



**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

REVISED 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, MAY 10, 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. 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.*

5. **CALTRANS REPORT** - *This item provides the opportunity for the Caltrans representative to give updates and status reports on current projects.*
 6. **COMMISSIONER REPORTS** - *This item provides the opportunity for the commissioners to report on attended meetings/conferences and any other items related to Commission activities.*
 7. **EXECUTIVE DIRECTOR REPORT**- *This item provides the opportunity for the Executive Director to report on attended meetings/conferences and any other items related to Commission activities.*
 8. **ADDITIONS/REVISIONS** – *The Commission may add an item to the agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Commission subsequent to the posting of the agenda. An action adding an item to the agenda requires 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.*
 9. **CONSENT CALENDAR** - *All matters listed under the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no discussion of these items unless members of the Commission request specific items to be removed from the Consent Calendar for separate action.*
- 9A. [APPROVE MINUTES OF APRIL 5, 2024, MEETING- PG.6](#)
Recommended Action:
 - *Approve the summary minutes of April 5, 2024.***Responsible Staff: Roxanna Ibarra**
 - 9B. [MONTHLY BUDGET REPORT- PG.11](#)
Recommended Action:
 - *Receive and file the monthly budget report for March 2024.***Responsible Staff: Sally DeGeorge**
 - 9C. [TRANSPORTATION DEVELOPMENT ACT \(TDA\) AUDITS FOR FISCAL YEAR 2022/2023- PG.18](#)
Recommended Action:
 - *Receive and file the Transportation Development Act (TDA) Audits for Fiscal Year 2022/2023.***Responsible Staff: Thao Le**
 - 9D. [CLIMATE ADAPTATION PLANNING GRANT APPLICATION- PG.21](#)
Recommended Action:
 - *Authorize the Executive Director to apply to the Governor’s Office of Planning and Research Climate Adaptation Planning Grant Program to develop a Ventura County Transportation network climate adaptation assessment and action plan.***Responsible Staff: Amanda Fagan**
 - 9E. [LEGISLATIVE UPDATE- PG.23](#)
Recommended Action:
 - *Receive and file.***Responsible Staff: Darrin Peschka**
 - 9F. [EXTENSION OF TRANSIT OUTREACH AND COMMUNITY OUTREACH PROGRAM CONSULTANT SERVICES AGREEMENT- PG.43](#)
Recommended Action:
 - *Authorize the executive director to exercise an extension of the agreement with Celtis Ventures, Inc. for transit outreach and community outreach services for a two-year period, with the cost not to exceed \$550,000 per year.***Responsible Staff: Darrin Peschka**

9G. [AUTHORIZATION TO FINALIZE VCTC INTERCITY BUS REPLACEMENTS- PG.45](#)

Recommended Action:

- Authorize the Executive Director to provide MCI with a notice to proceed and issue a purchase order for five (5) MCI D45 CRT LE over the road coaches for VCTC Intercity Service in the amount of \$5,488,324, including a 10% contingency.
- Authorize the Executive Director to enter into an agreement with a 3rd party bus inspection vendor in the amount not to exceed \$75,000.

Responsible Staff: Matt Miller

9H. [REGIONAL TRANSIT PLANNING BUDGET AMENDMENT- PG.47](#)

Recommended Action:

- Amend the FY 2023-2024 VCTC Regional Transit Planning budget by increasing the Low Carbon Transit Operations Program (LCTOP) revenues by \$430,000 and SB 125 revenues by \$657,000.
- Increase the College Ride expense line item by \$230,000, the Youth Ride Free expense line item by \$827,000 and Free Fare Days by \$30,000.

Responsible Staff: Aubrey Smith

9I. [CONTRACT AWARD OF COUNTYWIDE ON-DEMAND SCHEDULING SYSTEM- PG.49](#)

Recommended Action:

- *Recommend approval of award of five-year contract for a Countywide On-Demand Scheduling system to RideCo, Inc for a not to exceed amount of \$1,109,618.76.*
- *Authorize the Executive Director to negotiate all remaining terms of the contract for the Countywide On-Demand Scheduling system in a form and substance approved by VCTC legal counsel.*

Responsible Staff: Matt Miller

9J. [PURCHASE OF COUNTYWIDE REPLACEMENT FAREBOXES- PG.51](#)

Recommended Action:

- *Approve purchase of new fareboxes and supporting equipment from Genfare in not to exceed amount of \$5,000,000.*

Responsible Staff: Matt Miller

9K. [METROLINK COMMUTER RAIL BUDGET AMENDMENT- PG.53](#)

Recommended Action:

- *Amend the FY 2023-2024 VCTC Metrolink budget by adding \$714,000 in Transit and Intercity Rail Capital Program (TIRCP) revenues and increasing the Station Rehabilitation expense line item by \$579,000, legal line item by \$113,000, staff wages line item by \$8,000, fringe line item by \$3,800 and indirect line item by \$10,200.*

Responsible Staff: Aubrey Smith

9L. [SECOND AMENDMENT TO EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT WITH MARTIN ERICKSON- PG.55](#)

Recommended Action:

- *It is recommended that the Ventura County Transportation Commission (“Commission”) adopt a resolution approving the Second Amendment to the Employment Agreement (Second Amended Agreement”) between the Commission and Martin Erickson to serve as Executive Director of VCTC and its related agencies and authorizing Chairperson LaVere to execute the Second Amended Agreement.*

Responsible Staff: Steve Mattas

DISCUSSION CALENDAR:

10. UNMET TRANSIT NEEDS- PG.61

Recommended Action:

- *Review and Approve the Fiscal Year 2024/2025 Unmet Transit Needs Findings and determination that there are no Unmet Transit Needs that are reasonable to meet.*
- *Adopt Resolution No. 2024-05*

Responsible Staff: Claire Grasty and Dolores Lopez

11. 2024 TITLE VI PROGRAM UPDATE- PG.66

Recommended Action:

- *Approve VCTC's 2024 Title VI Program Update*

Responsible Staff: Aubrey Smith

12. INCIDENT RESPONDER GRANT PROGRAM ROUND 3 ALLOCATIONS- PG.68

Recommended Action:

- *Approve an amendment to the Motorist Aid Program Budget for Fiscal Year 2023/2024 to increase expenditures in the Incident Responder Grant Program line item by \$355,852 and a corresponding \$355,852 increase in the SAFE Fund Revenues line item.*
- *Approve recommended allocations for the Incident Responder Grant Program Round 3 awards.*

Responsible Staff: Andrew Kent

13. AMEND AGREEMENT WITH RAILPROS, INC. FOR DESIGN SERVICES TO RECONSTRUCT A PORTION OF THE SESPE CREEK OVERFLOW RAILROAD BRIDGE ON THE SANTA PUALA BRANCH LINE AND AMEND SANTA PAULA BRANCH LINE PROGRAM BUDGET- PG.72

Recommended Action:

- *Authorize the Executive Director to finalize and execute Amendment No. 2 to the Agreement with RailPros, Inc. for Design and Environmental Permitting Support Services to Reconstruct a Portion of the Sespe Creek Overflow Railroad Bridge in an amount not to exceed \$1,306,952 on a time and materials basis beginning February 9, 2024.*
- *Approve an Amendment to the Santa Paula Branch Line Program Budget as follows: Increase expenditures by \$1,351,952 in the Consultant Services category, increase expenditures by \$32,000 in the Salaries category, \$11,000 in the Benefits category, and \$37,000 in the Indirect Costs category, increase expenditures in the Legal Services category by \$30,000, increase the Non-Rail Maintenance category by \$360,000, increase revenues by \$1,821,952 in the State Transit Assistance (STA) category, increase the STA transfer-in by \$1,821,952, and increase the STA transfer-out to the SPBL Fund by a corresponding \$1,821,952, and increase the transfer-out of the SPBL Fund and into the General Fund by \$80,000.*

Responsible Staff: Amanda Fagan

14. SANTA PAULA BRANCH LINE MONTHLY UPDATES FOR APRIL 2024- PG.78

Recommended Action:

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

Responsible Staff: Amanda Fagan

15. GENERAL COUNSEL REPORTS-

16. AGENCY REPORTS:

Southern California Association of Governments (SCAG)

Primary: Commissioner Mike Judge

Southern California Regional Rail Authority (Metrolink-SCRRRA)

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

- 17. ADJOURN to 9:00 a.m. Friday, June 7, 2024**, at the City of Camarillo Library, located at 4101 Las Posas Road. Camarillo, CA 93010.



Item 9A

May 10, 2024

MEETING MINUTES OF APRIL 5, 2024, REGULAR VCTC COMMISSION MEETING AT 9:00 A.M.

CALL TO ORDER:

Chair LaVere called the regular meeting of the Ventura County Transportation Commission to order at 9:01 a.m. at the City of Camarillo Library, 4101 Las Posas Road, Camarillo, CA 93010.

PLEDGE OF ALLEGIANCE was led by Chair LaVere.

ROLL CALL/MEMBERS PRESENT:

Matt LaVere, County of Ventura
Mike Judge, City of Simi Valley
Jenny Crosswhite, City of Santa Paula
Chris Enegren, City of Moorpark
Bob Engler, City of Thousand Oaks
Mike Johnson, City of Ventura
Bryan MacDonald, City of Oxnard
Martha McQueen-Legohn, City of Port Hueneme
Janice Parvin, County of Ventura
Tony Trembley, City of Camarillo
Jim White, County Rep., Ventura County
Monica Benavides, Chief Deputy Caltrans District 7 Director

ABSENT:

Carrie Broggie, City of Fillmore
Daniel Chavez, Citizen Rep. Cities
Suza Francina, City of Ojai
Jeff Gorell, County of Ventura
Kelly Long, County of Ventura
Vianey Lopez, County of Ventura
Gloria Roberts, Caltrans District 7 Director

4. PUBLIC COMMENTS – There were none.

5. CALTRANS REPORT- Commissioner Gloria Roberts was represented by Chief Deputy District Director Monica Benavides, who gave a verbal Caltrans report update for April to the commission.

