



**VENTURA COUNTY TRANSPORTATION COMMISSION
LOCAL TRANSPORTATION AUTHORITY
AIRPORT LAND USE COMMISSION
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
CONSOLIDATED TRANSPORTATION SERVICE AGENCY
CONGESTION MANAGEMENT AGENCY**
www.goventura.org

AGENDA*

****Actions may be taken on any item listed on the agenda
IN-PERSON***

**THE CITY OF CAMARILLO LIBRARY
4101 LAS POSAS ROAD
CAMARILLO, CA 93010
FRIDAY, MARCH 1, 2024
9:00 A.M.**

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. 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. CLOSED SESSION-

5. PUBLIC COMMENTS – *Each individual speaker is limited to speaking to 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 Commission. 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 the*

Public Comment portion of the agenda which are not listed on the agenda. Board members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.

- 6. **CLOSED SESSION –
“PUBLIC EMPLOYEE PERFORMANCE EVALUATION/PUBLIC EMPLOYEMENT-
(PURSUANT TO GOVERNMENT CODE SECTION 54957)
POSITION: GENERAL COUNSEL”**
- 7. **CALTRANS REPORT** - *This item provides the opportunity for the Caltrans representative to give updates and status reports on current projects.*
- 8. **COMMISSIONERS/EXECUTIVE DIRECTOR REPORTS** - *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.*
- 9. **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.*
- 10. **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.*
 - 10A. **[APPROVE MINUTES OF FEBRUARY 2, 2024, MEETING -PG.5](#)**
Recommended Action:
 - *Approve the summary minutes of February 2, 2024.***Responsible Staff: Roxanna Ibarra**
 - 10B. **[MONTHLY BUDGET REPORT-PG.11](#)**
Recommended Action:
 - *Receive and file the monthly budget report for January 2024.***Responsible Staff: Sally DeGeorge**
 - 10C. **[2025 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM RESOLUTION -PG.19](#)**
Recommended Action:
 - *Adopt attached Resolution No. 2024-02 certifying that there are sufficient financial resources to fund projects in the 2025 Federal Transportation Improvement Program (2025 FTIP)***Responsible Staff: Geiska Velasquez**
 - 10D. **[BUS AND RAIL RIDERSHIP AND PERFORMNCE MEASURES REPORT-PG.23](#)**
Recommended Action:
 - *Receive and file.***Responsible Staff: Dolores Lopez and Aubrey Smith**

DISCUSSION CALENDAR:

- 11. **[FREEWAY SERVICE PATROL THREE YEAR ANNIVERSARY REPORT AND 2023 DRIVER OF THE YEAR RECOGNITION-PG.29](#)**
Recommended Action:
 - *Receive and file a presentation on the third year of Ventura County Freeway Service Patrol (FSP) operations.*

- Recognize Adam Taylor as the Ventura County FSP Driver of the Year for providing outstanding service to the motorist public.

Responsible Staff: Andrew Kent

12. LEGISLATIVE UPDATE- PG.35

Recommended Action:

- Receive and file.

Responsible Staff: Darrin Peschka

13. NOMINATION OF PROJECTS FOR SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) SREGIONWIDE CALL FOR PROJECTS FOR CONGESTION MITIGATION AND AIR QUALITY CMAQ/CARBON REDUCTION PROGRAM (CRP)/SURGACE TRANSPORTATION DEVELOPMENT ACT (TDA)ARTICLE 3 BICYCLE AND PEDESTRIAN FUNDS- PG.53

Recommended Action:

- Approve submittal for \$12,208,714 to the Southern California Association of Governments (SCAG) for its federal programs call for projects, based on the priorities shown in Attachment A.
- Approve \$1,000,000 in TDA Article 3 Bicycle and Pedestrian funds for the two projects designated in Attachment A, with the estimated \$750,000 in available FY 2024/25 split equally between the projects, and the remainder to come from the FY 2025/26 funds, assuming that the funds are needed, as anticipated, for project expenditures.
- Authorize staff to make minor modifications to the program for SCAG submittal to adjust fund types and other items based on issues that may arise during the SCAG process.

Responsible Staff: Heather Miller

14. SANTA PAULA BRANCH LINE MONTHLY UPDATES FEBRUARY 2024-PG.59

Recommendation:

- Receive and file a report on Santa Paula Branch Line updates for the month of February 2024.

Responsible Staff: Amanda Fagan

15. CONSIDERATION AND ACTION ON PROFESSIONAL LEGAL SERVICES AGREEMENT WITH REDWOOD PUBLIC LAW, LLP TO CONTINUE SERVICE BY STEVE MATTAS AS VCTC GENERAL COUNSEL AND BY LINDSAY D'ANDREA AS ASSISTANT GENERAL COUNSEL AND TO CONTINUE SPECIAL LEGAL COUNSEL SERVICES- PG.63

Recommended Action:

- It is recommended that the Ventura County Transportation Commission ("Commission") approve a legal services contract with Redwood Public Law, LLP for continued General Counsel services by Steve Mattas, as General Counsel, and Lindsay D'Andrea as Assistant General Counsel, along with special counsel services.

Responsible Staff: Martin Erickson

16. GENERAL COUNSEL REPORTS-

17. AGENCY REPORTS:

Southern California Association of Governments (SCAG)

Primary: Commissioner Mike Judge

Southern California Regional Rail Authority (Metrolink-SCRRA)

Primary: Commissioner Tony Trembley

Alternate: Commissioner Bob Engler

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

Primary: Chair Bryan MacDonald
Alternate: Commissioner Jim White

Coastal Rail Coordinating Council-CRCC

Primary: Chair Bryan MacDonald
Alternate: Commissioner Jeff Gorell

California Association of Councils of Governments

Primary: Commissioner Mike Johnson

California Vanpool Authority (CalVans)

Primary: Commissioner Jim White
Alternate: Commissioner Mike Johnson

- 18. ADJOURN to 9:00 a.m. Friday, April 5, 2024** at the City of Camarillo Library, located at 4101 Las Posas Rd. Camarillo, CA 93010.



Item 10A

March 1, 2024

MEETING MINUTES OF FEBRUARY 2, 2024, REGULAR VCTC COMMISSION MEETING AT 9:00 A.M.

CALL TO ORDER:

Chair MacDonald called the regular meeting of the Ventura County Transportation Commission to order at 9:05 a.m. at the City of Camarillo Library, 4101 Las Posas Road, Camarillo, CA 93010.

PLEDGE OF ALLEGIANCE was led by Commissioner Roberts.

ROLL CALL/MEMBERS PRESENT:

Bryan MacDonald, City of Oxnard
Matt LaVere, County of Ventura
Carrie Broggie, City of Fillmore
Jenny Crosswhite, City of Santa Paula
Chris Enegren, City of Moorpark
Bob Engler, City of Thousand Oaks
Suza Francina, City of Ojai
Mike Johnson, City of Ventura
Mike Judge, City of Simi Valley
Kelly Long, County of Ventura
Vianey Lopez, County of Ventura
Martha McQueen-Legohn, City of Port Hueneme
Janice Parvin, County of Ventura
Tony Trembley, City of Camarillo
Jim White, County Rep., Ventura County
Gloria Roberts, Caltrans District 7 Director

ABSENT:

Daniel Chavez, Citizen Representative Cities
Jeff Gorell, County of Ventura

4. ELECTION OF CHAIR AND VICE-CHAIR FOR CALENDAR YEAR 2024-

- Selection of Chair and Vice-Chair for Calendar Year 2024

A motion was made by Commissioner Judge to nominate vice-chair Matt LaVere as chair of the Ventura County Transportation Commission. Chair MacDonald seconded the motion. The motion passed unanimously. A motion was made by Chair LaVere to nominate Commissioner Judge as Vice-Chair of the Ventura County Transportation Commission. Commissioner MacDonald seconded the nomination, and the motion passed unanimously.

5. PUBLIC COMMENTS – There was one public comment from the public at this time.

Vera Vega provided public comment detailing her personal concerns regarding her past employment at VCTC.

6. CALTRANS REPORT – Commissioner Roberts gave a PowerPoint presentation on the December Caltrans report to the commission.

7. COMMISSIONERS/EXECUTIVE DIRECTOR REPORTS -

Commissioner MacDonald introduced and welcomed Camarillo Police Chief Eric Tennesen and thanked Mr. Tennesen for his service to the community and VCTC.

Commissioner Johnson stated he participated in a Liaison Ventura Unified School District Committee meeting. The Community College District is looking on ways to improve transit. Commissioner Johnson stated he would work on connecting the Community College District and VCTC staff to set up a meeting on ways to improve transit between Heritage Valley and Ventura.

Commissioner McQueen-Legohn stated she would have to leave the VCTC meeting at 10 a.m. due to a funeral.

Mr. Erickson gave his executive director's report to the commission for February as follows:

Mr. Erickson welcomed Chair LaVere as the new chair and Vice-Chair Judge of VCTC for this upcoming year. He also thanked Chair MacDonald for leading VCTC in 2023 and immediate past Chair Trembley.

Incident Responder Grant Award recipients showcased equipment purchased using grant funds awarded through the program. The equipment was staged in the parking lot in front of the Camarillo Library entrance before the meeting. VCTC welcomed Commissioners, staff, and the public to view some of the equipment highlights, including the City of Ventura's major incident response vehicle (MIRV) and Ventura County Fire Department's battery operated "jaws of life."

Mr. Erickson thanked the City of Camarillo, Camarillo Library, Commissioner Trembley, Camarillo City Manager Greg Ramirez, Assistant Director, Administrative Services John Thomas and the entire City of Camarillo IT department for their help and support with the transition to the Camarillo Library for the VCTC meeting location during the remodel of the City of Camarillo Council Chambers.

In December, the Commission approved a memorandum of understanding (MOU) with the Southern California Association of Governments (SCAG) to accept a **Regional Early Action Planning (REAP) County Transportation Commissions (CTC) Partnership Program** ("REAP 2.0") grant award in the amount of \$3.7 million. Gov. Gavin Newsom's budget proposal for Fiscal Year 2024/2025, released in January, contains cuts to several programs, including \$300 million from REAP 2.0. Given the budget uncertainty, SCAG has suspended the REAP 2.0 program and ordered grant recipients, including VCTC, to stop work under the program. VCTC's affected projects are a countywide assessment of transit stops and station needs and capital improvement program; an update to the Santa Paula Branch Line Trail Master Plan; a countywide paratransit integration assessment; and a community traffic calming and bicycle and pedestrian safety program. VCTC is taking steps to adhere to the SCAG order and is assessing potential alternatives to fund the affected projects. VCTC also will advocate for REAP 2.0 funding to be included in the final state budget.

The **Ventura Council of Governments (VCOG)** and Ventura County Transportation Commission continue to work in partnership to assist CEQA lead agencies throughout Ventura County to streamline the CEQA process by providing tools and technical support to accomplish local goals and policies related to housing and transportation. This effort includes the **Vehicle Miles Traveled Adaptive Mitigation Program (VMT AMP)**, which was adopted by VCTC in May 2023, and is funded by a grant from the Southern California Association of Governments and the State of California Department of Housing and Community Development (HCD) through the initial round of Regional Early Action Planning (REAP). To implement strategies identified through the VMT AMP, the consultant team will be interviewing and surveying each lead agency's planning/community development and public works departments to understand their experiences and needs to develop the next steps in capacity building for staff, elected and appointed officials to ensure agency access to best practices and approaches to:

1. Accelerating Infill Development that Facilitates Housing Supply, Choice, and Affordability;
2. Affirmatively Furthering Fair Housing; and

3. Reducing Vehicle Miles Traveled.

Executive Director Martin Erickson gave the following at the close of the VCTC February 2, 2024 meeting.

In honor of **Transit Equity Day** and the birthday of civil rights leader Rosa Parks, the Ventura County Transportation Commission (VCTC) and the county's transit operators will provide free bus rides on Monday, Feb. 5. VCTC is observing the day on Feb. 5 to ensure all local operators can participate.

8. ADDITIONS/REVISIONS – None.

9. CONSENT CALENDAR –

Commissioner MacDonald moved to approve consent agenda **items 9A-9B and 9D-9H**. The motion was seconded by **Commissioner Trembley** and the motion passed unanimously.

ITEM 9C. TRANSPORTATION DEVELOPMENT ACT (TDA) LOCAL TRANSPORTATION FUND (LTF) DRAFT APPORTIONMENT FOR FISCAL YEAR 2024/2025 was pulled for further discussion by **Commissioner Engler**.

Vice-Chair Judge moved to approve consent agenda **item 9C**. The motion was seconded by **Commissioner Engler** and the motion passed unanimously.

9A. APPROVE MINUTES OF JANUARY 5, 2024, MEETING-

Recommendation:

- Approve the summary minutes of January 5, 2024.

9B. MONTHLY BUDGET REPORT-PG.11

Recommendation:

- Receive and file the monthly budget report for December 2023.

9C. TRANSPORTATION DEVELOPMENT ACT (TDA) LOCAL TRANSPORTATION FUND (LTF) DRAFT APPORTIONMENT FOR FISCAL YEAR 2024/2025-

Recommendation:

- Approve the Local Transportation Fund Draft Apportionment for Fiscal Year 2024/2025, apportioning \$52.44 million as shown in Attachment A.

9D. REVISED AGREEMENT WITH CALIFORNIA HIGHWAY PATROL FOR MOTORIST AID CALLBOX DISPATCH SERVICES-

Recommendation:

- Approve a revised Agreement with California Highway Patrol (CHP) for Answering and Dispatch Services for the Motorist Aid Emergency Roadside Assistance Callbox system in Ventura County.

9E. AWARD CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES TO RECONSTRUCT A PORTION OF THE SESPE CREEK OVERFLOW RAILROAD BRIDGE ON THE SANTA PAULA BRANCH LINE-

Recommendation:

- Approve an Amendment to the Santa Paula Branch Line Program Budget to increase expenditures by \$179,846 in Consultant Services, increase revenues by \$179,846 in the State Transit Assistance (STA) category, increase the STA transfer-in by \$179,846, and increase the STA transfer-out to the SPBL Fund by a corresponding \$179,846.
- Approve an agreement with RailPros, Inc. for Construction Management Support Services to Reconstruct a Portion of the Sespe Creek Overflow Railroad Bridge in an amount not to exceed \$779,846.

9F. BASELINE AGREEMENT FOR SOLUTIONS FOR CONGESTED CORRIDORS PROGRAM (SCCP) GRANT-

Recommendation:

- Approve the Solutions for Congested Corridor Program (SCCP) Baseline Agreement for the “U.S. 101 Connected Communities Corridor Rail and Active Transportation Improvement in Ventura County project (Attachment “A”).

9G. CLEAN CA GRANT RESOLUTION AND BUDGET AMENDMENT

Recommendation:

- Authorize resolution 2024-01 Authorizing the Executive Director to execute agreement with Caltrans for Gold Coast Transit District’s Bus Stop Improvements project
- Approve an Amendment to the Regional Transit Planning Program Budget to increase revenues by \$500,00 in a new Caltrans Clean CA category and increase expenditures by a corresponding \$500,000 in a new Bus Stop Improvements category.

9H. VCTC INTERCITY BUDGET AMENDMENT

Recommendation:

- Approve an Amendment to the VCTC Intercity Program Budget to increase revenues by \$200,000 in Low Carbon Transit Operations Program (LCTOP) funds and to increase expenditures by a corresponding \$100,000 in the Consultant Services category and \$100,000 in the Equipment category.

DISCUSSION CALENDAR:

10. FISCAL YEAR 2024/2025 TRANSPORTATION DEVELOPMENT ACT (TDA) UNMET TRANSIT NEEDS (UTN) PUBLIC HEARING

Recommendation:

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

Claire Grasty gave a PowerPoint presentation on the Unmet Transit Needs public hearing to the commission. Chair LaVere opened the Unmet Transit Needs public hearing. There was one public comments during the Unmet Transit Needs Public Hearing by Vera Vega, an Oxnard resident regarding the Channel Island Harbor area for next year. Chair LaVere closed the public hearing at 9:46 a.m.

11. SALARY RANGE ADJUSTMENTS

Recommendation:

- Receive and file the reports and presentation on the Salary Survey from CPS HR Consulting.
- Approve a policy to update both the minimum and maximum of the salary range when a Cost-of-Living Adjustment (COLA) is approved.
- Approve the proposed Salary Ranges effective July 1, 2024 (Fiscal Year 2024/2025)

Martin Erickson introduced Ellen Fishel, CPS HR Project Manager who gave a PowerPoint presentation to the commission regarding the Salary Range Adjustments.

Commissioner Lopez moved to approve **item 11 Salary Range Adjustments**. The motion was seconded by **Commissioner White** and the motion passed unanimously.

12. CITY OF CAMARILLO-FARING CAMARILLO AIRPORT NORTH CENTER (LD-562A, IPD-412) CONSISTENCY REVIEW AND DETERMINATION

Recommendation:

- The Ventura County Airport Land Use Commission (ALUC) hold a public hearing regarding consistency of a lot line adjustment, Airport North Specific Plan amendment, and industrial planned development permit (LD-562A, IPD-412) with the Ventura County Airport Comprehensive Land Use Plan (ACLUP).
- The Ventura County ALUC make a determination that the proposed a lot line adjustment, Airport North Specific Plan amendment, and industrial planned development permit (LD-562A, IPD-412) are consistent with the Ventura County ACLUP.

