



**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\***

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

**IN-PERSON  
CAMARILLO CITY HALL  
COUNCIL CHAMBERS  
601 CARMEN DRIVE  
CAMARILLO, CA  
FRIDAY, SEPTEMBER 2, 2022  
9:00 A.M.**

**This meeting will be conducted pursuant to the teleconference procedure authorized in Government Code section 54953.**

**Teleconference location:  
980 Enchanted Way, Suite 203  
Simi Valley, CA 93065**

***\*The public will have the opportunity to address the legislative body directly at the main meeting location and at this remote meeting location.***

*In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a Commission meeting, please contact the Clerk of the Commission at (805) 642-1591 ext. 101 or via email at [ribarra@goventura.org](mailto:ribarra@goventura.org). Notification of at least 48 hours prior to meeting time will assist staff in assuring those reasonable arrangements can be made to provide accessibility to the meeting.*

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. PUBLIC COMMENTS –** *Each individual speaker is limited to speak three (3) continuous minutes. The Commission may, either at the direction of the Chair or by majority vote of the Commission, waive this three-minute time limitation. Depending on the number of items on the agenda and the number of*

speakers, the Chair may, at his/her discretion, reduce the time of each speaker to two (2) continuous minutes. In addition, the maximum time for public comment for any individual item or topic is thirty (30) minutes. Also, the Commission may terminate public comments if such comments become repetitious. Speakers may not yield their time to others without the consent of the Chair. Any written documents to be distributed or presented to the Commission shall be submitted to the Clerk of the Board. This policy applies to Public Comments and comments on Agenda Items. Under the Brown Act, the Board should not take action on or discuss matters raised during Public Comment portion of the agenda which are not listed on the agenda. Board members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.

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

**8A. APPROVE MINUTES OF THE JULY 8, 2022, MEETING-PG.7**

**Recommended Action:**

- Approve the summary minutes of July 8, 2022.

**Responsible Staff: Roxanna Ibarra**

**8B. MONTHLY BUDGET REPORT- PG.13**

**Recommended Action:**

- Receive and file.

**Responsible Staff: Sally DeGeorge**

**8C. ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT (TDA) FISCAL YEAR (FY) 2022/23 ARTICLE 3 BICYCLE PATH MAINTENANCE FUNDS-PG.15**

**Recommended Action:**

- Approve the allocation of Fiscal Year 2022/2023 Transportation Development Act (TDA) Article 3 Bike Path Maintenance Funds totaling \$240,279 as shown in the table in Attachment A.

**Responsible Staff: Geiska Velasquez**

**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- PG.17**

**Recommended Action:**

- It is recommended that the Ventura County Transportation Commission ("Commission"), on behalf of itself and in the role as the Local Transportation Authority, ALUC, Service Authority for Freeway Emergencies, Consolidated Transportation Service Agency and CMA, make a motion, pursuant to the authority set forth in AB 361 (Government Code Section 54953[e][1]), to 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**

**8E. MOTORIST AID SPEED SENSOR AND DATA UPDATE- PG.19**

***Recommended Action:***

- *Receive an update on the Motorist Aid Program's SpeedInfo speed sensor network.*

**Responsible Staff: Amanda Fagan**

**8F. ACTIVE TRANSPORTATION PROGRAM (ATP) CYCLE 6 REGIONAL PRIORITIZATION METHODOLOGY- PG.21**

***Recommended Action:***

- *Approve a methodology to prioritize local projects for funding under the Metropolitan Planning Organization (MPO) Component of the ATP Cycle 6 Call for Projects (Attachment 1).*

**Responsible Staff: Heather Miller**

**8G. RESOLUTION 2022-09 APPROVING VENTURA COUNTY'S FY 2022/2023 STATE OF GOOD REPAIR PROJECT LIST - PG.25**

***Recommended Action:***

- *Adopt Resolution 2022/2023 (Attachment 1) approving the project list for the FY 2022-2023 State of Good Repair funds for a total of \$1,484,378 and authorizing the Executive Director to submit all required documents to receive the funds.*

**Responsible Staff: Heather Miller**

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

***Recommended Action:***

- *Receive and file.*

**Responsible Staff: Claire Grasty and Dolores Lopez**

**8I. CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM APPORTIONMENT LOAN TO SACRAMENTO AREA COUNCIL OF GOVERNMENTS (SACOG)-37**

***Recommended Action:***

- *Ratify approval by the Executive Director of a \$4 million loan from the Ventura County Congestion Mitigation and Air Quality (CMAQ) Program apportionment to the Sacramento Area Council of Governments (SACOG), with repayment to occur in Fiscal Year (FY) 2022/2023*

**Responsible Staff: Peter DeHaan**

**8J. CALTRANS DIVISION OF RAIL AND MASS TRANSPORTATION DISADVANTAGED BUSINESS ENTERPRISE (DBE) AGREEMENT-39**

***Recommended Action:***

- *Authorize the Executive Director to sign the attached Memorandum of Understanding with Caltrans for the DBE Program applicable to federally funded transit projects.*

**Responsible Staff: Peter DeHaan**

**8K. ACCESS FOR ALL BUDGET AMENDMENT- PG.41**

***Recommended Action:***

- *Approve a Budget Amendment to the Fiscal Year 2022/2023 Transit Grant Administration budget to increase revenues by \$293,790 in new California Public Utilities Commission Local Access Funds and increase Pass-Through Grant expenditures by the same amount.*

**Responsible Staff: Heather Miller**

**8L. [LEGISLATIVE UPDATE-PG. 45](#)**

***Recommended Action:***

- *Receive and file.*

**Responsible Staff: Darrin Peschka**

**8M. [AGREEMENT WITH CALIFORNIA HIGHWAY PATROL FOR MOTORIST AID CALLBOX DISPATCH SERVICES-PG.65](#)**

***Recommended Action:***

- *Authorize the Executive Director to execute an Agreement with California Highway Patrol (CHP) for Answering and Dispatch Services for the Motorist Aid Emergency Roadside Assistance Callbox system in Ventura County contingent upon acceptance of any final edits from CHP.*

**Responsible Staff: Amanda Fagan**

**8N. [RESOLUTION SUPPORTING “CALIFORNIA CLEAN AIR DAY”, OCTOBER 5, 2022-PG. 75](#)**

***Recommended Action:***

- *Approve Resolution 2022-10 supporting “California Clean Air Day” on October 5, 2022.*

**Responsible Staff: Martin Erickson**

**8O. [BUDGET AMENDMENT TO THE VCTC INTERCITY PROGRAM-PG.77](#)**

***Recommended Action:***

- *Approve a budget amendment for the Regional Transit Planning Program Budget by increasing the LCTOP funds by \$530,800 for the Youth Ride Free Program.*
- *Approve a budget amendment for the Regional Transit Planning Program Budget to increase the expenditures by \$560,800 adding a new line item, Youth Ride Free, in the amount of \$530,800 and increasing the Consultant line item by \$30,000 for the Transit Integration and Efficiency Study. The additional revenues for the TIES study were approved at the July Commission meeting.*

**Responsible Staff: Claire Grasty**

**DISCUSSION CALENDAR:**

**9. [RESOLUTION HONORING VENTURA COUNTY SUPERVISOR AND VCTC COMMISSIONER CARMEN RAMIREZ-PG.79](#)**

***Recommended Action:***

- *It is recommended that the Ventura County Transportation Commission (“Commission”) approve a resolution honoring the memory and contributions of Ventura County Board of Supervisors Chair and VCTC Commissioner Carmen Ramirez.*

**Responsible Staff: Martin Erickson**

**10. [COORDINATED PUBLIC TRANSIT- HUMAN SERVICES TRANSPORTATION PLAN - PG.81](#)**

***Recommended Action:***

- *Approve the Coordinated Public Transit- Human Services Transportation Plan.*

**Responsible Staff: Claire Grasty**

**11. [SANTA PAULA BRANCH LINE UPDATE -PG.83](#)**

***Recommended Action:***

- *Receive and file a report on the status of the Santa Paula Branch Line (SPBL) Railroad Lease and Operations Agreement with Sierra Northern Railway and efforts to advance completion of the SPBL Trail.*

**Responsible Staff: Amanda Fagan**

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

**13. AGENCY REPORTS:**

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

Primary: Commissioner Mike Judge

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

Primary: Vice-Chair Tony Trembley

Alternate: Daniel Chavez

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

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Jim White

**Coastal Rail Coordinating Council**

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Richard Rollins

**California Association of Councils of Governments**

Primary:

**California Vanpool Authority (CalVans)**

Primary: Commissioner Jim White

Alternate: Commissioner Lynn Edmonds

**14. ADJOURN in memory of Ventura County Board of Supervisors Chair and VCTC Commissioner Carmen Ramirez.**

**The next VCTC meeting will be at 9:00a.m. on October 7, 2022.**



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Item #8A

September 2, 2022

**MEETING MINUTES OF JULY 8, 2022, VCTC COMMISSION MEETING  
AT 9:00 A.M.**

**CALL TO ORDER:**

Chair Trembley called the regular meeting of the Ventura County Transportation Commission to order at 9:02 A.M. at the City of Camarillo, City Hall Chambers, 601 Carmen Drive, CA 93010. And via teleconference location 980 Enchanted Way Suite 203, Simi Valley, CA 93065.

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

**ROLL CALL/MEMBERS PRESENT:**

Tony Trembley, City of Camarillo  
Claudia Bill-de la Peña, City of Thousand Oaks  
Lynn Edmonds, City of Fillmore  
Chris Enegren, City of Moorpark  
Mike Judge, City of Simi Valley  
Robert Huber, County of Ventura, (**Via Teleconference**)  
Matt LaVere, County of Ventura  
Carmen Ramirez, County of Ventura  
Richard Rollins, City of Port Hueneme  
Jim White, Citizen Rep., County  
Gloria Roberts, Acting Caltrans District 7 Director

**ABSENT:**

Daniel Chavez, Citizen Rep., Cities  
Bryan MacDonald, City of Oxnard  
Mike Johnson, City of Ventura  
Kelly Long, County of Ventura  
Linda Parks, County of Ventura  
Andy Sobel, City of Santa Paula  
William Weirick, City of Ojai

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

**5. CALTRANS REPORT** – Acting Caltrans District Director 7, Gloria Roberts, gave the July monthly project report updates to the commission.

**6. COMMISSIONERS/EXECUTIVE DIRECTOR REPORT –**

Commissioner White thanked staff and executive director for the updated VCTC bike maps. Executive Director Martin Erickson welcomed Acting Caltrans District Director, Ms. Gloria Roberts. The following were Mr. Erickson's updates for the month of July:

- VCTC and Caltrans convened the second meeting of the Arroyo Simi Bridge Suicide Prevention Task Force on June 9<sup>th</sup> to discuss the process and evaluate alternates.
- VCTC convened the Regional Advisory Committee (RAC) for the Comprehensive Transportation Plan (CTP) Update July 29<sup>th</sup> to discuss the projects lists and performance measures.
- VCTC will provide extra Freeway Service Patrol service to reduce traffic congestion and improve traffic safety conditions during the Ventura County Fair.
- Sierra Northern Railway continues to improve the conditions of the signals and railroad tracks, conduct weed abatement and other right-of-way maintenance activities and conduct rail operations on the Santa Paula Branch Line.
- VCTC joined Santa Barbara County Association of Governments (SBCAG) and Caltrans for a ribbon cutting to celebrate the opening of new carpool lanes and a completed Highway 101: Carpinteria Project on Friday June 17<sup>th</sup>.
- VCTC will be a sponsor of the Ventura County Fair which returns to Ventura in-person for the first time since 2019. VCTC will have a booth at the fair on August 5<sup>th</sup> and August 7<sup>th</sup>.

**7. ADDITIONS/REVISIONS** – There were none.

**8. CONSENT CALENDAR –**

**Item 8F-FEHR & PEERS Contract amendment for the Transit Integration and Efficiency Study** was verbally amended by Claire Grasty to move \$30,000 from the State Transit Assistance Fund to the General Fund's Regional Transit Planning STA fund transfer revenues. General Counsel Steve Mattas confirmed the amendment change as the funds have already been set aside and budgeted.

Commissioner White pulled item 8A noting he was not present at the VCTC commission meeting of June 3, 2022 as previously noted in the June 3, 2022, minutes. The minutes would be updated to reflect the roll call in the June 3, 2022 minutes.

**Commissioner LaVere** moved to approve consent calendar item 8A thru 8J with amendments to item 8A and 8F item. The motion was seconded by **Commissioner Judge** and passed unanimously.

**8A. APPROVE MINUTES OF THE JULY 8, 2022, MEETING-PG.7**

**Recommended Action:**

- Approve the summary minutes of July 8, 2022.

**8B. MONTHLY BUDGET REPORTS- PG.13**

**Recommendation:**

- Receive and file the monthly budget report for May 2022.

**8C. TRANSPORTATION DEVELOPMENT ACT (TDA) AUDITS FOR FISCAL YEAR 2020/2021-PG.21**

**Recommendation:**

- Receive and file the Transportation Development Act (TDA) Audits for Fiscal year 2020/2021.

**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- PG.23**

**Recommended Action:**

- It is recommended that the Ventura County Transportation Commission ("Commission"), on behalf of itself and in the role as the Local Transportation Authority, ALUC, Service Authority for Freeway Emergencies, Consolidated Transportation Service Agency and CMA, make a motion, pursuant to the authority set forth in AB 361 (Government Code Section 54953[e][1], to 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.

**8E. APPROVE COMBINED CALL-FOR-PROJECTS FOR CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FUNDS, TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 BICYCLE AND PEDESTRIAN FUNDS, AND SENATE BILL (SB) 1 STATE OF GOOD REPAIR (SGR) FUNDS- PG.25**

**Recommendation:**

- Approve guidelines in Attachment A and application in Attachment B for a new call for projects to program funds available during the period of the Infrastructure Investment and Jobs Act (IIJA), including CMAQ, TDA Article 3 Bicycle & Pedestrian, and SB 1 SGR funds.
- Approve Call for Projects Schedule contained in the agenda item.
- Approve “off-the-top” funding of \$443,000 for Regional Ridesharing (to come from the non-Transit share) for each of four years (FY 23/24-26/27), and \$636,000 for Transit Outreach (to come from the Transit share) for each of the same four years.
- Approve policy for Shelf List (included in Guidelines in Attachment A).

**8F. FEHR & PEERS CONTRACT AMENDMENT FOR THE TRANSIT INTEGRATION AND EFFICIENCY STUDY- PG.29**

**Recommendation:**

- Authorize the Executive Director to execute Amendment 1 to the Fehr & Peers contract for the Transit Integration and Efficiency Study for a time extension through December 31, 2022 and increase the contract amount by \$30,000 to \$330,000.
- Amend the FY 2022-2023 Regional Transit Planning budget by an increase of \$30,000 of STA funds.

**8G. TNC ACCESS FOR ALL PROGRAM FUND ADMINISTRATOR FOR VENTURA COUNTY- PG.33**

**Recommendation:**

- Consider adopting a resolution (Attachment A) authorizing the Ventura County Transportation Commission (VCTC) to serve as the Ventura County Local Access Fund Administrator (LAFA) of revenue generated by the Access for All Program of the California Public Utilities Commission (CPUC) to support on-demand wheelchair accessible vehicle (WAV) service.
- Consider completing the consent form (Attachment B) ensuring VCTC agrees to comply with all grant terms, conditions, and requirements set forth in the Resolution. This process is required annually from all parties, including current LAFA(s) renewing their status.

**8H. CSUCI COOPERATIVE AGREEMENT-FISCAL YEAR 2022-2023 EXTENSION- PG.39**

**Recommendation:**

- Approve Amendment No. 24 to the Cooperative Agreement between California State University Channel Islands (CSUCI) and VCTC for FY2022-2023 bus service to CSUCI.

**8I. VALLEY EXPRESS TRANSIT SERVICE CONTRACT AMENDMENT-PG.43**

**Recommendation:**

- Authorize Executive Director to execute Amendment No.4. to the Transit Services Agreement with MV Transportation and increase the total not-to-exceed amount by \$181,633 to \$18,481,633; and approve finding of the sole source justification.

**8J. VALLEY EXPRESS BUS SERVICE REQUEST FOR PROPOSALS – PG.51**

**Recommendation:**

- Authorize Executive Director to finalize and issue Request for Proposals for Valley Express Bus Service on behalf of the Heritage Valley Transit Service member-agencies as outlined in Attachment A.

**DISCUSSION CALENDAR:**

**9. LEGISLATIVE UPDATE-PG.53**

**Recommendation:**

- Receive and file.

The commission received and filed Item 9-Legislative Update.

**10. COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLAN - PG.73**

**Recommendation:**

- Receive and file the draft Coordinated Public Transit-Human Services Transportation Plan update.

Claire Grasty along with consultant Ezra Pincus-Roth with Nelson Nygaard gave a power point presentation to the commission regarding the Coordinated Public Transit-Human Services Transportation Plan. The commission received and filed Item 10.

**11. TEAL CLUB SPECIFIC PLAN CONSISTENCY REVIEW AND DETERMINATION -PG.75**

**Recommendation:**

- The Ventura County Airport Land Use Commission (ALUC) hold a public hearing regarding consistency of the Teal Club Specific Plan with the Ventura County Airport Comprehensive Land Use Plan.
- The Ventura County Airport Land Use Commission make a determination that the proposed Teal Club Specific Plan is consistent with the Ventura County ACLUP.

