White, Rollins,

**No:** None

**Abstain:** None

**Absent:** Edmonds

**8A. APPROVE MINUTES FROM NOVEMBER 5, 2021, VCTC MEETING**

**Recommendation:**

- Approve the summary minutes of NOVEMBER 5, 2021.

**8B. MONTHLY BUDGET REPORTS**

**Recommendation:**

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

**8C. ANNUAL COMPREHENSIVE FINANCIAL REPORT AND SINGLE AUDIT**

**Recommendation:**

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

**8D. FEDERAL TRANSIT ADMINISTRATION ELECTRONIC CLEARING HOUSE OPERATION REVIEW**

**Recommendation:**

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

**8E. FISCAL YEAR 2022/2023 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.

**8F. BUS AND RAIL RIDERSHIP AND PERFORMANCE MEASURES REPORT**

**Recommendation:**

Receive and File.

**8G. 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.

#### **8H. 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.

#### **8I. 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 1.2.b

#### **8J. INFRASTRUCTURE UPDATE**

##### **Recommendation:**

- Receive and file.

#### **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**

##### **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 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.

#### **8L. 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

#### **DISCUSSION CALENDAR:**

#### **9. 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.

A presentation was conducted by Martin Erickson and Mr. Chris Haskell, Metrolink senior manager, project management to the commission.

**Commissioner Huber** made a motion to approve item 9. The motion was seconded by **Commissioner Judge** and passed by a roll call vote.

##### **Roll Call Vote:**

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

**No:** None

**Abstain:** None

**Absent:** Edmonds

## **10. 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.

A presentation was given by Amanda Fagan to the commission. Ms. Fagan introduced Sierra Northern Railway president Ken Beard, vice-president Chris Hart and Mr. Robert Pinoli.

Public comment was made by Sierra Northern Railway president Ken Beard, vice-president Chris Hart and Mr. Robert Pinoli.

**Commissioner Sobel** made a motion to approve the Santa Branch Line Railroad Lease and Operations Agreement with amendments to the contract as recommended by staff. **Chair Long** seconded the motion.

A substitute motion was made by **Vice-Chair Trembley** and seconded by **Commissioner Johnson** to continue the item to the December 16, 2021, special board meeting for further consideration by the commission. The Commission approved considering the substitute motion on a 7 to 4 vote.

A substitute motion was made to defer item 10-Santa Paula Branch Line Railroad Lease and Operations Agreement for further consideration to the Special Board meeting of December 16, 2021.

Votes:

Yes: Commissioners Bill-de la Peña, Johnson, MacDonald, Parks, Rollins, White, and Vice-Chair Trembley

No: Commissioners Chavez, Enegren, Sobel and Chair Long.

## **11. U.S. DEPARTMENT OF LABOR DECISION REGARDING FEDERAL GRANTS FOR CALIFORNIA TRANSIT AGENCIES**

### **Recommendation:**

- Receive and file.

**The commission agreed to move item 11 for discussion and presentation to the next regular commission meeting.**

## **12. OXNARD HARBOR DISTRICT UPDATE**

### **Recommendation:**

- Receive and file.

CEO and Port Director, Kristin Decas gave an update to the commission regarding the Port of Hueneme.

## **13. VCTC GENERAL COUNSEL'S REPORT: Moved to next commission meeting.**



**14. AGENCY REPORTS: Moved to the next commission meeting.**

**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**

This closed session was cancelled and moved to next commission meeting.

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



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**Item #9B**

**February 4, 2022**

**MEETING MINUTES OF SPECIAL BOARD MEETING OF DECEMBER 16, 2021,  
VCTC COMMISSION MEETING**

**CALL TO ORDER:**

Vice-Chair Trembley called the regular meeting of the Ventura County Transportation Commission to order at 8:30 A.M. The special board meeting of December 16, 2021 took place in-person at Camarillo City Hall, 601 Carmen Drive, Camarillo, CA 93010.

**PLEDGE OF ALLEGIANCE** was led by Vice-Chair Trembley.

**ROLL CALL/MEMBERS PRESENT:**

Kelly Long, County of Ventura- arrival 8:42am  
Tony Trembley, City of Camarillo  
Claudia Bill-de la Peña, City of Thousand Oaks arrival 8:40am  
Daniel Chavez, Citizen Rep., Cities  
Lynn Edmonds, City of Fillmore  
Chris Enegren, City of Moorpark  
Mike Johnson, City of Ventura  
Mike Judge, City of Simi Valley  
Matt LaVere, County of Ventura  
Linda Parks, County of Ventura  
Carmen Ramirez, County of Ventura  
Richard Rollins, City of Port Hueneme  
Andy Sobel, City of Santa Paula  
Tony Tavares, Caltrans District 7  
William Weirick, City of Ojai  
Jim White, Citizen Rep., County

**ABSENT:**

Robert Huber, County of Ventura  
Bryan MacDonald, City of Oxnard

**3. PUBLIC COMMENTS** – There was public comment submitted verbally by Mr. Douglas L.R. Hauge regarding the Santa Paula – Fillmore Piru Railway Corridor.

#### **4. CLOSED SESSION –**

##### **A. PUBLIC EMPLOYMENT**

**(Pursuant to Government Code Section 54957)**

**Position: Executive Director**

##### **B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

**(Pursuant to Government Code Section 54956.8 Property: Santa Paula Branch Line Railroad Right of Way Negotiating Parties: VCTC and Sierra Northern: Price and Terms for Lease.**

The commission went into closed session at 8:35 A.M.

The commission reconvened at 12:59 P.M.

#### **DISCUSSION CALENDAR- 11:30 A.M. (RECONVENED AT 12:59 P.M)**

Chair Long stated there was nothing to report out of closed session at this time. Chair Long announced discussion item five, seven and eight would be moved to the next commission meeting of January 7, 2022.

#### **5. U.S DEPARTMENT OF LABOR DECISION REGARDING FEDERAL GRANTS FOR CALIFORNIA TRANSIT AGENCIES**

##### **Recommended Action:**

- Receive and file.

**Responsible Staff: Darrin Peschka and Peter De Haan**

Item moved to the next commission meeting of January 7, 2022.

#### **6. SANTA PAULA BRANCH LINE RAILROAD LEASE AND OPERATIONS AGREEMENT -ADDENDUM TO THE MEMO TO THE COMMISSION, DECEMBER 3, 2021**

##### **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.

Amanda Fagan gave a presentation to the commission regarding the Santa Paula Branch Line Railroad Lease and Operations Agreement.

Public Comment was submitted verbally by Sierra Northern Railway President Ken Beard, Vice President Chris Hart and staff Robert Pinoli regarding clarification to concerns expressed regarding the proposed Agreement between the Ventura County Transportation Commission and Sierra Northern Railway.

General Counsel Steve Mattas asked that the commission consider the lease as it's being presented in the special meeting agenda packet of December 16, 2021, with the changes that were shown in the hand-out that was shared with the commission to address and further amend section 2.3(b) to add the following factor after location identifying to state "and existing communities as defined in county regulations-including all incorporated areas. General Counsel Steve Mattas stated for the record Sierra Northern Railway has agreed to the amendment language change.

A motion was made by Commissioner Sobel to move to approve item 6, Santa Paula Branch Line Railroad Lease and Operations Agreement with amendments. Commissioner Judge seconded the motion. The motion passed by roll call vote as follows:

**Roll Call Vote:**

**Yes:** Commissioners Chavez, Enegren, Judge, LaVere, Parks, Ramirez, Rollins, Sobel, Weirick, White, Vice-Chair Trembley, Chair Long

**No:** Johnson

**Abstain:** None

**Absent:** Huber, MacDonald,

Commissioner Bill-de la Peña excused herself from the commission meeting at 1:20 P.M.

**7. VCTC GENERAL COUNSEL’S REPORT-** There were none.

**8. AGENCY REPORTS:**

Agency reports were moved to the next commission meeting of January 7, 2022.

**Southern California Association of Governments (SCAG)**

Primary: Commissioner Mike Judge

**Southern California Regional Rail Authority (Metrolink-SCRRA)**

Primary: Vice-Chair Tony Trembley

Alternate: Daniel Chavez

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

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Jim White

**Coastal Rail Coordinating Council**

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Richard Rollins

**California Association of Councils of Government**

Primary: Commissioner Carmen Ramirez

**California Vanpool Authority (CalVans)**

Primary: Commissioner Jim White

Alternate: Commissioner Lynn Edmonds

**9. The special meeting was adjourned at 1:59 P.M. The next commission meeting is scheduled to 9:00 a.m. Friday, January 7, 2022**



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Item #9C

February 4, 2022

**MEETING MINUTES OF JANUARY 7, 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 9:00 A.M. Via-Zoom.

**PLEDGE OF ALLEGIANCE** was led by Commissioner Chavez.

**ROLL CALL/MEMBERS PRESENT:**

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

**4. PUBLIC COMMENTS-** There were no public comments.

**5. CALTRANS REPORT-** District Director Tony Tavares gave an update report regarding Caltrans projects in Ventura County and noted the Complete Streets Policy was released in December. Mr. Tavares informed the commission Secretary of the California State Transportation Agency, David Kim would be stepping down from his position effective January 14, Undersecretary Ms. Elissa Konove would be stepping in, to function as the secretary until the governor appoints a new Secretary of the California State Transportation Agency. Mr.

Tavares also informed the commission the governor has appointed Mr. Michael Keever as Caltrans Chief Deputy Director.

**6. COMMISSIONERS/INTERIM EXECUTIVE DIRECTOR REPORT** - Commissioner MacDonald informed the commission of his recent appointment as Gold Coast Transit District Chair and stated Commissioner LaVere has been appointed Vice-Chair for calendar year 2022.

Interim Executive Director Mark Watkins reported that starting next week the Comprehensive Transportation Plan Update would be doing community outreach that would entail a community walk audit of the neighborhoods. He also stated the emergency roadside program callboxes are being updated from 3G to 4G technology.

**7. ADDITIONS/REVISIONS** – None.

**8. CONSENT CALENDAR- Commissioner Chavez** made a motion to approve items **8A thru 8D**. The motion was seconded by **Commissioner Edmonds** and passed by a roll call vote.

**Roll Call Vote:**

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

**No:** None

**Abstain:** None

**Absent:** None

**8A. MONTHLY BUDGET REPORT**

**Recommendation:**

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

**8B. ONE YEAR EXTENSION OF SURFACE TRANSPORTATION PROGRAM (STP) LOANS WITH ORANGE AND SAN BERNARDINO COUNTIES**

**Recommendation:**

- Extend by one year, to Fiscal Year 2022/23, the repayment of \$15.11 million of STP apportionment funds loaned to the Orange County Transportation Authority (OCTA) and \$14.3 million of STP apportionment funds loaned to the San Bernardino County Transportation Authority (SBCTA).

**8C. CONTRACT FOR PROFESSIONAL SERVICES FOR GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STANDARD 87, LEASES**

**Recommendation:**

- Approve the contract for Professional Services (Attachment 1) for GASB 87, Lease with Eide Bailly, LLP, for an amount not to exceed \$46,000.
- Amend the operations budget to move \$9,000 from miscellaneous line item to the audits and actuary line item.

**8D. 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 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.

## **DISCUSSION CALENDAR:**

### **9. EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT WITH MARTIN ERICKSON**

#### **Recommendation:**

- It is recommended that the Ventura County Transportation Commission ("Commission") approve a resolution approving an employment agreement between the Commission and Martin Erickson to serve as Executive Director of VCTC and its related agencies and authorizing Chairperson Long to execute the Agreement.

Mark Watkins updated the Commissioners and went thru a brief timeline of the executive director recruitment process. Mr. Watkins announced the selected new executive director for VCTC was Mr. Martin Erickson. General Counsel Steve Mattas went through the negotiations and contract language that was being presented to the commissioners regarding the new executive director Martin Erickson employment agreement with VCTC.

New executive director Martin Erickson stated he was honored and excited and thanked the commission for this opportunity to continue to build on VCTC's success and assist the commission in carrying out its vision and policy objectives. Mr. Erickson stated he was grateful to be able to lead and continue to work with VCTC's amazing staff who will assist Mr. Erickson in this new endeavor.

Chair Long along with the commission congratulated VCTC's new executive director Martin Erickson.

The commission thanked Mark Watkins for leading VCTC as the interim executive director during these past four months during which VCTC went thru the recruitment process to fill the full-time executive director position.

Chair Long stated the last day for interim executive director Mark Watkins would be Saturday, January 15, 2022, and new executive director Martin Erickson would start in his new role effective Sunday, January 16, 2022.

**Commissioner Ramirez** made a motion to approve item 9. The motion was seconded by **Commissioner Huber** and passed by a roll call vote.

#### **Roll Call Vote:**

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

**No:** None

**Abstain:** None

**Absent:** None

### **10. U.S. DEPARTMENT OF LABOR DECISION REGARDING FEDERAL GRANTS FOR CALIFORNIA TRANSIT AGENCIES**

#### **Recommendation:**

- Receive and file.

**Commissioner Weirick** made a motion to approve item 10. The motion was seconded by **Commissioner Johnson** and passed by a roll call vote.

#### **Roll Call Vote:**

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

**No:** None

**Abstain:** None

**Absent:** None

## **11. ONE-TIME PROGRAM TO FUND LOCAL STREETS AND ROADS PROJECTS**

### **Recommended Action:**

- Approve projects recommended by the Transportation Technical Advisory Committee (TTAC) as shown on the attached list, in amounts totaling \$7,739,750 in unprogrammed Coronavirus Response & Relief Supplemental Appropriation (CRRSA) Act funds and \$3,175,917 in unprogrammed Highway Infrastructure Program (HIP) funds, for a total of \$10,915,667, with the caveat that VCTC staff may move funds between categories if required to facilitate delivery and avoid a lapse of funds.

**Commissioner Chavez** made a motion to approve item 11. The motion was seconded by **Commissioner Huber** and passed by a roll call vote.