Caitlin Brooks gave a PowerPoint presentation on the City of Camarillo Airport North Center (LD-562A, IDP-12) Consistency Review and Determination public hearing to the commission. Chair LaVere opened the City of Camarillo Airport North Center (LD-562A, IDP-12) Consistency Review and Determination public hearing at 10:16 a.m. There were no public comments. Chair LaVere closed the public hearing at 10:23 a.m.

Commissioner Trembley moved to approve **item 12 City of Camarillo Airport North Center (LD-562A, IDP-12) Consistency Review and Determination**. The motion was seconded by **Commissioner Parvin** and the motion passed unanimously.

13. LEGISLATIVE UPDATE

Recommendation:

- Receive and file.

Darrin Peschka gave a PowerPoint presentation to the commission regarding the state budget and potential impacts to transportation funding.

14. INCIDENT RESPONDER GRANT PROGRAM - ROUND 3

Recommendation:

- Approve program guidelines and initiation of the application process for a third round of grants for the Incident Responder Grant Program to provide up to \$500,000 to agencies that respond to highway incidents within Ventura County.

Andrew Kent gave a PowerPoint presentation and update to the commission. The commissioner received and filed the presentation update.

Commissioner Long moved to approve **Item 14 Incident Responder Grant Program**. The motion was seconded by **Vice-Chair Judge** and the motion passed unanimously.

15. SANTA PAULA BRANCH LINE LEASING, LICENSING, AND INSURANCE OVERVIEW-PG.75

Recommendation:

- Receive and file a report on leasing, licensing, and insurance for the Santa Paula Branch Line railroad right-of-way.

Amanda Fagan gave a PowerPoint presentation and update to the commission on the **Santa Paula Branch Line Leasing, Licensing and Insurance Overview**.

16. SANTA PAULA BRANCH LINE MONTHLY UPDATES FOR JANUARY 2024-PG.81

Recommendation:

- Receive and file a report on Santa Paula Branch Line updates for the month of January 2024.

Amanda Fagan gave a PowerPoint presentation and update to the commission on the **Santa Paula Branch Line Monthly Updates for January 2024**.

17. GENERAL COUNSEL REPORTS- None.

18. AGENCY REPORTS:

Southern California Association of Governments (SCAG)

Primary: Commissioner Mike Judge

Vice-Chair Judge talked about REAP 2.0 program cuts. He emailed the clerk of the commission the SCAG lobbying tool-kit to lobby for the REAP 2.0 funding and ask the governor to reconsider the funding cuts. He requested VCTC to prepare a letter to SCAG that the commissioners can all sign. Also, he said there was an interesting presentation for a proposed airline commuter hub to be built adjacent to or near an airport that flies battery operated aircraft that hold 6-7 people.

Southern California Regional Rail Authority (Metrolink-SCRRRA)

Primary: Commissioner Tony Trembley
Alternate: Commissioner Bob Engler

Commissioner Engler and Commissioner Trembley gave the Metrolink update and touched on the SCORE and State of Good Repair programs. Commissioner Trembley stated that from a cost standpoint it costs about 6 times to effectuate emergency repairs over State of Good Repair. As an example, he talked about the rail line area in San Clemente where the hill side is coming down. He said this makes it difficult financially because the rail repairs are costly. He also said that during the Metrolink board meeting there was extensive discussion of the L.A. 2028 Olympics with concern from Metrolink for the funding costs. The Metrolink board has appointed a committee to engage with the L.A. 2028 Olympics which to date has not really engaged with Metrolink and has not really stepped-up capital and funding costs which are estimated to be at \$651 million dollars.

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

Primary: Chair Bryan MacDonald
Alternate: Commissioner Jim White

Commissioner MacDonald reported there has been another subsidence in the San Clemente rail line. They are trying to secure it. At this time all the commuter services have stopped. Prior to these incidents Commissioner MacDonald stated LOSSAN was on its way to an 80% ridership recovery rate.

Coastal Rail Coordinating Council-CRCC

Primary: Chair Bryan MacDonald
Alternate: Commissioner Jeff Gorell NONE.

California Association of Councils of Governments

Primary: Commissioner Mike Johnson

Commissioner Johnson talked about the discussions around budget cuts related to transit and transportation, when the expectation has been to improve transportation, especially when it comes to transportation and housing. Commissioner Johnson stated he attended the board retreat in Riverside at which they also discussed L.A. 2028 Olympics.

California Vanpool Authority (CalVans)

Primary: Commissioner Jim White
Alternate: Commissioner Mike Johnson

Commissioner White reported the CalVans Annual Conference will be in March in Sacramento. Section 5311 vans for Ventura County been applied for, 75% will be gas and 25% will be electric. Commissioner White also stated the X-Games are coming back to Ventura County in June 2024.

19. ADJOURN to 9:00 a.m. Friday, MARCH 1, 2024. The meeting will be held at the City of Camarillo Public Library, located at 4101 Las Posas Road. Camarillo, CA 93010.



Item 10B

March 1, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for January 2024.

DISCUSSION:

The monthly budget report is presented in a comprehensive, agency-wide format on a modified accrual basis. The reports include a combined Balance Sheet, a Statement of Revenues, Expenditures and Changes in Fund Balance detailed by fund and an Investment Report by institution. There are eight funds presented consisting of the General Fund, the Local Transportation Fund (LTF), the State Transit Assistance (STA) fund, the State of Good Repair (SGR) fund, the Service Authority for Freeway Emergencies (SAFE) fund, the Santa Paula Branch Line (SPBL) fund, the VCTC Intercity fund and the Valley Express fund. The Statement of Revenues, Expenditures and Changes in Fund Balance also includes the annual budgeted numbers that are updated as the Commission approves budget amendments or administrative budget amendments are approved by the Executive Director. Staff monitors the revenues and expenditures of the Commission on an on-going basis.

The January 31, 2024, budget report indicates that the revenues were approximately 41.55% of the adopted budget while expenditures were approximately 37.79% of the adopted budget. The revenues and expenditures are as expected at this time. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on an even percentage or monthly basis. Furthermore, revenues are often billed and reimbursed in arrears.

Some revenues are received at the beginning of the year while other revenues are received after grants are approved. In many instances, the Ventura County Transportation Commission (VCTC) incurs expenditures and then submits for reimbursement from federal, state, and local agencies which may also cause a slight lag in reporting revenues. Furthermore, the STA, SGR, LTF and SAFE revenues are received in arrears. The State Board of Equalization collects the taxes and remits them to the Commission after the reporting period for the business. STA and SGR revenues are paid quarterly with a two to three-month additional lag and LTF receipts are paid monthly with a two-month lag. For example, the July through September STA and SGR receipts are often not received until October or November and the July LTF receipts are not received until September. The Department of Motor Vehicle collects the SAFE funds and remits them monthly with a two-month lag.

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

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

The Commission's accrued lease and subscription-based IT arrangement (SBITA) liability and associated interest are presented on the Balance Sheet. These accounts represent the accrual information for leases that qualify with the implementation of the Government Accounting Standards Board (GASB) Statement 87 and 96. This information is based on an amortization schedule and is adjusted annually at the end of the fiscal year. Currently the only lease that qualifies is the office lease and the only SBITA that qualifies is for the pass card readers.

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

**VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF JANUARY 31, 2024**

Assets and Deferred Outflows

Cash and Investments	\$ 64,473,959
Receivables/Due from other funds	4,250,025
Prepays and Deposits	229,809
Capital Assets, undepreciated	26,016,497
Capital Assets, depreciated, net	27,564,463
Deferred Outflows	<u>3,434,600</u>
Total Assets and Deferred Outflows	<u><u>\$ 125,969,353</u></u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:

Accrued Expenses and Due to Other	\$ 1,980,562
Deferred Revenue	4,013,776
Deposits	67,059
Accrued Vacation	198,682
Accrued Lease-SBITA liability and interest	640,240
Deferred Inflows	2,348,574
Pension Liability	249,039
OPEB Liability	<u>239,512</u>
Total Liabilities and Deferred Inflows:	<u><u>\$ 9,737,444</u></u>

Net Position:

Invested in Capital Assets	\$ 53,580,960
Fund Balance	<u>62,650,949</u>
Total Net Position	<u><u>\$ 116,231,909</u></u>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE SEVEN MONTHS ENDED JANUARY 31, 2024**

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley	Fund	Budgeted	Variance	% Year
	Fund Actual	Actual	Actual	Actual	Actual	Actual	Intercity Actual	Express Actual	Totals	Actual	Actual	Actual
Revenues												
Federal Revenues	\$ 3,780,092	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	2,752,186	\$ 777,123	\$ 7,309,401	\$ 24,778,599	(17,469,198)	29.50
State Revenues	1,472,637	19,423,346	5,242,625	743,226	762,952	0	0	0	27,644,786	64,788,702	(37,143,916)	42.67
Local Revenues	115,325	0	0	0	0	358,845	1,395,092	1,317,685	3,186,947	4,214,538	(1,027,591)	75.62
Other Revenues	1,581	0	0	0	0	0	64,792	7,145	73,518	0	73,518	0.00
Interest	140,798	263,462	466,475	77,750	141,994	6,492	13,553	6,708	1,117,232	890,000	227,232	125.53
Total Revenues	5,510,433	19,686,808	5,709,100	820,976	904,946	365,337	4,225,623	2,108,661	39,331,884	94,671,839	(55,339,955)	41.55
Expenditures												
Administration												
Personnel Expenditures	1,937,574	0	0	0	0	0	108,396	28,258	2,074,228	4,196,752	(2,122,524)	49.42
Legal Services	6,716	0	0	0	0	0	0	0	6,716	44,000	(37,284)	15.26
Professional Services	103,307	0	0	0	0	0	0	0	103,307	209,000	(105,693)	49.43
Office Leases	124,033	0	0	0	0	0	0	0	124,033	216,000	(91,967)	57.42
Office Expenditures	595,753	0	0	0	0	0	93,123	24,277	713,153	1,139,563	(426,410)	62.58
Total Administration	2,767,383	0	0	0	0	0	201,519	52,535	3,021,437	5,805,315	(2,783,878)	52.05
Programs and Projects												
Transit and Transportation Program												
Regional Transit Technology	384,529	0	0	0	0	0	0	0	384,529	1,615,000	(1,230,471)	23.81
SD-Accessible Mobility Service	139,320	0	0	0	0	0	0	0	139,320	404,200	(264,880)	34.47
VCTC Intercity Bus Services	0	0	0	0	0	0	4,717,267	0	4,717,267	12,975,200	(8,257,933)	36.36
Valley Express Bus Services	0	0	0	0	0	0	0	1,250,521	1,250,521	2,571,200	(1,320,679)	48.64
Transit Grant Administration	2,147,203	0	0	0	0	0	0	0	2,147,203	10,327,510	(8,180,307)	20.79
Total Transit and Transportation	2,671,052	0	0	0	0	0	4,717,267	1,250,521	8,638,840	27,893,110	(19,254,270)	30.97
Highway Program												
Motorist Aid Services	0	0	0	674,580	0	0	0	0	674,580	2,836,024	(2,161,444)	23.79
Highway Program Management	221,906	0	0	0	0	0	0	0	221,906	5,125,989	(4,904,083)	4.33
Total Highway	221,906	0	0	674,580	0	0	0	0	896,486	7,962,013	(7,065,527)	11.26

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE SEVEN MONTHS ENDED JANUARY 31, 2024**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	SGR Actual	SPBL Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals	Budgeted Actual	Variance Actual	% Year
Rail Program												
MetroLink and Commuter Rail	9,382,077	0	0	0	0	0	0	0	9,382,077	24,519,414	(15,137,337)	38.26
LOSSAN and Coastal Rail	1,315	0	0	0	0	0	0	0	1,315	10,500	(9,185)	12.52
Santa Paula Branch Line	0	0	0	0	0	529,407	0	0	529,407	2,167,500	(1,638,093)	24.42
Total Rail	9,383,392	0	0	0	0	529,407	0	0	9,912,799	26,697,414	(16,784,615)	37.13
Commuter Assistance Program												
Reg Transit Information Center	2,310	0	0	0	0	0	0	0	2,310	40,500	(38,190)	5.70
Rideshare Programs	126,568	0	0	0	0	0	0	0	126,568	346,000	(219,432)	36.58
Total Commuter Assistance	128,878	0	0	0	0	0	0	0	128,878	386,500	(257,622)	33.34
Planning and Programming												
TDA Administration	80,000	19,789,365	168,238	0	24,222	0	0	0	20,061,825	43,378,004	(23,316,179)	46.25
Transportation Programming	20,234	0	0	0	0	0	0	0	20,234	63,900	(43,666)	31.67
Regional Transportation Planning	168,505	0	0	0	0	0	0	0	168,505	832,430	(663,925)	20.24
Airport Land Use Commission	351	0	0	0	0	0	0	0	351	28,000	(27,649)	1.25
Regional Transit Planning	683,009	0	0	0	0	0	0	0	683,009	2,233,571	(1,550,562)	30.58
Total Planning and Programming	952,099	19,789,365	168,238	0	24,222	0	0	0	20,933,924	46,535,905	(25,601,981)	44.98
General Government												
Community Outreach	91,982	0	0	0	0	0	0	0	91,982	210,000	(118,018)	43.80
State and Federal Relations	72,823	0	0	0	0	0	0	0	72,823	113,400	(40,577)	64.22
Management and Administration	77,935	0	0	0	0	0	0	0	77,935	235,000	(157,065)	33.16
Total General Government	242,740	0	0	0	0	0	0	0	242,740	558,400	(315,660)	43.47
Total Expenditures	16,367,450	19,789,365	168,238	674,580	24,222	529,407	4,918,786	1,303,056	43,775,104	115,838,657	(72,063,553)	37.79

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE SEVEN MONTHS ENDED JANUARY 31, 2024**

	General	LTF	STA	SAFE	SGR	SPBL	VCTC	Valley	Fund	Budgeted	Variance	% Year
	Fund Actual	Actual	Actual	Actual	Actual	Actual	Intercity Actual	Express Actual	Totals	Actual	Actual	Actual
Revenues over (under) expenditures	(10,857,017)	(102,557)	5,540,862	146,396	880,724	(164,070)	(693,163)	805,605	(4,443,220)	(21,166,818)	16,723,598	20.99
Other Financing Sources												
Transfers Into GF From LTF	10,962,620	0	0	0	0	0	0	0	10,962,620	10,953,295	9,325	100.09
Transfers Into GF From STA	3,168,913	0	0	0	0	0	0	0	3,168,913	6,011,046	(2,842,133)	52.72
Transfers In GF From SGR	0	0	0	0	0	0	0	0	0	7,208,287	(7,208,287)	0.00
Transfers Into GF From SAFE	27,346	0	0	0	0	0	0	0	27,346	66,400	(39,054)	41.18
Transfers Into GF From SPBL	111,665	0	0	0	0	0	0	0	111,665	154,700	(43,035)	72.18
Transfers Into SPBL From LTF	0	0	0	0	0	93,774	0	0	93,774	103,100	(9,326)	90.95
Transfers Into SPBL From STA	0	0	0	0	0	547,297	0	0	547,297	1,834,100	(1,286,803)	29.84
Transfers Into VI From STA	0	0	0	0	0	0	2,600,000	0	2,600,000	5,440,578	(2,840,578)	47.79
Transfers Out of LTF Into GF	0	(10,962,621)	0	0	0	0	0	0	(10,962,621)	(10,953,295)	(9,326)	100.09
Transfers Out of LTF Into SPBL	0	(93,774)	0	0	0	0	0	0	(93,774)	(103,100)	9,326	90.95
Transfers Out of STA Into GF	0	0	(3,168,912)	0	0	0	0	0	(3,168,912)	(6,011,046)	2,842,134	52.72
Transfers Out of STA Into SPBL	0	0	(547,297)	0	0	0	0	0	(547,297)	(1,834,100)	1,286,803	29.84
Transfers Out of STA Into VI	0	0	(2,600,000)	0	0	0	0	0	(2,600,000)	(5,440,578)	2,840,578	47.79
Transfers Out of SAFE Into GF	0	0	0	(27,346)	0	0	0	0	(27,346)	(66,400)	39,054	41.18
Transfers Out of SPBL Into GF	0	0	0	0	0	(111,665)	0	0	(111,665)	(154,700)	43,035	72.18
Transfers Out of SGR Into GF	0	0	0	0	0	0	0	0	0	(7,208,287)	7,208,287	0.00
Total Other Financing Sources	14,270,544	(11,056,395)	(6,316,209)	(27,346)	0	529,406	2,600,000	0	0	0	0	0.00
Net Change in Fund Balances	3,413,527	(11,158,952)	(775,347)	119,050	880,724	365,336	1,906,837	805,605	(4,443,220)	(21,166,818)	16,723,598	20.99
Beginning Fund Balance w/o capital assets	5,102,381	21,691,716	28,843,611	4,401,099	7,273,900	25,367	(26,850)	0	67,311,224	33,572,663	33,738,561	200.49
Long-term Pension/OPEB/Vacation/Lease/SBITA Net Adjustment*	(216,583)	0	0	0	0	0	(472)	0	(217,055)	0	(217,055)	0.00
Ending Fund Balance	\$ 8,299,325	\$ 10,532,764	\$ 28,068,264	\$ 4,520,149	\$ 8,154,624	\$ 390,703	\$ 1,879,515	\$ 805,605	\$ 62,650,949	\$ 12,405,845	\$ 50,245,104	505.01

*Government Accounting Standards Board (GASB) Statements 68, GASB 75, GASB 87 and GASB 96 require full accrual of pension, OPEB, Lease, and Subscription-based IT agreements (SBITA) liabilities/interest, deferred inflows, and deferred outflows on financial statements. These calculations are updated annually.