Chair Trembley opened the public hearing at 9:55a.m. of the Teal Club Specific Plan Consistency Review and Determination. Amanda Fagan gave a power point presentation to the commission.

There was one public comment regarding the Teal Club Specific Plan Consistency Review and Determination by Mr. Dennis Hardgrave, Land Planner in private practice and project director for the Teal Club Specific Plan.

Chair Trembley closed the public hearing of the Teal Club Specific Plan Consistency Review and Determination at 10:21a.m.

**Commissioner LaVere** moved to approve item 10-Teal Club Specific Plan Consistency Review and Determination. The motion was seconded by **Commissioner Edmonds** and passed unanimously.

**12. VCTC GENERAL COUNSEL'S REPORT:** None.

**13. AGENCY REPORTS:**

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

Primary: Commissioner Mike Judge

Commissioner Judge stated a website address was shared with Mr. Erickson which SCAG released regarding the draft of the 2021/2023 Federal Transportation Improvement Program which is available for viewing on-line and will be disseminated to the commission.

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

Primary: Vice-Chair Tony Trembley

Alternate: Daniel Chavez

Chair Trembley stated Metrolink adopted its FY 22/23 budget, the operating budget assumptions include a service restoration at 90% as of July 1 and 100% as of October 2022 with only adding one new service line, which is the Ventura line on weekends starting in April of next year. Chair Trembley stated ridership recovery needs to continue moving forward, it is at 43% of pre-pandemic level ridership for the quarter. Chair Trembley reported Metrolink is going through a brand refresh update which the Metrolink board adopted. Chair Trembley reminded everyone of Metrolink's fare programs currently going on which include the \$15.00 summer day pass and the \$10.00 weekend day pass with kids riding free.

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

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Jim White

Commissioner White noted that the next LOSSAN meeting will be July 18, 2022.

**Coastal Rail Coordinating Council**

Primary: Commissioner Bryan MacDonald

Alternate: Commissioner Richard Rollins

None.

**California Association of Councils of Governments**

Primary: Commissioner Carmen Ramirez

Commissioner Ramirez stated the next CALCOG meeting would be July 15<sup>th</sup>, some items on the upcoming meeting agenda are the director update, legislative and budget update, update on state climate policy and review of the budget and dues of 2022/2023.

**California Vanpool Authority (CalVans)**

Primary: Commissioner Jim White

Alternate: Commissioner Lynn Edmonds

CalVans is having their annual board of directors meeting in Sacramento, CA On August 11, 2022.

**14. Closed Session: Public Employee Performance Evaluation  
(Pursuant to Government Code Section 54957)**

**Title: Executive Director**

The commission went into closed session at 10:32a.m.

General Counsel Steve Mattas stated there would be no announcement at this time.

**15. ADJOURN to 9:00 a.m. Friday, SEPTEMBER 2, 2022.**



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Item #8B

September 2, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: SALLY DEGEORGE, FINANCE DIRECTOR**

**SUBJECT: MONTHLY BUDGET REPORT**

**RECOMMENDATION:**

- Receive and file.

**DISCUSSION:**

Staff is still performing the lengthy yearend closing process of the prior fiscal year which historically does not occur until the end of September. In order to give the Commission an accurate monthly budget report, the July and August monthly budget reports will be included as part of the next month's agenda.

The Commission should note, however, that all revenues, expenditures, and cash flow to date are consistent with the adopted budget.



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**Item #8C**

**September 2, 2022**

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: GEISKA VELASQUEZ, PROGRAM ANALYST**

**SUBJECT: ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT (TDA) FISCAL YEAR (FY) 2022/23 ARTICLE 3 BIKE PATH MAINTENANCE FUNDS**

**RECOMMENDATION:**

- Approve the allocation of Fiscal Year 2022/2023 Transportation Development Act (TDA) Article 3 Bike Path Maintenance Funds totaling \$240,279 as shown in the table in Attachment A.

**BACKGROUND:**

In accordance with California PUC Section 99233.3, up to two percent (2%) of Transportation Development Act (TDA) Local Transportation Funds can be set aside by VCTC for planning, construction and/or maintenance of bicycle and pedestrian facilities, with the program policies adopted by VCTC. Additionally, under VCTC policy, in Ventura County 25% of the TDA Article 3 funds are set aside for bike path maintenance distributed proportionally according to amount of Class I pathways within each jurisdiction. The FY 2022/23 Article 3 apportionment for Ventura County is \$961,115, with \$240,279 of that amount available for this cycle's (FY22/23) maintenance allocation. The remainder of the Article 3 funding is allocated on a competitive basis for projects that foster an increase in bicycling and walking and provide improved connectivity. A call for projects was released for the competitive portion on July 8, 2022, in conjunction with the Congestion Mitigation and Air Quality (CMAQ) and State of Good Repair (SGR) programming, with applications due to VCTC by September 23, 2022.

**DISCUSSION:**

This year there is \$240,279 (25%) of FY 2022/23 Article 3 funds available for distribution to local jurisdictions for Class I Bike Path maintenance. Agencies were asked to review and update the mileage information for their jurisdictions. Attachment A is a table that provides a breakdown of current Class I Bicycle Path mileage reported by each jurisdiction and their recommended proportional share of the FY 2022/23 TDA Article 3 maintenance funds.

The \$240,279 in available funding this year is 44% more than the amount available from last cycle due to increased economic recovery. TDA revenue in Ventura County is sales tax revenue equal to ¼% of taxable sales (out of a state sales tax of 7¼%). Last year's (FY 21/22) funding was an increase of 33% over the previous cycle, so the current funding cycle reflects a "back to normal" level of funding.

The Article 3 Bike Path Maintenance Funds were reviewed and approved by the Transportation Technical Advisory Committee (TTAC) on August 17, 2022.

**ATTACHMENT A**

<b>FY 2022-2023 TDA Article 3 Maintenance Funding</b>			
<b>City</b>	<b>Existing Class I Mileage</b>	<b>Class I Maintenance Allocation</b>	<b>% Share</b>
Camarillo	4.4	\$11,957	4.98%
Fillmore	5.62	\$15,272	6.36%
Moorpark	2.4	\$6,522	2.71%
Ojai	0.4	\$1,087	0.45%
Oxnard	4.74	\$12,881	5.36%
Port Hueneme	5.71	\$15,517	6.46%
San Buenaventura	32.82	\$89,187	37.12%
Santa Paula	1.8	\$4,891	2.04%
Simi Valley	13.6	\$36,958	15.38%
Thousand Oaks	3.13	\$8,506	3.54%
Ventura County	13.8	\$37,501	15.61%
<b>TOTAL</b>	<b>88.42</b>	<b>\$240,279</b>	<b>100%</b>





Item #8D

September 2, 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 #8E

September 2, 2022

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

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

**SUBJECT: MOTORIST AID SPEED SENSOR NETWORK UPDATE**

**RECOMMENDATION:**

- Receive an update on the Motorist Aid Program's SpeedInfo speed sensor network.

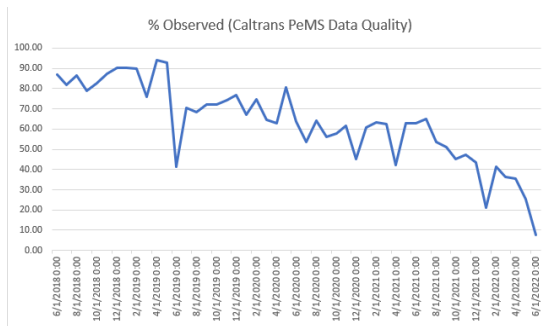
**BACKGROUND:**

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 fee on all vehicles registered in Ventura County. Since 2007, VCTC has operated a network of 100 "SpeedInfo" traffic speed sensors installed throughout Ventura County along Highways 101, 126, 118, 33, and 23. The sensors provided traffic speed data using solar powered, wireless speed sensors. The system was intended to supplement speed data where Caltrans loop detectors and other sensors are not available, and for Caltrans District 7 Traffic Management Center to convert this data into travel time for publication to the county's Changeable Message Signs. SpeedInfo data connects directly to Caltrans District 7 servers. The sensors transmit data wirelessly using 3G cellular service.

**DISCUSSION:**

With the sunset of 3G cellular service in 2022, the SpeedInfo sensors can no longer connect to the cellular data network and are becoming obsolete. Approximately 50% of the SpeedInfo units are now offline, and over the next several months, the remaining devices will ultimately also go dark. As the SpeedInfo technology is over 15 years old, the vendor notified VCTC that it does not expect to upgrade the devices to work on the 4G/LTE cellular network and coupled with other means of acquiring traffic speed data from connected vehicles, is not offering a hardware solution at this time. VCTC will not incur continued costs for the existing data sensor network.

Coincident with the sunset of the SpeedInfo system, VCTC staff noticed a significant decline in Caltrans Performance Measurement System (PeMS) data quality over the past year. PeMS is used by engineers, consultants, and planners to obtain essential data on freeway and highway performance in California. VCTC Staff inquired whether data quality loss was related to the loss of the speed detector service. Caltrans PeMS data quality for Ventura County has trended downward since 2018, with a precipitous decline over the past year. Data quality of less than 80% is considered usable by traffic engineers. At this point, the Caltrans PeMS count data is unusable for several highways and locations in Ventura County. Caltrans indicates that the data quality decline is not due to SpeedInfo sensors going off-line but is instead related to maintenance and upgrades needed for the PeMS network.



While the SpeedInfo system was initially thought to have transportation planning applications, VCTC staff and consultants have found the system has proven to have limited utility for transportation planning efforts given the way the data is stored and transmitted. With the SpeedInfo system going offline, VCTC staff inquired of Caltrans District 7 as to whether there remains a need for supplemental speed data, given technological advancements and system changes over time, and to identify the best path forward to meet those needs. Staff also inquired about leveraging new technologies to

improve the PeMS data quality and coverage for Ventura County. The data quality has been historically volatile for Ventura County. Also, several blind spots are located on sections of the highway system in the County without sensors or traffic census stations.

Caltrans Traffic Operations indicates that supplemental traffic speed data is needed to accurately calculate travel times for Ventura County. While the existing SpeedInfo system used a network of traffic speed detection devices installed throughout the County on major commute corridors for the past 15 years, modern systems of networked devices collect data remotely and aggregate that data without a need for sensors to be installed on or adjacent to the roadways. Cell phones, networked devices, fleet vehicles, automated vehicle locator (AVL) systems, and a host of other devices collect and allow aggregation of traffic flow data. In addition, the SpeedInfo system only provides data for vehicle traffic speeds, while advanced systems can provide a variety of metrics for multiple modes of transportation, such as bicycles and pedestrians, and facilitate a multi-modal approach to transportation planning and traffic operations, though the field is still an area of active development relative to bicycle and pedestrian travel. In addition, while travel time data is available from private sources to those with cellular phone service, providing public sources of information on travel times is an issue of equity.

Since its inception, the SpeedInfo system has primarily served a Motorist Aid function and has been funded by the Service Authority for Freeway Emergencies (SAFE) Fund through the Motorist Aid program. However, staff has identified several potential system options that may provide more robust transportation data and analytical tools beyond the traffic speed information that the SpeedInfo system provided. The Fiscal Year 2022/2023 Regional Transportation Planning budget includes funding for a new Transportation Data & Analytics Pilot Program, and a replacement system for SpeedInfo may overlap with this Pilot Program. Staff is considering opportunities to meet multiple transportation planning, congestion management, travel time calculation, traffic operation, and community information needs, for both VCTC and for our County and City partners. This may include improvements to, or serve as a replacement for, the PeMS system to better serve Ventura County.

The Southern California Association of Governments currently has a Request for Proposals for a cell phone probe data license from a big data vendor to provide travel analytic capabilities for the region. The breadth of metrics and platform capabilities from the regional procurement will depend on vendor selection and negotiations, which may include the real-time speed data needed to replace the SpeedInfo sensor technology for Ventura County. Also, the regional big data license may provide Ventura County with the data coverage needed to supplement the PeMS system and provide cities with a variety of metrics on local street performance. The SCAG Regional Analytics Platform is planned to become active in October 2022.

Another area of further consideration regarding a replacement for SpeedInfo speed data is whether to encourage Caltrans to further build out its speed detection and traffic flow network capabilities within Ventura County, as SpeedInfo was originally intended to supplement to Caltrans capabilities to achieve parity with speed detection and travel time calculations and communication in other counties, such as Los Angeles.

VCTC staff will continue to research and evaluate alternative approaches to traffic flow and speed data collection and analysis. Staff will return to the Commission once options have been more fully researched with a recommendation, which will likely include a request for proposals and scope of work.



**ITEM #8F**

**SEPTEMBER 2, 2022**

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: HEATHER MILLER, PROGRAM MANAGER**

**SUBJECT: ACTIVE TRANSPORTATION PROGRAM (ATP) CYCLE 6 REGIONAL  
PRIORITIZATION METHODOLOGY**

**RECOMMENDATION:**

- Approve a methodology to prioritize local projects for funding under the Metropolitan Planning Organization (MPO) Component of the ATP Cycle 6 Call for Projects (Attachment 1).

**BACKGROUND**

The Active Transportation Program (ATP) is a competitive statewide program funding projects that increase and promote the use of active modes of transportation such as biking and walking. Along with the program's overall purpose of encouraging biking and walking, the program also aims to increase safety and mobility for non-motorized users, help regional agencies achieve greenhouse gas reduction goals, enhance public health, ensure that disadvantaged communities fully share in program benefits, and provide a broad spectrum of projects to benefit many types of active transportation users. The California Transportation Commission (CTC) adopted the 2023 ATP Guidelines in March 2022, at the same time announcing the Cycle 6 Call for Projects with applications due in June 2022. The CTC received 434 applications statewide for Cycle 6 with projects valued at \$4.3 billion and ATP funding requests totaling \$3.1 billion. While the number of applications submitted to the State were fewer compared to Cycle 5, the amount of requested ATP funds increased from \$2.3 billion to \$3.1 billion.

The funding for Cycle 6 announced in March 2022 was approximately \$650 million for the four-year program and comprised of Federal, State SB1, and State Highway Account (SHA) funds. This was a 50% increase from Cycle 5, mostly due to the passage of the Infrastructure Investment and Jobs Act (IIJA) in 2021, which provided increased federal funding. However, given the experience from prior cycles, even with the increase, the available funding was expected to be far short of the demand for this program. Therefore, on the CTC's recommendation, the 2022 State budget provided a one-time infusion of \$1.05 billion in General Funds to augment the ATP. At its August 18<sup>th</sup> meeting, the CTC amended the Cycle 6 guidelines to add this \$1.05 billion General Fund infusion for a total of \$1.65 billion in ATP funding to program for projects in fiscal years 2023/24, 2024/25, 2025/26 and 2026/27. Locally, the augmentation will yield an estimated \$14 million in additional ATP funds for Ventura County adding to the \$6 million original estimate, for an estimated \$20 million in total available funds for the MPO Regional Selection Component of the program. Agencies within Ventura County submitted seven (7) project applications overall to the State totaling over \$40 million in requested ATP funds with total project costs of nearly \$42 million. Statewide selections are expected to be announced in October 2022, at which point projects not selected at the statewide level are considered for funding at the regional level.

## **DISCUSSION**

**ATP Funding breakdown and how projects are selected:** Caltrans and the CTC review all ATP project applications and scores are assigned to each application based on the adopted CTC Scoring Criteria. Applications can receive a maximum of 100 points. Approximately sixty percent (60%) of the total funding awards will be recommended by CTC through the Statewide Program (50%) and Small Urban/Rural Program components (10%), while forty percent (40%) of the total funding awards will be recommended by regional MPOs.

**Statewide Competitive Program:** Once the applications are scored by Caltrans and the CTC, the projects are ranked. Those projects with the highest ranking will receive funding through the statewide competitive program. The CTC staff recommendation for Statewide, Small Urban & Rural components, and Quick-Build Pilot Program are expected to be posted in October 2022 with CTC adoption anticipated in December 2022.

**Regional Program:** If projects do not score high enough to be funded under the Statewide Program, they are reconsidered for funding through the MPO (SCAG) regional project selection process. As in past years SCAG develops Regional Guidelines for distribution of the region's ATP share. VCTC plays a role in project selection at the regional level for Ventura County's share (based on population.)

### **VCTC's role in the regional project selection process:**

- The SCAG guidelines allow VCTC to develop a methodology to prioritize local projects for funding that flows through SCAG. As a means of prioritizing projects, counties can add up to twenty (20) points to supplement the CTC scores.
- The Commission is required to adopt the final recommended list of projects for the County, which is submitted to SCAG for funding; and
- VCTC also adopts a prioritized list of contingency projects should Cycle 6 funds be made available through project cancellations or cost savings (subject to CTC approval).

### **Recommended 20 Point Criteria:**

Among the goals approved at the VCTC's recent goal-setting session were both making it a priority to build new bike lanes countywide and implementing strategies to promote transit ridership. Encouraging multi-modal transportation options is a key goal of the region. As such, for Cycle 6, VCTC staff proposes removing five (5) points from the project readiness category and awarding five (5) points to projects demonstrating enhanced access to transit stops. The Transportation Technical Advisory Committee (TTAC) approved this change and overall point distribution at their August 22 meeting. Therefore, it is recommended that a maximum of 20 points be awarded to the CTC Cycle 6 project scores based on the following methodology:

- **For Construction Projects:**

Up to 10 points will be awarded for project readiness:

- a. Four (4) points will be awarded if the project is identified in an approved, adopted Bicycle, Pedestrian or Active Transportation Plan listed in Attachment 1, OR
- b. Eight (8) points will be awarded if the project is identified in a plan listed in Attachment 1, and the conceptual design has been completed, OR
- c. Ten (10) points will be awarded if the project is identified in a plan listed in Attachment 1, and the Conceptual design has been completed, and the ATP Cycle 6 application shows the preconstruction phases fully funded by the Local Agency.