6. COMMISSIONER REPORTS –

Commissioner Johnson reported that Gold Coast Transit District adopted a fare increase at its board meeting and there were no public speakers.

7. EXECUTIVE DIRECTOR REPORT-

Executive Director Martin Erickson reported on the following items:

- VCTC launched an emergency shuttle service between Santa Paula and Ojai on March 20 to assist people affected by the **closure of State Route 150** between Santa Paula and Ojai. The shuttle service was made possible with the coordination of Ventura County Supervisor Districts 1 and 3, Caltrans, the County of Ventura Office of Emergency Services and the California Highway Patrol. MV Transportation, which operates the Valley Express bus service, is operating the emergency shuttle.
- Ventura County transit operators are offering free bus rides to **celebrate Earth Day on Monday, April 22**. VCTC is encouraging more people to try transit on Earth Day with the objective of helping to reduce vehicle emissions and promote a healthy and sustainable transportation alternative for those who visit, work, or play in Ventura County. Earth Day promotes environmental awareness and action to protect counties, Metrolink, the regional rail operator serving the broader Southern California region, will also offer free rides on all Metrolink trains that day. No ticket will be required.

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

9. **CONSENT CALENDAR – Commissioner Trembley** moved to approve consent calendar items 9A through 9L. The motion was seconded by **Commissioner Parvin** and passed unanimously.

9A. APPROVE MINUTES OF MARCH 1, 2024, MEETING

Recommendation:

- Approve the summary minutes of March 1, 2024.

9B. MONTHLY BUDGET REPORT

Recommendation:

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

9C. CONTRACT FOR PROFESSIONAL AUDITING SERVICES

Recommendation:

- Approve the contract (Attachment A) with ASM LLP for professional TDA, SGR, Proposition 1B and LCTOP financial and compliance auditing services at a not to exceed cost of \$240,500 for Fiscal Years 2023/2024, \$247,715 for Fiscal Year 2024/2025, \$255,150 for Fiscal Year 2025/2026 and with two (2) one (1) year optional periods for Fiscal Years 2026/2027 at \$262,800 and 2027/2028 at \$270,685.

9D. AWARD CONTRACT FOR PROFESSIONAL SERVICES FOR GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB) 87, LEASES, AND GASB 96, SUBSCRIPTION-BASED INFORMATION TECHNOLOGY ARRANGEMENTS (SBITAS)

Recommendation:

- Approve the award of a contract (Attachment A) for Professional Services for GASB 87, Leases, and GASB 96, SBITAs to the firm, Berry, Dunn, McNeil and Parker, LLC (BerryDunn). The contract is for a three-year period with two one-year options not to exceed \$23,142 for Fiscal Year 2023/2024 financial period, \$24,300 for Fiscal Year 2024/2025 financial period, \$25,550 for Fiscal Year 2025/2026 financial period, \$26,825 for Fiscal Year 2026/2027 financial period (optional year) and \$28,175 for Fiscal Year 2027/2028 financial period (optional year). The total amount for the contract period including two optional years shall not exceed \$127,992.

9E. SECTION 13(C) LABOR AGREEMENT

Recommendation:

- Approve the attached Agreement with the Service Employees International Union (SEIU), Local 721, as required for VCTC's Fiscal Year 2023/24 federal transit grant applications with the Federal Transit Administration.

9F. FY 2024/2025 LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) ALLOCATION

Recommendation:

- Approve the Ventura County Transportation Commission (VCTC) FY 2023/24 Low Carbon Transit Operations Program (LCTOP) Total Allocation Request of \$2,589,900 to fund the following two projects:
 - “Free Fare” Program (\$2,174,900 includes Cities of Camarillo, Moorpark, Simi Valley, and Thousand Oaks Local Shares).
 - Metrolink Weekend Service (\$415,000).
- Adopt Resolution 2024-03 (Attachment A) authorizing the Executive Director to execute all required documents including the Certifications and Assurances and Authorized Agent Form to receive VCTC’s FY 2023/24 LCTOP funds.
- Approve programming Southern California Regional Rail Authority’s (SCRRA) LCTOP revenue formula amount for the portion of the rail service within Ventura County totaling \$229,883 to fund Metrolink’s “Student Adventure” program.
- Approve a Corrective Action Plan (CAP) transferring any remaining balance of LCTOP FY 2020/21 “College Ride” program funds to the FY 2022/23 “Free Fare” program.

9G. CONTRACT EXTENSION WITH RATP DEV FOR INTERCITY BUS SERVICE

Recommendation:

- Recommend approval of Amendment No. 5 (Attachment A), a three-year contract extension with Roadrunner Management Services, a wholly owned subsidiary of RATP Dev USA, for VCTC Intercity bus operations and maintenance and increase the total “not to exceed” amount under the Agreement by \$40,539,312.68 for a new total not to exceed amount of \$124,525,312.68.

9H. SANTA PAULA BRANCH LINE RIGHT OF ENTRY PERMIT TEMPLATE

Recommendation:

- Approve a Right-of-Entry agreement template, fee structure, and administrative approval process for temporary use on the Santa Paula Branch Line railroad right-of-way and delay implementation of the new process for sixty (60) days while staff conducts public outreach.

9I. CLAIM FOR DAMAGES

Recommendation:

- It is recommended that the Ventura County Transportation Commission (“VCTC”) reject a claim for damages submitted on behalf of Jose Campos Estrada, a biker (“Claimant”) who was involved in an alleged incident involving a collision with a VCTC bus.

9J. LEGISLATIVE UPDATE

Recommendation:

- Receive and file.

9K. SIMI VALLEY DOUBLE TRACK PROJECT MEMORANDUM OF UNDERSTANDING (MOU) AMENDMENT WITH SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (SCRRA) FOR RIGHT OF WAY (ROW) ACQUISITIONS

Recommendation:

- Authorize the Executive Director to negotiate and execute a Memorandum of Understanding (MOU) amendment between VCTC and Southern California Regional Rail Authority (SCRRA) for a not-to exceed amount of \$704,000 for Right of Way (ROW) Acquisitions required for the Simi Valley Double Track Project.

9L. PERSONNEL POLICIES AND PROCEDURE MANUAL UPDATE

Recommendation:

- Approve updated Personnel Policies and Procedures Manual.

DISCUSSION CALENDAR:

10. FISCAL YEAR 2024/2025 DRAFT BUDGET

Recommendation:

- Conduct Public Hearing to receive testimony on the Fiscal Year 2024/2025 Draft Budget.
- Receive the Fiscal Year 2024/2025 Draft Budget and Salary Schedule (See Attachment 1 of this item and Appendix C of the Fiscal Year 2024/2025 Draft Budget).

Responsible Staff: Martin Erickson and Sally DeGeorge

Chair LaVere opened the public hearing at 9:16 a.m. for the Draft Budget for Fiscal Year 2024/2025. Sally DeGeorge and Executive Director Martin Erickson presented a PowerPoint on the draft budget to the Commission. Chair LaVere closed the public hearing at 9:35 a.m. and there were no public speakers.

11. VCTC INTERCITY AND VALLEY EXPRESS VEHICLE REPLACEMENTS

Recommendation:

- Receive and file report on VCTC Intercity and Valley Express Vehicle Replacements.
- Approve budget amendment for VCTC Intercity to increase the revenues in the amount of \$1,400,000 in SB125 funds, add a bus rehab line item and increase expenses by the same amount.

Responsible Staff: Matt Miller and Claire Grasty

Matt Miller gave a PowerPoint presentation to the commission regarding the VCTC Intercity and Valley Express Vehicle Replacements.

Commissioner Trembley moved to approve item 11 VCTC Intercity and Valley Express Vehicle Replacements. The motion was seconded by **Commissioner Judge** and passed unanimously.

12. SANTA PAULA BRANCH LINE MONTHLY UPDATES FOR MARCH 2024

Recommendation:

- Receive and file a report on Santa Paula Branch Line updates for the month of March 2024.
- Receive a verbal update on the status of eligibility for Federal Emergency Management Agency (FEMA) Public Assistance for the Sespe Creek Overflow Railroad Bridge reconstruction.

Responsible Staff: Amanda Fagan

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

13. GENERAL COUNSEL REPORTS- There were none.

14. AGENCY REPORTS:

Southern California Association of Governments (SCAG)

Primary: Commissioner Mike Judge

Vice-Chair Judge reported SCAG approved the Connect SoCal 2024 plan. He also reported SCAG had its election of new officers. Vice-chair Judge is now the vice-chair of the Transportation Committee, Commissioner Crosswhite is now the vice-chair for SCAG's Energy and Environment Committee and representing Ventura County is Rocky Rhodes who is now vice-chair of SCAG's Community and Economic Human Development Committee. Vice-Chair Judge also informed the commission SCAG will be holding it's 2024 Annual Regional Conference and General Assembly in May.

Southern California Regional Rail Authority (Metrolink-SCRRA)

Primary: Commissioner Tony Trembley

Alternate: Commissioner Bob Engler

Commissioner Engler reported the connection in San Clemente is now open and the hill is stabilized which allows for commuter traffic as well as freight traffic to go through.

Commissioner Trembley reported Metrolink continues to work hard on trespasser strikes on its right of way particularly between Burbank and Chatsworth. Commissioner Trembley also stated Metrolink has received new federal grant money for Intrusion Detection Technology.

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 stated the San Clemente tracks are now open and he was proud of the partnership LOSSAN has done to continue to keep the railroad tracks open in such a short period of time.

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 reported CalCOG continues to discuss the uncertainty around the REAP 2.0 funding and would like to see some of that funding come through.