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF JANUARY 31, 2024**

As stated in the Commission’s investment policy, the Commission’s investment objectives are safety, liquidity, return on investment, prudence, diversification, and public trust with the foremost objective being safety. VCTC has the ability to meet its expenditure requirements, at a minimum, for the next six months. Below is a summary of the Commission’s investments that comply with the Commission’s investment policy and bond documents, as applicable.

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo	Government Checking	N/A	\$ 3,096.42	EAC & 1.08%	\$ 2,503,707.64
LAIF	State Pool	N/A	172,135.20	3.15%	13,292,789.63
County of Ventura	Treasury Pool	N/A	942,000.56	3.59%	49,254,252.04
VCCF Bike Fund	Investment	N/A	Annually	annually	17,584.89
Total			\$1,117,232.18		\$65,068,334.20

Because VCTC receives a large portion of their state and federal funding on a reimbursement basis, the Commission must keep sufficient funds liquid to meet changing cash flow requirements. For this reason, VCTC maintains checking accounts at Wells Fargo Bank.

The Commission’s pooled checking account is now earning a combination of interest and earns “earnings credits” applied against fees because of the low interest rate environment. Cash balances will vary depending on reimbursements and disbursements. The first \$250,000 of the combined balance is federally insured and the remaining balance is collateralized by Wells Fargo bank.

The Commission’s LTF, STA, SGR and a portion of the SAFE funds received from the State are invested in the Ventura County investment pool. Interest is apportioned quarterly, in arrears, based on the average daily balance. The investment earnings are generally deposited into the accounts in two payments within the next quarter. The amounts shown above are not adjusted for fair market value.

The Commission’s funds not needed for immediate use are invested in the California Local Agency Investment Fund (LAIF). Interest is apportioned quarterly, in arrears, based on the average daily balance. The investment earnings are generally deposited into the account the month following the quarter end. A small portion of interest earned in the LAIF account is for unearned revenues and the interest is not recognized until the corresponding expenses are recognized.

The amounts shown above are not adjusted for fair value. Wells Fargo Bank, County of Ventura and LAIF statements are the sources for provided information.

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



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March 1, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: GEISKA VELASQUEZ, PROGRAM ANALYST
SUBJECT: 2025 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM FINANCIAL RESOLUTION

RECOMMENDATION:

- Adopt attached Resolution No. 2024-02 certifying that there are sufficient financial resources to fund projects in the 2025 Federal Transportation Improvement Program (2025 FTIP).

BACKGROUND:

Federal law requires that federally funded transportation projects, as well as regionally significant projects funded with state and local funds, be included in an adopted Federal Transportation Improvement Program (FTIP). The FTIP is required to be updated every two years and lists projects that are scheduled for implementation within the first four years of the program; it also lists projects that are reasonably expected to be implemented in the fifth and sixth years. The Southern California Association of Governments (SCAG) adopts the FTIP based upon input from each of the six county transportation commissions within the SCAG region. The 2025 FTIP covers Federal Fiscal Year (FFY) 2024/25 through FFY 2029/30.

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

As with the previous cycle, the Ventura County portion of the 2025 FTIP includes all the following project categories:

- **Congestion Management and Air Quality (CMAQ) and Surface Transportation Program (STP):** The FTIP includes carryover CMAQ projects programmed under the prior calls for projects and STP projects programmed under the Commission's programming policies. The FTIP will be amended in the future to incorporate new projects approved by the Commission, using funds made available by the Infrastructure Investment and Jobs Act (IIJA).
- **FTA Formula Funded Projects:** These projects are approved annually by the Commission through the Program of Projects (POP). Since VCTC has not yet approved the Program of Projects beyond FFY 2023/2024, the FTIP contains ongoing programs which the transit operators anticipate continuing based on the assumption of Federal apportionments remaining constant. The FTIP will be amended each year to incorporate what is approved by VCTC in each year's Program of Projects.

- **State Transportation Improvement Program (STIP) Regional Share Projects:** VCTC programs projects in the STIP using its regional funding share of the State Transportation Improvement Program (STIP). These dollars are programmed based on the Caltrans Fund Estimate, which is based on anticipated availability of state and federal dollars, assuming current law. The 2025 FTIP includes updated listings for projects including the 2024 STIP approved by the Commission November 3, 2023.
- **Active Transportation Program (ATP):** The FTIP includes carryover ATP projects programmed under the prior calls for projects up to and including Cycle 6. The FTIP will be amended in the future to incorporate future calls for projects.
- **State Operation, Maintenance, and Interregional Projects:** These projects are funded by Caltrans and the California Transportation Commission (CTC) as part of the interregional share of the STIP (projects within Ventura County nominated by Caltrans) or as part of the state highway maintenance and operations program. These dollars are also programmed based on the Fund Estimate.
- **Discretionary Projects:** The FTIP includes projects receiving congressionally-earmarked funds and projects receiving funds from the US Department of Transportation (USDOT), Caltrans or the California Transportation Commission through competitive selection.
- **Local Projects:** The FTIP also includes regionally significant projects for which local agencies have indicated they have sufficient local funding to implement.

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

RESOLUTION NO. 2024-02

A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION WHICH CERTIFIES THAT VENTURA COUNTY HAS THE RESOURCES TO FUND THE PROJECTS IN THE FFY 2024/2025 - 2029/2030 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMS ITS COMMITMENT TO IMPLEMENT ALL PROJECTS AND PHASES AS APPLICABLE IN THE PROGRAM

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

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

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

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

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

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

WHEREAS, the Ventura County Transportation Commission has adopted the FFY 2024/2025-2029/2030 Ventura County Transportation Improvement Program with funding for FFY 2024/2025 and 2025/2026 available and committed, and reasonably expected to be available for FFY 2026/2027 through 2027/2028.

NOW, THEREFORE, BE IT RESOLVED by the Ventura County Transportation Commission that it affirms its continuing commitment to the projects in the FFY 2024/2025-2029/2030 Ventura County Transportation Improvement Program (TIP); and

BE IT FURTHER RESOLVED, that the FFY 2024/2025-2029/2030 Ventura County TIP Financial Plan identifies the resources that are available and committed in the first two years and reasonably expected to be made available to carry out the Program in years three and four, and certifies that:

1. Projects in the FFY 2024/2025-2029/2030 Ventura County TIP are consistent with the proposed 2024 State Transportation Improvement Program scheduled to be approved by the California Transportation Commission in March 2024; and
2. Ventura County has the funding capacity in its county Surface Transportation Block Grant (STBG) Program and Congestion Mitigation and Air Quality (CMAQ) Program allocation to fund all the projects in the FFY 2024/2025-2029/2030 Ventura County TIP; and
3. The local match for projects funded with federal STBG and CMAQ program funds is identified in the TIP.
4. All the Federal Transit Administration funded projects are programmed within the IJJA Guaranteed Funding levels.

PASSED, APPROVED AND ADOPTED this 1st day of March 2024.

Matt LaVere, Chair

ATTEST:

Roxanna Ibarra, Clerk of the Commission

APPROVED AS TO FORM:

Steven T. Mattas, General Counsel

Date



Item 10D

March 1, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: DOLORES LOPEZ, TRANSIT PLANNER
AUBREY SMITH, PROGRAM MANAGER - REGIONAL TRANSIT PLANNING**

SUBJECT: BUS AND RAIL RIDERSHIP AND PERFORMANCE MEASURES REPORT

RECOMMENDATION:

- Receive and File

BACKGROUND:

This reporting period covers the second quarter of FY24. 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 second quarter of Fiscal Year (FY) 2024, October 1, 2023 – December 31, 2023.

DISCUSSION:

VCTC's Intercity quarterly ridership has increased by 11.7% over FY23 Q2. Ridership for the quarter is at 60% of pre-pandemic ridership totals and has the highest ridership since prior to the pandemic.

Regarding rider composition, mobility devices have seen a significant decrease of about 80% and bicycles have seen an approximately 18% decline compared to FY23. Train transfers show a slight increase of about 3% when comparing the same period in FY23.

A system glitch that impacted VCbuspass Zone 2 fares during weekdays in October caused a reduction in reported ridership numbers for Coastal Express. Despite this issue, ridership was still recorded for the systemwide service, distributed across all routes using percentage averages. The moderate 2.1% increase for the Coastal Express would be related to the glitch and subsequent months demonstrated higher ridership.

Passenger revenue shows an increase of 3.8%. When accounting for budgeted route guarantees, passenger revenue had a slight increase of 2%. The cost per passenger has decreased by 6% over FY23 Q2. The farebox recovery ratio experienced a slight decrease of 1.4% without considering route guarantees. When including route guarantees, it decreased by 2.79%, which is due to the VCbuspass glitch which temporarily suspended the collection of Zone 2 fares. Customer service goals were not met as complaints received for the period exceeded 5/50,000 riders for the quarter.

The Metrolink Ventura County rail line ridership increased by 44% in FY24 when compared to the previous year in the same quarter. The new weekend ridership is helping to contribute to the increase. Average Station boardings in Ventura County increased by 32%. Metrolink Service was suspended for four days in December due to scheduled maintenance and enhancements, a factor reflected in the noticeable decrease in both average and total weekday ridership. Overall Metrolink ridership on the Ventura Line is at 48% of pre-pandemic ridership with gradual improvement. The LOSSAN Pacific Surfliner service that runs between San Diego and San Luis Obispo ridership is operating at about the same level as pre-pandemic times. It's worth noting that recreational trips have seen a significant increase throughout this quarter.

VCTC INTERCITY

Quarterly Ridership Report | FY 2024 Q2

October - December 2023 **101,459**

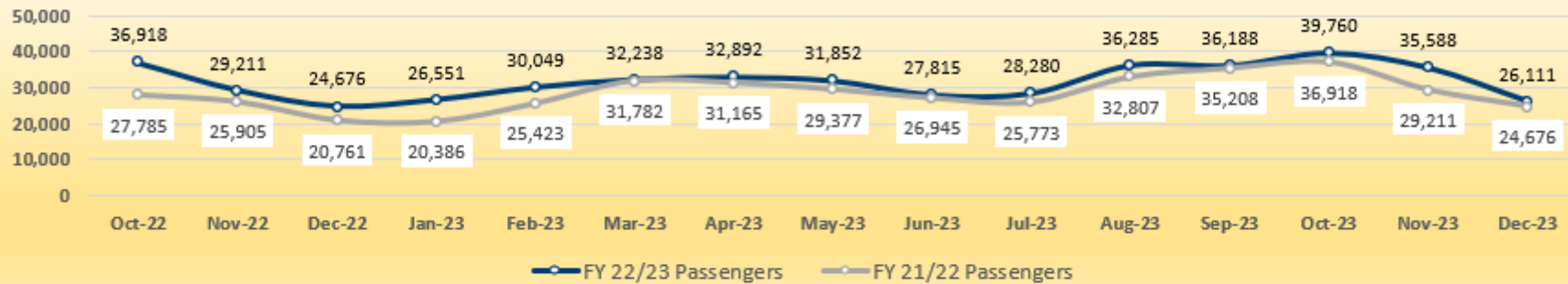
Boardings



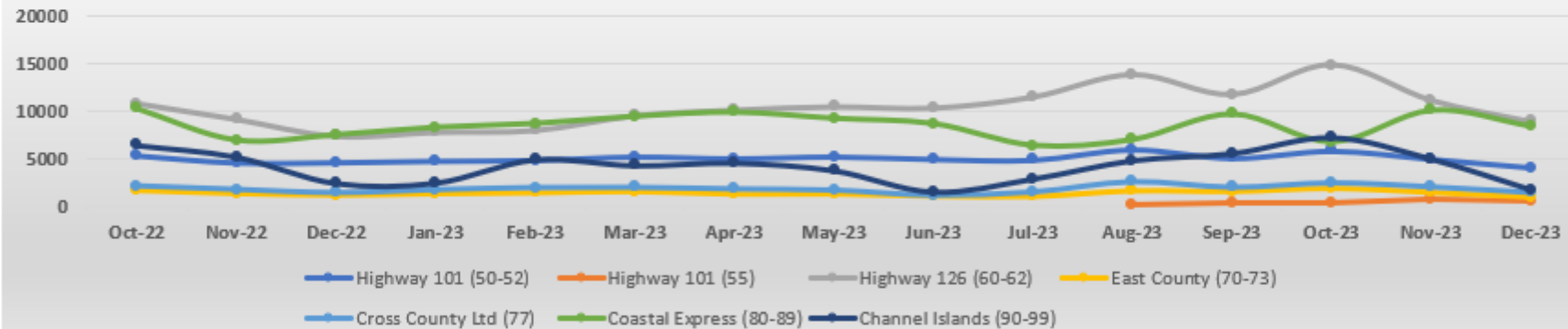
October - December 2023 **90,807**

11.7%

15 Month Ridership Trends Systemwide



15 Month Ridership Trends by Route



	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
Highway 101 (50-52)	5,384	4,620	4,648	4,800	4,888	5,252	5,067	5,259	4,995	4,903	6,013	5,093	5,866	5,001	4,097
Conejo Connection (55)											210	365	438	745	489
Highway 126 (60-62)	10,854	9,213	7,435	7,860	8,048	9,576	10,168	10,512	10,377	11,527	13,866	11,799	14,901	11,170	8,956
East County (70-73)	1,726	1,368	1,191	1,344	1,449	1,592	1,294	1,314	1,071	1,023	1,670	1,594	1,958	1,483	951
Cross County Ltd (77)	2,172	1,788	1,430	1,756	1,986	2,006	1,834	1,706	1,141	1,496	2,627	2,003	2,493	2,050	1,433
Coastal Express (80-89)	10,321	6,990	7,553	8,339	8,741	9,501	9,938	9,283	8,728	6,437	7,045	9,731	6,803	10,133	8,444
Channel Islands (90-99)	6,462	5,232	2,420	2,453	4,936	4,310	4,592	3,778	1,502	2,894	4,854	5,603	7,301	5,006	1,741

Conejo Connection not in service in between October 22 - July 23

VCTC INTERCITY

October December 2023 0.31 6.66 \$ 21.75 \$197,748

Quarterly Ridership Report | FY2024 Q2

Passengers/ Mile Passengers/ Hour Cost/Passenger Fare Revenue*

October - December 2022 0.26 6.09 \$ 23.09 \$190,494 **3.8%**



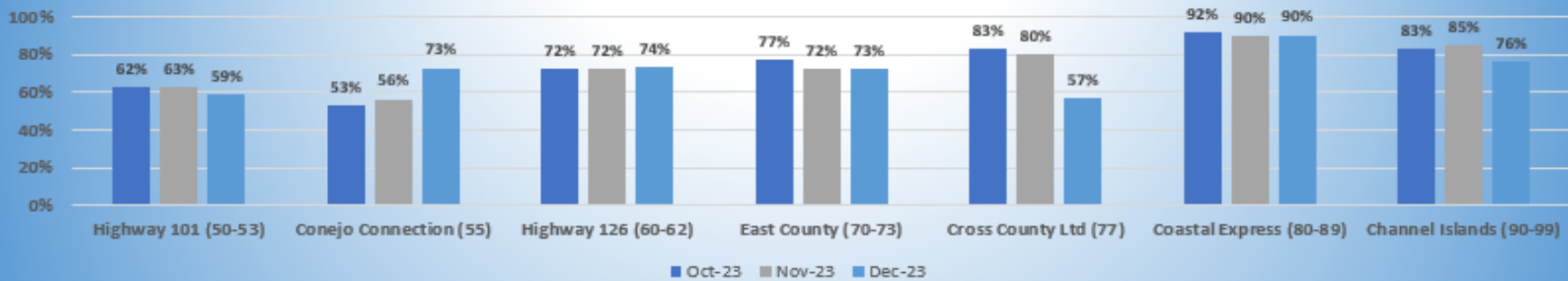
HIGHLIGHTS

Cost per passenger decreased by 6% from the previous year when compared to the same quarter. The decrease in cost is correlated to the increasing ridership across the system

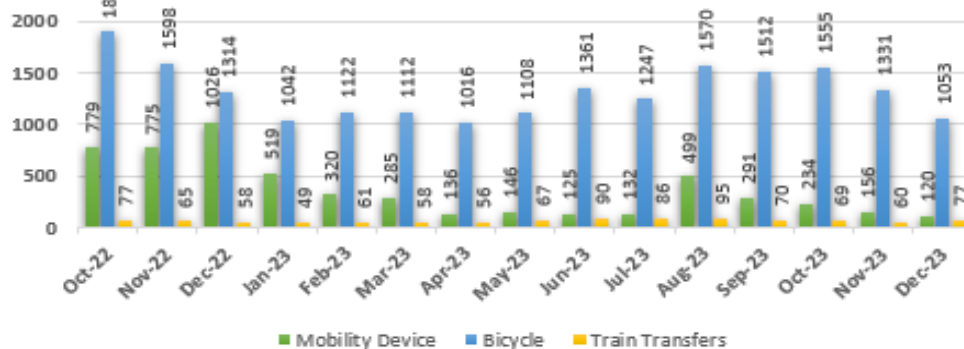
COST AND REVENUE PER PASSENGER

	FY 2023	FY 2024	% Change
Operating Cost	\$ 2,096,752	\$ 2,206,621	5%
Passenger Revenue	\$ 190,494	\$ 197,748	4%
Passenger Revenue including budgeted route guarantees	\$ 556,217	\$ 569,015	2%
Passengers	90,807	101,459	12%
Cost per Passenger	\$ 23.09	\$ 21.75	-6%
Farebox Recovery Ratio not including route guarantees	9.1%	9.0%	-1.4%
Farebox Recovery Ratio including route guarantees	26.53%	25.79%	-2.79%

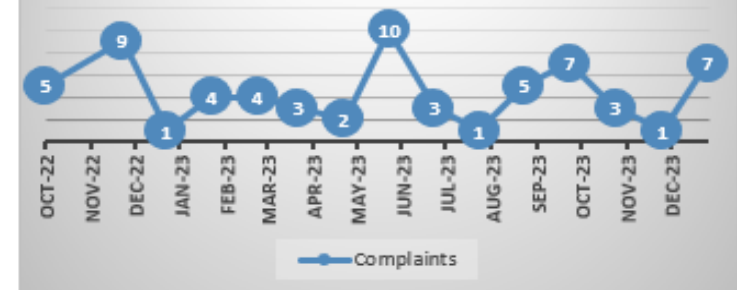
Weekday On Time Performance by Route



Rider Composition



15 Month Complaints Tracking



Customer Service Goals:
No more than 5/50,000 rider complaints per quarter.