### **Roll Call Vote:**

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

**No:** None

**Abstain:** None

**Absent:** None

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

## **13. AGENCY REPORTS:**

### **Southern California Association of Governments (SCAG)**

Primary: Commissioner Mike Judge

**Commissioner Judge** stated SCAG concluded its Traffic Safety Studies. SCAG and would be submitting to regional council at next month's meeting its zero fatalities as their ultimate goals.

### **Southern California Regional Rail Authority (Metrolink-SCRRRA)**

Primary: Vice-Chair Tony Trembley

Alternate: Daniel Chavez

**Vice-Chair Trembley** reported he along with Commissioner Chavez attended Metrolink's combined board meeting and workshop in Los Angeles on December 10. At the board meeting Vice-Chair Trembley reported the board approved a contract extension and increased the funding authorization for the Los Angeles County Sheriff's department to continue to provide security on the Metrolink line.

Vice-Chair Trembley also reported other items that were discussed at the Metrolink workshop included safety & suicide prevention, rail to zero emission and ridership recovery efforts.

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

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Jim White

**Commissioner MacDonald** attended a short LOSSAN special meeting, next regular meeting would be January 13, 2022.

### **Coastal Rail Coordinating Council**

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Richard Rollins

None.

**California Association of Councils of Governments**

Primary: Commissioner Carmen Ramirez

No updates. Next meeting will take place on January 14, 2022.

**California Vanpool Authority (CalVans)**

Primary: Commissioner Jim White

Alternate: Commissioner Lynn Edmonds

Commissioner White stated CalVans has forty-seven vehicles out through the agricultural world which he is excited to see having less cars on the road. Commissioner White reported CalVans continues to focus on driver education in driver safety while operating CalVans vehicles. CalVans is currently looking at ways to improve the website regarding easier accessibility to information about the CalVans programs.

**14. ADJOURN to 9:00 a.m. Friday, February 4, 2022**



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Item #9D

February 4, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: SALLY DEGEORGE, FINANCE DIRECTOR**

**SUBJECT: MONTHLY BUDGET REPORT**

**RECOMMENDATION:**

- Receive and file the monthly budget report for December 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 December 31, 2021, budget report indicates that the revenues were approximately 32.35% of the adopted budget while expenditures were approximately 24.14% 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 DECEMBER 31, 2021**

**Assets and Deferred Outflows**

Cash and Investments	\$ 54,578,844
Receivables/Due from other funds	2,822,264
Prepays and Deposits	391,555
Capital Assets, undepreciated	26,329,395
Capital Assets, depreciated, net	32,669,510
Deferred Outflows	1,948,045
<b>Total Assets and Deferred Outflows</b>	<b><u>\$ 118,739,613</u></b>

**LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE**

**Liabilities and Deferred Inflows:**

Accrued Expenses and Due to Other	\$ 3,091,356
Deferred Revenue	3,582,323
Deposits	67,059
Accrued Vacation	226,041
Pension Liability	2,406,909
OPEB Liability	334,163
Deferred Inflows	274,655
<b>Total Liabilities and Deferred Inflows:</b>	<b><u>\$ 9,982,506</u></b>

**Net Position:**

Invested in Capital Assets	\$ 58,998,906
Fund Balance	49,758,201
<b>Total Net Position</b>	<b><u>\$ 108,757,107</u></b>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**  
**FOR THE SIX MONTHS ENDED DECEMBER 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 to Actual	% Year
<b>Revenues</b>												
Federal Revenues	\$ 2,113,536	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	3,001,686	\$ 442,595	\$ 5,557,817	\$ 27,010,019	(21,452,202)	20.58
State Revenues	284,192	14,972,740	1,707,953	638,609	473,385	0	0	0	18,076,879	47,755,731	(29,678,852)	37.85
Local Revenues	86,421	0	0	0	0	289,972	168,419	970,507	1,515,319	3,039,990	(1,524,671)	49.85
Other Revenues	1,879	0	0	60	0	0	60,201	0	62,140	3,790	58,350	1,639.58
Interest	1,712	6,788	9,720	2,970	3,353	0	200	110	24,853	206,000	(181,147)	12.06
<b>Total Revenues</b>	<b>2,487,740</b>	<b>14,979,528</b>	<b>1,717,673</b>	<b>641,639</b>	<b>476,738</b>	<b>289,972</b>	<b>3,230,506</b>	<b>1,413,212</b>	<b>25,237,008</b>	<b>78,015,530</b>	<b>(52,778,522)</b>	<b>32.35</b>
<b>Expenditures</b>												
<b>Administration</b>												
Personnel Expenditures	1,495,692	0	0	0	0	0	106,507	23,272	1,625,471	4,033,950	(2,408,479)	40.29
Legal Services	23,248	0	0	0	0	0	0	0	23,248	40,000	(16,752)	58.12
Professional Services	63,729	0	0	0	0	0	0	0	63,729	155,600	(91,871)	40.96
Office Leases	94,098	0	0	0	0	0	0	0	94,098	189,400	(95,302)	49.68
Office Expenditures	409,885	0	0	0	0	0	63,787	13,938	487,610	633,800	(146,190)	76.93
<b>Total Administration</b>	<b>2,086,652</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>170,294</b>	<b>37,210</b>	<b>2,294,156</b>	<b>5,052,750</b>	<b>(2,758,594)</b>	<b>45.40</b>
<b>Programs and Projects</b>												
<b>Transit and Transportation Program</b>												
Regional Transit Technology	43,906	0	0	0	0	0	0	0	43,906	721,200	(677,294)	6.09
Senior-Disabled Transportation	154,791	0	0	0	0	0	0	0	154,791	401,500	(246,709)	38.55
VCTC Intercity Bus Services	0	0	0	0	0	0	3,530,892	0	3,530,892	11,491,790	(7,960,898)	30.73
Valley Express Bus Services	0	0	0	0	0	0	0	510,165	510,165	1,962,300	(1,452,135)	26.00
Transit Grant Administration	349,251	0	0	0	0	0	0	0	349,251	9,968,180	(9,618,929)	3.50
<b>Total Transit and Transportation</b>	<b>547,948</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,530,892</b>	<b>510,165</b>	<b>4,589,005</b>	<b>24,544,970</b>	<b>(19,955,965)</b>	<b>18.70</b>
<b>Highway Program</b>												
Motorist Aid Services	0	0	0	1,617,432	0	0	0	0	1,617,432	3,065,266	(1,447,834)	52.77
Highway Program Management	908,469	0	0	0	0	0	0	0	908,469	5,249,557	(4,341,088)	17.31
<b>Total Highway</b>	<b>908,469</b>	<b>0</b>	<b>0</b>	<b>1,617,432</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,525,901</b>	<b>8,314,823</b>	<b>(5,788,922)</b>	<b>30.38</b>

For Management Reporting Purposes Only



**VENTURA COUNTY TRANSPORTATION COMMISSION  
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
FOR THE SIX MONTHS ENDED DECEMBER 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 to Actual	% Year
<b>Rail Program</b>												
Metrolink and Commuter Rail	2,880,556	0	0	0	0	0	0	0	2,880,556	15,203,696	(12,323,140)	18.95
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	152,855	0	0	152,855	531,500	(378,645)	28.76
<b>Total Rail</b>	<b>2,883,056</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>152,855</b>	<b>0</b>	<b>0</b>	<b>3,035,911</b>	<b>15,746,996</b>	<b>(12,711,085)</b>	<b>19.28</b>
<b>Commuter Assistance Program</b>												
Reg Transit Information Center	1,222	0	0	0	0	0	0	0	1,222	37,400	(36,178)	3.27
Rideshare Programs	107,264	0	0	0	0	0	0	0	107,264	328,900	(221,636)	32.61
<b>Total Commuter Assistance</b>	<b>108,486</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>108,486</b>	<b>366,300</b>	<b>(257,814)</b>	<b>29.62</b>
<b>Planning and Programming</b>												
TDA Administration	0	7,627,399	276,753	0	18,037	0	0	0	7,922,189	30,495,259	(22,573,070)	25.98
Transportation Programming	2,291	0	0	0	0	0	0	0	2,291	21,300	(19,009)	10.76
Regional Transportation Planning	114,315	0	0	0	0	0	0	0	114,315	660,084	(545,769)	17.32
Airport Land Use Commission	0	0	0	0	0	0	0	0	0	18,500	(18,500)	0.00
Regional Transit Planning	199,139	0	0	0	0	0	0	0	199,139	1,210,200	(1,011,061)	16.46
<b>Total Planning and Programming</b>	<b>315,745</b>	<b>7,627,399</b>	<b>276,753</b>	<b>0</b>	<b>18,037</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,237,934</b>	<b>32,405,343</b>	<b>(24,167,409)</b>	<b>25.42</b>
<b>General Government</b>												
Community Outreach	53,371	0	0	0	0	0	0	0	53,371	207,400	(154,029)	25.73
State and Federal Relations	52,530	0	0	0	0	0	0	0	52,530	106,750	(54,220)	49.21
Management and Administration	77,926	0	0	0	0	0	0	0	77,926	158,900	(80,974)	49.04
<b>Total General Government</b>	<b>183,827</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>183,827</b>	<b>473,050</b>	<b>(289,223)</b>	<b>38.86</b>
<b>Total Expenditures</b>	<b>7,034,183</b>	<b>7,627,399</b>	<b>276,753</b>	<b>1,617,432</b>	<b>18,037</b>	<b>152,855</b>	<b>3,701,186</b>	<b>547,375</b>	<b>20,975,220</b>	<b>86,904,232</b>	<b>(65,929,012)</b>	<b>24.14</b>

For Management Reporting Purposes Only

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

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley	Fund		Variance to	
	Fund Actual	Actual	Actual	Actual	Actual	Actual Intercity Actual	Express Actual		Totals	Budgeted	Actual	% Year
Revenues over (under) expenditures	(4,546,443)	7,352,129	1,440,920	(975,793)	458,701	137,117	(470,680)	865,837	4,261,788	(8,888,702)	13,150,490	(47.95)
<b>Other Financing Sources</b>												
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	661,107	0	0	0	0	0	0	0	661,107	2,918,563	(2,257,456)	22.65
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	18,076	0	0	0	0	0	0	0	18,076	66,600	(48,524)	27.14
Transfers Into GF From SPBL	62,529	0	0	0	0	0	0	0	62,529	167,900	(105,371)	37.24
Transfers Into SPBL From STA	0	0	0	0	0	0	0	0	0	327,100	(327,100)	0.00
Transfers Into VI From STA	0	0	0	0	0	0	648,809	0	648,809	3,306,775	(2,657,966)	19.62
Transfers Out of LTF Into GF	0	(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	(661,107)	0	0	0	0	0	(661,107)	(2,918,563)	2,257,456	22.65
Transfers Out of STA Into SPBL	0	0	0	0	0	0	0	0	0	(327,100)	327,100	0.00
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	(18,076)	0	0	0	0	(18,076)	(66,600)	48,524	27.14
Transfers Out of SPBL Into GF	0	0	0	0	0	(62,529)	0	0	(62,529)	(167,900)	105,371	37.24
Transfers Out of SGR Into GF	0	0	0	0	0	0	0	0	0	(6,285,557)	6,285,557	0.00
<b>Total Other Financing Sources</b>	<b>3,942,950</b>	<b>(3,201,238)</b>	<b>(1,309,916)</b>	<b>(18,076)</b>	<b>0</b>	<b>(62,529)</b>	<b>648,809</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00</b>
<b>Net Change in Fund Balances</b>	<b>(603,493)</b>	<b>4,150,891</b>	<b>131,004</b>	<b>(993,869)</b>	<b>458,701</b>	<b>74,588</b>	<b>178,129</b>	<b>865,837</b>	<b>4,261,788</b>	<b>(8,888,702)</b>	<b>13,150,490</b>	<b>(47.95)</b>
<b>Beginning Fund Balance w/o capital assets</b>	<b>3,611,690</b>	<b>15,177,134</b>	<b>17,598,320</b>	<b>4,994,852</b>	<b>5,183,759</b>	<b>25,367</b>	<b>199,014</b>	<b>0</b>	<b>46,790,136</b>	<b>33,572,663</b>	<b>13,217,473</b>	<b>139.37</b>
<b>Long-term Pension/OPEB/Vacation Adjustment*</b>	<b>(1,195,482)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(98,241)</b>	<b>0</b>	<b>(1,293,723)</b>	<b>0</b>	<b>(1,293,723)</b>	<b>0.00</b>
<b>Ending Fund Balance</b>	<b>\$ 1,812,715</b>	<b>\$ 19,328,025</b>	<b>\$ 17,729,324</b>	<b>\$ 4,000,983</b>	<b>\$ 5,642,460</b>	<b>\$ 99,955</b>	<b>\$ 278,902</b>	<b>\$ 865,837</b>	<b>\$ 49,758,201</b>	<b>\$ 24,683,961</b>	<b>\$ 25,074,240</b>	<b>201.58</b>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION  
INVESTMENT REPORT  
AS OF DECEMBER 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.

<b>Institution</b>	<b>Investment Type</b>	<b>Maturity Date</b>	<b>Interest to Date</b>	<b>Rate</b>	<b>Balance</b>
Wells Fargo	Government Checking	N/A	EAC only	EAC only	\$638,723.17
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%	45,306,396.61
VCCF Bike Fund	Investment	N/A	annually	annually	14,393.70
<b>Total</b>			<b>\$24,853.01</b>		<b>\$54,625,323.27</b>

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 #9E

February 4, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: PETER DE HAAN, PRORAMMING DIRECTOR**  
**SUBJECT: SECTION 13(c) LABOR AGREEMENT**

**RECOMMENDATION:**

- Approve the attached Agreement with the Service Employees International Union (SEIU), Local 721, as required for VCTC's Fiscal Year 2021/22 federal transit grant applications with the Federal Transit Administration.