California Vanpool Authority (CalVans)

Primary: Commissioner Jim White

Alternate: Commissioner Mike Johnson

Commissioner White reported CalVans will have its annual conference next week in Sacramento.

15. CLOSED SESSION

15a. Closed Session: Public Employee Performance Evaluation (Pursuant to Government Code Section 54957) Title: Executive Director

**15b. Closed Session: Conference with Labor Negotiators (Pursuant to Government Code Section 54957.6) Agency Designated Representatives: Matt LaVere and Steve Mattas
Unrepresented Employee: Executive Director**

At 10:13 a.m. Chair LaVere stated the commission would adjourn into closed session. General Counsel Steve Mattas stated all reportable actions would be available at the May 10th commission meeting. The commission reconvened at 10:45 a.m.

16. ADJOURN to 9:00 a.m. Friday, May 10, 2024, at the City of Camarillo Library, located at 4101 Las Posas Road. Camarillo, CA 93010.



May 10, 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 March 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 March 31, 2024, budget report indicates that the revenues were approximately 54.15% of the adopted budget while expenditures were approximately 49.75% 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 MARCH 31, 2024**

Assets and Deferred Outflows	
Cash and Investments	\$ 62,234,987
Receivables/Due from other funds	3,317,161
Prepays and Deposits	229,809
Capital Assets, undepreciated	26,016,497
Capital Assets, depreciated, net	27,564,463
Deferred Outflows	3,434,600
Total Assets and Deferred Outflows	<u>\$ 122,797,517</u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:	
Accrued Expenses and Due to Other	\$ 1,406,027
Deferred Revenue	3,397,278
Deposits	67,059
Accrued Vacation	198,682
Accrued Lease-SBITA liability and interest	640,240
Deferred Inflows	678,807
Pension Liability	1,893,688
OPEB Liability	264,630
Total Liabilities and Deferred Inflows:	<u>\$ 8,546,411</u>
Net Position:	
Invested in Capital Assets	\$ 53,580,960
Fund Balance	60,670,146
Total Net Position	<u>\$ 114,251,106</u>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE NINE MONTHS ENDED MARCH 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
Revenues												
Federal Revenues	\$ 5,387,616	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 3,102,271	\$ 887,561	\$ 9,377,448	\$ 24,778,599	(15,401,151)	37.84
State Revenues	2,251,104	28,128,897	5,242,625	1,020,612	762,952	0	0	0	37,406,190	65,488,702	(28,082,512)	57.12
Local Revenues	135,098	0	0	0	0	379,577	1,574,065	1,347,934	3,436,674	4,214,538	(777,864)	81.54
Other Revenues	1,846	0	0	0	0	0	138,293	15,098	155,237	0	155,237	0.00
Interest	262,727	263,462	466,475	81,934	141,994	9,812	24,600	13,001	1,264,005	890,000	374,005	142.02
Total Revenues	8,038,391	28,392,359	5,709,100	1,102,546	904,946	389,389	4,839,229	2,263,594	51,639,554	95,371,839	(43,732,285)	54.15
Expenditures												
Administration												
Personnel Expenditures	2,563,437	0	0	0	0	0	125,568	42,167	2,731,172	4,196,752	(1,465,580)	65.08
Legal Services	10,426	0	0	0	0	0	0	0	10,426	44,000	(33,574)	23.70
Professional Services	118,029	0	0	0	0	0	0	0	118,029	209,000	(90,971)	56.47
Office Leases	159,817	0	0	0	0	0	0	0	159,817	216,000	(56,183)	73.99
Office Expenditures	579,948	0	0	0	0	0	107,876	36,226	724,050	1,139,563	(415,513)	63.54
Total Administration	3,431,657	0	0	0	0	0	233,444	78,393	3,743,494	5,805,315	(2,061,821)	64.48
Programs and Projects												
Transit and Transportation Program												
Regional Transit Technology	399,684	0	0	0	0	0	0	0	399,684	1,615,000	(1,215,316)	24.75
SD-Accessible Mobility Service	249,901	0	0	0	0	0	0	0	249,901	404,200	(154,299)	61.83
VCTC Intercity Bus Services	0	0	0	0	0	0	6,249,384	0	6,249,384	13,175,200	(6,925,816)	47.43
Valley Express Bus Services	0	0	0	0	0	0	0	1,513,160	1,513,160	2,571,200	(1,058,040)	58.85
Transit Grant Administration	3,194,353	0	0	0	0	0	0	0	3,194,353	10,327,510	(7,133,157)	30.93
Total Transit and Transportation	3,843,938	0	0	0	0	0	6,249,384	1,513,160	11,606,482	28,093,110	(16,486,628)	41.31
Highway Program												
Motorist Aid Services	0	0	0	905,588	0	0	0	0	905,588	2,836,024	(1,930,436)	31.93
Highway Program Management	266,510	0	0	0	0	0	0	0	266,510	5,125,989	(4,859,479)	5.20
Total Highway	266,510	0	0	905,588	0	0	0	0	1,172,098	7,962,013	(6,789,915)	14.72

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE NINE MONTHS ENDED MARCH 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	9,650,382	0	0	0	0	0	0	0	9,650,382	24,519,414	(14,869,032)	39.36
LOSSAN and Coastal Rail	6,850	0	0	0	0	0	0	0	6,850	10,500	(3,650)	65.24
Santa Paula Branch Line	0	0	0	0	0	532,006	0	0	532,006	2,347,346	(1,815,340)	22.66
Total Rail	9,657,232	0	0	0	0	532,006	0	0	10,189,238	26,877,260	(16,688,022)	37.91
Commuter Assistance Program												
Reg Transit Information Center	24,016	0	0	0	0	0	0	0	24,016	40,500	(16,484)	59.30
Rideshare Programs	160,491	0	0	0	0	0	0	0	160,491	346,000	(185,509)	46.38
Total Commuter Assistance	184,507	0	0	0	0	0	0	0	184,507	386,500	(201,993)	47.74
Planning and Programming												
TDA Administration	110,377	28,567,903	298,464	0	36,263	0	0	0	29,013,007	43,378,004	(14,364,997)	66.88
Transportation Programming	22,750	0	0	0	0	0	0	0	22,750	63,900	(41,150)	35.60
Regional Transportation Planning	225,931	0	0	0	0	0	0	0	225,931	832,430	(606,499)	27.14
Airport Land Use Commission	3,538	0	0	0	0	0	0	0	3,538	28,000	(24,462)	12.64
Regional Transit Planning	1,559,593	0	0	0	0	0	0	0	1,559,593	2,733,571	(1,173,978)	57.05
Total Planning and Programming	1,922,189	28,567,903	298,464	0	36,263	0	0	0	30,824,819	47,035,905	(16,211,086)	65.53
General Government												
Community Outreach	132,129	0	0	0	0	0	0	0	132,129	210,000	(77,871)	62.92
State and Federal Relations	83,783	0	0	0	0	0	0	0	83,783	113,400	(29,617)	73.88
Management and Administration	127,027	0	0	0	0	0	0	0	127,027	235,000	(107,973)	54.05
Total General Government	342,939	0	0	0	0	0	0	0	342,939	558,400	(215,461)	61.41
Total Expenditures	19,648,972	28,567,903	298,464	905,588	36,263	532,006	6,482,828	1,591,553	58,063,577	116,718,503	(58,654,926)	49.75

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE NINE MONTHS ENDED MARCH 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
Revenues over (under) expenditures	(11,610,581)	(175,544)	5,410,636	196,958	868,683	(142,617)	(1,643,599)	672,041	(6,424,023)	(21,346,664)	14,922,641	30.09
Other Financing Sources												
Transfers Into GF From LTF	10,953,295	0	0	0	0	0	0	0	10,953,295	10,953,295	0	100.00
Transfers Into GF From STA	3,238,284	0	0	0	0	0	0	0	3,238,284	6,011,046	(2,772,762)	53.87
Transfers In GF From SGR	188,014	0	0	0	0	0	0	0	188,014	7,208,287	(7,020,273)	2.61
Transfers Into GF From SAFE	38,692	0	0	0	0	0	0	0	38,692	66,400	(27,708)	58.27
Transfers Into GF From SPBL	141,893	0	0	0	0	0	0	0	141,893	154,700	(12,807)	91.72
Transfers Into SPBL From LTF	0	0	0	0	0	103,100	0	0	103,100	103,100	0	100.00
Transfers Into SPBL From STA	0	0	0	0	0	570,799	0	0	570,799	2,013,946	(1,443,147)	28.34
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	(10,953,295)	0	0	0	0	0	0	(10,953,295)	(10,953,295)	0	100.00
Transfers Out of LTF Into SPBL	0	(103,100)	0	0	0	0	0	0	(103,100)	(103,100)	0	100.00
Transfers Out of STA Into GF	0	0	(3,238,284)	0	0	0	0	0	(3,238,284)	(6,011,046)	2,772,762	53.87
Transfers Out of STA Into SPBL	0	0	(570,799)	0	0	0	0	0	(570,799)	(2,013,946)	1,443,147	28.34
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	(38,692)	0	0	0	0	(38,692)	(66,400)	27,708	58.27
Transfers Out of SPBL Into GF	0	0	0	0	0	(141,893)	0	0	(141,893)	(154,700)	12,807	91.72
Transfers Out of SGR Into GF	0	0	0	0	(188,014)	0	0	0	(188,014)	(7,208,287)	7,020,273	2.61
Total Other Financing Sources	14,560,178	(11,056,395)	(6,409,083)	(38,692)	(188,014)	532,006	2,600,000	0	0	0	0	0.00
Net Change in Fund Balances	2,949,597	(11,231,939)	(998,447)	158,266	680,669	389,389	956,401	672,041	(6,424,023)	(21,346,664)	14,922,641	30.09
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	\$ 7,835,395	\$ 10,459,777	\$ 27,845,164	\$ 4,559,365	\$ 7,954,569	\$ 414,756	\$ 929,079	\$ 672,041	\$ 60,670,146	\$ 12,225,999	\$ 48,444,147	496.24

*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 MARCH 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	\$ 8,161.81	EAC & 1.08%	\$ 981,176.23
LAIF	State Pool	N/A	313,841.93	3.15%	12,717,789.63
County of Ventura	Treasury Pool	N/A	942,000.56	3.59%	49,112,811.33
VCCF Bike Fund	Investment	N/A	Annually	annually	17,584.89
Total			\$1,264,004.30		\$62,829,362.08

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.