*Conejo Connection Route resumed service in September of 2023

METROLINK & LOSSAN Corridor | Ventura County Line

Ridership, Productivity, and Efficiency of Service

Ventura County Line | Total Weekday Ridership



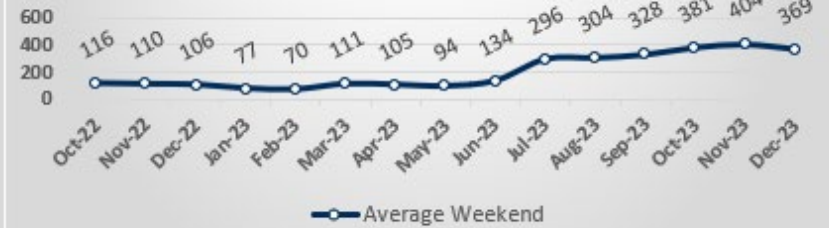
Ventura County Line | Average Weekday Ridership



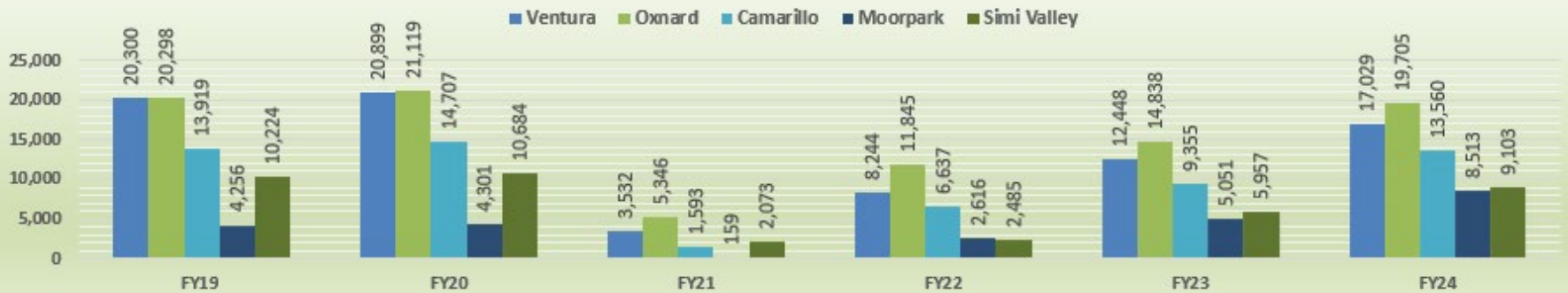
Ventura County Line | Total Weekend Ridership



Ventura County Line | Average Weekend Ridership



LOSSAN Boarding & Alighting by Station Totals





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March 1, 2024

MEMO TO: SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
FROM: ANDREW KENT, PROGRAM MANAGER – TRANSPORTATION DATA & SERVICES
SUBJECT: FREEWAY SERVICE PATROL THREE YEAR ANNIVERSARY REPORT AND 2023 DRIVER OF THE YEAR RECOGNITION

RECOMMENDATION:

- *Receive and file a presentation on the third year of Ventura County Freeway Service Patrol (FSP) operations.*
- *Recognize Adam Taylor as the Ventura County FSP Driver of the Year for providing outstanding service to the motorist public.*

BACKGROUND:

Freeway Service Patrol (FSP) provides roving tow trucks on portions of the highway system during peak traffic periods for rapid clearing of disabled vehicles and motorist assistance. FSP is implemented through a partnership between the Ventura County Service Authority for Freeway Emergencies (SAFE), the California Highway Patrol (CHP), and Caltrans. The goals of the program are to provide congestion relief, reduce the incidence of secondary collisions, mitigate delay related vehicle emissions and assist motorists stranded in dangerous situations on busy highways. FSP assistance is free to motorists at the point of service and is funded through a \$1 annual vehicle registration fee and Caltrans funding allocations.

In September 2020, the Ventura County SAFE Board awarded contracts for FSP Beats 101-1, 101-2 and 118 to Platinum Tow & Transport. Platinum Tow & Transport ordered nine (9) 2020 International CCV wrecker tow trucks with FSP bed configuration and extended four door crew cab. In March 2021, Platinum Tow & Transport began operations for Beat 101-1 on US-101 from the Los Angeles County Line to Camarillo Springs Road. In the summer of 2021, Beat 101-2 on US-101 from Camarillo Springs Road to Rice Avenue and Beat 118 on State Route (SR) 118 from the Los Angeles County Line to the SR-23 junction were launched.

Since service was initiated, two (2) Ventura County FSP tow trucks patrol per Beat on Monday through Friday from 6am to 9am and 3pm to 7pm, providing motorists with services such as changing flat tires, jump starting dead batteries, refilling radiators, and providing a gallon of gas. If FSP cannot restart a vehicle within 10 minutes, the disabled vehicle is towed to a safe location at designated drop points off the highway.

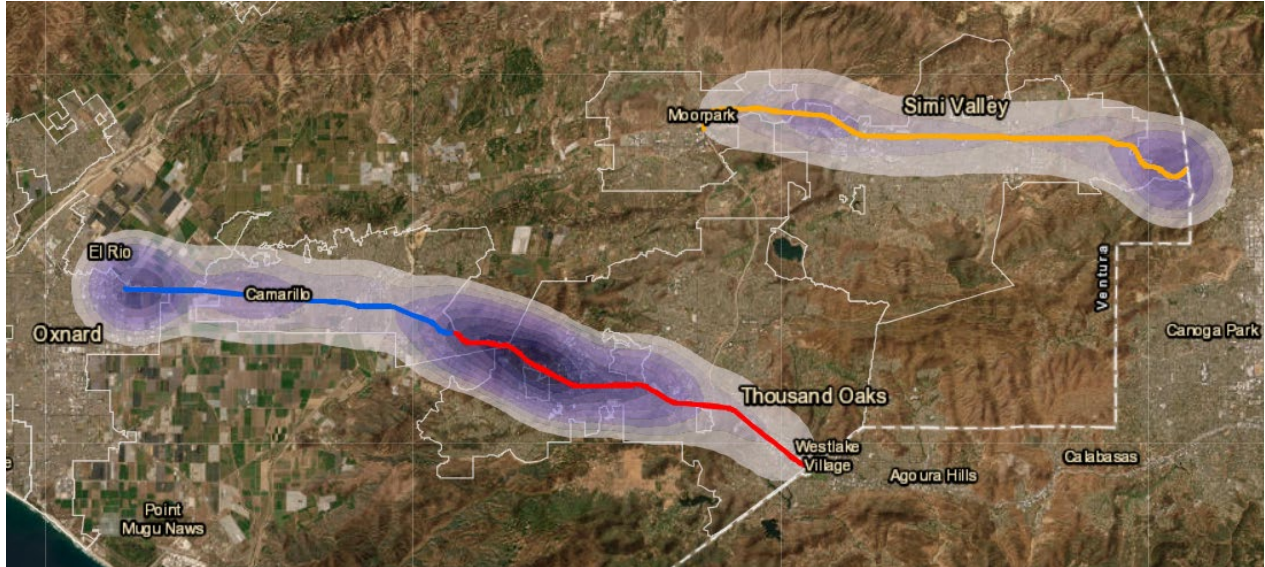
Staff is proud to share data and motorist feedback collected during the third year of FSP operations with the SAFE Board and commemorate the three-year anniversary of the program by recognizing an FSP Driver of the Year for 2023.

DISCUSSION:

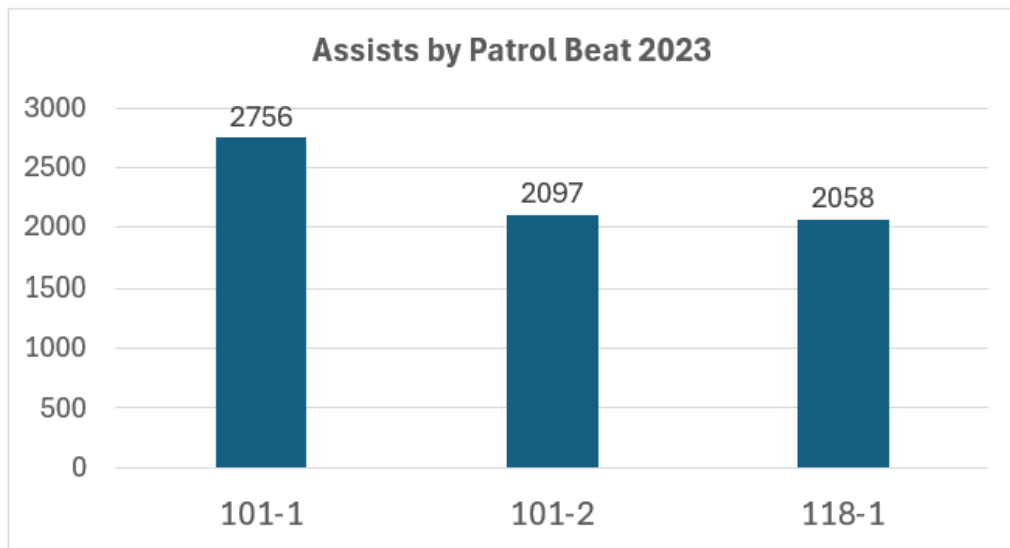
In 2023, the Ventura County Freeway Service Patrol responded to 6,963 motorists stopped in the lanes, shoulders, medians, and ramps of the US-101 and SR-118. This equates to 3.9 FSP responses on the

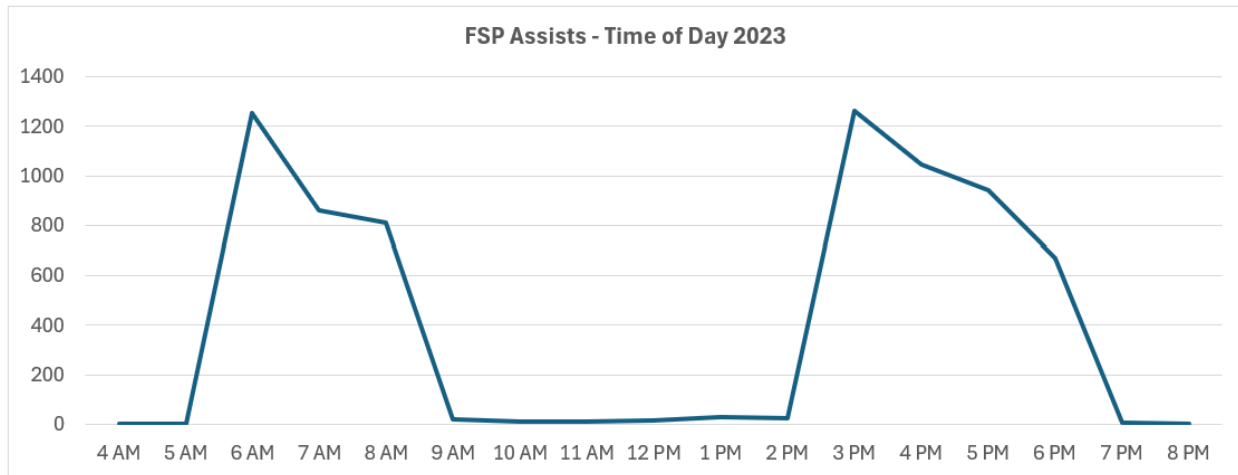
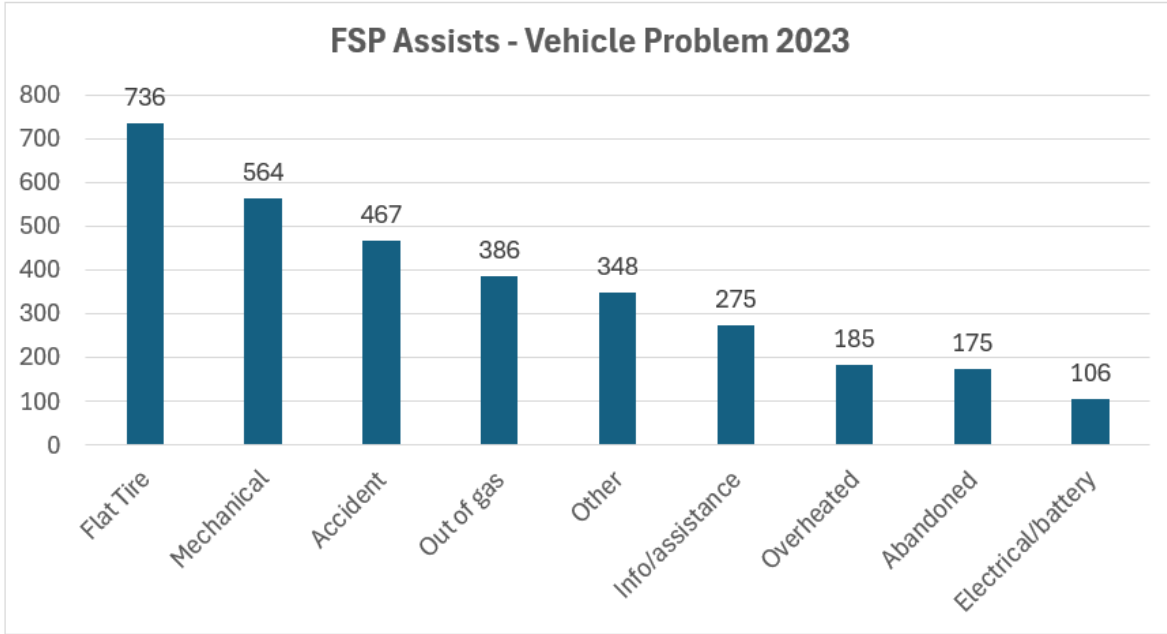
highway for every hour of service. Of those motorists approached by an FSP Driver, 3,242 were provided direct assistance to restart their vehicle or towed to a safe location off the highway. Of the motorists who did not receive service, 2,931 were found using a mobile phone, resting/sleeping, or engaged in other activities and encouraged by FSP drivers to clear the highway shoulder.

FSP Assist Hotspots 2023

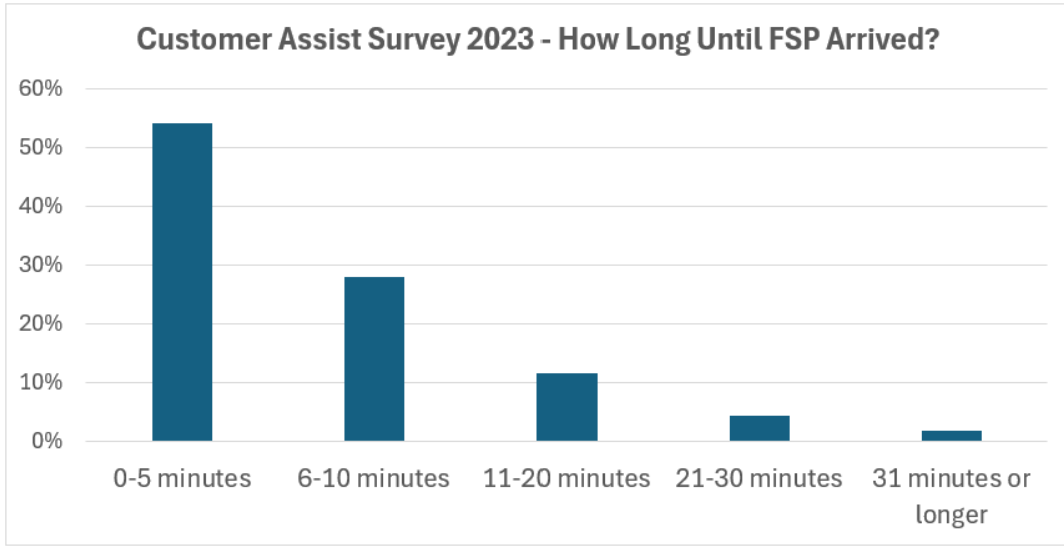


The most common service provided by FSP in 2023 was fixing flat tires, accounting for 23% of direct assists. The busiest time of day for FSP was the afternoon split shift between 3:00pm and 4:00pm, accounting for 20% of assists. Of the motorists assisted, FSP drivers were able to quickly restart vehicles in 79% of cases and approximately 18% were towed to a safe location. In addition to motorist assistance, FSP drivers cleared dangerous debris from highway lanes on 781 occasions and responded to 467 accident/collision events.