**BACKGROUND:**

VCTC staff will be filing grant applications with the Federal Transit Administration (FTA) to fund VCTC's FY 2021/22 federal transit projects and other local agency projects. As with all federal transit grant applications, we are required to enter into a U.S. Department of Labor certified agreement, commonly referred to as Section 13(c), with the SEIU which represents both Gold Coast Transit and Simi Valley Transit employees. Federal law requires that VCTC protect the jobs of union represented public transit workers and ensure that transit employees be compensated if jobs are lost as a direct result of proposed projects. Specifically, the federal government requires that the protective arrangements include:

- Preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements;
- Continuation of collective bargaining rights;
- Protection of individual employees against worsening of their positions with respect to their employment;
- Assurances of employment and priority of re-employment;
- Paid training or re-training programs.

These protective arrangements are included in the proposed Agreement (attached). The Agreement is identical to the Agreement approved by the Commission for all previous grant applications over the past years.

VCTC staff's analysis indicates that none of the projects to be included in the grant application pose a risk to either Gold Coast Transit or Simi Valley Transit employees. All projects to be included in the grant applications are in VCTC's FY 2021/22 Program of Projects (POP), which was approved by the Commission on September 10, 2021.

**AGREEMENT PURSUANT TO SECTION 13 (C) OF THE URBAN MASS  
TRANSPORTATION ACT OF 1964, AS AMENDED**

WHEREAS, the Ventura County Transportation Commission (“Public Body”), has filed applications under the Urban Mass Transportation Act of 1964, as amended (“Act”), to contract for new public transportation services on a demonstration basis, as more fully described in the project applications (“Project”); and

WHEREAS, the Public Body’s Project services will operate in the vicinity and service area of the regular mass transit route carriers named in Appendix “A” attached hereto, whose potentially affected employees are employed by Gold Coast Transit and the City of Simi Valley, and represented by the Service Employees International Union, AFL-CIO, CLC, Local 721 (“Union”); and

WHEREAS, Sections 3(a), (4), 9(e)(1) and 13 (c) of the Act require, as a condition of any such assistance, that suitable fair and equitable arrangements be made to protect urban mass transportation industry employees affected by such assistance and

WHEREAS, the parties have agreed upon the following arrangements as fair and equitable;

NOW, THEREFORE, it is agreed that the following terms and conditions shall apply and shall be specified in any contract governing such federal assistance to the Public Body;

(1) The Project shall be carried out in such a manner and upon such terms and conditions as will not adversely affect the employees represented by the Union. It shall be an obligation of the Public Body and any other legally responsible party designated by the Public Body to ensure that any and all transportation services assisted by the Project are contracted for and operated in such a manner that they do not impair the rights and interests of the employees represented by the Union. The term “Project”, as used in this Agreement, shall not be limited to the particular facility, service, or operation assisted by federal funds, but shall include any changes, whether organizational, operational, technological, or otherwise, which are a result of the assistance provided. The phrase “as a result of the Project” shall, when used in this Agreement, include events occurring in anticipation of, during, and subsequent to the Project including any project which follows this project and any program of efficiencies or economies related thereto or traceable to the assistance provided and shall also include requirements relative to the federal program of assistance under the Act generally which are or may be imposed by or on behalf of the United States Government or any department or agency thereof; provided, however, that the volume rises and falls of business, or changes in volume or character of employment brought about solely by causes other than the Project (including any economies or efficiencies unrelated to the Project) are not within the purview of this Agreement.

The parties agree that the first two sentences of the preceding paragraph shall be interpreted in accordance with the U.S. Department of Labor's Rural Transportation Employees Protection Guidebook, pp. 5-6 (1979), which reads as follows:

The first two sentences of this section express the general requirement that employee rights and interest be protected from effects of a Project. Initially, this means that Recipients and any other legally responsible party in designing and implementing a Project must consider the effects a project may have on employees and attempt to minimize any adverse effects. If objectives can be met without adversely affecting employees it is expected that adverse effects will be avoided. In the context of particular Project events, this paragraph is to be read in conjunction with other provisions or the Warranty. It thereby serves to emphasize the specific statutory requirements that employees be protected against a worsening of their employment conditions, and receive offsetting benefits to make them "whole" when unavoidable impacts occur.

(2)(a) The Public Body or legally responsible party shall provide to the unions representing the employees affected thereby sixty (60) days' notice of intended actions which may result in displacements or dismissals or rearrangement of the working forces. Such notice shall be provided by certified mail to the Union representatives of such employees. The notice shall contain a full and adequate statement of the proposed changes, and the number and classifications of any jobs in the Public Body's employment or the employment of Gold Coast Transit or the City of Simi Valley, or otherwise within its member jurisdictions and/or control, available to be filled by such affected employees.

(2)(b) At the request of either the Public Body or the representatives of such employees, negotiations for the purposes of reaching agreement with respect to the application of the terms and conditions of this Agreement shall commence immediately. If no agreement is reached within twenty (20) days from the commencement of negotiations, any party to the dispute may submit the matter to dispute settlement procedures in accordance with paragraph (4) of this Agreement. The foregoing procedures shall be complied with and carried out prior to the institution of the intended action.

(3) For the purpose of providing the statutory required protection, including those specifically mandated by Section 13(c) of the Act<sup>1</sup>, the Public Body agrees to be bound

<sup>1</sup> Such protective arrangement shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements or otherwise; (2) the continuation of collective bargaining rights; (3) the protection of individual employees against a worsening of their positions with respect to their employment; (4) assurances of employment to employees of acquired mass transportation systems and priority of reemployment of employees terminated or laid off; and (5) paid training and retraining programs. Such arrangement shall include provisions protecting individual employees against a worsening of their positions with respect to their employment which shall in no event provide benefits less than those established pursuant to Section 5(2) (f) of the Act of February 4, 1987 (24 Stat. 379), as



by this Agreement, including those terms and conditions of Appendix C-1 which are attached hereto as Appendix "B."

(4)(a) Any dispute or controversy arising regarding the Application, interpretation, or enforcement of any of the provisions of this Agreement which cannot be settled by and between the parties at interest within thirty (30) days after the dispute or controversy first arises, may be submitted at the written request of the Public Body, or other party at interest, or the Union to a board of arbitration to be selected as hereinafter provided. One arbitrator is to be chosen by each interested party, and the arbitrators thus selected shall endeavor to select a neutral arbitrator who shall serve as chairman. Each party shall appoint its arbitrator within five (5) days after notice of submission to arbitration has been given. Should the arbitrators selected by the parties be unable to agree upon the selection of the neutral arbitrator within ten (10) days after notice of submission to arbitration has been given, then the arbitrator selected by any party may request the American Arbitration Association to furnish, from among members of the National Academy of Arbitrators who are then available to serve, five (5) arbitrators from which the neutral arbitrator shall be selected. The arbitrators appointed by the parties shall, within five (5) days after the receipt of such list, determine by lot the order of elimination and thereafter each shall, in that order, alternately eliminate one name until only one name remains. The remaining person on the list shall be the neutral arbitrator. If any party fails to select its arbitrator within the prescribed time limit, the highest officer of the Union or of the Public Body, or other party at interest, or their nominees, as the case may be, shall be deemed to be the selected arbitrator, and the board of arbitration shall then function and its decision shall have the same force and effect as though all parties had selected their arbitrators. The board of arbitration shall meet within fifteen (15) days after the selection or appointment of the neutral arbitrator and shall render its decision within forty-five (45) days after the hearing of the dispute has been concluded and the record closed. Awards made pursuant to said arbitration may include full back pay and allowances to employee-claimants and such other remedies as may be deemed appropriate and equitable. In a two-party arbitration, the decision by majority vote of the arbitration board shall be final and binding as the decision of the arbitration board, otherwise, in arbitrations of more than two parties at interest, the decision shall be that of the impartial arbitrator. The salaries and expenses for the impartial arbitrator shall be borne equally by the parties to the proceedings, and other expenses shall be paid by the party incurring them. All conditions of the Agreement shall continue to be effective during the arbitration proceedings.

(4)(b) In the event of any dispute as to whether or not a particular employee was negatively affected by the Project, it shall be the employee's obligation to identify the Project and specify the pertinent facts of the Project relied upon. It shall then be the burden of the Public Body, or other party legally responsible for the application of these conditions, to prove that factors other than the Project affected the employee. The claiming employee shall prevail if it is established that the Project had an effect upon the

amended, currently codified at Title 49 U.S.C. §11326 (formerly codified at 49 U.S.C. §11347).

employee even if other factors may also have affected the employee (Hodson's Affidavit in Civil Action No. 825-71). amended, currently codified at 49 U.S.C. §11326 (formerly codified at 49 U.S.C. § 11347).

(5) The Public Body, or other legally responsible party designated by the public Body, will be financially responsible for the application of these conditions and will make the necessary arrangements so that any employee covered by these arrangements, or the union representative of such employees, may file a claim alleging a violation of these arrangements with the Public Body within sixty (60) days of the date the employee is terminated or laid off as a result of the Project, or within eighteen (18) months of the date the employee's position with respect to his or her employment is otherwise worsened as a result of the Project. In the latter case, if the events giving rise to the claim have occurred over an extended period, the 18-month limitations shall be measured from the last such event. No benefits shall be payable for any period prior to six (6) months from the date of the filing of any claim.

(6) Nothing in this Agreement shall be construed as depriving any employee of any rights or benefits which such employee may have under existing employment or collective bargaining agreements, nor shall this Agreement be deemed a waiver of any rights of any union or of any represented employee derived from any other agreement or provision of federal, state or local law, nor shall anything in this Agreement be construed as preventing the continuation of collective bargaining rights..

(7) In the event any employee covered by these arrangements is terminated or laid off as a result of the Project, the employee shall be granted priority of employment or reemployment to fill any vacant position within the jurisdictions and/or control of the Public Body for which the employee is, or by training or retraining within a reasonable period can become, qualified. In the event training or retraining is required by such employment or reemployment, the Public Body, or other legally responsible party designated by the Public Body, shall provide for such training or retraining at no cost to the employee.

(8) In the event that the Public Body acquires any public transportation system in connection with the Project, any employee of such acquired transportation system shall be assured employment.

(9) This Agreement shall be binding upon the successors and assigns of the parties hereto, and no provisions, terms, or obligations herein contained shall be affected, modified, altered or changed in any respect whatsoever by reason of the arrangements made by or for the Public Body to manage and operate the system or administer the contract for that purpose.

Any person, enterprise, body, or agency, whether publicly or privately owned, which shall undertake the management, provision and/or operation of the system, or any part or portion thereof, or any mass transportation in the urbanized area of the Project under contractual arrangements of any form with the Public Body, its successors or assigns,

shall agree, and as a condition precedent to such contractual arrangements, the Public Body, its successors or assigns, shall require such person, enterprise, body, or agency to agree to abide by the terms of this Agreement.

(10) Any other union which is the collective bargaining representative of urban mass transportation employees in the service area of the Public Body who may be affected by the assistance to the Public Body within the meaning of 49 U.S.C. §1609(c) other than those employed by a service contractor of the Public Body and working on the system, may become a party to this Agreement, by serving written notice of its desire to do so upon the other union representatives of the employees affected by the Project, the Public Body, and the Secretary of Labor. In the event of any disagreement that such labor organizations should become a party of this Agreement, then the dispute as to whether such labor organization shall participate shall be determined by the Secretary of Labor.

(11) In the event the Project is approved for assistance under the Act, the foregoing terms and conditions shall be made part of the contract of assistance between the federal government and the Public Body or Recipient of federal funds; provided, however, that the arrangement shall not merge into the contract of assistance, but shall be independently binding and enforceable by and upon the parties thereto, and by any covered employee or the employee's representative, in accordance with its terms, nor shall any other employee protective agreement or collective bargaining agreement merge into this arrangement, but each shall be independently binding and enforceable by and upon the parties thereto, in accordance with its terms.

(12) This protective agreement/arrangement shall be effective and in full force according to its terms from year to year during the period of the Federal Contract of Assistance and/or thereafter, for as long as necessary to satisfy its intended purpose to protect potentially affected employees from the impact of Federal assistance.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement by their duly authorized representatives this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**VENTURA COUNTY TRANSPORTATION COMMISSION**

By \_\_\_\_\_ Date: \_\_\_\_\_  
Tony Trembley, Chair

**APPROVED AS TO FORM:**

By \_\_\_\_\_ Date: \_\_\_\_\_  
Steven T. Mattas, General Counsel

**SERVICE EMPLOYEES INTERNATIONAL UNION,  
CTW, CLC LOCAL 721**

By \_\_\_\_\_  
Danny Carrillo

Date: \_\_\_\_\_

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## APPENDIX “A”

### Carrier

Gold Coast Transit  
City of Simi Valley

### Union

SEIU Local 721  
SEIU Local 721

## **Appendix “B”**

### **EMPLOYEE PROTECTIONS DIGEST**

#### **APPENDIX C-1**

The scope and purpose of this Appendix are to provide, pursuant to section 405 of the Act, for fair and equitable arrangements to protect the interests of employees of Railroads affected by discontinuances of Intercity Rail Passenger Service subject to section 405 of the Act; therefore, fluctuations and changes in volume or character of employment brought about by other causes are not within the purview of this Appendix.