Item 9C

May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: THAO LE, PROGRAM MANAGER - ACCOUNTING
SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: TRANSPORTATION DEVELOPMENT ACT (TDA) AUDITS FOR
FISCAL YEAR 2022/2023

RECOMMENDATION:

- Receive and file the Transportation Development Act (TDA) Audits for Fiscal Year 2022/2023.

BACKGROUND:

The Ventura County Transportation Commission (VCTC) is the Regional Transportation Planning Agency (RTPA) for Ventura County. As the RTPA, the Commission is responsible for authorizing Transportation Development Act (TDA) funding to local agencies. The Commission is also responsible for ensuring that annual financial and compliance audits are conducted for all TDA claimants including Local Transportation Fund (LTF), State Transit Assistance (STA), State of Good Repair (SGR), Proposition 1B Public Transportation, Modernization, Improvement, and Service Enhancement Account (PTMISEA) and Low Carbon Transit Operation Program (LCTOP) recipients to ensure program compliance. State law requires that the TDA and Proposition 1B PTMISEA and LCTOP fiscal audits be submitted to the State Controller's Office and the Regional Transportation Planning Agency within six months of the close of each fiscal year (unless an extension is granted not to exceed 90-days).

DISCUSSION:

In March 2019, the Commission contracted with Conrad, LLP to perform the TDA, Proposition 1B and LCTOP audits for all TDA claimants except for the Gold Coast Transit District (GCTD) and the City of Moorpark who had their TDA audits performed by their financial auditors. For Fiscal Year 2022/2023, Conrad performed twenty-nine (29) audits for local agencies (cities and the County) and seven audits (7) for VCTC. Gold Coast Transit District (GCTD) had nine (9) audit reports prepared and Moorpark had six (6) audits prepared by their respective auditors. There are total of fifty-one audits for Fiscal Year

2022/2023. VCTC staff assisted local agencies during the audits, reviewed final reports, and sent follow up letters to all agencies after audit reports were filled.

All Fiscal Year 2022/2023 audits received a “clean” audit opinion and “the financial statements were presented fairly in all material respects.” However, there were a few issues worth noting that are summarized below:

- City of Fillmore:
 - Article 3: The City has undermatched the LTF Article 3 funds and needs to increase the local match in Fiscal Year 2023/2024 to be compliant with the local match requirements. This is an on-going issue. The City also has an old project that is still open.
- City of Moorpark:
 - Article 3: The City has undermatched the LTF Article 3 funds and needs to increase the local match in Fiscal Year 2023/2024 to be compliant with the local match requirements. The City also has an old project that is still open.
 - Article 8c: The City was non-compliant with the required farebox ratio for Article 8c even with Federal fund added as local funds as allowed by AB 149. However, there was no penalty as the penalty was waived in Fiscal Year 2022/2023 by SB 125.
- City of Ojai:
 - Article 3:
 - The City transferred LTF Article 3 funds from one project to another project without VCTC approval which resulted in an audit finding. This was reversed in the TDA audit and needs to be reflected in the City’s financial statements.
 - The City has an old Article 3 project that is still open.
- City of Oxnard:
 - Article 3:
 - The City used LTF Article 3 interest accrued funds on projects that were not approved by VCTC which resulted in an audit finding. Although an adjusting journal entry was posted to the TDA audit, this needs to be reflected in the City’s financial statements.
 - The City has undermatched the LTF Article 3 funds and needs to increase the local match in Fiscal Year 2023/2024 to be compliant with the local match requirements. This is an on-going issue. The City has old projects that are still open.
 - Article 8c: The City has a large and old unused Article 8c fund balance that needs to be utilized.
- County of Ventura:
 - Article 3: The County has undermatched the LTF Article 3 funds and needs to increase the local match in Fiscal Year 2023/2024 to be compliant with the local match requirements.

The audits were completed and filed on time with the State Controller’s Office and VCTC by the deadline of December 31, 2023, except for extensions that were granted (as allowed by TDA regulations) to GCTD and the Cities of Fillmore, Ojai, Santa Paula, and Simi Valley. The extended audits were filed by the granted deadline.

The following TDA, SGR, Proposition 1B and LCTOP audits are included as separate attachments to the agenda item:

City of Camarillo – Article 3, Article 8a, Article 8c, STA, and SGR
City of Fillmore - Article 3, Article 8a, and Article 8c
City of Moorpark - Article 3, Article 8a, Article 8c, STA, SGR, and Proposition 1B
City of Ojai - Article 3
City of Oxnard - Article 3, Article 8a, and Article 8c
City of Port Hueneme - Article 3
City of San Buenaventura - Article 3
City of Santa Paula - Article 3, Article 8a, and Article 8c
City of Simi Valley - Article 3, Article 4, STA, SGR, and Proposition 1B
City of Thousand Oaks - Article 3, Article 8c, Article 8a, ECTA, STA, and SGR
County of Ventura – Article 3
Gold Coast Transit District – Article 4, STA, SGR, LCTOP, and Article 4 for five-member agency (Ojai, Oxnard, Port Hueneme, San Buenaventura, and Ventura County)
VCTC - Article 3, Article 6.5, LCTOP, Valley Express, VCTC Intercity, STA Transfer and SGR

These reports are available upon request from VCTC, the local agency, or can be found on the Commission's website at www.goventura.org as agenda attachments.



May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: AMANDA FAGAN, DIRECTOR OF PLANNING & SUSTAINABILITY
SUBJECT: CLIMATE ADAPTATION PLANNING GRANT APPLICATION

RECOMMENDATION:

- *Authorize the Executive Director to apply to the Governor's Office of Planning and Research Climate Adaptation Planning Grant Program to develop a Ventura County transportation network climate adaptation assessment and action plan.*

BACKGROUND & DISCUSSION:

Ventura County has faced many climate-related infrastructure challenges in recent years, from a washed-out railroad bridge to road closures and damage from flooding, mud slides, and wildfires. For example, in February 2024, a landslide caused the closure of State Route 150 for several months, causing significant impacts to residents and businesses with closure of the only direct route between Ojai and Santa Paula. In response, Ventura County Transportation Commission (VCTC) staff explored grant funding opportunities to prepare an assessment of climate-related transportation infrastructure challenges and develop a proactive action plan to address these challenges. The Governor's Office of Planning and Research (OPR) Climate Adaptation Planning Grant program (CAPG) issued a call for applications for projects well aligned to the needs of Ventura County. The Application follows a two-step process, with the Pre-Application Interest Form due by May 6, 2024, and the Main Application Form due by May 20, 2024.

VCTC staff leveraged the existing bench of grant writing consultants and released a request for availability and proposals for consultant assistance to prepare an application to the Climate Adaptation Planning Grant program. After review of two proposals received, VCTC issued a task order on an existing contract with COH & Associates in an amount not to exceed \$8,000 to develop the scope of work and application.

The CAPG program requires applicants to partner with at least one co-applicant to assist with developing the application to ensure that planning efforts prioritize the needs of vulnerable and disadvantaged communities. VCTC reached out to the Ventura County Community Foundation (VCCF) given the Foundation's success with Complete Count, Project Isabella, and other wide-reaching community engagement efforts across Ventura County. VCCF expressed willingness to partner with VCTC in this effort. VCTC will also partner with the County of Ventura, Port of Hueneme, and others to ensure that multimodal transportation infrastructure and community needs are identified and addressed in a way that prioritizes the needs of vulnerable and disadvantaged communities.

The draft Project Description is as follows: The proposed assessment and action plan will identify and prioritize potential highway, roadway, transit, rail, port, and active transportation projects that provide both climate change mitigation and adaptation while prioritizing vulnerable and disadvantaged communities. The proposed project is modeled on a climate vulnerability assessment and action plan completed by the Santa Barbara County Association of Governments (SBCAG) and will be tailored to Ventura County, building on planning efforts by VCTC and partner agencies, such as the SBCAG/VCTC Transportation Emergency Preparedness Plan, the County of Ventura's VC Resilient Coastal Adaptation Project, and the Caltrans

Climate Resilience & Transportation Safety Plan for Pacific Coast Highway. The project will also be informed by OPR and Caltrans climate adaptation planning guidance.

The minimum grant award is \$100,000, and the maximum award is \$650,000. Awarded projects should be completed no later than 24 months after the start of the grant agreement, with an anticipated grant agreement start date of Jan. 1, 2025. A local match is not required and providing a local match does not increase the project score. As of the Commission agenda deadline, the scope of work and cost estimate are still under development, but the estimated grant application requested amount is \$300,000. If VCTC is successful in its application, a budget amendment will be requested from the Commission to add the grant funds and project into the Regional Transportation Planning program budget.



Item 9E

May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: DARRIN PESCHKA, PROGRAM MANAGER, GOVERNMENT AND COMMUNITY RELATIONS
SUBJECT: LEGISLATIVE UPDATE

RECOMMENDATION:

- Receive and file.