FSP drivers provide assisted motorists with a unique survey ID and brochure with a survey link. During FSP's third year of operations, 111 motorists responded to the program's Customer Assist Survey. Due to the program's model of continuous patrolling, FSP trucks were able to reach stranded motorists in under 5 minutes in 54% of reported cases and under 10 minutes in 82% of reported cases. The insurance industry cites a 21-minute average response time for AAA roadside assistance, and motorists assisted by FSP often report projected wait times for roadside assistance as high as an hour. According to Caltrans, 16% of congestion on Ventura County highways is non-recurrent incident related, making rapid response to disabled vehicles, collisions, and debris a significant mitigation of highway delay. According to the Fiscal Year 2022-2023 statewide Freeway Service Patrol evaluation, the three patrol Beats in Ventura County performed at a 3 to 1 benefit (delay, fuel, and emissions savings) to cost (FSP hourly rate) ratio.



Public feedback from the survey has rated the service as “Excellent” in 100% of cases. About 13% of motorists surveyed reported that they were aware of Ventura County FSP prior to receiving assistance from the program. The survey includes a written response section which asks motorists to describe their experience, the helpfulness of their FSP driver and provide feedback on how to improve the program. Below is a word cloud created from motorists’ written responses.

Customer Assist Survey 2023 Word Cloud

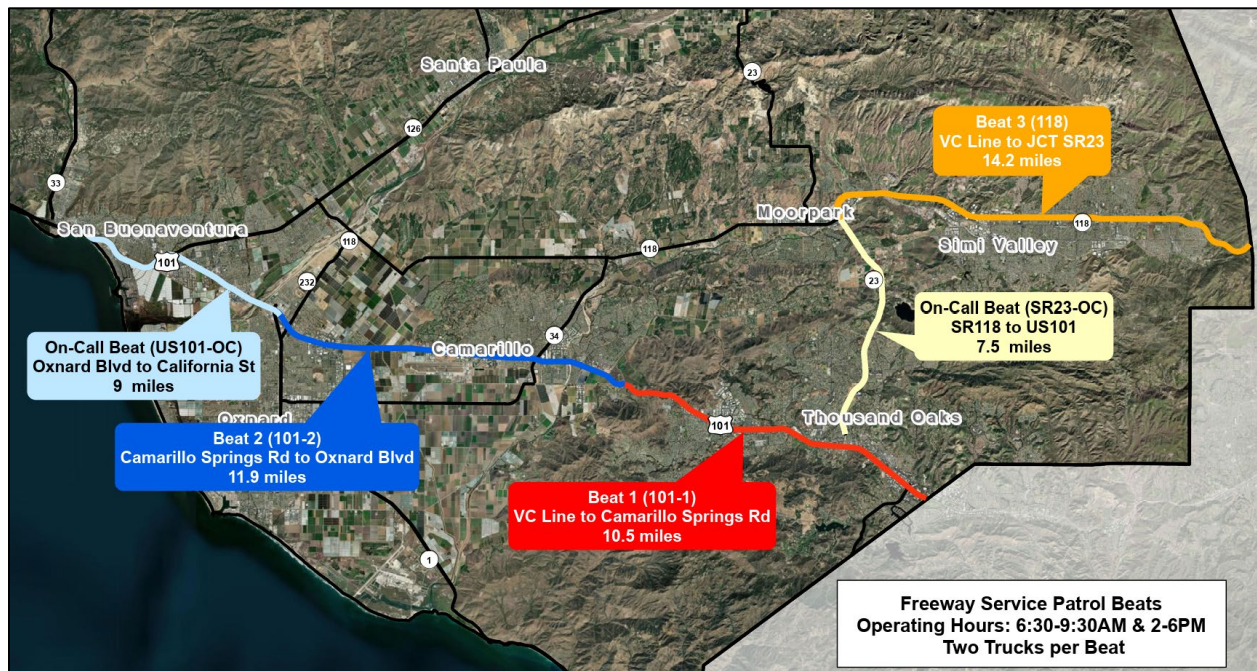


All drivers in the program have received excellent feedback from the motorists they have served, with common customer descriptions such as “guardian angel” and “superman”. In 2023, one driver stands out, having received about 25% of the positive feedback received from the public. Below are excerpts from motorists assisted by FSP Driver Adam Taylor. SAFE Staff recommends recognizing Adam Taylor as FSP Driver of the Year for outstanding motorist service in 2023.

“Adam was incredibly helpful. He showed up literally as my car lost power & I coasted to the shoulder. Driver was entering highway just as I pulled off so it was serendipity. He was crucial in allowing me to get my vehicle to my desired service shop & saved me the cost & eliminated any dangerous wait time on a busy highway for a private tow co. Can't say enough about how grateful I am to have had Adam show up right when I needed his service most!”

“Adam was amazing, I had my two little girls in the car and was attempting to change the tire myself, he was very courteous professional and told me to move the car up a little bit because we were in a dangerous area. He also told me to wait in the car so I could be there for my daughters. I cannot thank Adam enough!”

In May 2023, after two rounds of release of a Request for Proposals to initiate a fourth FSP Beat to cover U.S. 101 in Oxnard and Ventura failed to result in a contract that met cost-benefit ratio requirements, the Commission directed staff to identify alternatives to expand the coverage area on U.S. 101 from Rice Avenue to California Street. Staff has identified an alternative Beat configuration which expands coverage using existing resources and maintains a 3:1 Benefit to Cost ratio. Effective July 1, 2024, Beat 101-2 will be extended 2.7 miles, covering the US101 from Camarillo Springs to Oxnard Blvd. On-Call service will be provided on U.S. 101 from Oxnard Blvd to California Street and on S.R. 23 from S.R. 118 to U.S. 101. On-Call FSP service will be provided upon request through CHP dispatch.



Also, effective July 1, 2024 at the beginning of Fiscal Year 2024/25, service hours will be modified to better align with hourly travel volumes. The AM shift is planned to begin one-half hour later (6:30 – 9:30 AM), and the PM shift is planned to begin an hour earlier (2:00 – 6:00 PM). Lastly, with the rise of electric and hybrid vehicles (110 EV/Hybrid assists in 2023), SAFE staff plans to work with Platinum Tow on piloting a remote electric vehicle charging pack on one of the primary FSP trucks.



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Item 12

March 1, 2024

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

Congress has yet to approve a federal budget for the current fiscal year, so federal agencies have been operating under continuing resolutions since October. The current continuing resolution extends funding for the Department of Transportation (DOT) and some other agencies until March 8. Although funding has been extended, the continuing resolution could delay distribution of transportation grants until Congress agrees on a new annual budget. Ventura County Transportation Commission (VCTC) staff will continue to monitor the federal budget discussions and update the Commission on developments.

State Issues

Legislature

The second half of the legislative session is well underway, and state legislators introduced more than 2,000 bills before the Feb. 16 deadline. Those bills will now begin the policy committee hearing process. In addition, the Legislature has begun subcommittee hearings on state budget issues. At this meeting, Delaney Hunter of California Advisors, VCTC's advocate in Sacramento, will give a presentation to the Commission on the state budget outlook, as well as on two measures and an initiative qualified to appear on the November ballot that could affect transportation funding: Assembly Constitutional Amendment (ACA) 1, ACA 13, and the Taxpayer Protection and Government Accountability Act.

Senate Bill (SB) 1098 Southern California Rail Revitalization Act

In February, Sen. Catherine Blakespear of the 38th District introduced Senate Bill (SB) 1098, which proposes changes to the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor. The corridor carries passengers daily through a six-county region that extends from San Diego to San Luis Obispo and includes Ventura County. The LOSSAN Rail Corridor Agency is a joint powers authority governed by a Board of Directors whose members include a representative and alternate from the VCTC Commission. The LOSSAN Agency is staffed by the Orange County Transportation Authority (OCTA).

Since early 2023, Sen. Blakespear has chaired the Subcommittee on LOSSAN Rail Corridor Resiliency. The subcommittee has held three hearings, the most recent being in December. Co-authors of SB 1098 are the other members of that Senate subcommittee, including Sen. Monique Limon, whose 19th District covers a portion of Ventura County; as well as four Assembly members.

The bill has four central components.

1. Requires the California State Transportation Agency (CalSTA) and the California Department of Transportation (Caltrans) to submit a report by January 2026 on prioritized capacity and resiliency improvement projects along with administrative actions taken by CalSTA to improvement management of the corridor.
2. Requires the Metropolitan Planning Organization (MPO) for the counties of Los Angeles, Orange, San Diego, San Luis Obispo and Santa Barbara to jointly submit a report to the Legislature by January 2026 on changes to local or regional governance, management structures, enabling legislation, consolidation for intercity and regional rail services, and opportunities for these MPOs to improve and maintain the corridor.
3. Requires CalSTA to submit a report to the Legislature every two years, beginning in January 2027, related to the management of the LOSSAN Rail Corridor, including performance and more.
4. Requires the CalSTA secretary to provide strategic guidance, recommendations, and facilitate all necessary coordination, collaboration and intervention, when necessary, between stakeholders.

The initial language of the bill does not mention Ventura County. At the time this report was prepared, the bill had been sent to the Senate Rules Committee and was awaiting assignment to a policy committee. VCTC will continue to monitor this bill and keep the Commission informed of changes to its status.

Attachment A is the monthly report of Delaney Hunter, the Commission's state advocate. Attachment B is a matrix of bills that VCTC has been tracking since the start of the legislative session, as well as bills introduced in the new session. Attachment C is a letter from VCTC to leaders of the state Legislature advocating for the preservation of Regional Early Action Planning (REAP 2.0) funding in the state budget.



CALIFORNIA ADVISORS, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION MONTHLY STATE ADVOCACY REPORT FEBRUARY 2024

Legislative Update

The focus of the Legislature in January was moving all the “two-year” bills that were still in their house of origin into the second house. As a result, the first month back in session resulted in several policy and fiscal committee hearings to advance these bills. The bulk of those two-year bills were issues that needed additional time to be worked out or last attempts to move the bills against opposition. However, after the January 31st deadline, the focus of the Legislature shifted to newly introduced bills. The deadline to introduce bills for the 2024 legislative session was February 16th, so the weeks prior consisted mostly of initial groundwork and informational hearings to set the table for new bills. After being introduced, bills must be in print for 30 days before being taken up in committee, so the policy committee process will begin in March and all new bills will begin to be scheduled for their first policy hearings. Finally, these bills will have to be out of the first house policy committee before Friday, April 26th.

Governor’s Proposed Budget

The Senate and Assembly budget subcommittees will begin meeting regularly to review the Governor’s proposed budget for the upcoming fiscal year. This is where legislators can hear directly from each state department on their proposed budget for the year and begin to dive into more detailed fiscal discussions. It is still early in the process and there will be months more of hearings. The Legislature’s priorities are beginning to take shape, and this will set up the two houses and the Governor for their final negotiations on budget items before the June 15th deadline.

On February 9th the Legislative Analyst’s Office (LAO) updated its December 2023 revenue forecast, using recent revenue and economic data. This updated revenue forecast is about \$24 billion below the Governor’s January 10 budget projections across the “budget window” (the 2022-23 through 2024-25 fiscal years). This is consistent with the state’s weak tax collections in December and January. A lower revenue forecast tends to increase the deficit to address in the 2024 state budget process, as well as decrease the Proposition 98 minimum funding guarantee for schools. In general, for every \$1 of revenue decrease in the budget window, the non-Proposition 98 budget deficit increases by 50 cents or more, and the Proposition 98 minimum guarantee often decreases by about 40 cents.

Transportation Related Reports

On February 8th the Legislative Analysts' Office (LAO) published the report of the 2024-25 Budget: Establishing the Office of the Inspector General for the High-Speed Rail Authority. In that report, they analyzed a proposal to provide funding to launch a fully functioning High-Speed Rail Office of the Inspector General (OIG). LAO stated that the proposed level of resources for OIG appears reasonable to accomplish the proposed work plan. However, they identified some potential barriers to the successful and independent operation of the new office, including (1) the temporary nature of some of the proposed positions for OIG, (2) OIG's lack of authority to use a requested auditor classification, and (3) two areas where the provision of additional information to the Joint Legislative Budget Committee (JLBC) could help preserve OIG's budgetary independence. Accordingly, LAO recommended that the Legislature fund all of the requested positions permanently; provide OIG with the authority to use the requested, or similar, auditor classification; and adopt two changes to strengthen the JLBC's role in overseeing and safeguarding OIG's budget.

Committee Membership

On February 8th new Senate President Pro Tempore Milke McGuire announced the Senate Democratic Leadership Team and committee membership assignments for the 2024 Legislative year. The Senate Transportation Committee will now be chaired by Senator Dave Cortese and Senator Roger Niello will still serve as Vice Chair. The membership also includes Senators Allen, Archuleta, Becker, Blakespear, Dahle, Dodd, Gonzalez, Limon, Newman, Nguyen, Portantino, Seyarto, and Umberg. Also, Senate Budget Subcommittee # 5 on Corrections, Public Safety, Judiciary, Labor, and Transportation will now be chaired by Senator Aisha Wahab with Senators Durazo, Newman, and Seyarto as members of that subcommittee.

Upcoming Bill Deadlines

March 21 – April 1 – Spring Recess.

April 26 – Last day for policy committees to hear and report to fiscal committees.

May 3 – Last day for policy committees to hear and report to the Floor all nonfiscal bills.

May 10 – Last day for policy committees to meet.

May 17 – Last day for fiscal committees to meet.

May 20-24 – Floor sessions only.

May 28 – Committee meetings may resume.

Below is a list of VCTC tracked newly introduced bills:

AB 6 (Friedman D) Transportation planning: regional transportation plans: Solutions for Congested Corridors Program: reduction of greenhouse gas emissions.

Introduced: 12/5/2022

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was TRANS. on 6/14/2023) (Two-year bill, in the Second House, doesn't have to be acted upon until later this year)

Summary: Current law requires that each regional transportation plan also include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. This bill would require the state board, after January 1, 2024, and not later than September 30, 2026, to establish additional targets for 2035 and 2045, respectively, as specified.

AB 7 (Friedman D) Transportation: funding: capacity projects.

Introduced: 12/5/2022

Status: 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2023) (Two-year bill, in the Second House, doesn't have to be acted upon until later this year)

Summary: The Transportation Agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish coordinated planning and policy formulation in matters of public interest, including transportation projects. On and after January 1, 2025, and to the extent applicable, feasible, and cost effective, this bill would require the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified goals into program funding guidelines and processes.

AB 295 (Fong, Vince R) Department of Transportation: maintenance projects.

Introduced: 1/25/2023

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was TRANS. on 6/14/2023) (Two-year bill, in the Second House, doesn't have to be acted upon until later this year)

Summary: Would require the Department of Transportation to expedite roadside maintenance for specified projects related to roadside maintenance and the removal and clearing of material, as provided. The bill would also authorize local governmental entities, fire protection districts, fire safe councils, and tribal entities to notify the department of those projects related to roadside maintenance and the removal and clearing of material that have not been completed in an efficient and timely manner if the continued failure to complete these projects poses a clear and imminent danger, as provided. The bill would require the Division of Maintenance to begin the maintenance project within 90 days of being notified.

AB 610 (Holden D) Youth Transit Pass Pilot Program: free youth transit passes.

Introduced: 2/9/2023

Status: 1/30/2024-Read second time. Ordered to third reading. Re-referred to Com. on RLS pursuant to Senate Rule 29.10(c).

Summary: Current law establishes an hourly minimum wage for fast food restaurant employees, as described, authorizes the council to increase the hourly minimum wage pursuant to specified parameters, and sets forth requirements, limitations, and procedures for adopting and reviewing fast food restaurant health, safety, and employment standards. Current law defines terms for these purposes, including defining "fast food restaurant" to mean a limited-service restaurant in the state that is part of a national fast food chain. Current law exempts from the definition of "fast food restaurant" an establishment that on September 15, 2023, operates a bakery in a prescribed manner, as long as it continues to operate such a bakery. Current law also exempts certain restaurants in grocery establishments. This bill would exempt additional restaurants from the definition of "fast food

restaurant,” including such restaurants in airports, hotels, event centers, theme parks, museums, and certain other locations, as prescribed.

AB 761 (Friedman D) Local finance: enhanced infrastructure financing districts.

Introduced: 2/13/2023

Status: 9/14/2023-Withdrawn from committee. Re-referred to Com. on RLS.

Summary: Current law authorizes the legislative body of a city or a county to designate a proposed enhanced infrastructure financing district by adopting a resolution of intention to establish the proposed district which, among other things, is required to state that an enhanced infrastructure financing district is proposed and describe the boundaries of the proposed district. Current law requires the public financing authority to direct the preparation of and adopt an infrastructure financing plan consistent with the general plan and any relevant specific plan, and consisting of, among other things, a financing section. Current law requires that the financing section include a plan for financing the public facilities, a limit on the total number of dollars of taxes that may be allocated to the district pursuant to the plan, and a date, either not more than 45 years from the date on which the issuance of the bonds is approved for the plan on which the district will cease to exist, by which time all tax allocation to the district will end, or, where the district is divided into project areas, a date on which the infrastructure financing plan will cease to be in effect and all tax allocations to the district will end and a date on which the district’s authority to repay indebtedness with incremental tax revenues will end, as specified. This bill, for plans proposed on or after January 1, 2024, would specify that for the purpose of development and construction of passenger rail projects in the County of Los Angeles where at least 75% of the revenue from the district is used for debt service on a federal Transportation Infrastructure Finance and Innovation Act loan, the date on which the district will cease to exist shall not be more than 75 years from the date of the issuance of bonds or approval of a loan, as specified. This bill would make legislative findings and declarations as to the necessity of a special statute for specified districts enacted primarily for the purpose of development and construction of zero-emission mass transit projects.