#### **ARTICLE I**

1. DEFINITIONS – The definitions in Article I of the Agreement and in the Act apply in this Appendix and in the event of conflict in definitions, those in the Act shall be controlling. In addition, whenever used in this Appendix, unless its context requires otherwise:
  - (a) “Transaction” means a discontinuance of Intercity Rail Passenger Service pursuant to the provisions of the Act.
  - (b) “Displaced employee” means an employee of Railroad who, as a result of a transaction is placed in a worse position with respect to his compensation and rules governing his working conditions, unless changed by future collective bargaining agreements or applicable statutes.
  - (c) “Dismissed employee” means an employee of Railroad who, as a result of a transaction is deprived of employment with Railroad because of the abolition of his position or the loss thereof as the result of the exercise of seniority rights by an employee whose position is abolished as a result of a transaction.
  - (d) “Protective period” means that period of time during which a displaced or dismissed employee is to be provided protection hereunder and extends from the date on which an employee is displaced or dismissed to the expiration of 6 years therefrom, provided, however, that the protective period for any particular employee shall not continue for a longer period following the date he was displaced or dismissed than the period during which such employee was in the employ of Railroad prior to the date of his displacement or his dismissal. For purposes of this Appendix, an employee’s length of service shall be determined in accordance with the

provisions of section 7 (b) of the Washington Job Protection Agreement of May, 1936.

2. The rates of pay, rules, working conditions and all collective bargaining and other rights, privileges and benefits (including continuation of pension rights and benefits) of Railroad's employees under applicable laws and/or existing collective bargaining agreements or otherwise shall be preserved unless changed by future collective bargaining agreements or applicable statutes.
3. Nothing in this Appendix shall be construed as depriving any employee of any rights or benefits or eliminating any obligations which such employee may have under any existing job security or other protective conditions or arrangements; provided, that there shall be no duplication or pyramiding of benefits to any employees, and, provided further, that the benefits under this Appendix, or any other arrangement, shall be construed to include the conditions, responsibilities and obligations accompanying such benefits.
4. When Railroad contemplates a transaction after May 1, 1971, it shall give at least twenty (20) days written notice of such intended transaction by posting a notice on bulletin boards convenient to the interested employees of Railroad (including terminal companies and other enterprises covered by Article III of this Appendix) and by sending registered mail notice to the representatives of such interested employees; if Railroad contemplates a transaction on May 1, 1971 it shall give the notice as soon as possible after the signing of this Agreement, prior to May 1, 1971. Such notice shall contain a full and adequate statement of the proposed changes to be effected by such transaction, including an estimate of the number of employees of each class affected by the intended changes.

At the request of either Railroad or representatives of such interested employees, negotiations for the purpose of reaching agreement with respect to application of the terms and conditions of this Appendix shall commence immediately and continue for not more than twenty (20) days from the date of notice. Each transaction which will result in a dismissal or displacement of employees or rearrangement of forces, shall provide for the selection of forces from all employees involved on basis accepted as appropriate for application in the particular case and any assignment of employees made necessary by the transaction shall be made on the basis of an agreement or decision under this section 4. If at the end of the twenty (20) day period there is a failure to agree, the negotiations shall terminate and either party to the dispute may submit it for adjustment in accordance with the following procedures:

- (a) Within five (5) days from the termination of negotiations, the parties shall select a neutral referee and in the event they are unable to agree within said five (5) days upon the selection of said referee, then the National Mediation Board shall immediately appoint a referee.

- (b) No later than twenty (20) days after a referee has been designated a hearing on the dispute shall commence.
- (c) The decision of the referee shall be final, binding, and conclusive and shall be rendered within thirty (30) days from the commencement of the hearing of the dispute.
- (d) The salary and expenses of the referee shall be borne equally by the parties to the proceeding; all other expenses shall be paid by the party incurring them.

Notwithstanding any of the foregoing provisions of this section, at the completion of the twenty (20) day notice period or on May 1, 1971, as the case may be, Railroad may proceed with the transaction, provided that all employees affected (displaced, dismissed, rearranged, etc.) shall be provided with all the rights and benefits of this Appendix from the time they are affected through to expiration of the seventy-fifth (75<sup>th</sup>) day following the date of notice of the intended transaction. This protection shall be in addition to the protection period defined in Article I, Paragraph (d). If the above proceeding results in displacement, dismissal, rearrangement, etc. other than as provided by Railroad at the time of the transaction pending the outcome of such proceedings, all employees affected by the transaction during the pendency of such proceedings shall be made whole.

5. DISPLACEMENT ALLOWANCES – (a) So long after a displaced employee's displacement as he is unable, in the normal exercise of his seniority rights under existing agreements, rules and practices, to obtain a position producing compensation equal to or exceeding the compensation he received in the position from which he was displaced, he shall, during his protective period, be paid a monthly displacement allowance equal to the difference between the monthly compensation received by him in the position in which he is retained and the average monthly compensation received by him in the position from which he was displaced.

Each displaced employee's displacement allowance shall be determined by dividing separately by 12 the total compensation received by the employee and the total time for which he was paid during the last 12 months in which he performed services immediately preceding the date of this displacement as a result of the transaction (thereby producing average monthly compensation and average monthly time paid for in the test period). Both the above "total compensation" and the "total time for which he was paid" shall be adjusted to reflect the reduction on an annual basis, if any, which would have occurred during the specified twelve month period had Public Law 91-169, amending the Hours of Service Act of 1907, been in effect throughout such period (i.e., 14 hours limit for any allowance paid during the period between December 26, 1970 and December 25, 1972 and 12 hours limit for any allowances paid



thereafter); provided further, that such allowance shall also be adjusted to reflect subsequent general wage increases.

If a displaced employee's compensation in his retained position in any month is less in any month in which he performs work than the aforesaid average compensation (adjusted to reflect subsequent general wage increases) to which he would have been entitled, he shall be paid the difference, less compensation for time lost on account of his voluntary absences to the extent that he is not available for service equivalent to his average monthly time during the test period but if in his retained position he works in any month in excess of the aforesaid average monthly time paid for during the test period he shall be additionally compensated for such excess time at the rate of pay of the retained position.

(b) If a displaced employee fails to exercise his seniority rights to secure another position available to him which does not require a change in his place of residence, to which he is entitled under the working agreement and which carries a rate of pay and compensation exceeding those of the position which he elects to retain, he shall thereafter be treated for the purposes of this section as occupying the position he elects to decline.

(c) The displacement allowance shall cease prior to the expiration of the protective period in the event of the displaced employee's resignation, death, retirement or dismissal for justifiable cause.

6. DISMISSAL ALLOWANCES – (a) A dismissed employee shall be paid a monthly dismissal allowance, from the date he is deprived of employment and continuing during his protective period, equivalent to one-twelfth of the compensation received by him in the last 12 months of his employment in which he earned compensation prior to the date he is first deprived of employment as a result of the transaction. Such allowance shall be adjusted to reflect on an annual basis the reduction, if any, which would have occurred during the specified twelve month period had Public Law 91-169, amending Hours of Service Act of 1907 been in effect throughout such period (i.e., 14 hours limit for any allowance paid during the period between December 1970 and December 25, 1972 and 12 hours limit for any allowances paid thereafter); provided further that such allowance shall also be adjusted to reflect subsequent general wage increases.

(b) The dismissal allowance of any dismissed employee who returns to service with Railroad shall cease while he is so reemployed. During the time of such reemployment, he shall be entitled to protection in accordance with the provisions of Section 5.

(c) The dismissal allowance of any dismissed employee who is otherwise employed shall be reduced to the extent that his combined monthly earnings in

such other employment, any benefits received under any unemployment insurance law, and his dismissal allowance exceed the amount upon which his dismissal allowance is based. Such employee, or his representative, and Railroad shall agree upon a procedure by which Railroad shall be currently informed of the earnings of such employee in employment other than with Railroad, and the benefit received.

(d) The dismissal allowance shall cease prior to the expiration of the protective period in the event of the employee's resignation, death, retirement, dismissal for justifiable cause under existing agreements, failure to return to service after being notified in accordance with the working agreement, or failure without good cause to accept a comparable position which does not require a change in his place of residence for which he is qualified and eligible with the Railroad from which he was dismissed after being notified, or with the National Railroad Passenger Corporation after appropriate notification, if his return does not infringe upon employment rights of other employees under a working agreement.

7. SEPARATION ALLOWANCE – A dismissed employee entitled to protection under this Appendix, may, at his option within 7 days of his dismissal, resign and (in lieu of all other benefits and protections provided in this Appendix) accept a lump sum payment computed in accordance with Section 9 of the Washington Job Protection Agreement of May, 1936.
8. FRINGE BENEFITS – No employee of Railroad who is affected by a transaction shall be deprived during his protective period of benefits attached to his previous employment, such as free transportation, hospitalization, pensions, relief, et cetera, under the same conditions and so long as such benefits continue to be accorded to other employees of Railroad, in active service or on furlough as the case may be, to the extent that such benefits can be so maintained under present authority of law or corporate action or through future authorization which may be obtained.
9. MOVING EXPENSES – Any employee retained in the service of Railroad or who is later restored to service after being entitled to receive a dismissal allowance, and who is required to change the point of his employment as a result of the transaction, and who within his protective period is required to move his place of residence, shall be reimbursed for all expenses of moving his household and other personal effects, for the traveling expenses of himself and members of his family, including living expenses for himself and his family and for his own actual wage loss, not to exceed three working days, the exact extent of the responsibility of Railroad during the time necessary for such transfer and for a reasonable time thereafter and the ways and means of transportation to be agreed upon in advance by Railroad and the affected employee or his representatives; provided, however, that changes in place of residence which are not a result of the transaction, which are made subsequent

to the initial change or which grow out of the normal exercise of seniority rights, shall not be considered to be within the purview of this Section; provided further, that the Railroad shall, to the same extent provided above, assume the expenses, etc. for any employee furloughed within three (3) years after changing his point of employment as a result of a transaction, who elects to move his place of residence back to his original point of employment. No claim for reimbursement shall be paid under the provisions of this Section unless such claim is presented to Railroad within 90 days after the date on which the expenses were incurred.

10. Should Railroad rearrange or adjust its forces in anticipation of a transaction with the purpose or effect of depriving an employee of benefits to which he otherwise would have become entitled under this Appendix, this Appendix will apply to such employee.
11. ARBITRATION OF DISPUTES – (a) In the event Railroad and its employees or their authorized representatives cannot settle any dispute or controversy with respect to the interpretation, application or enforcement of any provision of this Appendix, except Section 4 and 12 of this Article I, within 20 days after the dispute arises, it may be referred by either party to an arbitration committee. Upon notice in writing served by one party to refer a dispute or controversy to an arbitration committee, each party shall, within 10 days, select one member of the committee and the members thus chosen shall select a neutral member who shall serve as chairman. If any party fails to select its member of the arbitration committee within the prescribed time limit, the general chairman of the involved labor organization or the highest officer designated by Railroad, as the case may be, shall be deemed the selected member, and the committee shall then function and its decision shall have the same force and effect as though all parties had selected their members. Should the members be unable to agree upon the appointment of the neutral member within 10 days, the parties shall then within an additional 10 days endeavor to agree to a method by which a neutral member shall be appointed, and, failing such agreement, either party may request the National Mediation Board to designate within 10 days the neutral member whose designation will be binding upon the parties.  
  
(b) In the event a dispute involves more than one labor organization, each will be entitled to a representative on the arbitration committee, in which event Railroad will be entitled to appoint additional representatives so as to equal the number of labor organization representatives.  
  
(c) The decision, by majority vote, of the arbitration committee shall be final, binding, and conclusive and shall be rendered within 45 days after the hearing of the dispute or controversy has been concluded and the record closed.

(d) The salaries and expenses of the neutral member shall be borne equally by the parties to the proceeding and all other expenses shall be paid by the party incurring them.

(e) In the event of any dispute as to whether or not a particular employee was affected by a transaction, it shall be his obligation to identify the transaction and specify the pertinent facts of that transaction relied upon. It shall then be the Railroad's burden to prove that factors other than a transaction affected the employee.

12. LOSSES FROM HOME REMOVAL – (a) the following conditions shall apply to the extent they are applicable in each instance to any employee who is retained in the service of Railroad (or who is later restored to service after being entitled to receive a dismissal allowance) who is required to change the point of his employment within his protective period as a result of the transaction and is therefore required to move his place of residence:

- (i) If the employee owns his own home in the locality from which he is required to move, he shall at his option be reimbursed by Railroad for any loss suffered in the sale of his home for less than its fair value. In each case the fair value of the move in question shall be determined as of a date sufficiently prior to the date of the transaction so as to be unaffected thereby. Railroad shall in each instance be afforded an opportunity to purchase the home at such fair value before it is sold by the employee to any other person.
- (ii) If the employee is under a contract to purchase his home, Railroad shall protect him against loss to the extent of the fair value of any equity he may have in the home and in addition shall relieve him from any further obligation under his contract.
- (iii) If the employee holds an unexpired lease of a dwelling occupied by him at his home, Railroad shall protect him from all loss and cost in securing the cancellation of said lease.

(b) Changes in place of residence which are made subsequent to the initial changes caused by the transaction and which grow out of the normal exercise of seniority rights, shall not be considered to be within the purview of this Section.

(c) No claim for loss shall be paid under the provisions of this Section unless such claim is presented to Railroad within 1 year after the date the employee is required to move.

(d) Should a controversy arise in respect to the value of the home, the loss sustained in its sale, the loss under a contract for purchase, loss and cost in

securing termination of a lease, or any other question in connection with these matters, it shall be decided through joint conference between the employees, or their representatives and Railroad. In the event they are unable to agree, the dispute or controversy may be referred by either party to a board of competent real estate appraisers, selected in the following manner: One to be selected by the representatives of the employees and one by Railroad, and these two, if unable to agree within 30 days upon a valuation, shall endeavor by agreement within 10 days thereafter to select a third appraiser shall be selected, and, failing such agreement, either party may request the National Mediation Board to designate within 10 days a third appraiser whose designation will be binding upon the parties. A decision of a majority of the appraisers shall be required and said decision shall be final and conclusive. The salary and expenses of the third or neutral appraiser, including the expenses of the appraisal board, shall be borne equally by the parties to the proceedings. All other expenses shall be paid by the party incurring them, including the compensation of the appraiser selected by such party.