DISCUSSION:

State Issues

As the Commission is aware, the state is facing a budget deficit anticipated to be in the tens of billions of dollars. In April, the Legislature approved Assembly Bill (AB) 106, which amends the Budget Acts of 2022 and 2023. The early-action bill includes about \$17 billion in reductions in spending, delays and deferrals, and expenditure shifts from the state's General Fund to other state funds. AB 106 is intended to set a foundation for the Legislature as discussions on further actions to address the deficit and approve the Fiscal Year 2024-25 budget continue. Gov. Newsom approved AB 106 on April 15.

AB 106 preserves the funding for public transit that the Legislature committed through the population-based Transit and Intercity Rail Capital Program (TIRCP). The distribution of that funding is guided by Senate Bill (SB) 125. Through the TIRCP program, the Ventura County Transportation Commission (VCTC) is expected to receive \$42 million this fiscal year. The Commission in December approved the recommended SB 125 project list. Because AB 106 makes adjustments only to funding provided through the 2022 and 2023 Budget Acts, it does not further appropriate this transit funding. The funding is expected to be appropriated in a forthcoming budget bill.

Regarding transit funding, AB 106:

- Holds harmless the \$2 billion appropriated to the population-based TIRCP in FY 2023-24.

- Holds harmless the \$1.1 billion appropriated to the Zero-Emission Transit Capital Program between FY 2023-24 and FY 2027-28.
- Extends the appropriation timeline for the \$2 billion that the state committed to appropriate to the population-based TIRCP in FY 2024-25 by instead appropriating \$1 billion in FY 2024-25 and the remaining \$1 billion in FY 2025-26.

AB 106 also gives the Department of Finance the authority to suspend the expenditure of any one-time funding provided in the Budget Acts of 2021, 2022 or 2023. In April, the department notified the Legislature that it intended to exercise this authority. On April 29, the department sent a letter to all state departments and agencies, notifying them of a freeze on several one-time expenditures. The freeze applies to certain one-time General Fund expenditures greater than \$1 million that were authorized in the Budget Acts of 2021, 2022, and 2023. At this time, VCTC anticipates that the freeze on these expenditures will at least temporarily delay SB 125 funding, which was to be appropriated no later than April 30. Staff is analyzing the SB 125 project list to assess potential impacts that a funding delay might cause and is awaiting further information from the California State Transportation Agency (CalSTA), which administers the SB 125 transit program.

In his proposed budget released in January, the governor proposed a \$300 million reversion to the General Fund for the Regional Early Action Planning Grants (REAP 2.0). VCTC was awarded \$3.7 million from the REAP 2.0 County Transportation Commissions Partnership Program for four projects in 2023. Given the uncertainty of the state budget, the Southern California Association of Governments (SCAG) has suspended the REAP 2.0 program. AB 106 does not change the status of REAP 2.0 funding, and VCTC will continue to advocate for the restoration of that funding in the final budget.

The governor will release a revised budget proposal in early May, based on updated revenue forecasts and discussions with the Legislature. The Legislature has until June 15 to approve a budget bill. VCTC will continue to track the budget situation, engage with our state delegation members and keep the Commission informed of any updates.

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



CALIFORNIA ADVISORS, LLC

**VENTURA COUNTY TRANSPORTATION COMMISSION
MONTHLY STATE ADVOCACY REPORT
APRIL 2024**

Legislative Update

The month of April was consumed by lengthy policy committee hearings in both the Senate and Assembly for them to meet their legislative deadlines. April 26th was the deadline for bills in the first house to be passed out of their respective policy committees if the bills have a fiscal impact to the state. Therefore, the days leading up to that deadline saw hundreds of bills move through committees.

For bills that were referred to more than one policy committee, there was a quick turnaround from one hearing to the next. Once advanced out of the policy committee stage, legislation moved to the respective Appropriations Committee for a debate on the fiscal aspects of the bill. The month of May will be focused on these fiscal issues, including a hearing on the Suspense File – where bills with a larger price tag are often held in Committee. There will be a significant reduction in the overall amount of bills that are moving after the suspense hearings in the Senate and Assembly. This all leads up to the House of Origin deadline on May 24th. This date marks the halfway point for bills and is the last day for each chamber to pass bills introduced in that house.

On the budget front, the Department of Finance (DOF) published its April Finance Bulletin, which provides an economic update and cash report. According to the bulletin, the cash receipts were \$243 million, or 1.6 percent, below the 2024-25 Governor's Budget forecast for March, and \$5.8 billion, or 4.0 percent, below the fiscal year-to-date forecast of \$146.0 billion. Since March is not a particularly important month for personal income tax and corporation tax, final personal income tax and corporation tax payments for tax year 2023 due in mid-April will provide a more complete picture on cash receipts related to tax year 2023.

Governor Gavin Newsom will release the May Revise, which reflects changes to his proposed budget based on the latest economic forecasts. The May Revise will mark the start of what will be a month of negotiations with legislators. The budget, with any legislative adjustments, must be finalized by June 15th in time for the Governor to sign the package and the new fiscal year to begin on July 1st.

California Advisors will continue to update VCTC on the status of bills and the negotiations around this year's state budget.

Early Action Budget Items

The "Big 3" – the Governor, Speaker, and Pro Tem – announced a \$17 billion agreement to address California's budget shortfall that includes reductions, revenue and borrowing, delays and deferrals, and cost shifts. This early action package, which was quickly reviewed by legislative committees and signed by the Governor on April 15th, set a foundation for final budget negotiations while protecting core programs and utilizing about half of the state's reserves.

The budget bill (AB 106) contained two noteworthy provisions in Section 74 and 77 which required the Department of Finance to send two letters to the Joint Legislative Budget Committee within 7 days.

The first letter, required by Section 77, memorializes the early action agreement items previously released by the Senate and Assembly. This is important, because many items in the agreement concerned 2024-25 budget plans that cannot be reflected in an enrolled budget bill until June, this notification was planned to record the \$17.3 billion of changes to previously planned General Fund spending.

The second notification, as mandated by Section 74, announces the administration's plan to issue directives for suspending further expenditures of certain one-time appropriations from the Budget Acts of 2021, 2022, and 2023. This measure aims to provide policymakers with additional options to balance the budget in June, following a review period by the Joint Legislative Budget Committee.

These notifications allow the JLBC a standard review period of 7-10 days to offer advice on legislative intent or dispute anything included in the letters.

Transportation Related Reports

On April 15th, the Legislative Analyst's Office (LAO) issued an analysis evaluating a tax exemption for zero-emission buses. AB 784 created a partial sales tax exemption for zero-emission buses (ZEBs) purchased by transit agencies. That law also required the LAO office to review the effectiveness of the ZEB exemption. Under AB 784, the exemption would have ended on January 1, 2024. AB 2622 pushed back the expiration date to January 1, 2026, and required LAO to publish its analysis by May 1, 2024. In their analysis, LAO recommends that due to the state's budget condition, any ongoing fiscal commitments should clear a very high bar of need. They doubt that the ZEB exemption clears this bar. LAO recommended that the Legislature allow the exemption to expire as scheduled under current law.

Upcoming Bill Deadlines

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 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: 4/2/2024-Withdrawn from committee. Re-referred to Com. on RLS.

Summary: Current law prescribes various requirements to be satisfied before the exercise of a power of sale under a mortgage or deed of trust and prescribes a procedure for the exercise of that power. This bill would prohibit a person from contacting, soliciting, or initiating communication with an owner to claim the surplus funds from a foreclosure sale of the owner's residence before 90 days after the trustee's deed has been required.

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: 4/16/2024-Re-referred to Com. on 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, housing, and conservation elements, as specified. Current law requires the conservation element to consider the effect of development within the jurisdiction on natural resources located on public lands. This bill would additionally require the conservation element to consider the effect of development within the jurisdiction on the movement of wildlife and habitat connectivity. The bill would require the conservation element, upon the next update of one or more elements on or after January 1, 2026, to, among other things, identify and analyze connectivity areas, permeability, and natural landscape areas within the jurisdiction, identify and analyze existing or planned wildlife passage features, and consider the impacts of development and the barriers caused by development to wildlife and habitat connectivity. The bill would authorize a city, county, or city and county to incorporate by reference into their general plan an existing plan that meets these requirements. The bill would require authorize a city, county, or city and county preparing to update its conservation element to consider incorporating appropriate standards, policies, and zoning, implementation programs, consult with specified entities, and consider relevant best available science.

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

Introduced: 1/23/2024

Status: 4/1/2024-Read third time. Passed. Ordered to the Senate. (Ayes 72. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

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: 4/22/2024-VOTE: Do pass and be re-referred to the Committee on [Appropriations] (PASS)

Summary: Current law requires the Department of Transportation to prepare the California Transportation Plan for submission to the Governor and the Legislature as a long-range planning document that incorporates various elements and is consistent with specified expressions of legislative intent. Current law requires the department to complete the 3rd update to the plan by December 31, 2025, and to update the plan every 5 years thereafter. This bill would require the California Transportation Plan to also include a financial element that summarizes the full cost of plan implementation, a summary of available revenues through the planning period, and an analysis of what is feasible within the plan if constrained by a realistic projection of available revenues, as specified.

AB 2091 (Grayson D) California Environmental Quality Act: exemption: public access: nonmotorized recreation.

Introduced: 2/5/2024

Status: 4/1/2024-Re-referred to Com. on W., P., & W.

Summary: Would exempt from the California Environmental Quality Act (CEQA) a change in use approved by a public agency to allow public access, as provided, exclusively for nonmotorized recreation, as defined, in areas acquired or managed by a public agency for open space or park purposes. The bill would require the lead agency, if the lead agency determines that an activity is not subject to CEQA pursuant to this provision and determines to approve or carry out the activity, to file a notice with the State Clearinghouse in the Office of Planning and Research and with the county clerk of the county in which the land is located, as provided. By imposing duties on public agencies related to the exemption, this bill would create a state-mandated local program. The bill would repeal these provisions on January 1, 2030.