AND

Up to five (5) points will be awarded for a project demonstrating enhanced access to transit stops.

- **For Planning Projects:** Fifteen (15) points will be awarded if the project is to prepare a Citywide, Areawide or Corridor Specific Active Transportation Plan,

AND

- **Five (5) points for Any Project with a Safe Routes to Schools Component:** Projects will be awarded 5 points if the Safe Routes to Schools box is checked in the Cycle 6 Application.

**ACTIVE TRANSPORTATION PROGRAM (ATP) CYCLE 6  
LOCAL PRIORITIZATION METHODOLOGY**

A maximum of 20 points will be added to the CTC Score based on the following methodology:

1. **For Construction Projects** -- Up to twelve (12) points will be awarded for project readiness:
  - a. Four (4) Points will be awarded if a Project is identified in an adopted Plan below:
    - City of Camarillo Bikeway Master Plan (2017)
    - City of Moorpark Bicycle Transportation Plan (2008)
    - Moorpark College Facilities Master Plan (2015)
    - Ojai Complete Streets Master Plan (2017)
    - City of Oxnard Bicycle and Pedestrian Master Plan (2011)
    - Oxnard Corridor Transportation Improvement Plan – A Livable Oxnard (2016)
    - Santa Clara River Trail Master Plan (2011)
    - Simi Valley Bicycle Master Plan (2009)
    - Simi Valley Green Community Action Plan (2010)
    - City of Thousand Oaks Active Transportation Plan (2019)
    - Thousand Oaks Boulevard Specific Plan (2012)
    - City of Ventura Bicycle Master Plan (2011)
    - County of Ventura Transportation Strategic Master Plan (2012)
    - Safe Routes to Schools Master Plan 12/11/2018
    - Ventura County Prioritized List for Construction of Pedestrian Facilities (2020)
    - Ventura County Prioritized List for Construction of Category B Bike Lanes (2017)
    - VCTC Bicycle Wayfinding Plan (2017), OR
  - b. Eight (8) Points will be awarded if a project is identified in a plan listed above and the conceptual design has been completed, OR
  - c. Ten (10) Points will be awarded if the project is identified in a plan listed above and the conceptual design has been completed and the ATP Cycle 6 application shows the preconstruction phases fully funded by the Local Agency

AND

Up to five (5) points will be awarded for a project demonstrating enhanced access to transit stops.

2. **For Planning Projects**: Fifteen (15) points will be awarded if the project is to prepare a Citywide, Areawide or Corridor Specific Active Transportation Plan,

AND

3. **For Any Project with a Safe Routes to Schools Component**: Projects will be awarded five (5) points if the Safe Routes to Schools box is checked in the Cycle 6 Application.





Item #8G

September 02, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: HEATHER MILLER, PROGRAM MANAGER**  
**SUBJECT: RESOLUTION 2022-09 APPROVING VENTURA COUNTY'S FISCAL YEAR (FY) 2022/2023 STATE OF GOOD REPAIR PROJECT LIST**

**RECOMMENDATION:**

- Adopt Resolution 2022-09 (Attachment 1) approving the project list for the FY 2022/2023 State of Good Repair funds for a total of \$1,484,378 and authorizing the Executive Director to submit all required documents to receive the funds.

**BACKGROUND:**

Senate Bill 1 (SB1), signed into law in April of 2017, provides a steady source of revenue from the Transportation Improvement Fee on vehicle registrations (approximately \$105 million annually statewide) to rehabilitate and modernize existing local transit systems. This investment in public transit is called the State of Good Repair Program (SGR) and funds are distributed to local agencies using the same formula as State Transit Assistance (STA). Table 1 provides a breakdown of the available FY 2022/2023 SGR funding for Ventura County:

Table 1. State of Good Repair Funds for FY 2022/2023

Agency	SCO August Actual SGR (PUC 99314)	SCO August Actual SGR (PUC 99313)
City of Camarillo	\$ 7,978	
Gold Coast Transit District	\$ 45,381	
City of Moorpark	\$ 3,186	
City of Simi Valley	\$ 12,400	
City of Thousand Oaks	\$ 4,501	
SCRRA (Metrolink)	\$ 134,854	
VCTC		\$ 1,287,242

**DISCUSSION:**

As Ventura County's Regional Transportation Planning Agency (RTPA), the VCTC is required to compile and forward to Caltrans a combined list of eligible projects for the region proposed to be funded with State of Good Repair funds. VCTC will then receive and sub-allocate the SGR funds to transit operators in the amounts claimed according to the published August SCO estimates. Due to the significant reporting requirements and relatively small funding amounts, the cities of Camarillo and

Moorpark have declined to submit a project to use their FY 2022/23 SGR funds, therefore their apportionments are returned to the State.

## Project Selection

State of Good Repair funds are made available for capital projects that maintain the public transit system in a “state of good repair” or condition in which a capital asset can operate at a full level of performance. Eligible SGR Projects include:

- transit capital projects or services to maintain or repair existing vehicles, transit or transit maintenance facilities;
- the design, acquisition and construction of new vehicles, transit facilities, maintenance facilities or equipment that improve existing transit services; and
- transit services that complement local efforts for repair and improvement of local transportation infrastructure.

The proposed FY 2022/2023 State of Good Repair projects for Ventura County, as proposed by local operators and meeting with SGR guidelines, are listed in Table 2 below:

Table 2. State of Good Repair Ventura County Project List for FY 2022/2023 SGR Funds.

Agency	Project Title	Project Description	Proposed SGR Funding
<b>Gold Coast Transit District</b>	Nine (9) Replacement CNG Buses	SGR funds to match CMAQ funds for Replacement CNG Bus purchase per TAM Plan.	\$ 45,381
<b>City of Simi Valley</b>	Bus Stop Improvements	Purchase and installation of bus stop signage and amenities, and renovation of existing bus stops; approved in the City's 5 Year Capital Improvement Plan (CIP).	\$ 12,400
<b>City of Thousand Oaks</b>	Solar Canopies at Municipal Service Center	Installation of solar parking canopies over the bus and Dial-a-Ride parking areas of the Municipal Service Center (MSC). Energy generated by the solar panels will offset the power consumption for the MSC facility as well as the CNG fueling pumps; approved in City's CIP.	\$ 4,501
<b>VCTC (99313) and SCRRA/Metrolink (99314)</b>	Arroyo Simi Bridges Rehab	The project will design, provide environmental clearance, and construction for the rehabilitation of four (4) bridges that cross the Arroyo Simi River.	\$ 1,422,096
<b>TOTAL</b>			<b>\$ 1,484,378</b>

The SCRRA (Metrolink) project includes both VCTC's PUC 99313 population formula funds of \$1,287,242 and SCRRA's PUC 99314 revenue formula funds of \$134,854 based upon the portion of Metrolink's service within Ventura County. The selected project provides design, environmental clearance, and construction for the rehabilitation of four (4) bridges that cross the Arroyo Simi River. This project prevents premature failure of the existing bridges and extends their useful life by mitigating scour at the bridge piers through clearing of portions of the channel and protecting the piers with riprap or encasement. The bridges in their current condition would last approximately 20 years. After this project, they are estimated to last 70 years. Project completion is anticipated in June of 2023. This project has received SGR funds for the past two years, but with the expected completion of the project, VCTC has elected to include future anticipated 99313 SGR funds (FY 23/24- FY 25/26) in VCTC's current combined CMAQ/Article 3/SGR Call for Projects.

Staff has reviewed the projects submitted by local transit operators for their revenue formula funds (PUC 99313) and determined the projects are consistent with the requirements of the SGR program. Therefore, staff recommends the Commission adopt Resolution #22-09 approving the list of SGR

projects for FY 2022/2023 State of Good Repair funds and authorizing the Executive Director to submit all required documents to receive the funds.

**RESOLUTION #2022-09**

**A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION  
APPROVING THE PROJECT LIST TO RECEIVE  
FY 2022/2023 CALIFORNIA STATE OF GOOD REPAIR PROGRAM FUNDS**

**WHEREAS**, Senate Bill 1 (SB1), the Road Repair and Accountability Act of 2017, established the State of Good Repair (SGR) program to fund eligible transit maintenance, rehabilitation and capital projects to maintain the public transit system in a state of good repair; and

**WHEREAS**, to be eligible for State of Good Repair funding, each year all potential recipient agencies are required to provide the Regional Transportation Planning Agency a list of projects proposed to be funded with their State of Good Repair apportionment, and

**WHEREAS**, the Ventura County Transportation Commission, as the Regional Transportation Planning Agency, is required to compile and submit the list of eligible projects for the region to Caltrans for their approval allowing the State Controller's Office to release the funds, and

**WHEREAS**, the Ventura County Transportation Commission receives and distributes State of Good Repair funds to project sponsors for eligible transit capital projects; and

**WHEREAS**, local transit operators have submitted their proposed project lists to the Ventura County Transportation Commission; and

**WHEREAS**, VCTC has determined the projects listed in Exhibit A are consistent with the adopted 2022 SGR Program Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the Ventura County Transportation Commission approves the region's State of Good Repair project list in Exhibit A for Fiscal Year 2022/2023 State of Good Repair Program Funds.

**NOW, THEREFORE, BE IT RESOLVED** the Ventura County Transportation Commission agrees to comply with the requirements of the SGR Program.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the Executive Director of the Ventura County Transportation Commission is authorized to execute all required documents to receive the funds.

PASSED AND ADOPTED on this 2nd day of September 2022 by VCTC action.

\_\_\_\_\_  
Tony Trembley, Chair

ATTEST:

\_\_\_\_\_  
Roxanna Ibarra, Clerk of the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
Steve Mattas, General Counsel

## Exhibit A

Table 2. State of Good Repair Ventura County Project List for FY 2022/2023 SGR Funds.

Agency	Project Title	Project Description	Proposed SGR Funding
<b>Gold Coast Transit District</b>	Nine (9) Replacement CNG Buses	SGR funds to match CMAQ funds for Replacement CNG Bus purchase per TAM Plan.	\$ 45,381
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<b>VCTC (99313) and SCRRA/Metrolink (99314)</b>	Arroyo Simi Bridges Rehab	The project will design, provide environmental clearance, and construction for the rehabilitation of four (4) bridges that cross the Arroyo Simi River.	\$ 1,422,096
<b>TOTAL</b>			<b>\$ 1,484,378</b>



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**Item #8H**

**September 2, 2022**

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: CLAIRE GRASTY, REGIONAL PLANNING MANAGER  
DOLORES LOPEZ, TRANSIT PLANNER**

**SUBJECT: BUS AND RAIL RIDERSHIP AND PERFORMANCE MEASURES REPORT**

**RECOMMENDATION:**

- Receive and File

**BACKGROUND:**

As a data driven and transparent organization, VCTC staff provides quarterly reports that include ridership data, performance measures, and goals for VCTC Intercity Transit as well as Metrolink and Pacific Surfliner. This report looks at the fourth quarter of Fiscal Year (FY) 2022 April 1, 2022 – June 30, 2022.

**DISCUSSION:**

VCTC's Intercity quarterly ridership has increased by 45.9% over FY21 Q4. Current ridership is at 57% of pre-pandemic levels. Ridership seems to have plateaued and is steady at the current rate. Regarding rider composition, mobility devices have seen an increase, bicycles are lower than last year but higher than FY20 and a decline in train transfers were observed. Customer service goals are being met as complaints remain at .01%.

This reporting period covers the fourth quarter. VCTC Intercity has returned to collecting full fares after collecting half fares for the last year and initially suspending fares in March 2020 to reduce 'high frequency touchpoints.' The introduction of the regional fare system, VCbuspass has helped facilitate seamless transit travel and reduce 'high frequency touchpoints.' The Cost per passenger has decreased by 13% over FY21 Q4.

The Metrolink Ventura County Line began Saturday Service in August 2021 with an average boarding of 45 riders in the first quarter of service. The Metrolink Ventura County rail line ridership increased by 131%

when compared to FY21 with station boardings increasing by 82%. However, overall Metrolink ridership is still down 73% since pre pandemic numbers. The Pacific Surfliner service, extending from San Diego to San Luis Obispo had a ridership increase of 117% compared to the same period last year and is seeing a strong return to recreational trips.



# VCTC INTERCITY

## Quarterly Ridership Report | FY 2022 Q4

April - June 2022

**87,486**

Boardings

April - June 2021

**59,962**

**45.9%**



### HIGHLIGHTS

Ridership increased by 45.9% when compared to the same period a year ago. East County has the highest increases from the previous fiscal year when comparing the same period. Highway 101 route had the highest increase over the previous quarter with ridership increasing by 30%.

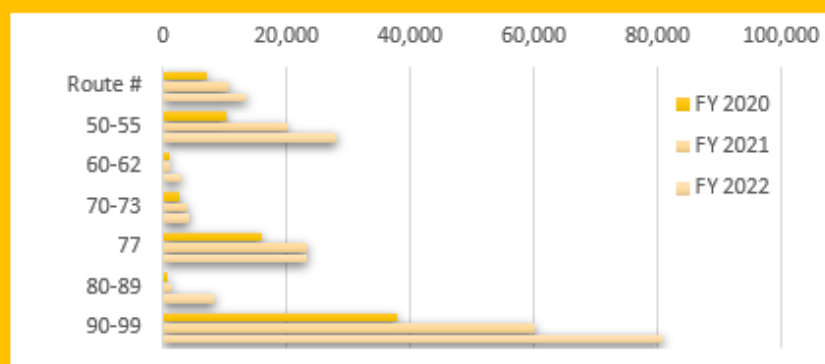
### CUSTOMER SERVICE GOALS (No more than 10/100,000 riders each month)

VCTC Intercity received eight (10) valid complaints this quarter. In April (2), May (6), and March (2) related to safety and customer service. VCTC Intercity met performance goal.

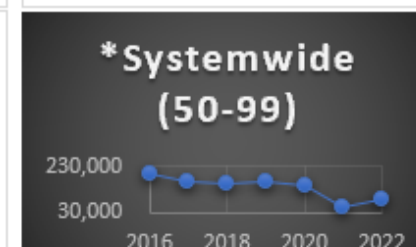
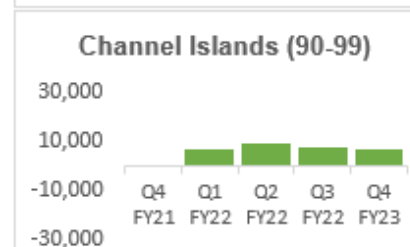
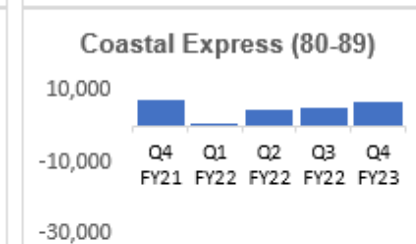
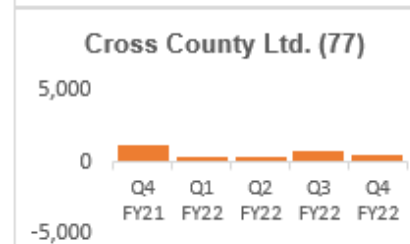
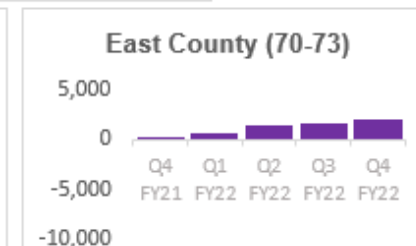
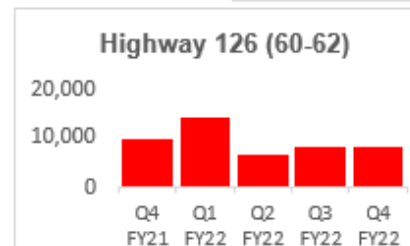
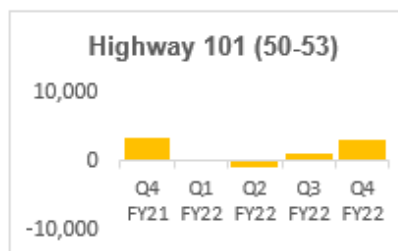
The following table provides VCTC Intercity Transit's commuter boardings (based on ridership) to better understand ridership composition; and to identify customer needs, factors to on-time performance, and other potential service improvements.

	FY 2020	FY 2021	FY 2022
Mobility Devices	0.49%	0.27%	0.92%
Bicycles	4.00%	7.86%	5.44%
Train Transfers	2.86%	1.64%	0.17%

### Quarterly Ridership by Line April - May - Jun



### RIDERSHIP CHANGE FROM PRIOR YEAR - LAST 15 MONTHS\*



\* The Systemwide (50-99) graph reflects Q3 ridership totals from FY16 - FY22 rather than a 15-month review.