## **ARTICLE II**

1. Any employee who is terminated or furloughed as a result of a transaction shall, if he so requests, be granted priority of employment or reemployment to fill a position comparable to that which he held when terminated or furloughed, even though in a different craft or class, on Railroad which he is, or by training or retraining physically and mentally can become, qualified, not however, in contravention of collective bargaining agreements relating thereto.
2. In the event such training or retraining is requested by such employee, Railroad shall provide for such training or retraining at no cost to the employee.
3. If such a terminated or furloughed employee who has made a request under sections 1 or 2 of this Article II fails without good cause within 10 calendar days to accept an offer of a position comparable to that which he held when terminated or furloughed for which he is qualified, or for which he has satisfactorily completed such training, he shall, effective at the expiration of such 10 day training, forfeit all rights and benefits under this Appendix.

## **ARTICLE III**

Subject to this Appendix, as if employees of Railroad, shall be employees, if affected by a transaction, of separately incorporated terminal companies which are owned (in whole or in art) or used by Railroad and employees of any other enterprise within the definition of common carrier by railroad in Section 1(3) of Part I of the Interstate Commerce Act, as amended, in which Railroad has an interest, to which Railroad provided facilities, or with which Railroad contracts for use of facilities, or the facilities of which Railroad otherwise uses; except that the provisions of this Appendix shall be suspended with respect to each

such employee until and unless he applies for employment with each owning carrier and each using carrier and to the National Railroad Passenger Corporation; provided that said carriers and the National Railroad Passenger Corporation shall establish one convenient central location for each terminal or other enterprise for receipt of one such application which will be effective as to all said carriers and the Corporation and Railroad shall notify such employees of this requirement and of the location for receipt of the application. Such employees shall not be entitled to any of the benefits of this Appendix in the case of failure, without good cause, to accept comparable employment, which does not require a change in place of residence, under the same conditions as apply to other employees under this Appendix, with the National Railroad Passenger Corporation or any carrier for which application for employment has been made in accordance with this section.

#### **ARTICLE IV**

Employees of Railroad who are not represented by a labor organization shall be afforded substantially the same levels of protection as are afforded to members of labor organizations under these terms and conditions.

In the event any dispute or controversy arises between Railroad and an employee not represented by a labor organization with respect to the interpretation, application or enforcement of any provision hereof which cannot be settled by the parties within 30 days after the dispute arises, either party may refer the dispute to the Secretary of Labor for determination. The determination of the Secretary of Labor, or his designated representative, shall be final and binding on the parties.

#### **ARTICLE V**

1. It is the intent of this Appendix to provide employee protections which meet the requirements of Section 405 of the Act and are not less than the benefits established pursuant to Section 5(2)(f) of the Interstate Commerce Act. In so doing, changes in wording and organization from arrangements earlier developed under section 5(2)(f) have been necessary to make such benefits applicable to contemplated discontinuances of intercity rail passenger service affecting a great number of railroads throughout the nation. In making such changes it is not the intent of this Appendix to diminish such benefits. Thus, the terms of this Appendix are to be resolved in favor of this intent to provide employee protections and benefits no less than those established pursuant to Section 5(2)(f) of the Interstate Commerce Act.
2. In the event any provision of this Appendix is held to be invalid or otherwise unenforceable under applicable law, the remaining provisions of this Appendix shall not be affected, and such provision shall be renegotiated and resubmitted to the Secretary of Labor for certification pursuant to Section 405 of the Act.



**February 4, 2022**

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: HEATHER MILLER, PROGRAM MANAGER**  
**SUBJECT: 2023 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM FINANCIAL RESOLUTION**

**RECOMMENDATION:**

- Adopt attached Resolution No. 2022-02 certifying that there are sufficient financial resources to fund projects in the 2023 Federal Transportation Improvement Program (2023 FTIP).

**BACKGROUND:**

Federal law requires that federally funded transportation projects, as well as regionally significant projects funded with state and local funds, be included in an adopted Federal Transportation Improvement Program (FTIP). The FTIP is required to be updated every two years and lists projects that are scheduled for implementation within the first four years of the program; it also lists projects that are reasonably expected to be implemented in the fifth and sixth years. The Southern California Association of Governments (SCAG) adopts the FTIP based upon input from each of the six county transportation commissions within the SCAG region. The 2023 FTIP covers Federal Fiscal Year (FFY) 2022/23 through FFY 2027/28.

The FTIP is required to be financially constrained by year. This means that the amount of funding devoted to projects must not exceed the amount of estimated funding available. Only projects listed in the FTIP are eligible to receive federal transportation funding. Accordingly, the Ventura County Transportation Commission (VCTC) is required to adopt a resolution (Attachment A) certifying that sufficient resources are expected to be available for projects programmed in Ventura County.

As with the previous cycle, the Ventura County portion of the 2023 FTIP includes all the following project categories:

- **Congestion Management and Air Quality (CMAQ) and Surface Transportation Program (STP):** The FTIP includes carryover CMAQ projects programmed under the prior calls for projects and STP projects programmed under the Commission's programming policies. The FTIP will be amended in the future to incorporate new projects approved by the Commission, using funds made available by the recently passed Infrastructure Investment and Jobs Act.
- **FTA Formula Funded Projects:** These projects are approved annually by the Commission through the Program of Projects (POP). Since VCTC has not yet approved the Program of Projects beyond FFY 2021/2022, the FTIP contains ongoing programs which the transit operators anticipate continuing based on the assumption of Federal apportionments remaining constant. The FTIP will be amended each year to incorporate what is actually approved by VCTC in each year's Program of

Projects.

- **State Transportation Improvement Program (STIP) Regional Share Projects:** VCTC programs projects in the STIP using its regional funding share of the State Transportation Improvement Program (STIP). These dollars are programmed based on the Caltrans Fund Estimate, which is based on anticipated availability of state and federal dollars, assuming current law. The 2023 FTIP includes updated listings for projects including the 2022 STIP approved by the Commission in October 2021.
- **Active Transportation Program (ATP):** The FTIP includes carryover ATP projects programmed under the prior calls for projects up to and including Cycle 5. The FTIP will be amended in the future to incorporate future calls for projects.
- **State Operation, Maintenance, and Interregional Projects:** These projects are funded by Caltrans and the California Transportation Commission (CTC) as part of the interregional share of the STIP (projects within Ventura County nominated by Caltrans) or as part of the state highway maintenance and operations program. These dollars are also programmed based on the Fund Estimate.
- **Discretionary Projects:** The FTIP includes projects receiving congressionally-earmarked funds and projects receiving funds from the US Department of Transportation (USDOT), Caltrans or the California Transportation Commission through competitive selection.
- **Local Projects:** The FTIP also includes regionally significant projects for which local agencies have indicated they have sufficient local funding to implement.

In each case the projects approved for funding in Ventura County were programmed based on the expectation of available federal, state, and/or local revenue. Therefore, based on current law, resources are anticipated to be sufficient to fund all current commitments of the Ventura County transportation program.



**RESOLUTION NO. 2022-02**

**A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION WHICH CERTIFIES THAT VENTURA COUNTY HAS THE RESOURCES TO FUND THE PROJECTS IN THE FFY 2022/2023 - 2027/2028 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMS ITS COMMITMENT TO IMPLEMENT ALL PROJECTS AND PHASES AS APPLICABLE IN THE PROGRAM**

**WHEREAS**, Ventura County Transportation Commission is located within the metropolitan planning boundaries of the Southern California Association of Governments (SCAG); and

**WHEREAS**, the Infrastructure Investment & Jobs Act (IIJA) requires SCAG to adopt a regional transportation improvement program for the metropolitan planning area; and

**WHEREAS**, the IIJA also requires that the regional transportation improvement program include a financial plan that demonstrates how the transportation improvement program can be implemented; and

**WHEREAS**, the Ventura County Transportation Commission is the agency responsible for short-range capital and service planning and programming for the Ventura County area within SCAG; and

**WHEREAS**, as the responsible agency for short-range transportation planning, the Ventura County Transportation Commission is responsible for the development of the Ventura County Transportation Improvement Program, including all projects utilizing federal and state highway/road and transit funds; and

**WHEREAS**, the Ventura County Transportation Commission must determine, on an annual basis, the total amount of funds that could be available for transportation projects within its boundaries; and

**WHEREAS**, the Ventura County Transportation Commission has adopted the FFY 2022/2023-2027/2028 Ventura County Transportation Improvement Program with funding for FFY 2022/2023 and 2023/2024 available and committed, and reasonably expected to be available for FFY 2024/2025 through 2025/2026

**NOW, THEREFORE, BE IT RESOLVED** by the Ventura County Transportation Commission that it affirms its continuing commitment to the projects in the FFY 2022/2023-2027/2028 Ventura County Transportation Improvement Program (TIP); and

**BE IT FURTHER RESOLVED**, that the FFY 2022/2023-2027/2028 Ventura County TIP Financial Plan identifies the resources that are available and committed in the first two years and reasonably expected to be made available to carry out the Program in years three and four, and certifies that:

1. Projects in the FFY 2022/2023-2027/2028 Ventura County TIP are consistent with the proposed 2022 State Transportation Improvement Program scheduled to be approved by the California Transportation Commission in March 2022; and
2. Ventura County has the funding capacity in its county Surface Transportation Block Grant (STBG) Program and Congestion Mitigation and Air Quality (CMAQ) Program allocation to fund all of the projects in the FFY 2022/2023-2027/2028 Ventura County TIP; and
3. The local match for projects funded with federal STBG and CMAQ program funds is identified in the TIP.
4. All the Federal Transit Administration funded projects are programmed within the IIJA Guaranteed Funding levels.

**PASSED, APPROVED AND ADOPTED** this 4<sup>th</sup> day of February 2022.

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Tony Trembley, Chair

ATTEST:

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Roxanna Ibarra, Clerk of the Commission

APPROVED AS TO FORM:

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Steven T. Mattas, General Counsel

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Date



Item #9G

February 4, 2022

**MEMO TO: VENTURA COUNTY SERVICE AUTHORITY FOR FREEWAY EMERGENCIES**

**FROM: AMANDA FAGAN, DIRECTOR OF PLANNING AND SUSTAINABILITY**

**SUBJECT: MOTORIST AID CALLBOX USAGE AND CONVERSION UPDATE**

**RECOMMENDATION:**

- Receive and file a report on the usage and cellular service conversion of the Motorist Aid Emergency Roadside Assistance Callboxes.

**BACKGROUND:**

The Ventura County Transportation Commission (VCTC), acting in its capacity as the Ventura County Service Authority for Freeway Emergencies (VC SAFE), manages the Motorist Aid Services Program, which is financed by a \$1 annual charge on all registered vehicles in Ventura County. Among its programs, Motorist Aid includes the Callbox Program, a system of approximately 428 emergency roadside call boxes that provide motorists with a direct link to California Highway Patrol to request roadway assistance.

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

On June 5, 2020, the Commission approved a three-year contract with CASE Emergency Systems, Inc. for maintenance of the Callbox System for July 1, 2020 – June 30, 2023. The contract provides for year-round maintenance, repairs, and other related fieldwork to ensure proper functioning and appearance. Corrective and preventative maintenance, knockdown and vandalism repairs, temporary removals and reinstallations, and callbox system management is provided through a contract for services. The contract also includes three special projects: (1) implement a callbox reduction program, (2) upgrade callboxes to 4G cellular service prior to the cutoff date for 3G service, and (3) ensure callbox pathways provide proper drainage to meet Caltrans roadway drainage standards. Funding for these services is included within the Motorist Aid Program budget within the Consultant Services line item.

**DISCUSSION:**

Monthly and annual callbox volume followed a downward trend with the proliferation of cell phones and improved coverage areas throughout the County. The total number of calls for assistance in 2004 was 6,945. While more recent numbers reflect a significant decline since the early 2000's, and 142 callboxes

were permanently removed in 2017, annual callbox usage has held steady above 1,000 annual calls for service even during the reduced periods of traffic during the COVID-19 pandemic, reflecting a continued need for the emergency roadside callbox service. In 2021, the total number of calls for roadway assistance was 1,179.

The December 2021 Callbox Report is provided for SAFE Board awareness. Beyond monthly and annual usage statistics, the Callbox Report also provides an overview of preventative and corrective maintenance, knockdown repairs, and cellular service usage. Callbox usage varies by roadway, with the highest share of use for calls to aid on State Route (SR) 1 Pacific Coast Highway at 29% and SR-150 at 26% of average annual calls to aid during calendar year 2021.

The Callbox Maintenance and Callbox Management Support Services contracts, which extend through June 30, 2023, include a qualitative and quantitative assessment of the callbox program and contemplate further reductions in the number of call boxes to address the reduced demand and usage, while maintaining those call boxes with the most significant usage and recognizing the continued importance of the ability for motorists to call for assistance when needed.

Callboxes operate using cellular service signals. The cellular service provider, AT&T, has notified VCTC that 3G service will sunset effective February 22, 2022. The conversion requires coordination across maintenance, management, and cellular service provider contractors and with California Highway Patrol, which provides dispatch services for the VC SAFE callboxes. VCTC's Callbox Maintenance contractor, CASE Emergency Services, is in the process of converting all 428 call boxes to 4G/LTE service. As of January 26, 2022, 163 callboxes have been migrated to 4G/LTE service, and 265 call boxes remain to be converted. At a rate of approximately 14 callboxes converted per day, it is anticipated that the conversion will be completed prior to the sunset of the 3G service.



Item #9H

February 4, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: MARTIN R. ERICKSON, EXECUTIVE DIRECTOR  
DOLORES LOPEZ, TRANSIT PLANNER**

**SUBJECT: AGREEMENT WITH INNOVATIVE TDM SOLUTIONS (ITS) FOR RIDESHARE  
DATABASE SERVICES**

**RECOMMENDATION:**

- Authorize a twelve (12) month extension of a sole source contract with Innovative TDM Solutions (ITS) not to exceed \$103,960 for rideshare database management services. Because this is a sole source procurement, a 2/3 Commission vote is required for approval.