AB 2095 (Maienschein D) Publication: newspapers of general circulation.

Introduced: 2/5/2024

Status: 4/10/2024-In committee: Set, first hearing. Referred to suspense file.

Summary: Current law requires various types of notices to be provided in a "newspaper of general circulation," as that term is defined, in accordance with certain prescribed publication periods and legal requirements. Current law requires a newspaper of general circulation to meet certain criteria, including publication, a bonafide subscription list of paying subscribers, and printing and publishing at regular intervals in the state, county, or city where publication is to be given. This bill would require any public notice that is legally required to be published in a newspaper of general circulation to be published in the newspaper's print publication, on the newspaper's internet website or electronic newspaper available on the internet, and on a statewide internet website maintained as a repository for notices by a majority of California newspapers of general circulation, as specified. The bill would permit a newspaper that does not maintain its own internet website to satisfy these notice requirements by

publishing the notice on a statewide internet website and referencing the statewide internet website in its print publication notice.

AB 2261 (Garcia D) Transportation: federal funding: tribes.

Introduced: 2/8/2024

Status: 4/9/2024-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 15. Noes 0.) (April 8). Re-referred to Com. on APPR.

Summary: Would, to the extent permitted by federal and state law, require a federally recognized Native American tribe to be eligible for federal funding for a transportation project and authorize the tribe to be the lead agency for a transportation project that receives federal funding.

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

Introduced: 2/8/2024

Status: 4/4/2024-In committee: Set, first hearing. Hearing canceled at the request of author.

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.

AB 2290 (Friedman D) Transportation: Class III bikeways: bicycle facilities: Bikeway Quick-Build Project Pilot Program.

Introduced: 2/12/2024

Status: 4/9/2024-From committee: Do pass and re-refer to Com. on APPR. (Ayes 11. Noes 4.) (April 8). Re-referred to Com. on APPR.

Summary: Current law requires the California Transportation Commission to develop guidelines and project selection criteria for the Active Transportation Program, as provided. Current law establishes 4 classifications of bikeways and defines a "Class III bikeway" as a bikeway that provides a right-of-way on-street or off-street, designated by signs or permanent markings and shared with pedestrians and motorists. This bill would prohibit the allocation of Active Transportation Program funds for a project that creates a Class III bikeway unless the project is on a residential street with a posted speed limit of 20 miles per hour or less.

AB 2302 (Addis D) Open meetings: local agencies: teleconferences.

Introduced: 2/12/2024

Status: 4/15/2024-Read second time. Ordered to third reading.

Summary: The Ralph M. Brown 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. Current 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. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in specified circumstances if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly

identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Current law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets.

AB 2320 (Petrie-Norris D) Wildlife Connectivity and Climate Adaptation Act of 2024: wildlife corridors.

Introduced: 2/12/2024

Status: 4/22/2024-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations] (PASS)

Summary: Current law requires the Natural Resources Agency, in implementing actions to achieve the goal to conserve at least 30% of the state's lands and coastal waters by 2030 established by executive order, to prioritize specified actions. Current law requires the Secretary of the Natural Resources Agency to prepare and submit an annual report to the Legislature on the progress made during the prior calendar year toward achieving that goal, as provided. Current law requires that annual report to include certain information, including, among other information, the progress made in the prior calendar year to address equity as part of the above-described goal. This bill, the Wildlife Connectivity and Climate Adaptation Act of 2024, would additionally require the agency, as part of that report, to identify key wildlife corridors, as defined, in the state, connections between large blocks of natural areas and habitats, progress on protecting additional acres of wildlife corridors, and goals for wildlife corridor protection in the next 5 years, as provided.

AB 2503 (Lee D) California Environmental Quality Act: exemption: railroad electrification and railroad siding projects.

Introduced: 2/13/2024

Status: 4/15/2024-Re-referred to Com. on APPR.

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. CEQA, until January 1, 2030, exempts from its requirements certain transportation-related projects if specified requirements are met, including that a local agency, as defined, is carrying out the project and that the project will be completed by a skilled and trained workforce, as provided. CEQA includes within these exempt transportation-related projects a public project for the institution or increase of bus rapid transit, bus, or light rail service, which will be exclusively used by low-emission or zero-emission vehicles, on existing public rights-of-way or existing highway rights-of-way. Current law requires the lead agency, if it determines that a transportation-related project is exempt from CEQA and determines to carry out the project, to file a notice of exemption with the Office of Planning and Research and the county clerk in which the project is located. This bill would expand that exemption from CEQA to include a public project for the institution or increase of other passenger rail service, which will be exclusively used by

zero-emission trains, on existing public rights-of-way or existing highway rights-of-way. Because the bill would increase the duties of the county clerk, this bill would impose a state-mandated local program.

AB 2535 (Bonta D) Trade Corridor Enhancement Program.

Introduced: 2/13/2024

Status: 4/22/2024-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations] (PASS)

Summary: Current law requires the California Transportation Commission, under the Trade Corridor Enhancement Program, to allocate, upon appropriation by the Legislature, revenues from a specified portion of the state excise tax on diesel fuel and certain federal funds to infrastructure projects located on or along specified transportation corridors. Under current law, eligible projects under the program include, among others, highway improvements to more efficiently accommodate the movement of freight and environmental and community mitigation or efforts to reduce environmental impacts of freight movement. This bill would prohibit the commission from programming funding under the program to a project that expands the physical footprint of a highway in a community that experiences disproportionate burdens from diesel particulate matter, as specified.

AB 2553 (Friedman D) Housing development: major transit stops: vehicular traffic impact fees.

Introduced: 2/14/2024

Status: 4/16/2024-Re-referred to Com. on H. & C.D.

Summary: The California Environmental Quality Act (CEQA) exempts from its requirements residential projects on infill sites and transit priority projects that meet certain requirements, including a requirement that the projects are located within 1/2 mile of a major transit stop. CEQA defines “major transit stop” to include, among other locations, the intersection of 2 or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. This bill would revise the definition of “major transit stop” to increase the frequency of service interval to 20 minutes.

AB 2678 (Wallis R) Vehicles: high-occupancy vehicle lanes.

Introduced: 2/14/2024

Status: 4/9/2024-From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (April 8). Re-referred to Com. on APPR.

Summary: Current state law authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles (HOVs). Current federal law authorizes, until September 30, 2025, a state to allow specified alternate fuel and plug-in electric or hybrid vehicles to use lanes designated for HOVs. Current state law authorizes the Department of Motor Vehicles to issue decals or other identifiers to qualified vehicles, as specified. Current state law allows a vehicle displaying a valid decal or identifier issued pursuant to these provisions to be operated in a lane designated for the exclusive use of HOVs regardless of the occupancy of the vehicle. These existing state laws, by operation of their provisions, become inoperative on the date the federal authorization expires. Current state law also repeals these provisions on September 30, 2025. This bill would extend the repeal date of these provisions until January 1, 2027.

AB 2813 (Aguiar-Curry D) Government Investment Act.

Introduced: 2/15/2024

Status: 4/1/2024-Referred to Com. on L. GOV.

Summary: The Legislature adopted ACA 1 at the 2023–24 Regular Session of the Legislature, which, if approved by the voters, would amend and add provisions of the California Constitution to (1) create

an additional exception to the 1% limit on the ad valorem tax rate on real property by authorizing a local jurisdiction to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction; and (2) authorize a local jurisdiction to impose, extend, or increase a sales and use tax to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction. Pursuant to the existing law described above, ACA 1 is scheduled to appear on the ballot at the November 5, 2024, statewide general election. This bill would authorize a local government that imposes a tax under ACA 1 to commit revenues to affordable housing programs, including downpayment assistance, first-time home buyer programs, and owner-occupied affordable housing rehabilitation programs. The bill would require a local government to ensure that any project that is funded with ACA 1 bonded indebtedness or ACA 1 special taxes to have an estimated useful life of at least 15 years or 5 years if the funds are for specified public safety buildings, facilities, and equipment.

AB 2945 (Alvarez D) Enhanced infrastructure financing districts.

Introduced: 2/16/2024

Status: 4/22/2024-Re-referred to Com. on H. & C.D.

Summary: The California Constitution, with respect to any taxes levied on taxable property in a redevelopment project established under the Community Redevelopment Law, as it then read or may be amended, authorizes the Legislature to provide for the division of those taxes under a redevelopment plan between the taxing agencies and the redevelopment agency, as provided. Current law dissolved redevelopment agencies as of February 1, 2012, and designates successor agencies to act as successor entities to the dissolved redevelopment agencies. This bill, the Reconnecting Communities Redevelopment Act, would authorize a city or county, or two or more cities acting jointly, to propose the formation of a reconnecting communities investment agency by adoption of a resolution of intention that meets specified requirements, including that the resolution of intention include a passthrough provision and an override passthrough provision, as defined. The bill would require the city or county to submit that resolution to each affected taxing entity and would authorize an entity that receives that resolution to elect to not receive a passthrough payment, as provided. The bill would require the city or county that adopted that resolution to hold a public hearing on the proposal to consider all written and oral objections to the formation, as well as any recommendations of the affected taxing entities, and would authorize that city or county to adopt a resolution of formation at the conclusion of that hearing.

AB 3005 (Wallis R) Motor Vehicle Fuel Tax Law: adjustment suspension.

Introduced: 2/16/2024

Status: 3/11/2024-Referred to Com. on TRANS.

Summary: Article XIX of the California Constitution restricts the expenditure of revenues from the Motor Vehicle Fuel Tax Law, Diesel Fuel Tax Law, and other taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. This bill would authorize the Governor to suspend an adjustment to the motor vehicle fuel tax, as described above, scheduled on or after July 1, 2025, upon making a determination that increasing the rate would impose an undue burden on low-income and middle-class families. The bill would require the Governor to notify the Legislature of an intent to suspend the rate adjustment on or before January 10 of that year, and would require the Department of Finance to submit to the

Legislature a proposal by January 10 that would maintain the same level of funding for transportation purposes as would have been generated had the scheduled adjustment not been suspended.