AB 817 (Pacheco D) Open meetings: teleconferencing: subsidiary body.

Introduced: 2/13/2023

Status: 1/25/2024-Read third time. Passed. Ordered to the Senate. (Ayes 54. Noes 8.) In Senate. Read first time. To Com. on RLS. for assignment.

Summary: The Ralph M. Brown Act requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Current law authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met (nonemergency provisions). This bill, until January 1, 2026, would

authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.

AB 930 (Friedman D) Local government: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) districts.

Introduced: 2/14/2023

Status: 1/29/2024-Read third time. Passed. Ordered to the Senate. (Ayes 52. Noes 16.) In Senate. Read first time. To Com. on RLS. for assignment.

Summary: Would authorize the legislative bodies of 2 or more cities or counties to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would authorize a special district to join a RISE district, by resolution, as specified. The bill would require the Office of Planning and Research (OPR) to develop guidelines for the formation of RISE districts no later than November 30, 2026. The bill would provide for the establishment of a governing board of a RISE district with representatives of each participating local government.

AB 1333 (Ward D) Residential real property: bundled sales.

Introduced: 2/16/2023

Status: 1/18/2024-Read third time. Passed. Ordered to the Senate. (Ayes 48. Noes 1.) In Senate. Read first time. To Com. on RLS. for assignment.

Summary: Current law, until January 1, 2031, for purposes of the exercise of a power of sale, prohibits a trustee from bundling properties for the purpose of sale, instead requiring each property to be bid on separately, unless the deed of trust or mortgage provides otherwise. Current law also prohibits specified institutions that, during their immediately preceding annual reporting period, as established with their primary regulator, foreclosed on 175 or more residential real properties, containing no more than 4 dwelling units, from conducting a sale of 2 or more parcels of real property containing one to 4 residential dwelling units, inclusive, at least 2 of which have been acquired through foreclosure under a mortgage or deed of trust. This bill would prohibit a developer of residential one to 4 dwelling units, inclusive, from conducting a sale of 2 or more parcels of real property containing one to 4 residential dwelling units, inclusive, in a single transaction to an institutional investor, as defined, if the occupancy permit was issued on or after January 1, 2025.

AB 1335 (Zbur D) Local government: transportation planning and land use: sustainable communities strategy.

Introduced: 2/16/2023

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 7/12/2023) (Two-year bill, in the Second House, doesn't have to be acted upon until later this year)

Summary: Current law requires specified designated transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, as described. Current law requires the plan to include specified information, including a sustainable communities strategy prepared by each metropolitan planning organization, and requires each transportation planning agency to adopt and submit, every 4 years, an updated plan to the California Transportation Commission and the Department of Transportation. Current law requires

the sustainable communities strategy to include specified information, including an identification of areas within the region sufficient to house all the population of the region over the course of the planning period of the regional transportation plan, as specified, and an identification of areas within the region sufficient to house an 8-year projection of the regional housing need for the region, as specified. This bill would additionally require each metropolitan planning organization to include in the sustainable communities strategy the total number of new housing units necessary to house all the population of the region over the course of the planning period of the regional transportation plan, as specified, and the total number of new housing units necessary to house the above-described 8-year projection, as specified.

AB 1348 (Grayson D) State government: Controller: claims audits.

Introduced: 2/16/2023

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/21/2023) (Two-year bill, in the Second House, doesn't have to be acted upon until later this year)

Summary: Existing law, the Government Claims Act, generally requires the presentation of all claims for money or damages against local public entities and the state. Existing law provides for the presentation of a claim for which appropriations have been made, or for which state funds are available, under that act to the Controller, in the form and manner prescribed by the general rules and regulations adopted by the Department of General Services. Existing law, with specified exceptions, prohibits the Controller from drawing a warrant for any claim until it has been audited in conformity with law and the general rules and regulations adopted by the Department of General Services governing the presentation and audit of claims. This bill would authorize the Controller to conduct, unless prohibited by the provisions of a state ballot proposition passed by the electorate, financial and compliance audits as the Controller's office deems as necessary for purposes of ensuring that any expenditures, regardless of the source or fund from which the warrants for claims are drawn, are expended in a manner consistent with the law and the voters' intent. The bill would also authorize the Controller to conduct any audits necessary to carry out their constitutional and statutory duties and responsibilities under the law. The bill would require, if an audit is conducted as specified, the Controller to provide a report with specified information from these audits to the Legislature by June 30 following the completion of the audit and would require the Controller to allow all auditees in the report a reasonable period of time to review and comment on the section of the report relating to the auditee, as described. The bill would make related legislative findings and declarations.

AB 1889 (Friedman D) General plan: wildlife connectivity element.

Introduced: 1/22/2024

Status: 2/5/2024-Referred to Coms. on L. GOV. and W., P., & W.

Summary: The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive general plan that includes various elements, including land use and housing elements, as specified. This bill would require a general plan to include a wildlife connectivity element, or related goals, policies, and objectives integrated in other elements, that considers the effect of development within the jurisdiction on fish, wildlife, and habitat connectivity, as specified. The bill would require the wildlife connectivity element to, among other things, identify and analyze connectivity areas, permeability, and natural landscape areas within the jurisdiction, incorporate and analyze specified

guidelines and standards, incorporate and analyze relevant information from specified sources, and incorporate and analyze relevant best available science. The bill would require a city or county subject to these provisions to adopt or review the wildlife connectivity element, or related goals, policies, and objectives integrated in other elements, upon the adoption or next revision of one or more elements on or after January 1, 2025.

AB 1904 (Ward D) Transit buses: yield right-of-way sign.

Introduced: 1/23/2024

Status: 2/5/2024-Referred to Com. on TRANS.

Summary: Current law authorizes a transit bus in the Santa Cruz Metropolitan Transit District and the Santa Clara Valley Transportation Authority to be equipped with a yield right-of-way sign on the left rear of the bus if the applicable entity approves a resolution requesting that this section be made applicable to it. Current law requires the sign to be designed to warn a person operating a motor vehicle approaching the rear of the bus that the bus is entering traffic and be illuminated by a red flashing light when the bus is signaling in preparation for entering a traffic lane after having stopped to receive or discharge passengers. This bill would expand the authorization to equip transit buses, as described above, to apply to any transit agency if the transit agency approves a resolution that this authorization be made applicable to it.

AB 2086 (Schiavo D) Department of Transportation funding: report and public dashboard.

Introduced: 2/5/2024

Status: 2/6/2024-From printer. May be heard in committee March 7.

Summary: Would require the California Transportation Commission, on or before January 1, 2026, to adopt guidelines for the Department of Transportation to use to determine whether the use of the funding made available to the department is advancing the Core Four priorities of safety, equity, climate action, and economic prosperity established by the Transportation Agency. In developing the guidelines, the bill would require the commission to conduct a public engagement process, hold a public comment period, and allow the interagency equity advisory committee established by these 3 agencies an opportunity to review, provide recommendations on, and evaluate potential changes to, the proposed guidelines.

AB 2266 (Petrie-Norris D) California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: vehicle eligibility.

Introduced: 2/8/2024

Status: 2/9/2024-From printer. May be heard in committee March 10.

Summary: The State Air Resources Board administers the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project under which the agency issues a limited number of vouchers to incentivize the purchase and use of zero-emission commercial vehicles. This bill would require the state board to authorize a voucher issued under the program to be used for the acquisition of any zero-emission vehicle that meets specified requirements.

SB 312 (Wiener D) California Environmental Quality Act: university housing development projects: exemption.

Introduced: 2/6/2023

Status: 1/25/2024-Read third time. Passed. (Ayes 34. Noes 1.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: Current law, until January 1, 2030, exempts from the California Environmental Quality Act (CEQA) a university housing development project carried out by a public university on real property owned by the public university if the project meets certain requirements, including that each building within the project is certified as Leadership in Energy and Environmental Design (LEED) Platinum or better by the United States Green Building Council. Current law requires the lead agency, if the university housing development project is exempt from CEQA under the above provision, to file the LEED certificate for buildings within the project and a notice determining that the construction impacts of the project have been fully mitigated with the Office of Planning and Research and the county clerk of the county in which the project is located. Current law requires a public university or a relevant public agency with authority to issue a certificate of occupancy for a building within the project to not issue the certificate of occupancy for the building unless the lead agency receives certification of LEED Platinum or better from the United States Green Building Council for the building and the lead agency determines that the construction impacts of the project have been fully mitigated. This bill would instead require a public university to obtain LEED Platinum certification for each building within a university housing development project no later than 12 months from the issuance of the building's certificate of occupancy or its usage. The bill would prohibit a public university that has exempted a university housing development project from being eligible to exempt a subsequent university housing development project until the public university has obtained LEED Platinum certification for each building within the prior exempted university housing development project.

SB 517 (Gonzalez D) Economic development: movement of freight.

Introduced: 2/14/2023

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was J., E.D. & E. on 6/8/2023) (Two-year bill, in the Second House, doesn't have to be acted upon until later this year)

Summary: Current law authorizes GO-Biz to undertake various activities relating to economic development, including the provision of prescribed information. Current law requires the Transportation Agency to prepare a state freight plan that provides a comprehensive plan to govern the immediate and long-range planning activities and capital investments of the state with respect to the movement of freight. This bill would authorize GO-Biz to serve as the coordinating entity to steer the growth, competitiveness, and sustainability for freight and the supply chain across the state and to promote and assess the continued economic vitality, economic competitiveness, and sustainability of the freight sector. The bill would also authorize GO-Biz to provide freight and supply chain economic competitiveness information.

SB 537 (Becker D) Open meetings: local agencies: teleconferences.

Introduced: 2/14/2023

Status: 9/14/2023-Ordered to inactive file on request of Assembly Member Bryan.

Summary: Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative

body. These circumstances include if a member shows “just cause,” including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of “just cause” to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

SB 672 (McGuire D) Residential property insurance.

Introduced: 2/16/2023

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was INS. on 6/26/2023) (Two-year bill, in the Second House, doesn't have to be acted upon until later this year)

Summary: Current law generally regulates classes of insurance, including residential property insurance. Current law prohibits a residential property insurance policy from being issued or renewed in this state unless it complies with certain requirements. This bill would prohibit an admitted insurer that offers residential property insurance from refusing to offer or sell residential property insurance to an applicant whose property meets specified best practices for wildfire building hardening and property-level mitigation.

SB 768 (Caballero D) California Environmental Quality Act: State Air Resources Board: vehicle miles traveled: study.

Introduced: 2/17/2023

Status: 1/29/2024-Read third time. Passed. (Ayes 34. Noes 4.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Current law requires the Office of Planning and Research to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed revisions to guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas to promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Current law creates the State Air Resources Board as the state agency charged with coordinating efforts to attain and maintain ambient air quality standards, to conduct research into the causes of and solution to air pollution, and to systematically attack the serious problem caused by motor vehicles, which is the major source of air pollution in many areas of the state. Existing law authorizes the state board to do those acts as may be necessary for the proper execution of the powers and duties granted to, and imposed upon, the state board. This bill would require the state board, by January 1, 2026, to conduct and submit to the Legislature a study on how vehicle miles traveled is used as a metric for measuring transportation impacts pursuant to CEQA, as specified.

SB 955 (Seyarto R) Office of Planning and Research: Infrastructure Gap-Fund Program

Introduced: 1/22/2024

Status: 1/23/2024-From printer. May be acted upon on or after February 22.

Summary: Current law authorizes a local agency to finance infrastructure projects through various means, including by establishing an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community. This bill would require the Office of Planning and Research, upon appropriation by the Legislature, to establish the Infrastructure Gap-Fund Program to provide grants to assist local agencies in developing and constructing infrastructure projects. The bill would require the office to develop guidelines and criteria to implement the program.

SB 960 (Wiener D) Transportation: planning: transit priority projects: multimodal

Introduced: 1/23/2024

Status: 1/24/2024-From printer. May be acted upon on or after February 23.

Summary: Would require all transportation projects funded or overseen by the Department of Transportation to provide comfortable, convenient, and connected complete streets facilities unless an exemption is documented and approved, as specified.

VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY March 1, 2024			
BILL/AUTHOR	SUBJECT	POSITION	STATUS
AB 6 Friedman	Transportation planning: Regional Transportation Plans: Solutions for Congested Corridors Program: Reduction of Greenhouse Gas Emissions	Monitor	Passed Assembly. Ordered to Senate. Now a two-year bill.
AB 7 Friedman	Transportation: Project Selection Process	Monitor	Ordered to inactive file.
AB 96 Kalra	Public employment: local public transit agencies: autonomous transit vehicle technology	Monitor	Approved by the governor. Chaptered.
AB 411 Bennett	California Recreational Trails and Greenways Act	Monitor	Held at committee.
AB 463 Hart	Electricity: prioritization of service: public transit vehicles	Monitor	Held at committee.
AB 557 Hart	Open meetings: local agencies: teleconferences	Monitor	Approved by the governor. Chaptered.
AB 610 Holden	Youth transit pass pilot program: free youth transit passes	Monitor	Ordered to inactive file.
AB 817 Pacheco, Wilson	Open meetings: teleconferencing: subsidiary bodies	Monitor	Referred to Committee on Local Government. Amended and passed by committee on 1/16.
AB 1904 Ward	Transit buses: yield right-of-way sign	Monitor	Introduced 1/23. Referred to Transportation Committee.
AB 2086 Schiavo	Department of Transportation funding: report and public dashboard	Monitor	Introduced 02/05.
AB 2824 McCarty	Transit Worker Safety Act	Monitor	Introduced 02/15.
SB 411 Portantino	Open meetings: teleconferences: neighborhood councils	Monitor	Approved by the governor. Chaptered.

SB 768 Caballero	CEQA: vehicle miles traveled: statement of overriding considerations	Monitor	Approved by Senate on 1/29. Sent to Assembly.
SB 915	Local government: Autonomous vehicles	Monitor	Introduced 1/09.
SB 960 Wiener	Transportation Planning: transit priority projects: multimodal	Monitor	Introduced 1/23. Referred to Transportation Committee.
SB 1098 Blakespear	Passenger and Freight Rail: LOSSAN Rail Corridor	Monitor	Introduced 2/13.



Ventura County Transportation Commission

Feb. 16, 2024

The Honorable Mike McGuire
Senate President Pro Tempore
State Capitol, Room 205
Sacramento, CA 95814

The Honorable Robert Rivas
Speaker California State Assembly
P.O. Box 942849
Sacramento, CA 94249-0029

The Honorable Scott Wiener
Chair, Senate Committee on Budget and Fiscal Review
State Capitol, Room 5094
Sacramento, CA 95814

The Honorable Jesse Gabriel
Chair, Assembly Committee on Budget
P.O. Box 942849
Sacramento, CA 94249-0046

RE: Protect Dedicated Regional Early Action Planning Grants (REAP 2.0) Program Funding

Dear President Pro Tempore McGuire, Speaker Rivas, and Budget Chairs Wiener and Gabriel:

On behalf of the Ventura County Transportation Commission (VCTC), I urge the Legislature to protect investments made to the Regional Early Action Planning Grants (REAP 2.0) program as you deliberate on the FY 2024-25 State Budget. While we recognize the incredible budget challenge the Legislature now faces, REAP 2.0 must be protected if we are to meet our ambitious climate, housing, and mobility goals.

REAP 2.0 is a \$600 million program intended to accelerate progress toward California's climate and housing goals through strengthened partnerships between regional, local, county, and tribal governments. REAP 2.0 is the only program specifically and exclusively designed to implement the region's Sustainable Communities Strategies (SCS), as required by SB 375 (2008). For this reason, regions were empowered to develop programs that accelerate infill housing, support efforts for Affirmatively Furthering Fair Housing (AFFH), and reduce vehicle miles traveled (VMT).

The Governor proposed a \$300 million reversion of REAP 2.0 funds in his January budget. This proposal would be devastating to VCTC, as well as numerous other SCAG-region cities, counties, transportation agencies, and tribal governments.

In July 2023, the California Department of Housing and Community Development (HCD) approved SCAG's full REAP 2.0 application, formally committing \$246 million to SCAG. Since that time, SCAG has sub-allocated \$192 million primarily through competitive programs to 118 transformative, local projects in the SCAG region that implement the Regional Housing Needs Allocation (RHNA)

At VCTC, REAP 2.0 would provide \$3.7 million for four mobility projects: an update to the Santa Paula Branch Line trail master plan, which will improve active transportation connections to housing, transit and job centers in the Santa Clara River Valley; a countywide transit stops and train stations inventory and accessibility assessment and capital improvements program, which could be paired with future affordable housing investments to foster inclusive development and boost accessibility and mobility for historically disadvantaged communities ; a community traffic calming and pedestrian and bicycle safety program, which will target areas with excessive vehicle speeds and identify concepts for permanent infrastructure improvements; and a countywide paratransit integration study, which will improve paratransit service and enable residents to maintain their mobility and independence while remaining connected to the community.

VCTC already has invested considerable time and resources into these projects. In December 2023, VCTC's governing board approved a memorandum of understanding with SCAG to accept the award and make necessary budget amendments. Requests for proposals (RFPs) for the Santa Paula Branch Line trail master plan and community traffic calming program already had been released and had to be canceled when the REAP 2.0 program was paused. Likewise, the request for qualifications (RFQ) for the transit stops assessment had been released and then had to be canceled. Due to the complexity of a design-build contract, which was to be used for that project, VCTC already had spent more than \$16,000 in legal fees developing the RFQ and RFP. The final project, the paratransit integration study, already had been incorporated into the update of VCTC's short-range transit plan. That project has progressed to a stage where VCTC has little choice but to continue it and identify another source of funding.