**DISCUSSION:**

VCTC's rideshare program is part of a regional rideshare partnership with Los Angeles, Orange, San Bernardino, and Riverside Counties operating from a common database enabling ride matching over an extremely large and complex area. ITS is under contract with each of the rideshare partners to perform database management and other similar functions. In addition to working with VCTC's rideshare partners, ITS works directly with Employer Transportation Coordinator's (ETCs), the Ventura County Air Pollution Control District (APCD), and directly with rideshare patrons.

In June of 2017 the Commission authorized the outsourcing of rideshare database management and issued a contract for services with Innovative TDM Solutions (ITS). In July of 2021, the Commission approved an amendment that added the Guaranteed Ride Home (GRH) component that was in line with what our partner rideshare agencies offered. Based on their performance, the Commission approved subsequent extensions for ITS, the latest of which expired on January 31, 2022. This function, rideshare database management and data processing, was previously performed by VCTC staff. Outsourcing the rideshare database work to ITS has proven to be reliable and has freed up considerable staff time enabling staff to focus on core VCTC issues.

A sole source procurement, which requires a 2/3 Commission vote for approval, is justified for these services due to the common shared database work, a second contractor working on the single shared database, would be disruptive, require additional training, time, and cost to achieve to the same level of service. Additionally, extending ITS agreement will align VCTC with LA Metro's option year (February 1, 2022 – January 31, 2023). Aligning VCTC with LA Metro's schedule will allow for VCTC to be better

aligned with LA Metro and the other County Transportation agencies. Caltrans concurred that this service was appropriate and that a sole source procurement was justified.

With ITS performing well in all areas of their services and this contract allowing VCTC to synchronize procurements with its rideshare partners, staff is recommending that the Commission approve a twelve (12) month contract extension with Innovative TDM Solutions, not to exceed \$103,960, to continue management of the rideshare database. If approved, the proposed extension would be effective as of February 1, 2022. The attached amendment was anticipated and is funded in the current Fiscal Year 2021/2022 Rideshare Task Budget.

**AMENDMENT NO. 3 TO  
AGREEMENT BETWEEN VENTURA COUNTY TRANSPORTATION COMMISSION  
AND INNOVATIVE TDM SOLUTIONS FOR DATABASE MANAGEMENT SERVICES**

**THIS AMENDMENT NO. 3 to the Agreement** effective February 1, 2022, is entered into between Ventura County Transportation Commission (hereinafter referred to as VCTC) and Innovative TDM Solutions (hereinafter referred to as CONSULTANT) to extend the end date of the Agreement twelve months, from January 31, 2022 to January 31, 2023.

**WHEREAS**, it is the intention of VCTC to extend by twelve months the provisions of Agreement with the CONSULTANT to provide for a new end date of the Agreement of January 31, 2023, with no other changes in the Agreement;

**NOW, THEREFORE, the parties hereto agree as follows:**

1. **Statement of Agreement:** VCTC hereby agrees to retain CONSULTANT and CONSULTANT hereby agrees to perform the work described in connection with the original Agreement, which commenced July 1, 2019. The CONSULTANT hereby warrants that it has the qualifications, experience and facilities to properly perform said services and hereby agrees to undertake and complete the performance thereof as an independent CONSULTANT.
2. **Duration of Agreement:** The term and provisions of the original Agreement shall be extended by twelve months through January 31, 2023. VCTC will pay CONSULTANT an amount not to exceed \$103,960 for work provided between February 1, 2022 and January 31, 2023.
3. **Notices:** The notice section of the Agreement is hereby amended to provide that CONSULTANT shall send a copy of notice issued by consultant to VCTC to:

Claire Grasty  
Program Manager, Regional Transit Planning  
Ventura County Transportation Commission  
751 Daily Drive, Ste. 420  
Camarillo, CA 93010

4. **Amendment:** Except as hereby extended, the Agreement as originally approved remains in full force and effect.

5. **Signatures:** IN WITNESS WHEREOF, the parties hereto have caused this amended Agreement to be executed by their duly authorized representatives. Each party represents to the other party that this amended Agreement has been executed by a duly authorized agent of the party so representing.

Dated: \_\_\_\_\_

VENTURA COUNTY

TRANSPORTATION COMMISSION

By \_\_\_\_\_

Martin Erickson, Executive Director

Dated: \_\_\_\_\_

CONSULTANT: Innovative TDM Solutions

By \_\_\_\_\_

Bill McCaughey, Principal

APPROVED AS TO FORM:

\_\_\_\_\_

Steven T. Mattas, General Counsel

Ventura County Transportation Commission





Item #9I

February 4, 2022

**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 #10

February 5, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: DOLORES LOPEZ, TRANSIT PLANNER**  
**SUBJECT: FISCAL YEAR 2022/2023 TRANSPORTATION DEVELOPMENT ACT (TDA)  
UNMET TRANSIT NEEDS (UTN) PUBLIC HEARING**

**RECOMMENDATION:**

- Hold public hearing and receive testimony of Unmet Transit Needs.

**BACKGROUND:**

The California State Transportation Development Act (TDA), which was passed in 1971, provides a major source of funding for local transit, bicycle/pedestrian and street projects. The legislation, as amended, authorizes the Ventura County Transportation Commission (VCTC) to administer the local TDA process and oversee regulatory and fiscal compliance. The intent of the legislation is to expend available State funds for transit needs and to improve the movement of transit vehicles. To assure full consideration is given to meeting the intent of the law, a public hearing to discuss transit needs must be held every year.

Per TDA statute, VCTC is annually required to conduct an “Unmet Transit Needs” process prior to allocating TDA funds for non-transit purposes such as streets and roads. The Unmet Transit Needs process is conducted each year to collect requests for new or expanded transit service. Before allocating funds for non-transit purposes, staff determines if there are any unmet transit needs that are “reasonable to meet.” TDA statute allows VCTC to develop its own definitions of “unmet transit needs” and “reasonable to meet” the definitions are attached (see Attachment A).

The purpose of the public hearing is to take testimony on local and/or regional transit needs and assure that all reasonable transit needs are satisfied. VCTC is required to make those findings and provide them to the State for review and concurrence prior to allocation of TDA funds to the cities/County for any street or road purpose. In the past, this process was applicable to the entire County and the format of the public hearing process occurred through a voluntary subcommittee of Commissioners. In 2014, TDA legislation changed and Counties with populations over 500,000 were required to use all TDA funds for transit. Ventura County received an exemption in the legislation so that cities with populations under 100,000 are

eligible to use TDA funds for non-transit purposes. As of July 1, 2014, only the cities of Camarillo, Fillmore, Moorpark and Santa Paula can claim TDA funds for local street purposes. Additionally, on June 11, 2018, legislation allowed Thousand Oaks to spend TDA fund on streets and roads. While not required by the legislative change, the City of Thousand Oaks has agreed to follow the spirit of the Unmet Needs process before allocating LTF revenues to streets and roads.

## **DISCUSSION:**

Under current law, with respect to any county with a population below 500,000 in 1970, transportation planning agencies, such as VCTC, are required to convene a Social Services Transportation Advisory Committee (SSTAC) to annually identify the transit needs of the county, review and recommend action by the transportation planning agency and conduct at least one public hearing a year. The hearing is required to target "transit dependent and transit disadvantaged populations" (seniors, disabled and low-income). State law included this requirement as a way to ensure these populations had an opportunity to provide comments about transit needs prior to counties using TDA funds for local streets and roads.

Since the Commission's approval of the Unmet Transit Needs findings and recommendations in May 2021, VCTC has received public comments and service requests through VCTC's public comment form and rider comment email address. An online survey for the general public to provide feedback posted on VCTC's website, one in English and one in Spanish, has been available since mid-December and will continue to be until mid-February. Additionally, VCTC has held three virtual community meetings:

- Wednesday, January 12<sup>th</sup> at 6:00 p.m.
- Tuesday, January 25<sup>th</sup> at Noon
- Thursday, February 3<sup>rd</sup> at Noon

Legal notice for today's public hearing was published in the Ventura County Star on January 5, 2022 and Vida News on January 13, 2022. Thus far, VCTC has received close to 100 comments through the survey, website, social media, and community events, with most of them coming through the online survey. Staff is recording all transportation comments even if they are not applicable to the Unmet Transit Needs process and responding where appropriate to better understand the needs of the community and improve transportation. Comments are wide ranging from on-time performance, extended service hours, additional bus stop installations and several other recommendations. An appendix with all comments in addition to a survey analysis will be included as part of the final report sent to the Commission.

After today's hearing, the online Unmet Transit Needs survey will remain on the [www.goventura.org](http://www.goventura.org) website through Friday, February 11, 2022 when the public comment period closes. Testimony received at today's public hearing will be reviewed by staff and the Citizen's Transportation Advisory Committee and Social Services Transit Advisory Committee (CTAC/SSTAC). Staff will consult and work with the CTAC/SSTAC to develop findings and appropriate recommendations, which will be presented to the Commission in May 2022 for approval action.

**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”**

<b>Outcome</b>	<b>Definitions</b>	<b>Measures &amp; Criteria</b>
<b><i>Equity</i></b>	The proposed service will not cause reductions in existing transit services that have an equal or higher priority	<b>Measures:</b> Vehicle revenue service hours and revenue service miles. <b>Criteria:</b> Transit vehicle service hours and miles will not be reduced on existing routes to fund the proposed service
<b><i>Timing</i></b>	The proposed service is in response to an existing rather than future transit need	<b>Criteria:</b> Proposed service is in response to an existing rather than future transit need; based on public input
<b><i>Feasibility</i></b>	The proposed service can be provided with the existing fleet or under contract to a private provider	<b>Measure:</b> 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?
<b><i>Feasibility</i></b>	There are adequate roadways to safely accommodate transit vehicles	<b>Measure &amp; Criteria:</b> Route inspection to determine adequacy of infrastructure to accommodate transit vehicles and passengers.
<b><i>Cost Effectiveness</i></b>	The proposed service will not unduly affect the operator's ability to maintain the	<b>Measure:</b> Total estimate annual passenger fare revenue divided by total annual operating cost (the entire service including the proposed service)

	required passenger fare ratio for its system as a whole	Criteria: Fare revenue/operating cost cannot fall below the operator's required passenger fare ratio.
<b>Cost Effectiveness</b>	The proposed service will meet the scheduled passenger fare ratio standards described in Attachment A	<b>Measures and criteria</b> described below.
<b>Service Effectiveness</b>	Estimated passengers per hour for the proposed service will not be less than the system-wide average after three years.	<b>Measure:</b> 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 ratio 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.

<b>Urban Service</b>	<b>Rural Service</b>	<b>Recommended Action</b>
<b>New Service Performance Criteria: End of Twelve Months</b>		
Less than 6%	Less than 3%	Provider may discontinue service
6% or more	3% or more	Provider will continue service, with modifications if needed
<b>New Service Performance Criteria: End of Twenty-four Months</b>		
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*



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Item #11

February 4, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: SALLY DEGEORGE, FINANCE DIRECTOR**  
**SUBJECT: TRANSPORTATION DEVELOPMENT ACT (TDA)**  
**LOCAL TRANSPORTATION FUND (LTF)**  
**DRAFT APPORTIONMENT FOR FISCAL YEAR 2022/2023**

**RECOMMENDATION:**

- Approve the Local Transportation Fund Draft Apportionment for Fiscal Year 2022/2023, apportioning \$52.1 million as shown in Attachment A.

**BACKGROUND:**

Each year the Ventura County Transportation Commission (VCTC) is responsible for apportioning the quarter cent statewide sales tax funds that accrue to Ventura County under the State Transportation Development Act (TDA) Local Transportation Fund (LTF). Current eligible uses of LTF revenues include funds for VCTC administration (amount determined by the Commission), County administration fees, VCTC planning activities (capped at 2% of revenues), bicycle and pedestrian projects (capped at 2% after administrative and planning costs are deducted), rail passenger service operations/capital improvements with the remainder going to fund transit and if all transit needs are met, to street and road projects in cities with populations under 100,000 if eligible. The City of Thousand Oaks is exempt from the 100,000-population rule and is eligible to spend funds on Article 4 or 8 per Senate Bill (SB) 848 June 2018.

The County Auditor-Controller works with staff to determine the projected LTF sales tax revenue for the upcoming fiscal year. In developing the LTF apportionment, the current year is also evaluated to determine if the LTF revenue projection needs to be adjusted, and if so, either up or down depending on the direction of sales tax receipts. VCTC staff reviews the information to decide whether to revise the current apportionment or whether to incorporate the adjustment into the upcoming fiscal year. The beginning fund balance is estimated at this time based on projections. Then the apportionment is prepared according to LTF regulations and submitted to the Commission for approval. A draft apportionment is submitted to the Commission in February and a final apportionment is submitted in June for the upcoming fiscal year. The apportionment is allocated throughout the fiscal year after the local agency files a claim and receipts are received.

In recognition of the volatility of sales tax revenue, the VCTC adopted two policies to help smooth out the year-to-year flow of funds to LTF recipients. In 2011, the VCTC adopted a policy to maintain a reserve of approximately 10% of funds apportioned for Articles 4 (public transportation) and 8 (other allocations, currently transit and local streets and roads). Should LTF revenues received be lower than estimated, VCTC would be able to draw from the contingency

reserve to keep local jurisdictions whole for the fiscal year and to smooth out sales tax fluctuations. The second policy, adopted by VCTC in 2013, established a funding policy to support Rail Passenger Service/Commuter Rail (Metrolink). The policy requires that each time there is an increase in estimated LTF sales tax receipts, the increase will be allocated one-third to Rail Passenger Service/Commuter Rail and two-thirds to bus transit.