# VCTC INTERCITY

## Quarterly Ridership Report | FY 2122 Q4

April - June 2022	5.89	\$ 25.37
	Passengers/Hour	Cost/Passenger
April - June 2021	3.80	\$ 29.22

### HIGHLIGHTS

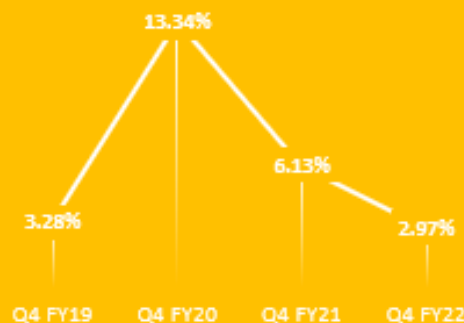
Cost per passenger decreased by 13% from the previous year when compared to the same quarter. The decrease in cost is correlated to the increasing ridership across the system. The price of gasoline has increased 51% when compared to the same quarter in the previous year and 20% over Q3.

### COST AND REVENUE PER PASSENGER

	FY21 Q4	FY22 Q4	% Change
Operating Cost	\$ 1,752,076	\$ 2,219,587	27%
Passenger Revenue	\$ -	\$ -	-
Passenger Revenue including budgeted route guaranteed	\$ 208,225	\$ 227,562	9%
<b>Passengers</b>	<b>59,962</b>	<b>87,486</b>	<b>46%</b>
<b>Cost per Passenger</b>	<b>\$ 29.22</b>	<b>\$ 25.37</b>	<b>-13%</b>
<b>Farebox Recovery Ratio not including route guaranteed</b>	<b>0%</b>	<b>0%</b>	<b>-</b>
<b>Farebox Recovery Ratio including route guaranteed</b>	<b>12%</b>	<b>10%</b>	<b>-14%</b>

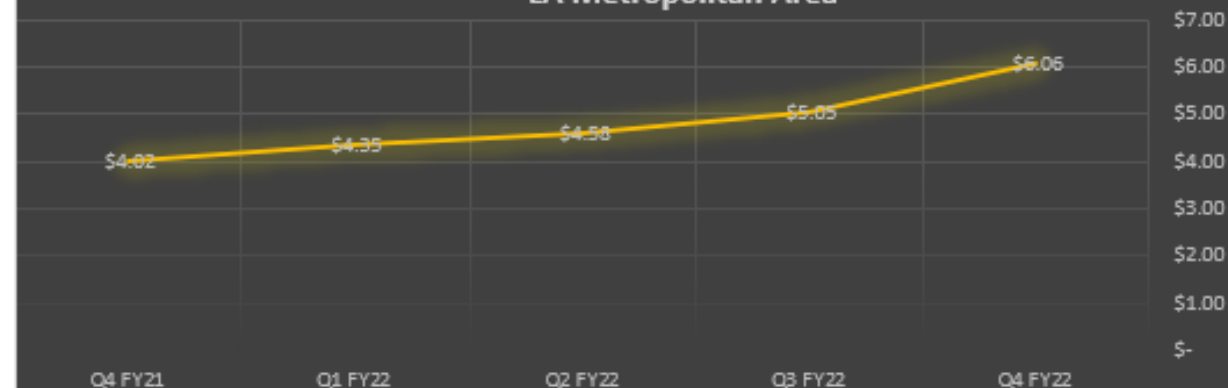
### EXTERNAL RIDERSHIP FACTORS

#### UNEMPLOYMENT RATE VENTURA COUNTY (NOT SEASONALLY ADJUSTED)



SOURCE: Employment Development Dept.

#### GASOLINE PRICES LA Metropolitan Area



SOURCE: US Bureau of Labor Statistics

^ Based on service levels and adjusted at year-end. The FY22 annual total is \$910,246 (including budget amendments to date).

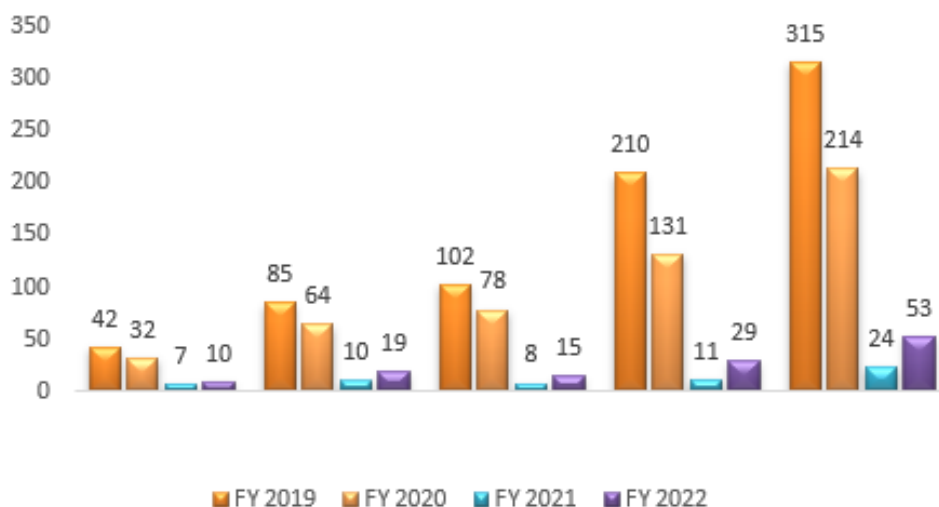
# RAIL | Metrolink Ventura County Line & LOSSAN Corridor

## Fiscal Year 2022 Annual Report

### FISCAL YEARS 2021 - 2022 HIGHLIGHTS

Ridership has been steadily improving over the year, the Ventura Line ridership was up by 43% over FY21. Station Boardings along the Ventura County line were up by 73% as well when compared to FY19.

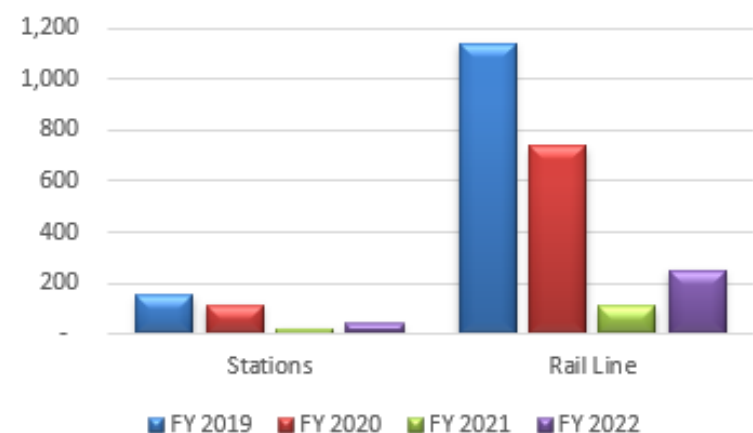
**Average VC Line Daily Station Boardings\***



\*Based on Conductor Counts

### DAILY PASSENGER TRIPS

#### Weekday Averages



Time Period	Stations	Rail Line	System Total
FY 2019	151	1,139	38,386
FY 2020	114	739	28,980
FY 2021	22	109	6,876
FY 2022	40	252	11,812
% Change over FY 2019	-73%	-78%	-69%

### Pacific Surfliner VC Ons & Offs





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Item 8I

September 2, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR**  
**SUBJECT: CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM  
APPORTIONMENT LOAN TO SACRAMENTO AREA COUNCIL OF  
GOVERNMENTS (SACOG)**

**RECOMMENDATION:**

- Ratify approval by the Executive Director of a \$4 million loan from the Ventura County Congestion Mitigation and Air Quality (CMAQ) Program apportionment to the Sacramento Area Council of Governments (SACOG), with repayment to occur in Fiscal Year (FY) 2022/2023.

**BACKGROUND:**

Under federal law, Congestion Mitigation and Air Quality (CMAQ) program funds apportioned to California lapse if not used within three years. By state law, California distributes its CMAQ apportionment to counties by formula. State law also applies the three-year lapse rule to the CMAQ apportionments of each county.

The Infrastructure Investment and Jobs Act (IIJA) authorized the continuation of the CMAQ program for five years from FY 2021/2022 through FY 2026/2027. Subsequent to passage of IIJA, VCTC completed an expedited programming of CMAQ funds, selecting projects to utilize virtually all of the newly-authorized CMAQ funds for FY 2021/2022. However, a significant amount of CMAQ from previously-selected projects has not yet been obligated in grants, due to those projects not yet being ready for implementation. Since the oldest funds are obligated first, Ventura County agencies first obligated carryover funds, leaving \$11,013,494 of unobligated funds from FY 2020/2021 and 2021/2022. No additional projects are anticipated to be obligated prior to the federal fiscal year closing on September 30<sup>th</sup>. Since these unobligated funds are not yet scheduled to lapse, they can generally be carried over to next year, although that ability to carry over funds is subject to some risk of changes made through the federal budget process.

Although the Ventura County funds are not in known danger of lapsing, on a statewide basis, there is a benefit to California drawing down as much funding as possible each fiscal year, since the state is then able to collect additional redistributions of appropriated funds from other states that could not use their share. In early August, SACOG approached VCTC with a CMAQ project ready to use an additional \$4 million beyond its apportionment balance, and proposed that VCTC loan the \$4 million, with repayment to occur after October 1<sup>st</sup>, the beginning of federal FY

2022/2023. Such a loan will allow SACOG to move forward now with an eligible project rather than deferring it to the next fiscal year.

## **DISCUSSION**

It is in VCTC's best interest that California as a whole receives the maximum available federal funding. Since VCTC will not need the requested \$4 million in FY 2021/2022, staff worked with SACOG and Caltrans to set up the loan. Due to the tight federal timeframe to obligate funds prior to the fiscal year end, it was necessary for the VCTC Executive Director to approve the loan in early August, without waiting for the September Commission meeting.

Although the passage of the IIJA and the resulting ability to better program future years will likely result in VCTC having lower CMAQ balances in the future, one advantage to VCTC of entering into this loan is that the funds to be loaned will be repaid with FY 2022/2023 funds, meaning that the lapse deadline will be "reset" to a later date. Also, in years past, the federal budget adoption, without warning, has rescinded apportionment balances, resulting in rescinded Ventura County apportionments. By reducing the end of fiscal year apportionment balance by \$4 million, VCTC has reduced the amount that could be taken away by any such federal budgeting decision.

Staff presented this approved loan to TTAC as an information item at its August 17<sup>th</sup> meeting, and TTAC had no comment. Since there was no August TRANSCOM meeting, staff will present this item for information to TRANSCOM on September 14<sup>th</sup>.



Item #8J

September 2, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR**  
**SUBJECT: CALTRANS DIVISION OF RAIL AND MASS TRANSPORTATION  
DISADVANTAGED BUSINESS ENTERPRISE (DBE) AGREEMENT**

**RECOMMENDATION:**

- Authorize the Executive Director to sign the attached Memorandum of Understanding with Caltrans for the DBE Program applicable to federally-funded transit projects.

**BACKGROUND:**

The Federal Transit Administration Section 5311 program provides funds by formula for transit operations in rural areas. Rather than providing funds directly to transit operators, the funds are administered by state departments of transportation, such as Caltrans. VCTC's long-standing policy has been that for simplicity of administering the relatively small amount of Section 5311 funds, the entire Ventura County apportionment goes to the City of Ojai to support the Ojai Trolley service.

At the July 2021 meeting, the Commission allocated \$16,695,064 of COVID emergency funds apportioned to VCTC. As part of this action, the Commission directed that \$1,172,336 of future Section 5311 apportionments would be shifted from Ojai to VCTC Intercity, which allowed each operator to receive the same emergency funding percentage of annual operating expenses (92.95%), based on the method used by FTA to apportion the funds to urbanized areas. VCTC Intercity service is eligible to use these funds since it serves rural areas. Since this approved amount for VCTC Intercity is greater than the annual Section 5311 apportionment to the county, it must be spread over three years, with \$390,779 in FY 2022, \$390,779 in FY 2023, and \$390,778 in FY 2024. At the May 2022 meeting, the Commission authorized staff to submit a grant application to Caltrans for the first two years of these funds. This application has been approved by Caltrans and is now under review by FTA.

Because the Section 5311 funds are administered on behalf of FTA by the Caltrans Division of Rail and Mass Transportation, it is now necessary for VCTC to enter into a DBE Agreement with Caltrans to address the FTA requirements. In the case of VCTC, the agreement simply acknowledges that VCTC is also a direct recipient of FTA funds, and therefore the Section 5311 funds administered by Caltrans will be subject to the DBE program already adopted by VCTC and approved by FTA.

**MEMORANDUM OF UNDERSTANDING**  
**Participation by Disadvantaged Business Enterprise (DBE)**

The California Department of Transportation (Caltrans), the Division of Rail and Mass Transportation (DRMT) is responsible for administering the Federal Transit Administration (FTA) transit grant programs authorized by sections 5310, 5311, and 5339 of Title 49 of the United States Code through delegated authority from the Governor. Caltrans responsibility includes ensuring compliance with 49 CFR Part 26 Participation by Disadvantaged Business Enterprise (DBE).

The subrecipient, Ventura County Transportation Commission is a direct recipient of FTA funds and has submitted a DBE Program Plan through the Transit Award Management System (TrAMS) which has been acknowledged by the FTA with the annotation "Concur."

This Memorandum of Understanding (MOU) establishes terms and conditions for reporting DBE utilization of FTA funding.

**TERMS AND CONDITIONS**

The term of this MOU is **October 1, 2022 through September 30, 2025** and coincides with the DRMT three-year DBE reporting period. Up to 180 days prior to the end of this MOU, the DRMT may request this MOU be reauthorized. Non-compliance with the terms and conditions of this MOU are considered a material breach which may result in the termination of the DOT 213 "Standard Agreement" between the DRMT and the Subrecipient, or other appropriate remedy.

Subrecipient and DRMT shall comply with 49 CFR Part 26, "Participation by Disadvantaged Business Enterprise (DBE)" always.

**Subrecipient hereby agrees that it**

- will include FTA Section 5310, 5311 and/or 5339 funding for the term of this MOU in the Agency's DBE goal and methodology calculation.
- will report FTA funding on the DBE semi-annual report to the FTA for the term of this MOU.
- will report rollingstock purchases to the FTA in the manner prescribed by the FTA for the term of this MOU.

**DRMT hereby agrees that:**

- it will remain responsible for obligations other than DBE reporting for all FTA grant programs delegated from the Governor. These continued responsibilities include but are not limited to managing funding distributions and other grant oversight functions.
- the 5310, 5311, and 5339 funding for the subrecipient, Ventura County Transportation Commission, shall be excluded from the Caltrans triennial DBE goal and methodology calculation.
- it will not include 5310, 5311, or 5339 funding directed to the subrecipient, , in the Caltrans DBE semi-annual report.

**AUTHORIZATION**

The undersigned, through their duly authorized representatives, have executed this MOU on the date indicated below, and certify that they have read, understood, and agreed to the terms and conditions of this MOU.

Ventura County Transportation Commission

Caltrans Division of Rail and Mass Transportation

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SIGNATURE

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SIGNATURE

Martin R. Erickson

Wendy King

Title: Executive Director

Chief, Office of Transit Grants and Contracts

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Date:

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Date:





Item #8K

September 02, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: HEATHER MILLER, PROGRAM MANAGER**

**SUBJECT: ACCESS FOR ALL BUDGET AMENDMENT**

**RECOMMENDATION:**

- Approve a Budget Amendment to the Fiscal Year 2022/2023 Transit Grant Administration budget to increase revenues by \$293,790 in new California Public Utilities Commission Local Access Funds and increase Pass-Through Grant expenditures by the same amount.

**BACKGROUND:**

In September 2018, Senate Bill (SB) 1376 was signed into law requiring the California Public Utilities Commission (CPUC), as part of its regulation of Transportation Network Companies (TNCs) such as Uber and Lyft, establish a program to improve the accessibility of persons with disabilities to on-demand transportation services.

Consequently, the CPUC established the “TNC Access for All Program” that requires TNCs to collect an “access fee” in the amount of \$0.10 for each TNC trip provided and remit such fees to the CPUC based on the geographic area (County) in which the trip originated. The collected fees are deposited into a TNC Access for All fund (Access Fund) which are then distributed through approved AFAs to qualified “access providers” that establish on-demand transportation programs or partnerships to meet the needs of persons with disabilities, including individuals who use wheelchairs, scooters, or other mobility devices.

The CPUC authorizes “Local Access Fund Administrators” (LAFAs) to develop these Access for All programs in their jurisdictions and administer the Access Funds the CPUC collects from their geographic area. At the last Commission meeting in July, the VCTC adopted a resolution authorizing VCTC to serve as the Ventura County LAFA for revenue generated by the Access for All Program in this region. The CPUC approved VCTC as a LAFA and staff is therefore permitted to begin developing an Access for All Program that best suits the region’s needs and administer funds to support on-demand wheelchair accessible vehicle (WAV) service countywide.

**DISCUSSION:**

CPUC allocates Access Fund moneys annually in each geographic area proportional to the percent of the fees originating in that geographic area. Ventura County’s share from the TNC Access for All Fund for the current funding cycle is \$293,780 received on August 10, 2022. VCTC staff seeks approval to amend the VCTC FY 2022/2023 Transit Grant Administration budget by increasing revenues in the amount of \$293,790 in new CPUC Local Access Funds. Likewise, staff recommends

increasing Pass-Through Grant Expenditures in the Transit Grant Administration budget by the same amount (\$293,790.)