AB 3177 (Carrillo, Wendy D) Mitigation Fee Act: land dedications: mitigating vehicular traffic impacts.

Introduced: 2/16/2024

Status: 4/22/2024-Re-referred to Com. on L. GOV.

Summary: The Mitigation Fee Act imposes various requirements with respect to the establishment, increase, or imposition of a fee by a local agency as a condition of approval of a development project. Current law requires a local agency that imposes a fee on a housing development for the purpose of mitigating vehicular traffic impacts to set the rate for the fee to reflect a lower rate of automobile trip generation if the housing development satisfies specified characteristics, including that the housing development is located within 1/2 mile of a transit station. Current law defines transit station for these purposes to mean a rail or light-rail station, ferry terminal, bus hub, or bus transfer station. This bill would instead require the housing development to be located within 1/2 mile of a transit priority area for purposes of a local agency setting the rate for a mitigating vehicular traffic impacts fee to reflect a lower rate of automobile trip generation.

ACA 18 (Wallis R) Road usage charges: vote and voter approval requirements.

Introduced: 2/16/2024

Status: 2/17/2024-From printer. May be heard in committee March 18.

Summary: The California Constitution requires any change in state statute that increases the tax liability of any taxpayer to be imposed by an act passed by 2/3 of the membership of each house of the Legislature, and prohibits specified taxes on real property from being so imposed. For these purposes, the California Constitution defines a "tax" as any state levy, charge, or exaction, except as described in certain exceptions. The California Constitution describes one of those exceptions as a charge imposed for entrance to or use of state property, or the purchase, rental, or lease of state property, except charges governed by a specified provision of the California Constitution. This measure, on or after its effective date, would provide that the exception described above does not include a road usage charge, as described, thereby requiring the imposition of this type of charge to be subject to the 2/3 vote requirement.

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: 4/15/2024-April 15 hearing: Placed on APPR suspense file.

Summary: Would require the Office of Planning and Research, upon appropriation by the Legislature, to establish the Infrastructure Gap-Fund Program to provide grants to local agencies to develop and construct infrastructure projects, as defined. The bill would authorize the office to provide funding for up to 20% of a project's total cost, subject to specified requirements, including, among other things, that the office is prohibited from awarding a grant to a local agency unless the local agency provides funding that has been raised through local taxes for at least 10% of the infrastructure project's total cost. The bill would require the office to develop guidelines to implement the program that establish the

criteria by which grant applications will be evaluated and funded. The bill would make these provisions operative January 1, 2027.

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

Introduced: 1/23/2024

Status: 4/16/2024-From committee with author's amendments. Read second time and amended. Re-referred to Com. on TRANS.

Summary: Current law requires the Department of Transportation to improve and maintain the state's highways, and establishes various programs to fund the development, construction, and repair of local roads, bridges, and other critical transportation infrastructure in the state. This bill would require all transportation projects funded or overseen by the department to provide complete streets facilities, except as specified.

SB 1068 (Eggman D) Tri-Valley-San Joaquin Valley Regional Rail Authority: contracting: Construction Manager/General Contractor project delivery method.

Introduced: 2/12/2024

Status: 4/22/2024-From committee: Be ordered to second reading pursuant to Senate Rule 28.8 and ordered to consent calendar.

Summary: Current law establishes the Tri-Valley-San Joaquin Valley Regional Rail Authority for purposes of planning, developing, delivering, and operating cost-effective and responsive transit connectivity, between the Bay Area Rapid Transit District's rapid transit system and the Altamont Corridor Express commuter rail service. Current law gives the authority all of the powers necessary for planning, acquiring, leasing, developing, jointly developing, owning, controlling, using, jointly using, disposing of, designing, procuring, and constructing facilities to achieve transit connectivity, including, among other powers, the power to contract with public and private entities for the planning, design, and construction of the connection. Current law authorizes these contracts to be assigned separately or combined to include any or all tasks necessary to achieve transit connectivity. This bill would authorize the Tri-Valley-San Joaquin Valley Regional Rail Authority to use the Construction Manager/General Contractor project delivery method when contracting for the planning, design, and construction of the connection. The bill would additionally authorize the contracts of the authority to extend to work on the state highway system for the construction of passenger rail service through the Altamont Pass Corridor.

SB 1098 (Blakespear D) Passenger and freight rail: LOSSAN Rail Corridor.

Introduced: 2/13/2024

Status: 4/22/2024-April 22 hearing: Placed on APPR suspense file.

Summary: Current law authorizes the Department of Transportation, subject to approval of the Secretary of Transportation, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in certain rail corridors, including the LOSSAN Rail Corridor. Current law defines the LOSSAN Rail Corridor as the intercity passenger rail corridor between San Diego, Los Angeles, and San Luis Obispo. Pursuant to this authority, the department entered into an interagency transfer agreement with the LOSSAN Rail Corridor Agency to administer intercity passenger rail service in the LOSSAN Rail Corridor. This bill would require the Secretary of Transportation to provide guidance and recommendations to, and coordination between, stakeholders as necessary to ensure the performance of the LOSSAN Rail Corridor, as specified. This bill would also require the Secretary of Transportation, in consultation with the Director of Transportation, the California Transportation Commission, the Secretary for Environmental Protection, and the Secretary of the Natural Resources Agency, to submit a report to the

Legislature on or before January 1, 2026, regarding the LOSSAN Rail Corridor that includes specified information.

SB 1216 (Blakespear D) Transportation projects: Class III bikeways: prohibition.

Introduced: 2/15/2024

Status: 4/16/2024-From committee with author's amendments. Read second time and amended. Re-referred to Com. on TRANS.

Summary: Current law establishes 4 classifications of bikeways and defines a "Class III bikeway" as a bikeway that provides a right-of-way on-street or off-street, designated by signs or permanent markings and shared with pedestrians and motorists. This bill would define "sharrow" as the pavement marking used to inform road users that bicyclists might occupy the travel lane. The bill would prohibit, on and after January 1, 2025, an agency responsible for the development or operation of bikeways or highways where bicycle travel is permitted from installing or restriping a Class III bikeway or a sharrow on a highway that has a posted speed limit greater than 30 miles per hour.

SB 1417 (Allen D) Transit districts: prohibition orders.

Introduced: 2/16/2024

Status: 4/18/2024-Read third time. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: Current law prohibits certain acts by a person with respect to the property, facilities, or vehicles of a transit district. Current law authorizes the Fresno Area Express, the Los Angeles County Metropolitan Transportation Authority, the Sacramento Regional Transit District, the San Francisco Bay Area Rapid Transit District, and the Santa Clara Valley Transportation Authority to issue a prohibition order to any person cited for committing one or more of certain prohibited acts in specified transit facilities. Current law prohibits a person subject to the prohibition order from entering the property, facilities, or vehicles of the transit district for specified periods of time. Current law establishes notice requirements in that regard and provides for initial and administrative review of the order. This bill would provide that the Santa Monica Department of Transportation is also a transit district for purposes of these provisions regarding prohibition orders.

VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY May 10, 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 817 Pacheco, Wilson	Open meetings: teleconferencing: subsidiary bodies	Monitor	Passed Assembly on 01/25. Ordered to Senate.
AB 1904 Ward	Transit buses: yield right-of-way sign	Support	Passed Assembly Transportation Committee on 03/19.
AB 2086 Schiavo	Department of Transportation funding: report and public dashboard	Monitor	Passed Transportation Cmte. Referred to Appropriations Cmte.
AB 2535 Bonta	Trade Corridor Enhancement Program	Monitor	Passed Transportation Cmte. Referred to Appropriations Cmte.
AB 2824 McCarty	Transit Worker Safety Act	Monitor	Amended. Referred to Committee on Public Safety on 3/21. Hearing postponed.
SB 411 Portantino	Open meetings: teleconferences: neighborhood councils	Monitor	Approved by the governor. Chaptered.

SB 768 Caballero	CEQA: vehicle miles traveled: State Air Resources Board: vehicle miles traveled: study	Monitor	Approved by Senate on 1/29. Sent to Assembly.
SB 915	Local government: Autonomous vehicles	Monitor	Passed Transportation Committee. Referred to Appropriations Cmte.
SB 960 Wiener	Transportation Planning: transit priority projects: multimodal	Monitor	Passed Transportation Cmte. Referred to Appropriations Cmte.
SB 1098 Blakespear	Passenger and Freight Rail: LOSSAN Rail Corridor	Monitor	Passed Transportation Cmte. Referred to Appropriations Cmte. Suspense file.



Item 9F

May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

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

SUBJECT: EXTENSION OF TRANSIT OUTREACH AND COMMUNITY OUTREACH PROGRAM CONSULTANT SERVICES AGREEMENT

RECOMMENDATION:

- Authorize the executive director to exercise an extension of the agreement with Celtis Ventures, Inc. for transit outreach and community outreach services for a two-year period, with the cost not to exceed \$550,000 per year.

BACKGROUND:

In December 2020, the Ventura County Transportation Commission (VCTC) approved an agreement with Celtis Ventures, Inc., for transit outreach and community outreach services for a three-and-a-half year period, with one optional two-year extension, at an annual cost not to exceed \$318,000 for the first half-year of the agreement and not to exceed \$500,000 annually for Fiscal Year 2021/22; \$525,000 for Fiscal Year 2022/23; and \$550,000 for Fiscal Year 2023/24.

DISCUSSION:

VCTC historically has relied on consultants to provide transit outreach and community outreach services. In December 2020, VCTC selected Celtis Ventures, Inc., to provide transit outreach and community outreach services after a competitive proposal process. The scope of Celtis' work covers several VCTC programs, including Community Outreach, Intercity, Regional Transit Technology, Regional Transit Planning, Rideshare and Metrolink. The agreement became effective Jan. 1, 2021.