## **DISCUSSION:**

This year while working through the LTF projection process with the County Auditor-Controller, it was found that the revenues for the current fiscal year are exceeding the initial projections. The County is now projecting that the current fiscal year's LTF revenue will increase by \$7.1 million to \$42.3 million. The County Auditor-Controller also estimates that Fiscal Year 2022/2023 Local Transportation Fund sales tax receipts will remain flat at \$42.3 million (see attachment B). In the County Auditor-Controller's projection, the Auditor-Controller cautioned that:

"Projections even in normal times are uncertain given the unpredictable nature of sales tax. However, projections in the last two years have been even more difficult because of the COVID-19 pandemic. While sales tax revenues initially decreased, it has trended up significantly primarily for the reasons identified last year:

1. there is an unequal spread of the wage losses between the lower-wage and higher-wage segments of the population and the higher-wage earners continue to have disposable income to make taxable purchases,
2. federal and state economic stimulus, including additional unemployment payments, helped buoy continued spending and
3. the impact of the *Wayfair* decision which has allowed California to capture taxes on online sales which also dramatically increased during the pandemic."

When faced with an increase in the forecasted revenues, VCTC can adjust the current fiscal year's LTF apportionment upward or add the additional revenues into the next fiscal Year's apportionment which starts in July. Staff is recommending that the \$7.1 million in additional LTF revenues be allocated in the next fiscal year for the following reasons:

1. Local agencies are still expending the federal assistance from the Coronavirus Aid, Relief and Economic Securities (CARES) Act and the American Rescue Plan Act (ARPA). The federal funds need be expended first so that funding is not lost.
2. Local agencies' budgets would need to be revised and items taken to their respective Councils so that local agencies could submit new LTF Claims to VCTC which include revised budgets, new resolutions, and claim forms before June 2022.
3. Local agencies will have ample time to plan, budget and gain Council approval for the revenues best use such as capital projects by placing the additional revenues in next fiscal year's apportionment.
4. The County and VCTC staff will have additional time to verify that actual receipts received are aligned with the revised Auditor-Controller projections for Fiscal Year 2021/2022 remain on target before distributing the additional funds, and
5. A larger contingency reserve would be available (to reduce the possibility of a negative revision) for Fiscal Year 2022/2023 should consumer spending drop and actual LTF sales tax receipts come in lower than projected.

The beginning balance for Fiscal Year 2022/2023 is estimated to be \$13.9 million comprised of \$7.1 million estimated additional receipts for the current fiscal year (2021/2022), an additional \$3.9 million in actual receipts from Fiscal Year 2020/2021, and the unused budgeted contingency reserve of \$2.9 million in the current fiscal year's apportionment. The LTF revenues projection for Fiscal Year 2022/2023 of \$42.3 million, plus the \$13.9 million beginning fund balance less the \$4.1 million contingency reserve results in a LTF apportionment for Fiscal Year 2022/2023 at \$52.1 million, \$16.8 million higher than the previous apportionment for Fiscal Year 2021/2022.

The Fiscal Year 2022/2023 apportionment shown in Attachment 1 follows LTF guidelines and past practices and includes the following:

- Article 3 funds in the amount of \$10,105,906 for VCTC activities as follows:
  - Metrolink commuter rail funds in the amount of \$6,813,906 which is \$2,366,430 higher than last fiscal year. The increase follows the Commission's policy which designates that one-third of the change in estimated LTF sales tax receipts is allocated to passenger rail.
  - Planning funds (2% formula) in the amount of \$1,042,000 which is \$337,000 higher than last fiscal year. These funds are for planning activities which include Regional Transportation Planning, Regional Transit Planning, and Transportation Programming.
  - Administrative funds in the amount of \$1,250,000 which is the same amount as last fiscal year. This amount is a placeholder until the VCTC budget is finalized and the LTF revenues needed are known. These activities include ADA and Senior projects, Regional Transit Technology, Grant Administration, Regional Transit Information Center, TDA Administration, Transportation Programming as well as supporting the VCTC's administrative and management functions.
  - Administrative funds in the amount of \$1,000,000 which is \$1,000,000 higher than last fiscal year. These funds will be from the carry-in fund balance for a proposed one-time use of administration funds to pay down the VCTC pension unfunded liability similar to the action the Commission took with the Fiscal Year 2020/2021 revised apportionment. This "pay down" will lower VCTC liabilities and reduce long-term costs.
- Article 3 Administrative funds in the amount of \$14,500 which is the same as last fiscal year. These funds pay for the County Auditor-Controller's administrative costs.
- Article 3 Bicycle and Pedestrian funds (2% formula) in the amount of \$975,870 which is \$310,260 higher than last fiscal year. These funds are for local agency's bicycle and pedestrian projects.
- Articles 4 and 8 funds in the amount of \$41,003,724 which is \$12,836,310 higher than last fiscal year. These funds are for local agencies as allowed by TDA regulations. The funds are apportioned to each local agencies based on population estimates for the cities and county from the Department of Finance. The Department of Finance issues population estimates in May of each year; therefore, the draft apportionment is based on the May 2021 population estimate (most current) of 835,223 population. The final LTF apportionment will be updated for the new population estimate published in May 2022.

Staff's recommendation is to approve the Draft Local Transportation Fund Apportionment for Fiscal Year 2022/2023, apportioning a total of \$52.1 million as shown in Attachment A.

**ATTACHMENT A**  
**VENTURA COUNTY TRANSPORTATION COMMISSION**  
**TDA DRAFT LOCAL TRANSPORTATION FUND APPORTIONMENT FOR FISCAL YEAR 2022/2023**

			<b>DRAFT</b>	<b>Final FY</b>	<b>Change vs. FY</b>	<b>Revised FY</b>
			<b>FY 2022/2023</b>	<b>2021/2022</b>	<b>2020/2021</b>	<b>2020/2021</b>
Estimated Unapportioned Cash Balance			<b>13,900,000</b>	2,870,000	11,030,000	3,000,000
Contingency Reserve			<b>-4,100,000</b>	-2,820,000	-1,280,000	-2,870,000
Estimated Annual LTF Receipts			<b>42,300,000</b>	35,200,000	7,100,000	35,600,000
Total Funds Available			<b>52,100,000</b>	35,250,000	16,850,000	35,730,000
Auditor's Administration			<b>14,500</b>	14,500	0	14,500
VCTC Administration			<b>1,250,000</b>	1,250,000	0	1,981,940
VCTC Administration one-time			<b>1,000,000</b>	0	1,000,000	1,000,000
VCTC Planning and Programming			<b>1,042,000</b>	705,000	337,000	714,600
Subtotal			<b>48,793,500</b>	33,280,500	15,513,000	32,018,960
Article 3 Pedestrian and Bicycle Facilities			<b>975,870</b>	665,610	-310,260	640,379
Subtotal			<b>47,817,630</b>	32,614,890	15,202,740	31,378,581
Article 3 Rail Passenger Service Operations/Capital			<b>6,813,906</b>	4,447,476	2,366,430	2,647,463
Total to be Apportioned			<b>41,003,724</b>	28,167,414	12,836,310	28,731,118

  

			<b>DRAFT</b>	<b>Final FY</b>	<b>Change vs. FY</b>	<b>Revised FY</b>
<b>Article 4 and Article 8 by Agency</b>	<b>Population</b>	<b>Pop %</b>	<b>FY 2022/2023</b>	<b>2021/2022</b>	<b>2020/2021</b>	<b>2020/2021</b>
Camarillo	69,708	8.35%	<b>3,422,185</b>	2,350,862	1,071,323	2,394,959
Fillmore	15,807	1.89%	<b>776,015</b>	533,082	242,933	530,592
Moorpark	35,981	4.31%	<b>1,766,420</b>	1,213,438	552,982	1,236,594
Santa Paula	30,691	3.67%	<b>1,506,718</b>	1,035,036	471,682	1,035,858
Simi Valley	124,468	14.90%	<b>6,110,526</b>	4,197,612	1,912,914	4,264,745
Thousand Oaks	125,426	15.02%	<b>6,157,557</b>	4,229,920	1,927,637	4,311,409
<b>Gold Coast Transit District:</b>						
Ojai	7,436	0.89%	<b>365,057</b>	250,775	114,282	257,592
Oxnard	204,675	24.51%	<b>10,048,139</b>	6,902,546	3,145,593	7,033,838
Port Hueneme	23,374	2.80%	<b>1,147,503</b>	788,275	359,228	804,682
San Buenaventura	105,415	12.62%	<b>5,175,154</b>	3,555,060	1,620,094	3,622,588
Ventura County - Unincorporated	92,242	11.04%	<b>4,528,450</b>	3,110,808	1,417,642	3,238,261
Total	835,223	100.00%	<b>41,003,724</b>	28,167,414	12,836,310	28,731,118

## Attachment B

**JEFFERY S. BURGH**  
**AUDITOR-CONTROLLER**

COUNTY OF VENTURA  
800 SOUTH VICTORIA AVE.  
VENTURA, CA 93009-1540



**ASSISTANT**  
**AUDITOR-CONTROLLER**  
JOANNE McDONALD

**CHIEF DEPUTIES**  
BARBARA BEATTY  
AMY HERRON  
JILL WARD  
MICHELLE YAMAGUCHI

January 13, 2022

Mr. Mark Watkins, Interim Executive Director  
Ventura County Transportation Commission  
751 E. Daily Drive, Suite 420  
Camarillo, CA 93010

SUBJECT: LOCAL TRANSPORTATION FUND FY 2022-23 ESTIMATES AND FY 2021-22  
REVISED ESTIMATES

Dear Mr. Watkins:

The Auditor-Controller's conservative estimate of the Local Transportation Fund (LTF) revenues for fiscal year 2022-23 is \$42.3 million, which assumes no growth compared to current year projections. If the last half of fiscal year 2021-22 declines less rapidly than the projected 5.0 percent, combined with projected growth in fiscal year 2022-23 of 2.9 percent, the fiscal year 2022-23 estimate could be \$44.2 million.

For fiscal year 2021-22 we projected \$35.2 million. This estimate is currently revised to \$42.3 million. In addition, based on the allocation schedule provided by your office, we estimate that approximately \$38,419 in interest will be earned by the fund during fiscal year 2021-22 and be available for allocation in the subsequent fiscal year.

Based on revised fiscal 2021-22 revenue estimates of \$42.3 million, and interest of \$38,419, we project a LTF fund balance at June 30, 2022 of approximately \$13,920,565 (see Attachment I).

The Auditor-Controller's estimated LTF administrative costs for fiscal year 2022-23 are \$14,500.

As you are aware, projections even in normal times are uncertain given the unpredictable nature of sales tax. However, projections in the last two years have been even more difficult because of the COVID-19 pandemic. While sales tax revenues initially decreased, it has trended up significantly primarily for the reasons identified last year:

1) there is an unequal spread of the wage losses between the lower-wage and higher-wage segments of the population and the higher-wage earners continue to have disposable income to make taxable purchases,

January 13, 2022  
LTF Fiscal Year 2022-23 Estimate  
Page 2

2) federal and state economic stimulus, including additional unemployment payments, helped buoy continued spending and

3) the impact of the *Wayfair* decision which has allowed California to capture taxes on online sales which also dramatically increased during the pandemic.

The state noted unusually large swings in four of the last six quarters and the current level of taxable sales is well above the long-term trend leading to uncertainty about the sustainability of current sales tax revenues. The state adjusted their projections for the fourth quarter of 2021, as did we, to incorporate the possibility that not all of the recent uptick in taxable spending will be sustained moving forward.

As always, it would be prudent to budget a contingency account to be allocated midyear if projections remain strong.

We will continue to monitor growth trends and will notify you in the event of a significant change in projected revenues.

If you have any questions, please contact Jill Ward at (805) 654-3153.

Sincerely,



JEFFERY S. BURGH  
Auditor-Controller

Enclosure



## ATTACHMENT 1

COUNTY OF VENTURA  
AUDITOR-CONTROLLER  
LOCAL TRANSPORTATION FUND  
PROJECTED ACTIVITY AND FUND BALANCE  
AS OF JUNE 30, 2022

Audited Fund Balance as of June 30, 2021	\$ 6,812,938	
Reversal of FY21 Fair Value adjustment	<u>(11,734)</u>	
Subtotal:		6,801,204
<b><u>ADD:</u></b>		
FY 21-22 Actual LTF Receipts as of December 31, 2021	\$ 23,336,936	
Projected LTF receipts for remainder of FY 21-22	<u>18,994,006</u>	
Subtotal: (A)		42,330,942
FY 21-22 interest earnings apportioned as of December 31, 2021	\$ 6,788	
Projected interest earnings for the remainder of FY 21-22	<u>31,631</u>	
Total Interest (B)		<u>38,419</u>
Funding Available		\$ 49,170,565
<b><u>LESS:</u></b>		
FY 21-22 allocations as of December 31, 2021	\$ 10,329,332	
Projected allocations for the remainder of FY 21-22(C)	<u>24,920,668</u>	
Subtotal:		<u>35,250,000</u>
Projected Fund Balance as of June 30, 2022		<u><u>\$ 13,920,565</u></u>

(A) FY 21-22 projected LTF receipts are based on FY21-22 actual receipts through December 31, 2021.

(B) Based on actual first quarter earnings and projected second, third, and fourth quarter earnings.

(C) Based on VCTC FY 21-22 Transportation Development Act (TDA) allocations adopted on June 5, 2021.



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Item #12

February 4, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

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

**SUBJECT: LEGISLATIVE UPDATE**

**RECOMMENDATION:**

- Receive and file.

**DISCUSSION:**

**Federal Issues**

On Feb. 11, the U.S. District Court for the Eastern District of California will hear the State of California's cross-complaint in the ongoing litigation over a recent U.S. Department of Labor determination that could negatively affect California transit agencies. In October 2021, the Labor Department determined that California transit agencies are ineligible to receive federal transit grants, arguing that the state's pension-reform law, PEPR, interferes with collective bargaining rights of transit workers. The judge in the case has issued a stay of that determination, and the Labor Department currently is prohibited from using PEPR to deny certification of grants to California transit agencies.