The VCTC projects are representative of the many innovative projects awarded through the REAP 2.0 program, including a long-term loan program to promote hundreds of infill homes in Ventura County, a project by LA Metro to support as many as 10,000 new housing units on surplus LA Metro transit lands, more than 1,150 affordable housing units in the Coachella Valley, a low-to-zero-interest loan program to expedite accessory dwelling units in Orange County, and infrastructure improvements to support nearly 5,000 newly-zoned housing units in Rialto, among others.

These projects play a critical role in increasing housing supply in the near term while also piloting innovative solutions that can be scaled across the region. REAP 2.0 was designed to remove the systemic barriers for developers to build units where needed and planned. Reducing or delaying funding will compromise the program's integrity and have severe, negative impacts on VCTC, Ventura County and the rest of the cities and counties across Southern California. We ask that you reject the Governor's proposal to halve REAP 2.0 and protect this crucial program.

Thank you for considering VCTC's perspective on REAP 2.0. Please contact VCTC Executive Director Martin Erickson at merickson@goventura.org or 805-652-1591, Ext. 123, with any questions about this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt LaVere".

Matt LaVere
Chair

A handwritten signature in blue ink, appearing to read "Mike Judge".

Mike Judge
Vice Chair



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March 1, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
HEATHER MILLER, PROGRAM MANAGER**

SUBJECT: NOMINATION OF PROJECTS FOR SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) REGIONWIDE CALL FOR PROJECTS FOR CONGESTION MITIGATION AND AIR QUALITY (CMAQ)/ CARBON REDUCTION PROGRAM (CRP) / SURFACE TRANSPORTATION PROGRAM (STP) FUNDS; APPROVAL OF PROJECTS FOR TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 BICYCLE AND PEDESTRIAN FUNDS

RECOMMENDATION:

- Approve submittal for \$12,208,714 to the Southern California Association of Governments (SCAG) for its federal programs call for projects, based on the priorities shown in Attachment A.
- Approve \$1,000,000 in TDA Article 3 Bicycle and Pedestrian funds for the two projects designated in Attachment A, with the estimated \$750,000 in available FY 2024/25 split equally between the projects, and the remainder to come from the FY 2025/26 funds, assuming that the funds are needed, as anticipated, for project expenditures.
- Authorize staff to make minor modifications to the program for SCAG submittal to adjust fund types and other items based on issues that may arise during the SCAG process.

BACKGROUND:

As has been previously discussed, in 2021 the Federal Highway Administration (FHWA) notified Caltrans that multi-county MPOs such as SCAG should play a more active role in the selection of projects to be funded with the Surface Transportation Program (STP) and Congestion Mitigation and Air Quality (CMAQ) program that are destined to Ventura County. Later, FHWA notified Caltrans and the Southern California Association of Governments (SCAG) that SCAG must adopt a new process for selection of CMAQ and Surface Transportation Program (STP) projects whereby projects are prioritized on a regional basis. Since VCTC was established in 1989, it had received a specific apportionment of these funds and submitted the recommended project list to SCAG for review and approval as specified in the state law governing county transportation commissions. Later, FHWA informed Caltrans and SCAG that the new Carbon Reduction Program (CRP) established under the federal Infrastructure Investment and Jobs Act (IIJA) would also be subject to the new MPO-led process.

SCAG staff worked closely with the county transportation commissions, as well as FHWA, to develop its call for projects guidelines for CMAQ, STP, and CRP. Under these guidelines, all projects must be approved and prioritized by the applicable county transportation commission,

prior to being nominated to SCAG. On January 4th, SCAG officially opened the first call for projects under the new process, with project applications due March 29th.

In November, staff worked with TRANSCOM and TTAC to obtain updates from local agencies on the status of their projects, to assist VCTC in identifying projects that would be in a sufficient state of readiness to submit to SCAG. In particular, staff asked for information on projects that are short of funds due to unanticipated cost increases.

DISCUSSION:

The available CMAQ and STP to be programmed through the SCAG call for projects represent the incremental increase in the apportionments to the SCAG region that resulted from passage of the IJA. For CRP, the SCAG call includes 65% of the CRP funds apportioned for FY 22/23 through FY 25/26, with the remaining 35% of CRP to be programmed to regional initiatives, to identify, evaluate, and award funding to projects that achieve regional transportation goals and further the objectives of Connect SoCal. SCAG has developed the following estimates for funds available in the regionwide call for projects, including the incremental increase in CMAQ and STP, and 65% of the CRP funding for FY 22/23 – 25/26. It is important to note that these amounts are relatively small for a region the size of SCAG, since most of the available STP and CMAQ for 22/23 – 25/26 were previously programmed, leaving only the IJA incremental increase; and with CRP being a relatively small program.

CMAQ	\$57 million
STP	\$130 million
CRP	\$88 million

Rather than developing project numerical scores and a ranked list, the SCAG draft guidelines provide for county commissions to submit a project list with each project designated as “Highly Recommended,” “Recommended,” or “Contingency.” The SCAG guidelines provide that the county commission’s prioritization will account for 50% of a project’s score for CMAQ and STP, and 20% for CRP.

For STP funds, VCTC’s policy has been to reserve those funds for future costs for the US 101 Improvement Project. Absent any significant new revenue source, when the environmental document is approved VCTC can proceed with final design and right-of-way for an initial segment using currently-available funds. For such an initial segment, VCTC has already programmed sufficient STP funds for the final design and right-of-way. At this time staff does not recommend applying for construction funds, since construction is not scheduled to begin until 2028, which is after FY 25/26, the last year of available funds in this call for projects. As a result, there is the option to recommend that funds from the currently-available incremental STP funding be programmed for other projects rather than saved for future US 101 construction.

As with VCTC’s prior call for projects, VCTC is also recommending distribution of the estimated \$750,000 in FY 2024/25 Transportation Development Act (TDA) Article 3 Bicycle and Pedestrian funds remaining available after the set-aside of the 25% (approximately \$250,000) for bike path maintenance. Therefore, the staff request to TTAC for project status updates also requested input on the use of the Article 3 funds. Staff is recommending that the projects be used for cost increases to the Ojai Maricopa Highway Active Transportation project and the Ventura Cabrillo Village Bike Path, both of which need \$500,000 that must be non-federal funds. Since the requested funding exceeded the estimated \$750,000 in available FY 2024/25 non-maintenance funds, staff recommends that each project be awarded half of the available 75% non-maintenance share of the FY 2024/25 funds, or approximately \$375,000 each. Staff also recommends that the Commission reserve in advance a portion of the FY 2025/26 funds such that each project can receive a total of \$500,000 over the two-year period. Neither Ojai nor Ventura has any projects recommended for submittal to the SCAG call for projects.

Given the relatively small amount of money available, the staff recommends that the priority for the available funds be assisting previously committed projects which are short of funds due to

unanticipated cost increases. For the CMAQ funding, the focus is on projects that reduce traffic congestion and/or improve Air Quality by lowering vehicle emissions. Similarly, for CRP, funding, the focus is on projects that address climate change and sustainability by reducing transportation emissions (CO₂). Staff identified the following as criteria for project prioritization with an adherence to VCTC's CMAQ/CRP selection criteria in past funding cycles:

- 1) Project readiness;
- 2) For previously committed competitively selected projects, the ranking score that it received when it was originally selected or quantified project benefits;
- 3) Should a new project be considered for CMAQ, CRP, or TDA Article 3, it will likely have less readiness than a previously committed project, but should funds be available it could be further ranked using VCTC's previously approved criteria for CMAQ, CRP and Article 3 funds;
- 4) Assignment of projects to CMAQ or CRP fund types based on likely competitiveness. given SCAG's different criteria for the two programs.

The attachment table provides the nomination list for projects with VCTC's "highly recommended" or "recommended" designation to be included with the SCAG application. Those projects in the "contingency" category are not recommended to apply for funds because these projects are new projects and/or would not rank high in a regionally competitive selection process for CMAQ or CRP funds since their Air Quality benefits are minimal or absent. Additionally, only projects that met the priority selection criteria including project readiness and improving air quality would be "highly recommended" for funding.

For transit projects, staff "highly recommends" \$1.3 million to fund cost increases for GCTD to operate the 5th year of the Route 23 demonstration route. Staff "recommends" partial funding of \$2.5 million for cost increases anticipated with the construction of GCTD's Hydrogen Fueling Station. An RFP was released at the end of January for the design, build, and operation and maintenance of the facility. This project was an unfunded project for SB 125 funding, Staff "highly recommends" \$168,000 in funds for Simi Valley's Charging Infrastructure. Although this project is a new project, since these are portable charging units, they are anticipated to be purchased quickly and provide emission reduction benefits suitable to meet CRP goals. Additionally, staff "highly recommends" \$171,000 for cost increases to VCTC's ongoing Countywide Community Outreach for Transit program for fiscal years 2025 and 2026.

Bike and Pedestrian projects "ready to go" and with previously committed funding were "highly recommended" to address cost increases and to ensure project delivery with already committed funds. Bike & Pedestrian projects funded with ATP funding do not have the option to request additional funds from the program for cost increases nor adopt scope changes to reduce costs. Agencies are required to deliver projects with any cost increases at the obligation of the local agency. Staff therefore "highly recommends" funding of cost increases for these existing projects as noted in the projects list (Attachment A). Oxnard's Northeast Communities Bike & Ped Improvements project has already obligated funds for construction and requested TDA Article 3 funds for identified cost increases. With the limited amount of TDA Article 3 funds going to other projects, the City of Oxnard declined to apply for federal funding for this project, and so it was not recommended for consideration in the SCAG selection process.

As part of the VCTC call for projects in 2022, the Commission adopted a 2022 CMAQ Shelf List consisting of a \$1,469,949 unfunded balance for the Port of Hueneme North Shoreside Power System. This project provides significant air quality benefits to disadvantaged communities in proximity to the Port and would be a strong competitor for SCAG regionwide CRP funding. The total project cost is \$13.5 million with CMAQ, CRP and local funding totaling more than \$12 million already committed to the project. Staff "strongly recommends" CRP funds totaling \$1,469,949 to complete this project.

VCTC was awarded a Regional Early Action Planning (REAP) County Transportation Commissions (CTC) Partnership Program ("REAP 2.0") grant award in the amount of \$3.7 million by SCAG. The Governor's budget proposal for FY 2024/25 contained cuts to several programs,

including \$300 million from REAP 2.0. Given the budget uncertainty, SCAG suspended the REAP 2.0 program and ordered grant recipients, including VCTC, to stop work under the program. VCTC's affected projects included an update to the Santa Paula Branch Line Trail Master Plan and a community traffic calming and bicycle and pedestrian safety program, among others. VCTC complied with the SCAG order and moved forward in assessing potential alternatives to fund the affected projects. Staff recommends nominating these two projects for consideration for STP funding. However, VCTC is working with SCAG and other agencies in support of the REAP funds being restored. Given the SCAG project approval timeline, should REAP funds be restored in the FY 2024/25 state budget, there will still be time to remove the submitted REAP project for consideration of federal funding, prior to SCAG final approval of the projects.

TRANSCOM and TTAC approved the staff recommendations at their meetings held February 14th and February 21st, respectively. TTAC also requested staff to return to TRANSCOM and TTAC in March should there be any further refinements to the recommendation, including the proposed fund types for each project, recognizing that SCAG may also change the fund types as appropriate. Staff has begun working with the project sponsors to prepare the applications for SCAG, to be submitted by the March 29th deadline.

Attachment

**VCTC NOMINATION OF PROJECTS
FOR SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG)
REGIONWIDE CALL FOR PROJECTS**

Exist/New	Category	Agency	Project	Description	Funds Requested	Recommended funds	Fund type	Recommendation
Existing	Bike & Ped	City of Oxnard	Accessible Pedestrian Enhancements in Oxnard	Cost increase in current bidding environment (VEN230120)	\$ 699,765	\$ 699,765	CRP	Highly Recommend
Existing	Bike & Ped	City of Camarillo	Pleasant Valley Road Bike Lanes	CON cost increase due to stormwater mitigation (VEN160103)	\$ 1,500,000	\$ 1,500,000	CRP	Highly Recommend
Existing	Bike & Ped	County of Ventura	Ventura Avenue Pedestrian and Bike Improvement	CON underfunded (VEN210603)	\$ 500,000	\$ 500,000	CMAQ	Highly Recommend
Existing	Port Air Quality	Port Hueneme	Port of Hueneme Terminal Shore Power	VEN230301 - shelf project 2022 CMAQ call	\$ 1,469,949	\$ 1,469,949	CRP	Highly Recommend
Existing	Transit	GCID	Route 23 Demonstration Route	Cost increase for 5th year of demo route	\$ 1,300,000	\$ 1,300,000	CMAQ	Highly Recommend
Existing	Bike & Ped	City of Ventura ¹	Cabrillo Village Bike Path	Cost increase existing AIP project (VEN210803)	\$ 500,000	\$ 500,000	IDA Art 3	Approve funding
NEW	Bike & Ped	VCTC	Santa Paula Branch Line Bike Path Master Plan Update	Plan (REAP funding suspended)	\$ 1,600,000	\$ 1,600,000	SIP	Highly Recommend
NEW	Transit	City of Simi Valley	Simi Charging Infrastructure (3 Units)	Portable chargers	\$ 168,000	\$ 168,000	CRP	Highly Recommend
Existing	Bike & Ped	City of Ojai ¹	Maricopa Phase I Bike & Ped Improvements	Cost increase existing AIP project (VEN210803) for non-federal eligible expenses	\$ 500,000	\$ 500,000	IDA Art 3	Approve funding
Existing	Transit	VCTC	Countywide Community Outreach for Transit	FY24/25 ongoing w/ anticipated Budget increase	\$ 171,000	\$ 171,000	CMAQ	Highly Recommend
NEW	Bike & Ped	City of Thousand Oaks	Lynn Road Class IV Bike Lanes and Sidewalk project	Add 1.6 miles of sidewalk segments to project scope (VEN230119)	\$ 3,098,500	\$ 2,000,000	SIP	Recommend
NEW	Bike & Ped	VCTC	Community traffic calming and bike & ped safety program	Plan (REAP funding suspended)	\$ 300,000	\$ 300,000	SIP	Recommend
NEW	Transit	GCID	Cost increase for GCID Hydrogen Fueling Station	Unfunded SB 125 shelf list	\$ 3,469,856	\$ 2,500,000	SIP/CRP	Recommend
NEW	Bike & Ped	City of Ventura	2024 Downtown Wellness Sidewalk and ADA Improvements	Curb/sidewalk improvements	\$ 1,303,620	\$ -		Contingency
NEW	Transit	City of Simi Valley	Back up CNG Fueling Compressor Upgrade	Upgrade/modernization of backup	\$ 540,000	\$ -		Contingency
NEW	Transit	City of Simi Valley	Replacement Fareboxes	Replace 9 fareboxes	\$ 153,000	\$ -		Contingency
Existing	Bike & Ped	City of Oxnard	Northeast Communities/Cloyne Bike & Ped Improvements	CON obligated, need IDA Art 3; budget shortfall & cost increase for CON (VEN130101)	\$ 595,217	\$ -		No avail IDA Art 3
TOTAL requested funds					\$ 17,868,907	\$ 13,208,714		

¹Project approved for \$375,000 in TDA Article 3 fiscal year 24/25 funds, and \$125,000 in fiscal year 25/26 if, as anticipated, the funds are needed.



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March 1, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: AMANDA FAGAN, DIRECTOR OF PLANNING & SUSTAINABILITY
SUBJECT: SANTA PAULA BRANCH LINE MONTHLY UPDATES FOR FEBRUARY 2024

RECOMMENDATION:

- *Receive and file a report on Santa Paula Branch Line updates for the month of February 2024.*

BACKGROUND:

In December 2021, VCTC executed a Railroad Lease and Operations Agreement (Agreement) 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 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.

The adopted Ventura County Transportation Commission (VCTC) Strategic Plan for Fiscal Years 2022/2023 – 2027/2028 includes three objectives related to the Santa Paula Branch Line (SPBL):

- A8. Update the Santa Paula Branch Line (SPBL) trail master plan, validate trail alignment, connections, and amenities, and update existing conditions to facilitate trail completion, with stakeholder engagement.
- B21. Partner with Sierra Northern Railway, corridor cities and the County to operate, maintain, and improve the Santa Paula Branch Line railroad and right-of-way corridor as a countywide community asset, ensuring outreach to stakeholders in the process.
- B22. Continue to address encroachment into the Santa Paula Branch Line right-of-way through leasing activities to ensure safety of operations and protection of the asset and infrastructure.

At the request of the Commission, VCTC staff initiated regular updates on SPBL-related activities. Verbal presentations on SPBL operations were provided at the June 2, October 6, November 3, and December 1, 2023 and January 5 and February 2, 2024 meetings, with written staff reports provided to the Commission in July and September 2023. The following report includes updates for the month of February 2024.