Per Program Guidelines, designated LAFAs can use up to 15 percent of the total funds that the CPUC allocates each year to cover its administrative costs. Staff will develop the guidelines for Ventura County's Access for All Program that will be presented to the Commission for approval during the second half of FY 2022/23. Since this is a new program, it is uncertain the amount of staff time that will be required to develop a program, therefore, to provide flexibility, the full amount of funds is identified as pass-through funds with the option to spend up to 15% on staff time and remaining funds dedicated to the implementation of the program.

The purpose of the TNC Access for All Program is to incentivize the expansion and availability of on-demand transportation service for people with disabilities. Eligible expenses for the program are provided in Appendix A.

## Appendix A: Eligible WAV Expenses

Table 3: Eligible WAV Expenses

Eligible WAV Expenses Adopted in <a href="#">D.20-03-007</a>
<b>Vehicle Costs</b>
Lease/Rental/Purchase Costs
Rental Subsidies for Driver
Inspections
Maintenance, Service & Warranty
Fuel Cost
Cleaning Supplies/Services
Other (Describe)
<b>Partnership Costs</b>
Transportation Service Partner Fees/Incentives and/or Management Fees
Vehicle Subsidies
Consultants/Legal
Other (Describe)
<b>Marketplace Costs</b>
Recruiting
Driver Onboarding
Training Costs
Driver Incentives
Promo Codes for WAV
Other (Describe)
<b>Operational Costs</b>
Marketing Costs
Technology Investments/Engineering Costs/Enhancements
Community Partnership/Engagement Costs
Rental Management
Pilot Management
Wages, Salaries and Benefits (non-maintenance personnel)
Other (Describe)
<b>Other (Describe)<sup>47</sup></b>

<sup>47</sup> For example, ride fare subsidies.



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Item #8L

September 2, 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 Aug. 16, President Biden signed the Inflation Reduction Act, a broad bill aimed at addressing climate change, reducing prescription drug prices, curbing inflation and imposing taxes on large corporations. The president signed the bill days after it was passed by the House and Senate. The Inflation Reduction Act is similar to the Build Back Better Act, legislation that was proposed by the Biden administration in 2021 but that failed to gain congressional support. At roughly \$750 billion, the Inflation Reduction Act is smaller than the Build Back Better Act.

The Inflation Reduction Act includes components that will benefit public transit and active transportation including tax credits for alternative fuels and new clean commercial vehicles, such as zero-emission buses. Also of note is the Neighborhood Access and Equity competitive grant program. This program will provide \$3 billion for programs that improve walkability, safety and affordable transportation access. More than \$1 billion will be reserved specifically for projects in economically disadvantaged communities, and funding cannot be used to add travel lanes for single-occupant passenger vehicles.

The president is expected to hold a Cabinet meeting in the next several weeks to discuss implementation of the bill.

**State Issues**

After spending the month of July in recess, state lawmakers returned Aug. 1 for the final month of the legislative session. Legislators spent the month working through the remaining bills that were still active, including those that would require a budget appropriation. Several bills that VCTC has been

tracking have been approved by both the Assembly and the Senate and will be sent to Gov. Newsom for consideration. Those bills include Assembly Bill 1919 (Holden ), which creates a grant program for transit agencies to offer free transit passes to youth; Assembly Bill 2453 (Bennett), which authorizes VCTC to impose a transactions and use tax of no more than half cent for countywide transportation programs; Senate Bill 922 (Weiner), which allows California Environmental Quality Act (CEQA) exemptions for some transportation-related projects; and Senate Bill 942 (Newman), which provides transit agencies flexibility to use Low-Carbon Transit Operations (LCTOP) funds on an ongoing basis for free or reduced-fare transit programs.

The Legislature will begin its Final Recess on Aug. 31. The governor has until Sept. 30 to sign or veto bills sent to him on or after Sept. 1.

Attachment A is the monthly report of Delaney Hunter, the Commission's state lobbyist. Attachment B is the matrix of bills that VCTC is tracking.

ATTACHMENT A

[MONTHLY ADVOCACY REPORT TO BE PROVIDED BY CALIFORNIA ADVISORS]

<b>VENTURA COUNTY TRANSPORTATION COMMISSION</b> <b>STATE LEGISLATIVE MATRIX BILL SUMMARY</b> <b>September 2, 2022</b>			
<b>BILL/AUTHOR</b>	<b>SUBJECT</b>	<b>POSITION</b>	<b>STATUS</b>
AB 1778 Garcia	Prohibits state funds or personnel time from being used to fund or permit freeway widening projects in areas with high rates of poverty or pollution.	Monitor	Failed in Senate Transportation Committee. Did not advance.
AB 1909 Friedman	Bicycle omnibus bill. Use of Class 1, 2 and 3 electric bicycles on a bicycle path or trail, bicycle lane, equestrian trail, or hiking or recreational trail.	Monitor	Passed by Senate Appropriations Committee. Ordered to Senate floor for third reading.
AB 1919 Holden	Would create Youth Transit Pass Pilot Program.	Monitor	Passed by Senate Transportation and Appropriations committees. Ordered to Senate floor for third reading.
AB 1944 Lee, Garcia	Would relax rules on posting addresses of teleconference locations that are not public when an elected body allows its members to teleconference.	Monitor	Referred to Senate Governance and Finance Committee. Hearing scheduled for June 22 postponed.
AB 2453 Bennett	Authorizes VCTC to impose a transactions and use tax of no more than ½ cent for countywide transportation programs.	Monitor	Passed Legislature. Sent to governor for consideration.
SB 922 Weiner	Would exempt some transit and active-transportation projects from CEQA	Monitor	Passed the Senate and Assembly. Sent to governor for consideration.
SB 942 Newman	Would give transit agencies flexibility in using Low Carbon Transit Operations Program (LCTOP) for free or reduced-fare transit programs.	Support	Passed Assembly. Sent to governor for consideration.





## CALIFORNIA ADVISORS, LLC

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

#### Legislative Update

Upon returning to Sacramento on August 1st, the final countdown to the finish line began. In all, the Legislature will have just a month to finish up its business for this legislative session. We expect a flurry of actions during the month.

While June consisted of lengthy policy committee hearings to ensure bills were meeting their deadlines before July 1<sup>st</sup>, the focus in August has been on the fiscal committees when bills had to pass the important “suspense” hearing before they are moved to the floor for final votes. Finally, August 31st is the final day of session, and they need to be adjourned by midnight. As a result, the weeks leading up to the deadline consist of long floor sessions each day in both houses where at times hundreds of bills are dispensed with during a day. Since we are in the second year of the legislative session, all legislation must be acted on before the end of the month, as bills cannot be continued over into the next year. Governor Newsom has until September 30th to sign or veto bills that are sent to him.

#### Budget Update

In addition to the legislative process, the budget and subsequent trailer bills were debated in committees and on the floor of both houses. On June 30th, ahead of the new fiscal year, Governor Newsom signed the \$307.9 billion state budget. The budget covers the 2022-23 fiscal year that began July 1st. Newsom and Legislative Leadership have touted that this budget aims “to help address rising costs, tackles the state’s most pressing needs, builds our reserves, and invests in California’s future.”

Just the day before the 30th, the Legislature passed 29 budget related bills. Notably, the budget includes \$9.5 billion in refunds to Californians to offset higher gas prices and inflation and \$14.8 billion for a multiyear transportation package which included funding for regional transit, rail, and ports.

The conversations around the budget have continued into the month of August. While the main framework was completed in June there were several outstanding issues and pots of money that had not been finalized. The Governor’s ambitious climate change package and issues related to energy were two of the largest items that are still being finalized. The Senate Budget Committee has noticed a hearing for the last week of session which continues to show that the budget is a year-long conversation.

<b>Upcoming Bill Deadlines and 2 Year Bills</b>
---

**August 31** – Last day for each house to pass bills

**September 30** – Last day for Governor to sign or veto bills

**November 8** – General Election

*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:** 8/12/2022-Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENSE FILE on 8/2/2022)

**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. Failed Deadline.

**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:** 4/7/2022-Stricken from file.

**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.

**AB 1680 (Lee D) Transit operators: ticket machines: access for visually impaired persons.****Introduced:** 1/24/2022**Status:** 8/22/2022-Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 75. Noes 0.). (Enrolled Text Released 8/24/2022)

**Summary:** Current law authorizes the Sacramento Regional Transit District, the Los Angeles County Metropolitan Transportation Authority, the Fresno Area Express, and the San Francisco Bay Area Rapid Transit District (BART) to issue a prohibition order to any person who is cited 3 times within a period of 90 days for specified infractions committed in or on a vehicle, bus stop, or train or light rail station of a transit district or a property, facility, or vehicle upon which BART owes policing responsibilities, or to any person who is arrested or convicted for a misdemeanor or felony committed in or on a vehicle, bus stop, or light rail station of the transit district for acts involving violence, threats of violence, lewd or lascivious behavior, or possession for sale or sale of a controlled substance. Current law makes those prohibition orders subject to an automatic stay and prohibits a prohibition order from taking effect until the latest of 11 calendar days after delivery of the prohibition order, 11 calendar days after delivery of the results of a timely requested initial review of the prohibition order, or the date a hearing officer's decision is delivered if an administrative hearing was timely requested, as specified. This bill would instead prohibit a prohibition order from taking effect until the latest of 12, rather than 11, calendar days after delivery of the prohibition order, 12, rather than 11, calendar days after delivery of the results of a timely requested initial review of the prohibition order, or the date a hearing officer's decision is delivered if an administrative hearing was timely requested.

**AB 1778 (Garcia, Cristina D) State transportation funding: freeway widening: poverty and pollution: Department of Transportation.****Introduced:** 2/3/2022**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. TRANS. on 6/1/2022)

**Summary:** Current law authorizes the Department of Transportation to do any act necessary, convenient, or proper for the construction, improvement, maintenance, or use of all highways that are under its jurisdiction, possession, or control. Current law requires the department to prepare and submit to the Governor a proposed budget, as provided. This bill would require the department to consult the California Healthy Places Index, as defined, as a condition of using state funds or personnel time to fund or permit freeway projects, as provided. The bill would require the department to analyze housing and environmental variables through the index, as provided, and would prohibit any state funds or personnel time from being used to fund or permit freeway projects in areas that fall within the zero to 50th percentile on the housing and environmental variables analyzed through the index, as provided.

**AB 1833 (Ward D) San Diego Metropolitan Transit Development Board: North County Transit District: consolidated agency: public contracting.****Introduced:** 2/7/2022**Status:** 7/19/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 110, Statutes of 2022.

**Summary:** The San Diego Regional Transportation Consolidation Act creates the consolidated agency, commonly known as the San Diego Association of Governments (SANDAG), through the consolidation of certain regional transportation planning, programming, and related functions in the County of San Diego from various agencies. Current law requires the San Diego Metropolitan Transit Development Board, North County Transit District, and consolidated agency to follow specified procedures when contracting for certain services, the acquisition or lease of materials, supplies, or equipment, architectural, landscape architectural, engineering, environmental, land surveying, or construction project management services. Current law requires those entities to follow different procedures when the amount of the contract exceeds specified thresholds. This bill would increase those thresholds from \$100,000, or \$50,000 in certain instances, to \$150,000, and would make other clarifying changes, as specified.

**AB 1919 (Holden D) Transportation: free student transit passes.**

**Introduced:** 2/9/2022

**Status:** 8/24/2022-Assembly Rule 77(a) suspended. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 77. Noes 0.).

**Summary:** Would, upon the appropriation of moneys by the Legislature, create the Youth Transit Pass Pilot Program, administered by the Department of Transportation, for purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free youth transit passes to persons attending certain educational institutions, providing free transit service to holders of those passes, and administering and participating in the program, as specified. The bill would authorize a transit agency to submit a grant application in partnership with one or more educational institutions and would also authorize grant funds to be used to maintain, subsidize, or expand an existing fare free program, as provided. The bill would authorize a transit agency with an existing fare free program that enables a person 18 years of age or younger to use a transit agency's bus and rail services without paying any additional fare or charge to submit an application without an educational institution partner, as provided. The bill would require the department to submit a report to specified committees of the Legislature on or before January 1, 2027, on, among other things, the outcomes of the program and the funding conditions associated with offering free youth transit passes, the status of transit pass programs statewide, and whether these provisions led to reductions in the emissions of greenhouse gases and vehicle miles traveled, as provided. The bill would repeal its provisions as of January 1, 2028.

**AB 1938 (Friedman D) Local transportation funds.**

**Introduced:** 2/10/2022

**Status:** 8/22/2022-Read second time. Ordered to third reading.

**Summary:** Current law establishes various default speed limits for vehicles upon highways, as specified. Current law requires the Department of Transportation (Caltrans), by regulation, to require Caltrans or a local authority to round speed limits up or down to the nearest 5 miles per hour of the 85th percentile of free-flowing traffic. This bill would, if the speed limit needs to be rounded down to the nearest 5 miles per hour increment of the 85th-percentile speed, authorize Caltrans or a local authority to lower the speed limit by 5 miles per hour from the nearest 5 miles per hour of the 85th percentile, as specified. The bill would prohibit the total reduction in the speed limit from exceeding 12.4 miles per hour from the 85th-percentile speed and would authorize a local authority to retain the currently adopted speed limit without further reduction or

restore the immediately prior adopted speed limit without further reduction. The bill would make conforming changes.

**AB 1944 (Lee D) Local government: open and public meetings.**

**Introduced:** 2/10/2022

**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. GOV. & F. on 6/8/2022)

**Summary:** The Ralph M. Brown Act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely.

**AB 2039 (Rivas, Luz D) Los Angeles Metropolitan Transportation Authority: contracting.**

**Introduced:** 2/14/2022

**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. TRANS. on 5/25/2022)

**Summary:** Would establish a pilot program to authorize the Los Angeles County Metropolitan Transportation Authority to use job order contracting as a procurement method. The bill would impose a \$5,000,000 cap on awards under a single job order contract and a \$1,000,000 cap on any single job order. The bill would limit the term of an initial contract to a maximum of 12 months, with extensions as prescribed. The bill would establish various additional procedures and requirements for the use of job order contracting under this authorization. The bill would require the authority, on or before January 1, 2027, to submit to the appropriate policy and fiscal committees of the Legislature a report on the use of job order contracting under the bill. These provisions would be repealed on January 1, 2028.

**AB 2120 (Ward D) Transportation finance: federal funding: bridges.**

**Introduced:** 2/14/2022

**Status:** 5/20/2022-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 4/27/2022)

**Summary:** Under current law, the purpose of the Bridge Reconstruction and Replacement Act is to implement the federal Special Bridge Replacement Program in California. The act authorizes boards of supervisors, city councils, and the Department of Transportation to do all things necessary and proper to secure federal aid under that federal program. The act authorizes the department to allocate to counties and cities federal funds received for approved bridge reconstruction or replacement projects in accordance with procedures promulgated by the Director of Transportation, as specified. Current law requires the California Transportation Commission, in allocating funds, and the department, in expending funds, for bridge replacement

projects, to follow federal design standards, except as specified. This bill would instead provide that the purpose of the act is to implement the federal Highway Infrastructure Program. The bill would authorize the above-described entities to do all things necessary and proper to secure federal funds instead under the federal Highway Infrastructure Program.

**AB 2237 (Friedman D) Regional transportation plan: Active Transportation Program.**

**Introduced:** 2/16/2022

**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. TRANS. on 6/16/2022)

**Summary:** Current law requires each regional transportation planning agency or county transportation commission to biennially adopt and submit to the California Transportation Commission and the Department of Transportation a 5-year regional transportation improvement program that includes, among other things, regional transportation improvement projects and programs proposed to be funded, in whole or in part, in the state transportation improvement program. This bill would require that those projects and programs included in each regional transportation improvement program also be consistent with the most recently prepared sustainable communities strategy of the regional transportation planning agency or county transportation commission, or, if applicable, the alternative planning strategy, and state and federal air quality standards. The bill would prohibit funds collected from any local transportation tax measure passed on or after January 1, 2023, from being spent until the transportation projects or programs to be funded by the tax measure are included in the most recently adopted sustainable communities strategy of the applicable regional transportation planning agency or county transportation commission or, if applicable, the alternative planning strategy.

**AB 2254 (Muratsuchi D) State highways: permits.**

**Introduced:** 2/16/2022

**Status:** 8/23/2022-Read third time. Passed. Ordered to the Assembly. (Ayes 39. Noes 0.). In Assembly. Ordered to Engrossing and Enrolling.

**Summary:** Current law requires the California Transportation Commission to relinquish to local agencies state highway portions that have been deleted from the state highway system by legislative enactment, and authorizes relinquishment in certain other cases. This bill would authorize the commission to relinquish to the City of Redondo Beach the portion of State Route 107 within the city limits and prescribe conditions that apply upon relinquishment.

**AB 2344 (Friedman D) Wildlife connectivity: transportation projects.**

**Introduced:** 2/16/2022

**Status:** 8/24/2022-Read third time and amended. Ordered to second reading.

**Summary:** Current law authorizes the Department of Fish and Wildlife (DFW) to approve compensatory mitigation credits for wildlife connectivity actions taken under specified programs. Current law vests the Department of Transportation (Caltrans) with full possession and control of the state highway system. Current law requires Caltrans to complete assessments of potential barriers to anadromous fish prior to commencing any project using state or federal transportation funds and requires projects to be constructed without presenting barriers to fish passage. This bill would require DFW, in coordination with Caltrans, to establish a wildlife connectivity action plan on or before January 1, 2024, and to update the plan at least once every 5 years thereafter. The bill would require the plan to include, among other things, maps that

identify the locations of certain areas, including connectivity areas and natural landscape areas, as defined.