**State Issues**

On Jan. 10, Gov. Gavin Newsom unveiled his budget proposal for the 2022/23 fiscal year. The proposal, a \$286.4 billion plan, is a starting point, and it will undergo changes over the next several months. However, for the second consecutive year California is expected to have a substantial budget surplus. In a report released in November 2021, the nonpartisan Legislative Analyst's Office forecast that the state's budget surplus would be roughly \$31 billion, although the report notes that the amount could increase or decrease. The governor's proposal projects a surplus of \$45 billion, which includes \$20 billion in the general fund for discretionary purposes. The surplus primarily is due to increased revenue collections over the past months in several economic areas, including the stock market, housing and retail sales.

Over the next several months, the Legislature will hold budget hearings, and the governor will release a revised budget in May. The state Legislature has until June 15 to approve and send a budget to the governor for consideration.

### **Transportation Funding**

The governor's proposal sets aside \$9.1 billion for a transportation infrastructure package. The breakdown of the transportation funding includes:

- \$4.2 billion for high-speed rail
- \$2 billion for high-priority transit and rail infrastructure projects statewide
- \$1.25 billion for Southern California Transit and Rail Projects focusing on greenhouse gas reduction and mobility
- \$750 million for the Active Transportation Program
  - \$500 million for Active Transportation Program projects
  - \$150 million for the Reconnecting Communities: Highways to Boulevards pilot program
  - \$100 million for bicycle and pedestrian safety projects
- \$500 million for high-priority grade-separation projects
- \$400 million for climate adaptation projects to support climate resiliency

In addition, the proposed budget includes \$10 billion for zero-emission vehicles and other zero-emission investments; and \$2.3 billion for ports.

### **Gann Limit**

The Gann Limit, otherwise known as the State Appropriations Limit, is a spending cap mandated by the California Constitution. If revenues exceed the State Appropriations Limit over a two-year period, the state must either increase spending on education or issue tax refunds. Lawmakers can also structure the budget in a way to avoid exceeding the limit, by spending more money on such things as infrastructure projects. Early analyses indicate that the state will exceed the Gann Limit this year. The governor plans to propose strategies to address the Gann Limit in the May Revision of his proposed budget.

### **Fuel Tax Adjustment**

The Road Repair and Accountability Act (SB1) signed into law in 2017 allows an annual Consumer Price Index adjustment of the excise tax on motor vehicle fuel and diesel fuel. The next scheduled increase is July 1, 2022. In his budget proposal, the governor calls for a pause on the scheduled increase as a way to address the cost of living in California. The pause would cost the state about \$523 million in revenue. The governor proposes "backfilling" the lost revenue with the budget surplus.

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



## CALIFORNIA ADVISORS, LLC

### VENTURA COUNTY TRANSPORTATION COMMISSION MONTHLY STATE ADVOCACY REPORT JANUARY 2022

#### Legislative Update

As the Legislature closes out the month of January and the deadline to move “two-year” bills out of the house they were introduced in has passed. The Legislature will now shift their attention to the state budget and thinking of new legislative proposals for the upcoming year. Legislators will have until February 18<sup>th</sup> to introduce new bills.

The January surge of COVID-19 cases also hit state lawmakers. With several legislators testing positive and forcing others to quarantine. The Senate had active discussions about shutting down for a couple of weeks. Ultimately, it was determined that the Senate would continue their work and any senator that was under a quarantine direction would be able to participate remotely. In committees, all quarantined Senators were able to participate and vote remotely. The Assembly has not announced similar policies.

On January 25<sup>th</sup>, Governor Gavin Newsom, Senate President pro Tempore Toni G. Atkins, and Assembly Speaker Anthony Rendon announced that they reached an agreement on COVID-19 supplemental paid sick leave. The framework seeks to ensure employees continue to have access to time off through September 30, 2022.

In a statement they said, “California’s ability to take early budget action will protect workers and provide real relief to businesses reeling from this latest surge. Throughout this pandemic, we have come together to address the immediate impacts COVID-19 continues to have on millions of California families, both at home and at work. By extending sick leave to frontline workers with COVID and providing support for California businesses, we can help protect the health of our workforce, while also ensuring that businesses and our economy are able to thrive. We will continue to work to address additional needs of small businesses through the budget – they are the backbone of our communities and continue to be impacted by COVID-19.”

In addition to this, other early budget actions could include restoring business tax credits, including research and development credits and net operating losses, that were limited during the COVID-19 Recession; tax relief for recipients of federal relief grants for restaurants and shuttered venues; and additional funding for the Small Business Covid-19 Relief Grant Program.

## **Governor's Proposed Budget**

On January 10th Governor Gavin Newsom unveiled a \$286.4 billion budget proposal, 9% bigger than last year's record state spending plan. The Budget reflects \$34.6 billion in budgetary reserves. These reserves include: \$20.9 billion in the Proposition 2 Budget Stabilization Account (Rainy Day Fund) for fiscal emergencies; \$9.7 billion in the Public School System Stabilization Account; \$900 million in the Safety Net Reserve; and \$3.1 billion in the state's operating reserve. The Rainy Day Fund is now at its constitutional maximum (10 percent of General Fund revenues) requiring \$2.4 billion to be dedicated for infrastructure investments in 2022-23. Additionally, the Governor said he projects the state will have over a \$45 billion dollar surplus.

As the pandemic approaches two years, the state continues its science- and data-driven fight against COVID-19. The administration proposes a total of \$2.7 billion to mitigate the spread of the virus and protect the health of Californians. Of this amount, the administration requests the legislature to include \$1.4 billion in an early action package before the June budget.

Expanding on last year's investments in the transportation system, the Governor's Budget proposes almost \$15 billion for transportation programs and projects that align with climate goals, advance public health and equity, and competitively position the state to pursue significant federal investment through the Infrastructure Investment and Jobs Act (IIJA) and other federal funding programs by leveraging funding from state and local sources. The Budget includes \$9.1 billion (\$4.9 billion General Fund and \$4.2 billion Proposition 1A bond funds) to support the continued development of a first-in-the-nation, electrified high-speed rail system in California, regional transit and rail projects, bicycle and pedestrian projects, and climate adaptation projects, with a particular focus on aligning the state's transportation system with its climate goals. The Budget also includes \$1.2 billion General Fund for improvements to the state's goods movement infrastructure, including improving data interconnectivity to reduce congestion and increase supply chain efficiency, thereby reducing harmful emissions from this critical sector. The Budget adds an additional \$6.1 billion (General Fund, Proposition 98 General Fund, federal funds, and Greenhouse Gas Reduction Fund) over five years, which builds on last year's unprecedented zero-emission package, for a total of \$10 billion to advance California's climate and transportation goals. These funds are focused on supporting zero-emission vehicles and charging infrastructure in low-income communities across the state, including funding for community-based projects. The Budget also invests significantly in replacing heavy-duty trucks and buses with zero-emission vehicles, given their disproportionate impact on low-income communities and communities near California's ports, as well as green school transportation to reduce harmful emissions from aging diesel-fueled bus fleets and reduce ongoing school transportation costs.

## **Upcoming Bill Deadlines and 2 Year Bills**

**January 31** – Last day for each house to pass bills introduced in 2021 in their house.

**February 18** – Deadline for bill introductions

**April 7 - 18** – Spring Recess

**April 29** – Policy Committee Deadline

*Below is a list of VCTC tracked bills:*

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

**Introduced:** 2/18/2021

**Status:** 1/24/2022-Read second time. Ordered to third reading.

**Summary:** Would, until January 1, 2029, exempt from CEQA egress route projects undertaken by a public agency to improve emergency access to and evacuation from a subdivision without a secondary egress if the State Board of Forestry and Fire Protection has recommended the creation of a secondary access to the subdivision and certain conditions are met. The bill would require the lead agency to hold a noticed public meeting to hear and respond to public comments before determining that a project is exempt. The bill would require the lead agency, if it determines that a project is not subject to CEQA and approves or carries out that project, to file a notice of exemption with the Office of Planning and Research and with the clerk of the county in which the project will be located.

**AB 1626 (Nguyen R) Motor Vehicle Fuel Tax Law: limitation on adjustment.**

**Introduced:** 1/10/2022

**Status:** 1/11/2022-From printer. May be heard in committee February 10.

**Summary:** Existing law, the Motor Vehicle Fuel Tax Law, administered by the California Department of Tax and Fee Administration, imposes a tax upon each gallon of motor vehicle fuel removed from a refinery or terminal rack in this state, entered into this state, or sold in this state, at a specified rate per gallon. Existing law requires the department to annually adjust the tax imposed by increasing the rates based on the California Consumer Price Index, as specified. This bill would limit the above-described annual adjustment to a maximum of 2% for rate adjustments made on or after July 1, 2023. This bill contains other related provisions.

**AB 1638 (Kiley R) Motor Vehicle Fuel Tax Law: suspension of tax.**

**Introduced:** 1/12/2022

**Status:** 1/13/2022-From printer. May be heard in committee February 12.

**Summary:** Would suspend the imposition of the tax on motor vehicle fuels for 6 months. The bill would direct the Controller to transfer a specified amount from the General Fund to the Motor Vehicle Fuel Account in the Transportation Tax Fund. By transferring General Fund moneys to a continuously appropriated account, this bill would make an appropriation.

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

**Introduced:** 12/7/2020

**Status:** 4/22/2021-Referred to Committees on Local Government and Appropriations.

**Summary:** The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the

acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

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

**Introduced:** 2/19/2021

**Status:** 4/22/2021-Referred to Committee on Transportation

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

**SB 542 (Limon D) Sales and use taxes: exemption: medium- or heavy-duty zero-emission trucks.**

**Introduced:** 2/18/2021

**Status:** 1/18/2022-Read third time. Passed. (Ayes 33. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

**Summary:** Current sales and use tax laws impose taxes on retailers measured by gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, measured by sales price. The Sales and Use Tax Law provides various exemptions from those taxes. This bill would provide an exemption from those taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, a qualified motor vehicle. The bill would define “qualified motor vehicle” as a specified zero-emission truck. The bill would disallow the exemption for sales or uses made on or after January 1, 2025, if the purchaser also received other specified benefits.

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

**Introduced:** 2/17/2021

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

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



other than the Budget Bill and related bills. The Legislature, by a 2/3 vote of each house, would be authorized, however, to amend an enacted Budget Bill and related bills in both calendar years of the biennium.



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Item #13

February 4, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: AARON B. BONFILIO, PROGRAM MANAGER**

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

**RECOMMENDATION:**

- Receive Transit Integration and Efficiency Study (TIES) Update

**BACKGROUND:**

At the July 2021 Commission meeting, the Commission received an update from Fehr and Peers, VCTC's consultant, on the Transit Integration and Efficiency Study (TIES), which is evaluating ways to improve the region's public transit network. The study is focusing on strategies both to improve economic/operational efficiencies as well as potential opportunities for service integration with the goal to grow ridership and/or improve rider experience for people who are current or future customers of the many transit providers in Ventura County.

At the July update to the Commission, the TIES team shared its recently completed survey assessing regional transit issues and priorities, which included feedback from the Commissioners. Also presented were the latest transit trends and travel demand data both near and medium term.

Since that time, the project team has conducted individual Commissioner interviews, held Operator Working Group meetings with transit partners and agency staffs, completed an *Existing Conditions* report, and begun development of *draft strategies*.

Fehr and Peers will provide the Commission with a study update that includes a status report on activities undertaken since the July meeting, and a summary of the draft Existing Conditions Report. This is an opportunity for the project team to gather Commissioner thoughts on this topic, as well as, to lay out next steps in the TIES project timeline.



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Item #14

February 4, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: AARON BONFILIO, PROGRAM MANAGER**

**SUBJECT: REQUEST FOR PROPOSALS FOR ZERO-EMISSION BUS ROLLOUT PLAN**

**RECOMMENDATION:**

- Authorize release of Request for Proposals (RFP) for the development of the Zero-Emission Bus Rollout Plan for the Ventura County Transportation Commission.

**BACKGROUND:**

In 2019, the California Air Resources Board (CARB) Innovative Clean Transit (ICT) regulation went into effect. It requires all public transit agencies to gradually transition to a 100% zero-emission bus fleet by 2040. Under this regulation, a small transit agency (such as VCTC) is required to submit a board approved Zero-Emission Bus Rollout Plan (Rollout Plan) to CARB by June 30, 2023. A Rollout Plan describes how a transit agency is planning to achieve full transition to zero-emission bus technologies. It includes information on the types of zero-emission buses to be purchased, their purchase schedule, timing of their replacement in Disadvantaged Communities, a schedule for related infrastructure build-out, potential funding sources and training plans. It allows a transit agency to plan ahead of time and to familiarize itself with available zero-emission bus technologies, to learn about potential challenges and available solutions for a smooth transition. Information gathered from the Rollout Plans will also guide the State in developing incentive funding plans, inform utilities on potential electrical and infrastructure needs, and educate the general public on environmental benefits of zero-emission bus technologies.

To facilitate analysis and development of the Rollout Plan, staff recommends utilizing a third-party consultant with technical expertise. Following VCTC's procurement policy, attached is a request for proposals (RFP) to solicit consulting services for the project. The scope of work is inclusive of the entire VCTC-owned fleet, which includes thirty-six VCTC Intercity motor coach vehicles, and fifteen cutaway vehicles used to operate the Valley Express bus service. To encourage competitive proposals, the project budget is not published, however, the project will be funded using a combination of available State Transit Assistance revenues and fuel tax credits. Proposals will be due approximately 60 days following release of the RFP. It is anticipated that the procurement and selection process will be completed in approximately 100 days. Regarding the overall project timeline, the final draft report will be due to the Commission no later than April 30, 2023, with the final plan due to the State CARB by June 30, 2023.

**Attachment(s):** *RFP for Zero-emission Bus Rollout Plan*



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