DISCUSSION:

February updates and activities include:

- On December 1, 2023, VCTC staff issued the Request for Proposals for the Santa Paula Branch Line Trail Master Plan Update and EIR/EIS project. Proposals were due no later than February 2. However, on January 26, the Southern California Association of Governments (SCAG) issued a stop-work notice to Regional Early Action Planning (REAP) 2.0 grant recipients due to State budget uncertainty and a proposed \$300 million cut to the program. As a result, on January 26, VCTC canceled the RFP and placed the project in a hold status until additional information and/or funds are available.
- On February 2, VCTC Executive Director signed the Construction Management Services contract with RailPros, Inc. for assistance with repairs to the Sespe Creek Overflow Railroad Bridge sustained during the January 2023 storms.

- On February 5, the Sespe Creek Overflow Railroad Bridge sustained additional damage during a series of storms, resulting in approximately 50 feet of additional loss of earth and rock behind the west abutment of the bridge.
- On February 5, during post-storm inspection of the railroad bridge, Sierra Northern identified and reported damage sustained to the west abutment of Old Telegraph Road. VCTC staff then reported the damage to the County of Ventura Public Works Agency. VCTC provided to the County the hydrological and geotechnical reports developed by VCTC's design contractor for the railroad bridge design efforts.
- VCTC requested the RailPros design team to prepare a cost estimate for an assessment of the additional damage and its impact to the repair design plans and specifications. VCTC anticipates bringing an amendment to the Commission to approve additions to the scope of work and budget to address the additional damage to the Sespe Creek Overflow railroad bridge and relative to repairs to the County's Old Telegraph Road bridge.
- Subsequent storms during the weekend of February 18-19 did not result in significant additional damage to the Sespe railroad bridge, though the County-owned Old Telegraph Road reportedly suffered additional damage.
- VCTC staff spent considerable time and effort during February to respond to requests for information and to provide additional documentation to the Federal Emergency Management Agency (FEMA) in advance of a February 29 deadline to submit project information for the next round of FEMA project development and review. Staff completed and submitted two projects (District-wide Debris Removal and Non-Debris Small Projects at MP 412.65 and 417.85) for the next round of FEMA review. Staff also responded to a FEMA request for information related to legal responsibility for the repair of the Sespe Creek Overflow Railroad Bridge. As of the Commission Agenda deadline, the response is pending review by the FEMA Office of Legal Counsel.
- On February 6 and 20, VCTC staff and Sierra Northern Railway held virtual regular check-in meetings. Sierra Northern reports that during January and February, 200 railroad ties were replaced over a 3-mile area, and two wash-outs were cleared. Railbikes are operating weather permitting and continue to attract visitors to the area, with sales/bookings going well.
- VCTC staff continues to receive and process Right of Entry (ROE) permits for the SPBL right-of-way.
- VCTC staff continue to work on two lease reassignments (Loose Caboose/Barnyard, Lindgren/Underwood), one new private crossing agreement (Beylick Farms), and two license agreements (County of Ventura/Broadband, Fillmore RV storage facility). A site visit to the Loose Caboose/Barnyard area is scheduled for February 27.
- In November 2023, VCTC staff prepared a license agreement and facilitated review of plans by VCTC's contract engineers for a new RV storage facility in Fillmore, located adjacent to the SPBL, that will require construction of a new drainage facility on the SPBL right-of-way property. As of the Commission agenda deadline, issuance of the license is pending receipt of an updated Certificate of Insurance.
- A Utility License Agreement to facilitate broadband fiber optic cable deployment along the SPBL right-of-way is still in development. In January, the County transferred responsibility to negotiate the utility license agreement with VCTC from the Chief Information Officer (CIO) to Public Works Real Estate Services. VCTC staff anticipates bringing the utility license to the Commission following consideration by the Board of Supervisors, with timing still to be determined. Alternatively, a Memorandum of Understanding may be used in lieu of a utility license agreement to initially secure grant funds, while the license agreement and project alignment details are worked out.
- On February 14, VCTC issued notice to a property owner in the Texas Lane area of Santa Paula to remove parked vehicles and other property encroaching into the SPBL right-of-way. The property was blocking a proposed secondary emergency access to the next phase of the East Area One housing development.
- During February, Sierra Northern received several complaints from a Santa Paula resident regarding a neighboring property owner in the Peck Road area (near the old Kmart) that had parked vehicles and an RV on the SPBL right-of-way and was accessing the right-of-way by crossing the tracks at an unofficial crossing. Sierra Northern verified that the crossing point is not in the FRA or CPUC crossing inventory, and placed notices on the RV and vehicles to notify the owner that such crossing is not allowed without a Private Crossing Agreement and lease agreement. No response was received from the owner as of February 20. The dirt and material that had been placed to create the unofficial crossing will be removed by the Sierra Northern Maintenance of Way team to discourage use.
- A Santa Paula Branch Line Advisory Committee (SPBLAC) meeting is scheduled for March 11, 2024, which is part of the process to prepare the annual program budget.

SPBL / SNR Check-In

2/20/2024

- SPBL this weekend fared well overall, not as bad as recent storms, not getting any worse on the RR ROW, County bridge taking add'l damage
- FEMA RFI, design and funding uncertainty discussed
- Texas Lane notice of default to Saul Vigil (property owner) sent last week; Mr. Vigil indicated he would remove the vehicles; pony wall to be removed for EA 1
- Loose Caboose / Barnyard lease site visit needs to be scheduled next week 2/26 or 27 (Tues. ^{NOON} PM)
- Telegraph and Peck Rd. makeshift crossing that predates SNR, not an official crossing, received several notices to remove vehicles, sent additional notice re: lease or crossing agreement, keeps putting vehicles back on the property, complaints from Michael Johnson (neighbor)
 - no CPUC or FRA documentation, not a legal crossing, homeowner/RV owner not responded
 - crossing will be removed by MOW team
- Next weed abatement run thru Ventura scheduled for April, rec'd. calls from neighbors, esp. trees (April and August) overgrowing into neighbor property
 - focus on fire clearance 10"-14"
- 200 ties replaced spread over 3 miles area
- 2 wash-outs cleaned up
- Parallel operating again normally
- Rail Bikes operating weather permitting, sales going well!
 - Maintenance Records? ⁶¹ Regular track inspections, but nothing else



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Item 15

March 1, 2024

TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: MARTIN ERICKSON, EXECUTIVE DIRECTOR
STEVE MATTAS, GENERAL COUNSEL**

**SUBJECT: AGREEMENT WITH REDWOOD PUBLIC LAW, LLP FOR GENERAL COUNSEL
SERVICES AND SPECIAL COUNSEL SERVICES**

RECOMMENDATION:

- It is recommended that the Ventura County Transportation Commission (“Commission”) approve a legal services contract with Redwood Public Law, LLP for continued General Counsel services by Steve Mattas, as General Counsel, and Lindsay D’Andrea as Assistant General Counsel, along with special counsel services.

BACKGROUND:

Steve Mattas and the team of attorneys that work with him have provided general and special counsel services to VCTC since May 2013. Steve has recently advised VCTC that he and the team of attorneys that work with him are departing Meyers Nave, PLC and will be joining Redwood Public Law, LLP (“Redwood”) effective March 15, 2024. Redwood is a law firm that is focused on the representation of public agencies and includes lawyers, who are specialists in public agency law, transportation agency law, and general counsel services. Steve Mattas and Lindsay D’Andrea, who currently serves as Assistant General Counsel for VCTC, will be part of the group of founding partners at Redwood.

The proposed agreement with Redwood includes the same hourly rates and terms as the current agreement that VCTC has with Meyers Nave for general and special counsel services and identifies Steve Mattas as the VCTC General Counsel. The proposed agreement would be effective as of March 15, 2024. There is no additional financial impact associated with the transfer of the legal services contract to Redwood as the Commission approved budget already has funding for legal services and the new contract with Redwood has the same terms as the current contract with Meyers Nave.

Staff recommends that the Commission approve, by motion, the legal services agreement with Redwood and that the Commission authorize Chairperson LaVere to sign the agreement on behalf of VCTC.



Steven T. Mattas
Attorney at Law
steve.mattas@redwoodpubliclaw.com

March 1, 2024

Ventura County Transportation Commission
c/o Matt LaVere, Chairperson
Martin Erickson, Executive Director
751 E. Daily Drive, Suite 420
Camarillo, CA 93010

Re: Engagement of Legal Services

Dear Chairperson LaVere and Mr. Erickson:

Thank you and the Commission for retaining Redwood Public Law, LLP (“Redwood”) to serve as General Counsel effective March 15, 2024, and to perform legal services for the Ventura County Transportation Commission (“Commission”). We appreciate the opportunity to serve as your lawyers and look forward to continuing to work with the Commission and VCTC staff.

This letter sets forth our agreement concerning the legal services we will provide and our fee arrangements for those services.

1. Scope of Engagement. We will provide the legal services reasonably required to serve as General Counsel and represent and advise the Commission and staff on all legal issues applicable to the Commission. Our work will consist of both General Legal Services and Special Counsel/Litigation Services. Our work is limited to such services. The Special Counsel and Litigation Services include (1) all litigation, (2) employment related hearings including PERB hearings, arbitrations, grievance hearings, fact-finding hearings, and disciplinary hearings, (3) bond counsel and specialized financial services, and (4) regulatory and administrative hearings before other public agencies. General Legal Services shall include all other legal services provided to the Commission.

2. Fees and Personnel. As compensation for our services, our fees will be based on our current standard billing rate for the personnel performing services under this agreement at the time such services are rendered. Our standard billing rates for attorneys and paralegals are attached as Attachment 1. We will not bill our time for travel.

I will serve as General Counsel and be the partner in charge of representing your interests. Lindsay D’Andrea will serve as Assistant General Counsel. If other attorneys and/or paralegals are assigned to work on your matter, the applicable rates for the particular project

March 1, 2024

Page 2

as shown in Attachment 1 shall apply. This agreement retains the legal services of our law firm and not of a particular attorney. Hourly rates are subject to reasonable change, usually at the beginning of each year.

3. Disbursements and Expenses. In addition to hourly fees, we may incur out-of-pocket expenses related to your representation and will charge those costs as set forth in Attachment 2.

4. Billing and Payment Responsibilities. We will send monthly statements which are due within 30 days of receipt. If you have any questions about an invoice, please promptly notify me so that we may discuss these matters.

5. Termination of Services. You may terminate our services at any time by providing fifteen (15) days written notice. After receiving such notice, we will cease providing services unless you request that we continue to provide services during the notice period. We will cooperate with you in the orderly transfer of all related files and records to your new counsel.

We may terminate our services at any time with your consent or for good cause. Good cause exists if (a) any statement is not paid within 60 days of its date; (b) you fail to meet any other obligation under this agreement and continue in that failure for 15 days after we send written notice to you; (c) you have misrepresented or failed to disclose material facts to us, refused to cooperate with us, or refused to follow our advice on a material matter; or (d) any other circumstance exists in which ethical rules of the legal profession mandate or permit termination, including situations where a conflict of interest arises. If we terminate our services, you agree to execute a substitution of attorneys promptly and otherwise cooperate in effecting that termination.

Termination of our services, whether by you or by us, will not relieve the obligation to pay for services rendered and costs incurred before our services formally ceased.

6. Insurance. During the term of this engagement, Redwood Public Law, LLP shall take out and maintain general liability and property damage insurance in amounts not less than \$2,000,000; professional errors and omissions insurance, in amounts not less than \$1,000,000 per occurrence; and \$4,000,000 aggregate, which insurance may not be canceled or reduced in required limits of liability unless at least ten days advance written notice be given to you.

7. No Guarantee of Outcome. Any comments made by us about the potential outcome of this matter are expressions of opinion only and are not guarantees or promises about any outcome or results.

8. Dispute Resolution. In the event you become dissatisfied with any aspect of our relationship, we encourage you to bring such concerns to our attention immediately. If we are unable to resolve any dispute, either arising out of or in connection with this Agreement or relating to the services performed by our firm or any of its attorneys, to our mutual

March 1, 2024

Page 3

satisfaction, our firm will first comply with any mandatory dispute resolution procedures that may apply to any such dispute.

If we are unable to resolve any dispute, and after mandatory dispute resolution procedures have been waived or exhausted, the parties shall submit such dispute to final and binding arbitration in Ventura County, California before an arbitrator with the American Arbitration Association, pursuant to its then prevailing rules, unless the parties agree in writing to a different arbitration method or forum.

By signing this agreement, you acknowledge and agree that you have read and understand this arbitration provision. You understand that by agreeing to arbitration we each give up the right to present our claims or defenses for trial by a judge or jury, and we also give up the right to an appeal. The initial resort to the courts by either party shall not be considered a waiver of that party's right to compel binding arbitration under this provision. This agreement shall be governed by and construed in accordance with the laws of the State of California without regard to principles of conflicts of laws.

9. Entire Agreement; Full Understanding; Modifications in Writing. This letter contains our entire agreement about our representation. Any modifications or additions to this letter agreement must be made in writing.

10. Joint Representation. Our firm maintains of counsel agreements with certain legal specialists. Because these individuals are deemed independent contractors under the applicable provisions of the tax laws and not employees of our firm, it is necessary that you consent to dual representation by our firm and the specialist in the event the matter which you have engaged us to handle requires the use of that specialist. This arrangement has no effect whatsoever on the cost of your legal services, rather it is an ethical requirement that we disclose this fact and that you consent. You are consenting by signing this letter.

11. Conflicts. Our firm represents many public agencies in California. It is virtually inevitable that we will work on projects from other clients having different governmental or political objectives, beliefs or views from the Commission. In view of the fact that Commission is a public entity, this letter confirms that the services which we are rendering to you are limited in scope and for the benefit of Commission only. Redwood Public Law, LLP performs a variety of professional services for its clients, and it is possible that we will represent public agency clients whose positions may differ from the Commission. To avoid potential problems, you agree that you expressly waive any actual or potential conflicts that might arise from such representation, that you will not attempt to disqualify Redwood Public Law, LLP on such matters provided that such matters are not directly adverse to the Commission, and that our firm is free to represent its clients on such matters.

By signing this letter and returning it to us, you acknowledge that we have discussed these matters and you confirm that Commission does not object to our representation of clients on matters where their legal, governmental or political objectives and/or positions may be different from to those of Commission, and that Commission waives any conflict of

March 1, 2024

Page 4

interests with respect to our representation of such clients with differing legal, governmental or political interests provided that such matters are not directly adverse to the Commission.

You may wish, and we encourage you, to consult legal counsel regarding the effect of this conflict waiver.

We would request that you review this letter carefully and, if it is consistent with your understanding of our respective responsibilities, please so indicate by returning a signed copy of this letter to me at your earliest convenience. Again, we thank you for allowing us the opportunity to serve as your lawyers.

Very truly yours,

Steve Mattas
Partner

STM:mcm

March 1, 2024

Page 5

These terms are accepted and agreed to as of the date of this letter.

Ventura County Transportation Commission

By:

Matt LaVere,
Chairperson

ATTACHMENT 1**REDWOOD PUBLIC LAW, LLP****RATE SHEET**

General Legal Services	Hourly Rate
Partner/Of Counsel	\$428/per hour
Associate	\$364/per hour
Paralegal	\$179/per hour
Special Counsel and Litigation Services	
Principal/Of Counsel	\$475-\$495 per hour
Associate	\$379 per hour
Paralegal	\$218/per hour

Our rates adjust every January by the greater of 3% or the relevant local CPI increase over the prior 12-month period.

ATTACHMENT 2

REDWOOD PUBLIC LAW, LLP STATEMENT OF FEE AND BILLING INFORMATION

The following is a general description of our fee and billing policies. These general policies may be modified by the specific engagement letter or agreement to which this summary is attached.

Professional Fees. Our fees for professional services are based on the fair value of the services rendered. To help us determine the value of our services, our attorneys and paralegals maintain time records for each client and matter. Our attorneys and paralegals are assigned hourly rates which are based on years of experience, specialization, training and level of professional attainment. We adjust our rates periodically (usually at the beginning of each year) to take into account inflation and the increased experience of our professional personnel.

Retainer. Our normal practice is to require a retainer to cover a portion of the anticipated attorneys' fees and costs. Any retainer will be placed in the firm's trust account. At the conclusion of our services, we will return to our client any unapplied retainer, after deducting payment for charges billed or to-be-billed for services and any remaining out-of-pocket expenses.

Billing And Payment Procedures. Unless other arrangements are made at the time of the engagement, invoices will be sent monthly. Invoices for outside services exceeding \$100 may be billed separately. Our invoices contain a brief narrative description of the work performed; if requested, the initials of the attorney who performed the work will appear on the statement. The invoice will include a line item reflecting in-house administrative costs. The firm's in-house administrative costs include, but are not limited to, duplicating, facsimile charges, telephone charges, E-mail, postage, mileage and other administrative expenses. We have determined that the most effective method of accounting for these administrative costs is to charge a flat 5% of the professional fees incurred.

The firm will be reimbursed for all outside services incurred in the course of providing legal services to our client(s). Outside services will include, but are not limited to, all third-party expenses, delivery charges, travel expenses associated with Special Counsel or Litigation Services only, outside research services, filing fees, expert witness and expert consultant fees. To defray the firm's costs for administering these services, there will be an additional cost advance charge of 2% for all outside services of \$100 or more.

If you have any questions regarding an invoice, the Finance Director or Executive Director is available to answer your questions. For any unresolved matters, the Bar Association has an arbitration mechanism that can be used to resolve such matters.

Late Payments. Statements for services are payable upon presentation and, in all events, within thirty (30) days after receipt. A late charge may be assessed on statements not paid within thirty (30) days. The maximum monthly late payment charge will be 1.5% per month. In the unlikely

event we are required to institute legal proceedings to collect fees and costs, the prevailing party will be entitled to reasonable attorneys' fees and other costs of collection.