**AB 2419 (Bryan D) Environmental justice: federal Infrastructure Investment and Jobs Act: Justice40 Oversight Committee.**

**Introduced:** 2/17/2022

**Status:** 8/12/2022-Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENSE FILE on 8/2/2022)

**Summary:** Current law establishes the Strategic Growth Council consisting of specified state agency members and members of the public. Current law requires the council, among other things, to recommend policies and investment strategies and priorities to the Governor, the Legislature, and to appropriate state agencies to encourage the development of sustainable communities, such as those communities that promote equity, strengthen the economy, protect the environment, and promote public health and safety. The federal Infrastructure Investment and Jobs Act (IIJA) provides additional federal funds to rebuild the nation's infrastructures. Executive orders issued by President Biden established the federal Justice40 Initiative with the goal that 40% of the overall federal benefits flow to disadvantaged communities and stating that the implementation of the IIJA should prioritize investing public dollars equitably, including through the Justice40 Initiative. This bill would require a minimum of 40% of funds received by the state under the IIJA and certain other federal funds to be allocated to projects that provide direct benefits to disadvantaged communities and, except as specified, a minimum of an additional 10% be allocated for projects that provide direct benefits to low-income households and low-income communities, as provided.

**AB 2438 (Friedman D) Transportation projects: alignment with state plans.**

**Introduced:** 2/17/2022

**Status:** 8/15/2022-Read second time. Ordered to third reading.

**Summary:** Current law provides for the funding of projects on the state highway system and other transportation improvements, including under the interregional transportation improvement program, the state highway operation and protection program, the Solutions for Congested Corridors Program, the Trade Corridor Enhancement Program, and the program within the Road Maintenance and Rehabilitation Program commonly known as the Local Partnership Program. This bill would require, no later than January 1, 2024, the guidelines or plans applicable to those programs to include the strategies established in the Climate Action Plan for Transportation Infrastructure adopted by the Transportation Agency, as provided. The bill would also require the Transportation Agency, the California Transportation Commission, and the Department of Transportation, no later than January 1, 2024, to each establish guidelines to ensure transparency and accountability for specified transportation funding programs that they respectively administer and for the project selection processes applicable to those programs.

**AB 2441 (Kalra D) Public employment: local public transit agencies: new technologies.**

**Introduced:** 2/17/2022

**Status:** 8/18/2022-Read second time. Ordered to third reading.

**Summary:** Would require a public transit employer to provide written notice to the exclusive employee representative of the workforce affected by autonomous transit vehicle technology of its determination to begin, or its substantive progress toward initiating, any procurement process

or a plan to acquire or deploy any autonomous transit vehicle technology for public transit services that would eliminate job functions or jobs of the workforce to which the autonomous transit vehicle technology applies not less than 12 months before commencing the process, plan, or deployment. The bill would require a public transit employer, upon a written request of the exclusive employee representative, to provide specified information to the exclusive employee representative, including the potential gaps in skills that may result from the new service. The bill would require the public transit employer, following the written request for information by the exclusive employee representative, and within 30 days of receiving the specified information, to commence collective bargaining on specified subjects, including creating plans to train and prepare the affected workforce to fill new positions created by the autonomous transit vehicle technology.

**AB 2449 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.**

**Introduced:** 2/17/2022

**Status:** 8/24/2022-Read third time. Passed. Ordered to the Assembly. (Ayes 36. Noes 3.). In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 26 pursuant to Assembly Rule 77.

**Summary:** The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. The act authorizes a legislative body to take action on items of business not appearing on the posted agenda under specified conditions. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception, the bill would authorize a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances.

**AB 2453 (Bennett D) Transactions and use taxes: County of Ventura.**

**Introduced:** 2/17/2022

**Status:** 8/22/2022-Read third time. Passed. Ordered to the Assembly. (Ayes 31. Noes 6.). In Assembly. Ordered to Engrossing and Enrolling.



**Summary:** Current law authorizes various local governmental entities, subject to certain limitations and approval requirements, to levy a transactions and use tax for general purposes, in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law, including a requirement that the combined rate of all taxes that may be imposed in accordance with that law in the county not exceed 2%. This bill would authorize the Ventura County Transportation Commission to impose a transactions and use tax for the support of countywide transportation programs at a rate of no more than 0.5% that would, in combination other transactions and use taxes, exceed the above-described combined rate limit of 2%, if the ordinance proposing the tax is approved by the voters, subject to applicable voter approval requirements, as specified. The bill would provide that a transactions and use tax rate imposed pursuant to the bill will not be considered for purposes of that combined rate limit described above.

**AB 2462 (Valladares R) Department of Transportation: state highways.**

**Introduced:** 2/17/2022

**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. TRANS. on 5/18/2022)

**Summary:** Current law imposes certain restrictions on the use of low-speed vehicles on public streets and highways, and generally requires an operator of a low-speed vehicle to have a driver's license. A low-speed vehicle is also known as a neighborhood electric vehicle (NEV). A violation of the Vehicle Code is an infraction, unless otherwise specified. Current law authorizes certain local agencies to establish a NEV transportation plan subject to certain requirements. A person operating a NEV in a plan area in violation of certain provisions is guilty of an infraction punishable by a fine not exceeding \$100. This bill would authorize the County of Los Angeles to establish a similar NEV transportation plan for the Westside Planned Communities in that county, subject to the same penalties. The bill would require a report to the Legislature by August 31, 2028, containing certain information and recommendations related to the NEV transportation plan. The bill would repeal these provisions on January 1, 2040.

**AB 2496 (Petrie-Norris D) Department of Transportation.**

**Introduced:** 2/17/2022

**Status:** 8/24/2022-Read third time and amended. Ordered to second reading.

**Summary:** Current law authorizes a court to dismiss any action in which a person is prosecuted for operating a vehicle in violation of the noise limit requirements, as specified, if a certificate of compliance has been issued or if the defendant had reasonable grounds to believe that the exhaust system was in good working order and had reasonable grounds to believe that the vehicle was not operated in violation of those requirements. Current law also prohibits a person from modifying the exhaust system of a vehicle with a whistle-tip, operating a vehicle that has been so modified, or engaging in the business of installing a whistle-tip onto the vehicle's exhaust system. This bill would require a court to require a certificate of compliance for a violation of the noise limit requirements mentioned above for specified vehicles. The bill would require the court to utilize the notification procedures mentioned above and if a certificate of compliance is not provided to the court within 3 months of the violation date, the bill would require the court to treat this failure as noncompliance and inform the Department of Motor Vehicles by following specified procedures. The bill would require the department, before renewing the registration of any vehicle, to check whether the court has issued a hold on the vehicle registration for a violation of the requirements mentioned above and to refuse to renew

the registration until it has received a notification from the court that a certificate of compliance has been issued.

**AB 2514 (Dahle, Megan R) Department of Transportation: highway safety.**

**Introduced:** 2/17/2022

**Status:** 8/23/2022-Read third time. Passed. Ordered to the Assembly. (Ayes 39. Noes 0.). In Assembly. Ordered to Engrossing and Enrolling.

**Summary:** Current law requires the Department of Transportation to prepare a State Highway System Management Plan that consists of both a 10-year state highway rehabilitation plan and a 5-year maintenance plan. Current law requires the department to make a draft of its proposed plan available to regional transportation agencies for review and comment, and requires the department to submit the draft plan to the California Transportation Commission for review and comment by February 15 of each odd-numbered year. Current law requires the department to transmit the final plan to the Governor and the Legislature by June 1 of each odd-numbered year. This bill would require the State Highway System Management Plan prepared by the department to also include a comprehensive evaluation of the current state of transportation in underserved rural communities and a transportation needs assessment of the cost to operate, maintain, and provide for the transportation system in underserved rural communities, as specified.

**AB 2537 (Gipson D) California Transportation Commission.**

**Introduced:** 2/17/2022

**Status:** 8/24/2022-Assembly Rule 77(a) suspended. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 76. Noes 0.).

**Summary:** Would require the Department of Justice, in conjunction with the Department of Motor Vehicles and the Commission on Peace Officer Standards and Training, to develop and create a video demonstrating the proper conduct by a peace officer and an individual during a traffic stop and to post the video on its internet website.

**AB 2622 (Mullin D) Sales and use taxes: exemptions: California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: transit buses.**

**Introduced:** 2/18/2022

**Status:** 8/24/2022-Assembly Rule 77(a) suspended. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 77. Noes 0.).

**Summary:** The Sales and Use Tax Law provides various exemptions from those taxes, including, until January 1, 2024, 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, specified zero-emission technology transit buses sold to specified public agencies that are eligible for specified incentives from the State Air Resources Board. This bill would extend the exemption for specified zero-emission technology transit buses until January 1, 2026.

**AB 2647 (Levine D) Local government: open meetings.**

**Introduced:** 2/18/2022

**Status:** 8/22/2022-Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 74. Noes 0.).

**Summary:** The Ralph M. Brown Act requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Current law makes agendas of public meetings and other writings distributed to the members of the governing board

disclosable public records, with certain exceptions. Current law requires a local agency to make those writings distributed to the members of the governing board less than 72 hours before a meeting available for public inspection, as specified, at a public office or location that the agency designates. Current law also requires the local agency to list the address of the office or location on the agenda for all meetings of the legislative body of the agency. Current law authorizes a local agency to post the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting. Current law requires a local agency to post the agenda for a special meeting at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

**AB 2731 (Ting D) Department of Transportation.**

**Introduced:** 2/18/2022

**Status:** 8/12/2022-Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENSE FILE on 8/2/2022)

**Summary:** Would require, by January 1, 2035, 100% of all newly purchased, contracted, or operated school buses of a school district, county office of education, or charter school to be zero-emission vehicles. To the extent this requirement imposes additional duties on local educational agencies in connection with federally required pupil transportation services that go beyond the requirements in federal law, the bill would impose a state-mandated local program.

**AB 2952 (Gabriel D) Department of Transportation.**

**Introduced:** 2/18/2022

**Status:** 5/20/2022-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 5/11/2022)

**Summary:** Would allow an applicant for a driver's license or identification card, who served for another country in military operations that supported the United States during the Vietnam War and later became a naturalized citizen, to request a "NON-US VIETNAM VETERAN" designation on their driver's license or identification card, subject to certain requirements, including verification of military service for a foreign country during the Vietnam War and payment of a \$5 fee, which the department is authorized to increase by regulation, in an amount not to exceed \$15, as specified. This bill would authorize the Department of Motor Vehicles to consult with the Department of Veterans Affairs to determine the proof necessary to verify an applicant's veteran status.

**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:** 8/11/2022-August 11 hearing: Held in committee and under submission.

**Summary:** Would provide an exemption from sales and use 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, among other things, a new zero-emission truck that is eligible for a project voucher. The bill would, however, disallow the exemption from a sales or use tax where the vehicle purchase was made using a voucher issued by the State Air Resources Board pursuant to the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project. The bill would provide that the tax exemption does not apply to specified state sales and use taxes from which the proceeds are deposited into the Local Revenue Fund, the Local Revenue Fund 2011, or the Local Public Safety Fund. The bill would provide that the exemption would apply to otherwise eligible sales and uses of a vehicle where the internet website of the State Air Resources Board indicates a vehicle is eligible for the voucher program at the time the purchase is made, notwithstanding a contrary determination made by the State Air Resources Board. The bill would require the State Air Resources Board to indicate the date on which it updates its internet website to reflect changes in the eligibility of a vehicle under the voucher project. The bill would provide that the exemption is to become operative on April 1, 2023.

**SB 922 (Wiener D) California Environmental Quality Act: exemptions: transportation-related projects.**

**Introduced:** 2/3/2022

**Status:** 8/23/2022-Enrolled and presented to the Governor at 12:30 p.m.

**Summary:** The California Environmental Quality Act (CEQA) until January 1, 2030, exempts from its requirements bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles under certain conditions. This bill would delete the requirement that the bicycle transportation plan is for an urbanized area. The bill would extend the exemption to an active transportation plan or pedestrian plan. The bill would define “active transportation plan” and “pedestrian plan.” The bill would specify that individual projects that are a part of an active transportation plan or pedestrian plan remain subject to the requirements of CEQA unless those projects are exempt by another provision of law.

**SB 942 (Newman D) Low Carbon Transit Operations Program: free or reduced fare transit program.**

**Introduced:** 2/8/2022

**Status:** 8/23/2022-Assembly amendments concurred in. (Ayes 39. Noes 0.) Ordered to engrossing and enrolling.

**Summary:** Would exempt a transit agency using program moneys for the continuation of a free or reduced fare transit program from the above-described requirement to demonstrate that reductions in the emissions of greenhouse gases can be realized through the continuation of its transit program, and authorize the transit agency to continue to use those moneys for that purpose without any restriction to length of time. The bill would require the transit agency to submit an initial allocation request to the department and, for the next three fiscal years, to provide documentation necessary to meet an annual reporting requirement and comply with the program’s requirements.

**SB 1049 (Dodd D) Transportation Resilience Program.**

**Introduced:** 2/15/2022

**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was A. TRANS. on 6/2/2022)

**Summary:** Would establish the Transportation Resilience Program in the Department of Transportation, to be funded in the annual Budget Act from 15% of the available federal National Highway Performance Program funds and 100% of the available federal Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation program funds. The bill would provide for funds to be allocated by the California Transportation Commission for climate adaptation planning and resilience improvements, as defined, that address or mitigate the risk of recurring damage to, or closures of, the state highway system, other federal-aid roads, public transit facilities, and other surface transportation assets from extreme weather events, sea level rise, or other climate change-fueled natural hazards. The bill would establish specified eligibility criteria for projects to receive funding under the program and would require the commission to prioritize projects that meet certain criteria.

**SB 1100 (Cortese D) Open meetings: orderly conduct.****Introduced:** 2/15/2022**Status:** 8/22/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 171, Statutes of 2022.

**Summary:** The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Current law authorizes the legislative body to adopt reasonable regulations to ensure that the intent of the provisions relating to this public comment requirement is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. Current law authorizes the members of the legislative body conducting the meeting to order the meeting room cleared and continue in session, as prescribed, if a group or groups have willfully interrupted the orderly conduct of a meeting and order cannot be restored by the removal of individuals who are willfully interrupting the meeting. This bill would authorize the presiding member of the legislative body conducting a meeting or their designee to remove, or cause the removal of, an individual for disrupting the meeting. The bill, except as provided, would require removal to be preceded by a warning to the individual by the presiding member of the legislative body or their designee that the individual's behavior is disrupting the meeting and that the individual's failure to cease their behavior may result in their removal. The bill would authorize the presiding member or their designee to then remove the individual if the individual does not promptly cease their disruptive behavior. The bill would define "disrupting" for this purpose.

**SB 1121 (Gonzalez D) Transportation funding: plan.****Introduced:** 2/16/2022**Status:** 8/23/2022-Read third time and amended. Ordered to third reading.

**Summary:** Would require the California Transportation Commission to prepare a needs assessment of the cost to operate, maintain, and provide for the necessary future growth of the state and local transportation system for the next 10 years, as provided. As part of the needs assessment, the bill would require the commission to forecast the expected revenue, including federal, state, and local revenues, to pay for the cost identified in the needs assessment, any shortfall in revenue to cover the cost, and recommendations on how any shortfall should be addressed. The bill would require the commission to submit the needs assessment to the Legislature on or before January 1, 2024, and biennially thereafter.

**SB 1156 (Grove R) Motor Vehicle Fuel Tax: Diesel Fuel Tax: inflation adjustment.****Introduced:** 2/17/2022**Status:** 5/4/2022-May 4 set for first hearing. Failed passage in committee. (Ayes 2. Noes 2.) Reconsideration granted.

**Summary:** Current law, the Motor Vehicle Fuel Tax Law and Diesel Fuel Tax Law, impose a tax upon each gallon of motor vehicle fuel or diesel 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. Current law annually adjusts the rates of the taxes imposed by those laws based on inflation. This bill

would remove the requirement for future inflation adjustments of those taxes. This bill contains other related provisions.

**SB 1175 (McGuire D) Transportation.**

**Introduced:** 2/17/2022

**Status:** 8/15/2022-Read second time. Ordered to third reading.

**Summary:** Current law authorizes the Department of Transportation to construct, acquire, or lease, and improve and operate, rail passenger terminals and related facilities that provide intermodal passenger services along specified corridors. This bill would expand that authorization to include the Sacramento-Larkspur-Novato-Cloverdale corridor.

**SB 1410 (Caballero D) California Environmental Quality Act: transportation impacts.**

**Introduced:** 2/18/2022

**Status:** 8/12/2022-Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENSE FILE on 6/29/2022)

**Summary:** The California Environmental Quality Act (CEQA) requires the Office of Planning and Research to prepare and develop proposed guidelines for the implementation of CEQA by public agencies and requires the Secretary of the Natural Resources Agency to certify and adopt those guidelines. CEQA requires the office to prepare, develop, and transmit to the secretary for certification and adoption proposed revisions to the guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas, as defined, that promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Current law requires the office to recommend potential metrics to measure transportation impacts, as specified. CEQA authorizes the office to adopt guidelines establishing alternative metrics to the metrics used for traffic levels of service for transportation impacts outside transit priority areas. This bill would require the office, by January 1, 2025, to conduct and submit to the Legislature a study on the impacts and implementation of the guidelines described above relating to transportation impacts. The bill would require the office, upon appropriation, to establish a grant program to provide financial assistance to local jurisdictions for implementing those guidelines.

**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 # 8M

September 2, 2022

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

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

**SUBJECT: AGREEMENT WITH CALIFORNIA HIGHWAY PATROL FOR MOTORIST AID  
CALLBOX DISPATCH SERVICES**

**RECOMMENDATION:**

- Authorize the Executive Director to execute an Agreement with California Highway Patrol (CHP) for Answering and Dispatch Services for the Motorist Aid Emergency Roadside Assistance Callbox system in Ventura County contingent upon acceptance of any final edits from CHP.

**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.

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. Callbox volumes to date in calendar year 2022 have increased over previous years, with 789 calls for aid during the first seven months of the year, averaging more than 112 calls per month, on pace for more than 1,350 calls for the year.

**DISCUSSION:**

VC SAFE receives support from CHP to answer calls for aid placed using the callboxes in Ventura County and dispatch aid as needed. VCTC and CHP previously cooperated on these services under an agreement that expired in 2020. While the agreement lapsed, CHP continued to provide answering and dispatch services. The Agreement defines roles and responsibilities for VCTC and CHP, including communications center equipment and staffing. In exchange for providing the answering and dispatch services, VCTC pays for a proportional share of the actual wage rate for a CHP SAFE Coordinator position. The Agreement includes a not-to-exceed amount of \$31,350 for the three-year contract period. The approved Fiscal Year 2022-2023 Motorist Aid Program Budget includes \$45,000 in the CHP expenditures line item, which carried

forward unexpended balances from the previous two fiscal years. As such, sufficient budget is available to cover the costs associated with the Agreement.

One pending issue for future consideration is answering services for calls for aid placed using Real Time Text (RTT), which replaced Teletype (TTY) technology to serve hearing impaired motorists. When the transition initially occurred, CHP dispatch indicated that they could not handle the RTT call type, so VCTC staff worked with the callbox maintenance contractor to reconfigure service to receive RTT support from a private sector partner as an interim solution. Staff are currently working with CHP to determine the software/hardware capability and needs to handle RTT calls, and to consider using Agreement provisions regarding software/hardware purchases for VC SAFE to equip CHP to handle RTT calls.

The Agreement is still under final review by CHP, but significant changes are not anticipated given that CHP prepared the Agreement and VCTC requested only minor changes. As such, Staff recommends approving the Agreement and authorizing the Executive Director to execute the Agreement provided CHP edits do not result in material or substantial changes to the document approved by the Commission. VCTC Counsel has reviewed and concurred with the Agreement.

AGREEMENT BETWEEN  
THE STATE OF CALIFORNIA  
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL  
AND  
VENTURA COUNTY SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

THIS AGREEMENT is made and entered into by and between the State of California acting by and through Department of California Highway Patrol, hereinafter called CHP, and Ventura County Transportation Commission ("VCTC"), acting in its capacity as the Ventura County Service Authority for Freeway Emergencies, hereinafter called SAFE or Ventura County SAFE, under provisions of California Vehicle Code Sections 2421.5 and 9250.10, and Streets and Highway Code Section 131.1 and Chapter 14 (commencing with Section 2550) to Division 3.

WITNESSETH: By and in consideration of the covenants and conditions herein contained, CHP and SAFE do hereby agree as follows:

1. The term of this agreement shall be October 1, 2022 through September 30, 2025.
2. This Agreement is for services and assistance provided by CHP in accordance with the "CHP/Caltrans Call Box and Motorist Aid Guidelines," as they may be revised from time to time, are incorporated herein by reference, and shall be referred to as the "GUIDELINES".
3. This Agreement shall not become effective until:
  - A. SAFE has submitted to CHP a copy of the resolution, order, motion, or ordinance from SAFE approving execution of this agreement and identifying the individual authorized to sign on behalf of SAFE, and
  - B. That this Agreement is duly signed by both parties.
4. This Agreement may be modified in writing and signed by both parties, and shall be modified by the parties to conform to any future changes to federal or state law which affect the terms of this Agreement.
5. Because of the time and expense early termination would entail to both parties, either party may terminate this agreement before the expiration of its term, or any extension, upon six (6) months prior written notice to the other party.
6. Notwithstanding subparagraph 5, CHP or Ventura County SAFE may terminate this agreement upon thirty (30) days prior written notice to the other party should Ventura County SAFE be financially unable to reimburse CHP for services under this Agreement.
7. For services and assistance herein, Ventura County SAFE agrees to reimburse CHP quarterly, in arrears, and upon receipt of an itemized invoice, for charges identified in Section 17. Upon receipt, payment shall be made to CHP as invoiced within sixty (60)

days. If payment is not submitted because of a dispute, Ventura County SAFE shall submit the reasons for the dispute to CHP within sixty (60) days of receiving the invoice charges.

A. Payment shall be made to:

Department of California Highway Patrol  
Fiscal Management Section  
P.O. Box 942900  
Sacramento, CA 94298-2900

Attn: Accounts Reimbursable Unit

B. Invoices shall be sent to:

Ventura County Transportation Commission  
Attention: SAFE Program Manager  
751 E. Daily Drive, Suite 420  
Camarillo, CA 93010  
Attn: Amanda Fagan  
Phone: (805) 642-1591  
E-Mail: [Afagan@governatura.org](mailto:Afagan@governatura.org)

8. The maintenance of the call box system (outside of CHP communications center), including telephone service and line costs, shall be the sole responsibility of Ventura County SAFE.
9. Ventura County SAFE may contract with the CHP to perform duties as mutually agreed by the parties. As long as SAFE operates a private Call Answer Center that initially answers motorist aid call box calls, CHP and Ventura County SAFE agree that no CHP operator positions shall be charged to Ventura County SAFE during the term of this Agreement. However, if billing is necessary, Annex G of the GUIDELINES shall be used for the billing purposes if a residual workload can be substantiated.
10. The Ventura County SAFE shall pay for its proportional share of the actual wage rate for one (1/2) CHP SAFE Coordinator position, and Ventura County SAFE's proportional share of computer equipment costs (including software), when applicable. The CHP SAFE Coordinator position, as well as the reimbursable computer equipment (including software), shall be used for the Ventura County SAFE related business.
11. Each SAFE's proportional share billing "factor" shall be determined at the beginning of each fiscal year by comparing the number of motor vehicles registered within each SAFE's boundaries to the total number of motor vehicles registered in all counties who have entered into SAFE agreements with CHP. This proportional share shall be billed over four (4) fiscal quarters. The CHP shall include an estimation of Ventura County SAFE Coordinator's personnel and computer equipment costs in the annual staffing estimation.

12. Call box calls shall be handled by CHP communications centers as third level priority after 9-1-1 (first priority) and allied agency (second priority) calls. The CHP statewide standard level of service for the handling of call box calls is as follows:
  - A. Call box calls shall be handled as rapidly as possible, however they should be handled ideally no longer than sixty (60) seconds after the first ring at the communications center. Experience has shown that when emergency communications traffic becomes unusually heavy, call box traffic also increases. At these times, motorists may be required to wait several minutes for service.
  - B. Call box calls should be handled ideally within a 3.5 minute (210 seconds) total call handling time. However, it is understood that the use of services such as the Translation Service Contractor, shall increase total call handling time to levels above this standard.
13. The CHP shall be responsible for the procurement, installation, and maintenance of all communications center equipment related to the call box/motorist aid system. All systems procured for CHP dispatch operation shall be designed by CHP. No equipment shall be installed in a CHP facility which does not meet all CHP operational and technical specifications.
14. All communications center equipment purchased under this agreement shall become the sole property of CHP.
15. If CHP ceases to provide freeway call box dispatching services, CHP shall pay to he Ventura County SAFE that proportion of the fair market value of all equipment purchased for CHP in whole or part with SAFE funding. The current fair market value shall be determined by the Telecommunications Division of the Department of General Services, at the time of cessation of service.
16. The CHP shall review Ventura County SAFE's plans and specifications for upgrading or modifying SAFE's call box system and provide written comments within sixty (60) days of submittal by SAFE. If the sixty (60) daytime frame cannot be met, CHP shall notify SAFE, in writing, specifying the reasons and indicating the additional time required. It is understood that all upgrades or modifications to SAFE's system shall be in accordance with the GUIDELINES.
17. The CHP shall submit an itemized invoice quarterly to Ventura County SAFE which may include the following ongoing charges:
  - A. The CHP SAFE Coordinator personnel costs shall be based on the actual step of the wage scale for SAFE Coordinator position at the time of invoicing. These costs are subject to change according to increases and/or decreases in State of California salary and benefit rates, which are beyond CHP's control.
  - B. Indirect Costs shall be applied to monthly personnel costs in accordance with

California State Administrative Manual Section 8752 and 8752.1. The indirect cost rate is determined by CHP and approved by the California Department of Finance and is subject to change each state fiscal year. The re-evaluation of staffing requirements shall include an explanation of the projected upcoming fiscal year indirect cost rate.

- C. Computer equipment costs (including software), when applicable, associated with CHP SAFE Coordinator position.
  - D. Telephone system costs (if applicable).
18. The State shall provide a standard communication center telephone system which shall also be used to handle incoming call box calls. Any agreed upon changes above the standard phone system design, specifically requested by Ventura County SAFE Program shall be funded by SAFE.
19. The total amount of this agreement shall not exceed Thirty-One Thousand Three Hundred Fifty Dollars and Zero Cents (\$31,350.00).

FY 22/23 (7/1/22 through 6/30/23), not to exceed \$ 8,550.00

FY 23/24 (7/1/23 through 6/30/24), not to exceed \$11,400.00

FY 24/25 (7/1/24 through 6/30/25), not to exceed \$11,400.00

## 20. INDEMNIFICATION

- A. Ventura County SAFE, to the extent permitted by law, shall defend, indemnify, and save harmless the CHP, as well as CHP's appointees, officers, employees, and agents, from and against any and all liability, loss, claims for "injury" (as defined by Government Code Sections 810.8) or expense (Including reasonable attorney's fees) arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, claims, or expense are caused by or result from the negligent or intentional acts or omissions of Ventura County SAFE, or Ventura County SAFE's appointees, commissioners, officers, employees, or agents.
- B. The CHP, to the extent permitted by law, shall defend, indemnify, and save harmless Ventura County SAFE, as well as Ventura County SAFE's appointees, officers, employees, and agents, from and against any and all liability, loss, claims for "injury" (as defined by Government Code Sections 810.8) or expense (Including reasonable attorney's fees) arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, claims, or expense are caused by or result from the negligent or intentional acts or omissions of CHP, or CHP's appointees, officers, employees, or agents.
- C. It should be expressly understood that the obligations hereunder shall be conditioned upon this Agreement being one that falls within the purview of Government Code Section 895.

21. Except as otherwise provided in this agreement, any dispute concerning a question of fact arising under this agreement which is not disposed of by mutual agreement of the parties may be submitted to an independent arbitrator mutually agreed upon by CHP and Ventura County SAFE. The arbitrator's decisions shall be non-binding and advisory only, and nothing herein shall preclude either party, at any time, from pursuing any other legally available course of action, including the filing of a lawsuit. Pending a final decision of a dispute hereunder, both parties shall proceed diligently with the performance of their duties under this agreement, and such continued performance shall not constitute a waiver of any rights, legal or equitable, of either party relating to the dispute.
22. All services under this Agreement shall be coordinated by:
- Department of California Highway Patrol  
Communications Centers Support Section - 048  
601 N. 7<sup>th</sup> Street, Building C  
Sacramento, CA 95811
- The contact person shall be:  
CHP SAFE Program Coordinator.  
Telephone: (916) 843-4280  
E-mail: bsweeny@chp.ca.gov
23. The auditing parties hereto shall be subject to the examination and audit of the State for a period of three (3) years after final payment under the contract. In addition, Ventura County SAFE and CHP may be subject to the examination and audit by representatives of either party. The examination and audit shall be confined to those matters connected with the performance of the contract including, but not limited to the costs of administering the contract. The Ventura County SAFE and CHP agree to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records (Government Code Section 8546.7, Public Contract Code Section 10115 et seq., CCR Title 2, Section 1896). SAFE agrees to maintain such records for possible audit for a minimum of three (3) years after final payment.
24. This Agreement, and any attachments or documents incorporated herein by inclusion or reference, constitutes the complete and entire Agreement between CHP and Ventura County SAFE and supersedes any prior representations, understandings, communications, commitments, agreements, or proposals, oral or written.
25. Under no circumstances shall SAFE or its subcontractor(s) use the name California Highway Patrol or CHP to promote a product which is part of the call box system without the written consent of CHP.
26. This Agreement may be amended by written mutual consent of the parties hereto.
27. This Agreement is entered into by the parties listed below and shall be effective upon

approval by the Department of General Services, Office of Legal Services, if applicable. By executing this Agreement, the representative of CHP and Ventura County SAFE warrant that they have reviewed and fully understand all provisions of this Agreement and are authorized to bind their respective agencies to all terms of those provisions.



STATE OF CALIFORNIA  
DEPARTMENT OF CALIFORNIA  
HIGHWAY PATROL

VENTURA COUNTY  
TRANSPORTATION COMMISSION SAFE

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Jacquelyn Ngo  
Procurement Manager  
Business Services Section

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Martin Erickson  
Executive Director

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Date

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Date

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Steven Mattas  
General Counsel, Ventura County SAFE

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Date

Department of California Highway Patrol  
Business Services Section  
Contract Services Unit  
P.O. Box 942898  
Sacramento, CA 94198-0001  
5183540.1

Ventura County Transportation Commission  
751 E. Daily Dr., Suite 420  
Camarillo, CA 93010



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Item #8N

September 2, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: MARTIN R. ERICKSON, EXECUTIVE DIRECTOR**

**SUBJECT: RESOLUTION SUPPORTING “CALIFORNIA CLEAN AIR DAY”, OCTOBER 5, 2022**

**RECOMMENDATION:**

- Approve Resolution 2022-10 supporting “California Clean Air Day” on October 5, 2022

**BACKGROUND:**

California Clean Air Day is a multifaceted program based on the idea that shared experiences unite people to action to improve our health (in this case, through improving air quality). This statewide effort, a project of the Coalition for Clean Air ([www.ccair.org](http://www.ccair.org)), celebrated its first California Clean Air Day on October 5, 2022. This year VCTC participated in the coalition through a series of meetings which included participants from the public, private and non-profit sector. Participants included the County Health Care agencies from Ventura and Santa Barbara County, the Air Pollution Control Districts from each county, as well as private sector partners.

The over-arching goal of Clean Air Day is to encourage individuals across the state to take a pledge on the Clean Air Day website ([www.cleanairstay.org](http://www.cleanairstay.org)) and commit to an activity to clear the air. Through the agency meetings, a goal of achieving the maximum number of Ventura County residents pledging participation in Clean Air Day was established. VCTC plans to encourage individuals to choose a mobility activity to help improve air quality: taking transit (bus or rail), biking to work, walking to work, or car-pooling. Gold Coast Transit District (GCTD) is also taking a resolution to their Board to support. VCTC will also share information about Clean Air Day at the September 14 transit operators (TRANSCOM) meeting, including the “toolkits” that the Coalition for Clean Air has prepared for local governments and social media outreach.

*Attachment A: Resolution Supporting California Clean Air Day, October 5, 2022*

**RESOLUTION NO. 2022-10**  
**A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION SUPPORTING**  
**AND DECLARING “CLEAN AIR DAY” ON OCTOBER 5, 2022**

Whereas, VCTC serves as the Regional Transportation Planning Agency, Designated Recipient, and provider of Intercity bus transit for Ventura County; and

Whereas, air pollution contributes to higher rates of cancer and heart and lung diseases, which adversely affect health; and

Whereas, California has some of the most polluted regions in the United States; and

Whereas, it is vital that we protect the health and well-being of our residents, visitors, and workforce; and

Whereas, emissions from vehicles, industry, and even household sources significantly affects the natural environment, air quality and well-being of residents, employees, and visitors to the County of Ventura; and

Whereas, individual actions such as not idling vehicles, walking or biking to work and school, carpooling, taking transit, and conserving energy can directly improve air quality in our region; and

Whereas, education about air quality can raise community awareness, encourage our community to develop better habits, and improve our community health; and

Whereas, Californians will be joining together across the state to clear the air on October 5, 2022; and

Whereas, VCTC is committed to the health of our residents, workforce, visitors, and community at large. Now, therefore be it resolved, by VCTC that October 5, 2022 be declared “Clean Air Day”, and

Be it further resolved that we encourage all residents, businesses, employees, and community members to participate in Clean Air Day and help clear the air for all California.

Adopted the 2<sup>nd</sup> day of September 2022.

\_\_\_\_\_  
TONY TREMBLEY, CHAIR, VCTC

ATTEST:

\_\_\_\_\_  
Roxanna Ibarra, Clerk of the Commission

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven T. Mattas, General Counsel

\_\_\_\_\_  
Date



Item #80

September 2, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: CLAIRE GRASTY, DIRECTOR OF PUBLIC TRANSIT**

**SUBJECT: BUDGET AMENDMENT TO THE VCTC INTERCITY PROGRAM**

**RECOMMENDATION:**

- Approve a budget amendment for the Regional Transit Planning Program Budget by increasing the LCTOP funds by \$530,800 for the Youth Ride Free Program.
- Approve a budget amendment for the Regional Transit Planning Program Budget to increase the expenditures by \$560,800 adding a new line item, Youth Ride Free, in the amount of \$530,800 and increasing the Consultant line item by \$30,000 for the Transit Integration and Efficiency Study. The additional revenues for the TIES study were approved at the July Commission meeting.

**DISCUSSION:**

On August 11, 2022, Caltrans approved VCTC's Low Carbon Transit Operations Program (LCTOP) allocation request for funding for the Youth Ride Free program. As such, staff needs to amend the LCTOP funds into the Regional Transit Planning budget to support the program. Funding is expected to last two years. Therefore, staff is amending half of the funding into the FY 2022-23 budget and the other half will be included in the FY 2023-24 budget.

Staff began doing outreach for program in August and it officially began September 1. The program allows youth 18 and younger to ride the bus for free, anytime, anywhere on any bus operator in Ventura County.

At the July 2022 Commission meeting the Commission approved extending the contract with Fehr & Peers for the Transit Integration and Efficiency Study (TIES) and increasing it by \$30,000 to carry out the work needed to complete the project. As part of this, the Commission approved amending the Regional Transit Planning budget to incorporate an additional \$30,000 of State Transit Assistance (STA) revenues. Staff now needs to increase the Consultant Services line item in the Regional Transit Planning budget to expend these funds and is requesting approval to do so.

Therefore, it is staff's recommendation to amend the Regional Transit Planning Program Budget by increasing the LCTOP funds by \$530,800 for the Youth Ride Free Program and adding a new line item,

Youth Ride Free, in the amount of \$530,800 and increasing the Consultant line item by \$30,000 for the Transit Integration and Efficiency Study.



Item #9

September 2, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**

**FROM: MARTIN ERICKSON, EXECUTIVE DIRECTOR**

**SUBJECT: RESOLUTION TO HONOR THE MEMORY AND CONTRIBUTIONS OF VENTURA COUNTY BOARD OF SUPERVISORS CHAIR AND VCTC COMMISSIONER CARMEN RAMIREZ**

**RECOMMENDATION:**

It is recommended that the Ventura County Transportation Commission ("Commission") approve a resolution honoring the memory and contributions of Ventura County Board of Supervisors Chair and VCTC Commissioner Carmen Ramirez.

**BACKGROUND:**

VCTC's 17-member Commission includes each member of the Ventura County Board of Supervisors. Supervisor Carmen Ramirez, a 10-year member of the Oxnard City Council, was elected to the Ventura County Board of Supervisors in November 2020 representing District 5. Supervisor Ramirez began serving on the Commission in January 2021. She was an active participant in the Commission's regular and special meetings and supported VCTC's mission to improve mobility within the County and increase funding to meet transportation needs. During her time on the Commission, she participated in several significant decisions, including the approval of VCTC's annual budget, the approval of a lease for a new operator of the Santa Paula Branch Line, the hiring of a new executive director of VCTC and the adoption of near-term and mid-term strategic goals. Ramirez also represented VCTC on the Board of Directors of the California Association of Councils of Governments (CALCOG). As an attorney, Commissioner Ramirez spent her more than 40-year career assisting and advocating for underprivileged residents and for disadvantaged communities, particularly in her home city of Oxnard. She continued that effort as a VCTC Commissioner, advocating for safe, equitable and sustainable transportation options for all.

Tragically, Commissioner Ramirez was struck and killed by a vehicle while crossing a street in Oxnard on August 12, 2022. Staff recommends that the Commission adopt a resolution honoring the memory of Commissioner Ramirez and her contributions to Ventura County as a VCTC Commissioner.

The Ventura County Transportation Commission will adjourn its September 2, 2022, commission meeting in memory of Ventura County Board of Supervisors Chair and VCTC Commissioner, Carmen Ramirez.

**RESOLUTION NO. 2022 - 11**

**A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION TO  
HONOR THE MEMORY AND CONTRIBUTIONS OF VENTURA COUNTY BOARD OF  
SUPERVISORS CHAIR AND VCTC COMMISSIONER CARMEN RAMIREZ**

**WHEREAS**, Carmen Ramirez was elected to the Ventura County Board of Supervisors in November 2020; and

**WHEREAS**, Carmen Ramirez began serving on the Ventura County Transportation Commission through her position as Ventura County supervisor in January 2021; and

**WHEREAS**, Carmen Ramirez supported the Ventura County Transportation Commission's efforts to improve mobility and increase funding to meet transportation needs, advocating for underprivileged residents and for disadvantaged communities; and

**WHEREAS**, Carmen Ramirez faithfully served the residents of Ventura County as an attorney and elected public servant for more than four decades; and

**WHEREAS**, Carmen Ramirez distinguished herself as a dedicated community leader and advocate who invariably demonstrated kindness, selflessness and integrity as a public servant.

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

1. The Ventura County Transportation Commission does hereby honor the memory and contributions of Ventura County Board of Supervisors Chair and VCTC Commissioner Carmen Ramirez.

**PASSED, APPROVED, AND ADOPTED** this 2nd day of September, 2022.

\_\_\_\_\_  
TONY TREMBLEY, Chair, VCTC

**ATTEST:**

\_\_\_\_\_  
Roxanna Ibarra, Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Steve Mattas, General Counsel





Item #10

September 2, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: CLAIRE GRASTY, DIRECTOR OF PUBLIC TRANSIT**  
**SUBJECT: COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION  
DRAFT FINAL PLAN**

**RECOMMENDATION:**

- Approve the Coordinated Public Transit-Human Services Transportation Plan.

**DISCUSSION:**

The Ventura County Transportation Commission (VCTC) has contracted with Nelson\Nygaard to conduct the update of the Coordinated Public Transit-Human Services Transportation Plan. Federal transit law requires that projects selected to receive funding under the Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310) Program are “included in a locally developed, coordinated public transit-human services transportation plan,” and that the plan be “developed and approved through a process that includes participation by seniors, individuals with disabilities, representation from the public, private, and nonprofit transportation and human service providers and other members of the public” utilizing transportation services. The overarching goal for the previous plan update was to enhance the mobility of the target populations: individuals with disabilities, older adults, people with low incomes, and military populations.

Over the course of the project, the team has conducted outreach using a variety of engagement methods including interviews, affinity group discussions, and surveys to address potential barriers to public participation, including presenting to the Citizen’s Transportation Advisory Committee/Social Services Transportation Advisory Council (CTAC/SSTAC). Input from nearly 100 representatives of transportation, health, and human services organizations has been received through interviews, affinity group discussions, and a stakeholder survey distributed online. Participation by these groups and the public and their feedback has been instrumental in the development of this plan.

A gap and needs analysis particular to the critical Ventura County populations served by this Plan (people with disabilities, older adults, and people with low incomes) was conducted as part of the efforts for this plan. It also includes demographics for Ventura County, particularly for the target populations and an inventory of transit providers and services, both public and private/nonprofit.

Finally, the plan identifies goals, strategies and implementation recommendations. It outlines projects, policies, programs and services that are eligible for funding through federal funds distributed by VCTC to regional partners, as well as other funds from state and county agencies. Strategies build

from recommendations from the previous Coordinated Plan and feedback received from public stakeholder outreach and engagement.

The draft plan was reviewed by CTAC/SSTAC, Transcom and the Commission. Comments and feedback, primarily from the transit operators, have been incorporated into the final plan, in particular on the Consolidate All ADA Paratransit Eligibility Policies and Rider Databases strategy.



Item # 11

September 2, 2022

**MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION**  
**FROM: AMANDA FAGAN, DIRECTOR OF PLANNING & SUSTAINABILITY**  
**SUBJECT: SANTA PAULA BRANCH LINE UPDATE**

**RECOMMENDATION:**

- *Receive and file a report on the status of the Santa Paula Branch Line (SPBL) Railroad Lease and Operations Agreement with Sierra Northern Railway and efforts to advance completion of the SPBL Trail.*

**BACKGROUND:**

With the June 30, 2021, expiration of the lease agreement with Fillmore and Western Railway (FWRY), VCTC issued a Request for Proposals for Rail Operator Service in October 2020. After proposal review and negotiations, VCTC executed a Railroad Lease and Operations Agreement in December 2021 with Sierra Northern Railway (SNR) for a 35-year term. Under the Agreement, SNR is responsible to operate and maintain the full SPBL right-of-way as of January 1, 2022. The Agreement defines roles and responsibilities and grants to Sierra Northern the exclusive rights to operate the SPBL for Railroad Purposes, including tourist and freight services, film and television production, and storage and transload services.

**DISCUSSION:**

*Railroad Operations & Maintenance*

Since January 2022, SNR has begun railroad inspections improvements to the condition of the signals and railroad tracks, weed abatement and other right-of-way maintenance activities, and rail operations on the SPBL. Highlights include:

- VCTC staff and SNR representatives hold a virtual bi-weekly coordination meeting.
- SNR conducts regular track inspections in accordance with Federal and State regulations.
- SNR replaced over 660 railroad ties within the first 6 months of the Agreement.
- SNR continues to reach out to local businesses and residents to share information and build relationships with the community.
- SNR attracted two new railroad-related businesses to the SPBL:
  - Stella Jones, a business that provides railroad ties across Southern California, and
  - A&K Railroad Services, a rail steel supplier serving the Southern California market.
- SNR has been in discussions with several local businesses to provide freight rail services in the Santa Clara River Valley. Freight rail service reduces truck traffic at a rate of four trucks for every rail car.

- SNR purchased remaining rolling stock and equipment from FWRY and assisted in the transport of sold items off the SPBL and Fillmore Rail Yard.
- SNR supported a new VCTC lessee, Parallel Systems, to expand its operations and construct railroad siding east of Fillmore to support development and testing of electric, autonomous train cars. Parallel Systems describes itself as, “decarbonizing freight by building a cleaner, automated rail future.” This autonomous rail system is intended to allow rail access to smaller markets for shorter trips, shifting freight from trucking to rail and reducing air emissions from freight movement. For more information on Parallel Systems, visit <https://moveparallel.com>.
- Sierra Northern is working to expand television and film business on the SPBL and has launched a new website, <http://www.movierailroad.com>.
- VCTC staff and SNR jointly prepared a new right-of-entry permit template for use on the SPBL.
- In the first two quarters of operations and maintenance of the SPBL, SNR invested nearly \$1M in labor, equipment, materials, and services into the SPBL. According to the terms of the Railroad Lease and Operations Agreement, VCTC is responsible for reimbursing SNR for up to \$225,000.

After several months of negotiations, the City of Fillmore and SNR were unable to reach agreement on the terms of a lease to the Fillmore railyard location owned by the City of Fillmore and previously occupied by Fillmore & Western Railway. On July 5, 2022, Sierra Northern Railway announced an agreement with the owners of the Santa Paula Hay & Grain property located near 12<sup>th</sup> Street in Santa Paula. SNR leased an approximately 1.5 acres lot and 4,000 square foot shop space to store and maintain tools, equipment, and locomotives for use in freight, film, and tourist rail operations. Sierra Northern now operates its freight and film services and rail maintenance operations from this temporary location in Santa Paula and continues to look for a permanent home on the Branch Line. SNR anticipates operating from the Santa Paula Hay & Grain location for approximately 1 – 2 years. SNR anticipates a level of freight operations that includes one train per week of approximately 5 – 10 rail cars.

Without a lease and access to the portion of the Fillmore railyard owned by the City of Fillmore, SNR relocated rail cars and equipment from City-owned land onto available siding tracks. VCTC has received complaints regarding rail cars parked on the SPBL-owned railroad tracks blocking pedestrian access to Fillmore City Hall. SNR and VCTC staff are working together to address these concerns while also ensuring that railroad safety regulations are followed. For purposes of rail safety, railroad crossings are limited by the CPUC and FRA.

On the tourist/excursion side of the business, SNR’s sister company, Mendocino Railway, conducted a market study to select a new name for the excursion rail business on the SPBL. Branding and marketing have begun, with railbikes and train service to follow. Mendocino Railway has negotiated with the City of Santa Paula to operate its tourist/excursion train service from the Santa Paula Depot. Rail bikes have been built in Fort Bragg and service will begin Fall 2022, with excursion trains later this year. Mendocino Railway plans to announce its new name, location, and other service information to the Commission at the September 2<sup>nd</sup> meeting.

### *Trespass Removal Policy Implementation*

In accordance with the Railroad Lease and Operations Agreement, SNR has assumed responsibility to carry out the Commission’s Good Neighbor Policy by actively managing the SPBL to conduct weed abatement and trash removal, and to implement the Commission’s Trespass Removal Policy. The policy defines trespass identification, site inspection, removal, and storage of collected property located on VCTC property. SNR has worked closely with the Santa Paula Police Department and the Ventura County Sheriff’s Department to implement the Policy in Santa Paula and Fillmore, including a recent small encampment removal near Fillmore Middle School. SNR conducted field surveys, provided notices of Trespass and Personal Property Collection in English and Spanish, used the VCTC-provided GIS-based tools and procedures for documenting personal property to be collected and stored, and completed personal property collection and disposal of debris. Notices were also issued to vehicles parked on the railroad right-of-way near the Middle School, with all but one vehicle being moved prior to expiration of the 96-hours’ notice period required for vehicles. One vehicle, which appeared to be abandoned, was towed.

### *SPBL Encroachments and Leasing*

As previously discussed with the Commission, some areas along the Branch Line are used for access or cultivation without an active or current lease, license, or permit. VCTC has been working to address these areas that we refer to as encroachments. The Commission has directed staff to address encroachments through leasing activities to ensure fairness among neighboring landowners and generate revenues to sustain management and operations. Encroachments include row crops, lemon and avocado trees, equipment and materials staging areas, parking, and other uses of the VCTC-owned public property. As a reminder, though used for a public purpose, railroads are considered private property, unlike streets and highways, and in California, courts have found that railroads are not subject to adverse possession, so users cannot gain a right to use the railroad property by using or occupying the property.

As existing leases are renewed or reassigned, VCTC also continues to work with landowners to update rent values consistent with current market rates and modern insurance and indemnification provisions. For leases with termination provisions, staff continues to work proactively with leaseholders to update leases as needed. In March 2022, a new Lease Agreement and a Crossing Agreement were executed with Limoneira Company for SPBL property used for agricultural cultivation and access to the Limoneira/Agromin facility located west of Santa Paula. Reassignments and/or updated Agreements with review and updates to terms and conditions were also completed or are underway for several utility license agreements, including Frontier Communications, Warring Water, and California Natural Resources Group. VCTC and SNR collaborated to approve a lease agreement with the Piru Neighborhood Council (PNC) for placement of a storage container to support the PNC's community engagement activities.

VCTC staff and SNR representatives have been in discussions with a neighboring property owner in the 10<sup>th</sup> Street and Railroad Avenue area in Santa Paula on a lease agreement for an area being used informally for parking by business patrons and the public attending events in Downtown Santa Paula. The subject portion of the property, which is marked Railroad Avenue on maps, is owned by VCTC and has been used for parking and as a through-street without permits or agreements in place. It is the intent of staff and SNR to ensure agreement(s), insurance, and indemnifications are in place for parking and access, and to limit through-traffic by vehicles in close proximity to the railroad siding, which is needed for safe and efficient railroad operations.

Staff will continue to conduct field study to document encroachments, reach out to neighboring property owners regarding the need for a lease to access or cultivate within the public right-of-way, and give property owners sufficient time to respond, execute a lease, or remove encroachments and/or cease access without permission. Staff anticipates working closely with SNR to identify and prioritize those encroachments that negatively impact safe and efficient rail operations on the SPBL.

### *SPBL Trail Planning*

In April 2022, the Commission adopted among its midterm goals to "Reinvigorate the process to complete the Santa Paula Branch Line bike trail." In June, the City of Ventura submitted a grant application for to Caltrans for the Active Transportation Program (ATP) Cycle 6 to design and construct the approximately four miles section of bike trail from the Montalvo-East Ventura Metrolink station to the Saticoy Depot. VCTC staff supported the application development through providing data, participating in site visits, and sharing feedback on draft application materials and processes. Statewide results from Cycle 6 are scheduled to be adopted by the California Transportation Commission in December 2022. The Montalvo to Saticoy section of the SPBL bike trail was also included in a larger, multi-modal project concept submitted by VCTC to Caltrans to partner on a Solutions for Congested Corridors grant application, stemming from the 101 Communities Connected Multimodal Corridor Study. Feedback from Caltrans was very positive, and Caltrans approved the request to partner on an application when guidelines are released later this year.

VCTC staff have also developed a conceptual scope of work for a grant application to the Southern California Association of Governments (SCAG) through the Regional Early Action Planning (REAP) County Transportation Commissions (CTC) Partnership Program related to the SPBL Recreational Trail Master Plan (bike trail). The project would update existing conditions, phasing plans, and cost estimates; confirm that the Master Plan's trail alignment serves the new housing constructed and planned in the communities

since Master Plan adoption, and identify additional improvements or connections needed to better serve housing areas and improve access to transit connections; conduct outreach to disadvantaged communities along the SPBL corridor and to neighboring landowners to address any concerns and build support for the project; and evaluate and make recommendations for lighting and other technology tools that can improve safety, alleviate neighbor concerns, and encourage use of the trail and transit connections. Staff will return to the Commission for approval to submit a grant application once SCAG releases the Call for Projects in October 2022.