VCTC continues to be very pleased with the services provided by the Celtis Ventures team. Notably, in 2022, with the guidance of VCTC staff, Celtis created and launched VCTC's first Spanish-language outreach program, *Buenas con VCTC*. The campaign has helped connect VCTC with Spanish speakers and introduce them to VCTC Intercity Bus services through language and culture. The *Buenas con VCTC* campaign won two awards from the American Public Transit Association (APTA) for best educational campaign and has been featured as an example of effective community outreach in *Mass Transit* magazine and a California Department of Transportation (Caltrans) newsletter. Celtis

also manages VCTC's ongoing youth art contest partnership with the Boys & Girls Clubs of Ventura County and helps to coordinate VCTC's participation in various community events.

More recently, VCTC relied on Celtis to prepare and disseminate information about the State Route 150 emergency shuttle that VCTC started after a landslide closed SR 150 between Santa Paula and Ojai. Celtis quickly created a webpage with a downloadable map and schedules, designed decals for the shuttle vehicles, and created images and messaging for social media posts. Their work helped VCTC start providing public information about the service before it began. The first Facebook post, sent two days before the shuttle started, received more than 500 reactions and was shared almost 120 times.

Celtis has been instrumental in helping to design transit materials and promote numerous new VCTC projects and programs, including VCbuspass, Youth Ride Free, the Free Fares Program, and the recently updated Intercity routes and schedules. Likewise, in 2023, Celtis played a key role as VCTC worked to inform the community about transportation options to the X Games event in Ventura. For the countywide programs, such as Youth Ride Free, Celtis assembles a digital toolkit of social media graphics and suggested messaging. VCTC staff then distributes the toolkit to the county's other transit operators for their use. Such a system ensures the images and messages for each outreach campaign are consistent, making the program easily identifiable to riders, regardless of which transit operator they may be using, and reduces the outreach workload for each operator. After each social media campaign, Celtis provides a performance report so VCTC can analyze its effectiveness, using measures such as the number of people reached and number of online interactions.

While the share of funding types may vary from year to year, based on projects, specific grants or one-time revenues such as Low Carbon Transit Operations Program (LCTOP), the traditional makeup of the VCTC Community Outreach Program is 80 percent federal and 20 percent local revenues.

Funding for this program is identified in the draft 2024/25 budget. Celtis utilizes a blended billing rate for all time billed to the contract. The current rate is \$102.96 per hour and will increase 2.5% each year for the next two years. All creative and administrative costs are incorporated into this blended rate. The contract provides that VCTC is not obligated to pay Celtis more than \$550,000 per year for each extension year. If VCTC determines that a higher amount is warranted for any extension year, staff will bring an amendment to the Commission for consideration.



Item 9G

May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: MATT MILLER, PROGRAM MANAGER
CLAIRE GRASY, DIRECTOR OF PUBLIC TRANSIT**

SUBJECT: AUTHORIZATION TO FINALIZE VCTC INTERCITY BUS REPLACEMENTS

RECOMMENDATION:

- Authorize the Executive Director to provide MCI with a notice to proceed and issue a purchase order for five (5) MCI D45 CRT LE over the road coaches for VCTC Intercity Service in the amount of \$5,488,324, including a 10% contingency.
- Authorize the Executive Director to enter into an agreement with a 3rd party bus inspection vendor in the amount not to exceed \$75,000.

BACKGROUND

The VCTC intercity bus service fleet is made up of 36 45-foot diesel over-the-road coaches with model years ranging from 2013 to 2018. The five model-year 2013 Volvos have reached the end of their useful life and can no longer be relied upon to deliver dependable service on the Intercity routes as such they have been identified to be replaced with five MCI D45 CRT LE over the road coaches.

DISCUSSION

Replacement Vehicles

The five Intercity vehicles planned for retirement and replacement are 2013 Volvo 9700 over-the-road coaches with between 310,000 and 610,000 miles accumulated so far. These five vehicles performed great when they were new but as they aged, they became riddled with mechanical malfunctions, many of which need a specially trained Volvo technician to diagnose and repair. Often, after these costly repairs are made, another issue would present itself preventing the vehicle from being used. The issues with the vehicles have accelerated since 2021 and these Volvos have been placed out of service indefinitely, therefore limiting VCTC's contractor's ability to deliver reliable service to the public.

In April, Staff presented information about the replacement vehicles under consideration, the MCI D45 CRT LE coaches, and highlighted the features of the vehicle that will make it more accessible and reliable. The main new feature of these vehicles is the ADA passenger vestibule area that comes equipped with a wheelchair ramp instead of a lift.

Procurement

As members of the California Association for Coordinated Transportation (CALACT), VCTC can purchase a variety of transit vehicles from the CALACT purchasing cooperative. The Cooperative provides a federal and California State compliant purchasing solution that allows VCTC to select from a list of vehicles that best suits the needs of the Intercity passengers. Purchasing vehicles through the Cooperative saves time and resources and allows staff to quickly submit orders as the competitive bidding process has already been completed by CALACT.

The price MCI provided for budgetary purposes is \$997,877 per vehicle. The total purchase price of the five vehicles is \$5,488,324. Staff also recommends to retain an additional 10% contingency of \$498,939 to address any issues that arise during pre-production.

SB-125 funds will be used for this purchase have been included in the FY24-25 budget when the eventual payments will be made post-delivery, inspection and acceptance. MCI has informed staff that it is reserving a place in the assembly for December 2024 with delivery in early 2026.

To ensure proper assembly to VCTC's specs, VCTC will hire a 3rd party inspector to conduct mid-assembly and final assembly vehicle inspections and final inspection and acceptance once vehicles are delivered. Staff is utilizing the small purchase method of procurement and is currently collecting quotes for the work described. Based on the quotes received so far, a contract amount should not be expected to exceed \$75,000.



Item 9H

May 10, 2023

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: AUBREY SMITH, PROGRAM MANAGER
CLAIRE GRASTY, DIRECTOR OF PUBLIC TRANSIT**

SUBJECT: REGIONAL TRANSIT PLANNING BUDGET AMENDMENT

RECOMMENDATION:

- Amend the FY 2023-2024 VCTC Regional Transit Planning budget by increasing the Low Carbon Transit Operations Program (LCTOP) revenues by \$430,000 and SB 125 revenues by \$657,000.
- Increase the College Ride expense line item by \$230,000, the Youth Ride Free expense line item by \$827,000 and Free Fare Days by \$30,000.

BACKGROUND:

The Low Carbon Transit Operations Program (LCTOP) is a cap-and-trade program established by the California Legislature in 2014 that provides funds to public transportation agencies for investments in capital projects and service that reduce greenhouse gas (GHG) emissions and improve mobility with a priority on serving Disadvantaged Communities.

The Youth Ride Free Pilot Project was intended to provide free fares for all youth aged 18 and under (and enrolled high school students that may be older) on Ventura County's fixed-route and general public dial-a-ride services. Funds are used to support a fare buy-down or reimbursement of fares to locally participating transit operators VCTC, Gold Coast Transit District, Thousand Oaks Transit, Moorpark City Transit, Simi Valley Transit, Camarillo Area Transit, Ojai Trolley, and Valley Express. By providing free fares to and from such locations, the project aims to increase ridership and reduce greenhouse gas emissions within these communities which is the primary purpose of the LCTOP program. Additionally, the goal of the project is to increase ridership overall for the County of Ventura as the region transitions from pandemic to post-pandemic travel patterns.

DISCUSSION:

The Youth Ride Free Pilot has become increasingly popular across all operators within Ventura County. The Project was deployed as a two-year pilot program and is scheduled to last through June 2024. Ridership for this program has significantly exceeded staff's expectations and is expected to spend at least the entire program allocation before the end of FY 2023/24. To continue operating the successful program, staff is requesting that \$827,000 be amended into the FY 2023/24 Regional Transit Planning budget. Additionally, staff is requesting that \$230,000 be amended into the

FY2023/24 Regional Transit Planning Budget for the College Ride Program as well as \$30,000 for the Free Fare Days. The LCTOP funds are funds that are available but unbudgeted. The SB 125 funds should be distributed to VCTC by April 30 and immediately available for use.



Item 91

May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: MATT MILLER, PROGRAM MANAGER
CLAIRE GRASY, TRANSIT DIRECTOR**

SUBJECT: CONTRACT AWARD OF COUNTYWIDE ON-DEMAND SCHEDULING SYSTEM

RECOMMENDATION:

- Recommend approval of award of five-year contract for a Countywide On-Demand Scheduling system to RideCo, Inc for a not to exceed amount of \$1,109,618.76.
- Authorize the Executive Director to negotiate all remaining terms of the contract for the Countywide On-Demand Scheduling system in a form and substance approved by VCTC legal counsel.

BACKGROUND

In 2008, VCTC purchased Trapeze paratransit scheduling and dispatch software on behalf of Ventura County operators. Over time, some operators have procured new, modern platforms to manage their paratransit and dial-a-ride operations (together referred to as on-demand services), and others have decided to keep Trapeze. Due to the age of the current version of the Trapeze scheduling software being used at some agencies, VCTC released an RFP to collect proposals and purchase a modern replacement system on behalf of those agencies who have not updated their software and those who have updated it but would like to consider other options. After a lengthy evaluation process, the scoring committee scored RideCo, Inc. the highest.

DISCUSSION

On November 3, 2023, the Commission authorized the Executive Director to release an RFP for a cloud-hosted and cloud-based paratransit and microtransit scheduling and dispatch system. The scope of work included functions currently being utilized by agencies to schedule ADA Paratransit trips plus requirements for passenger facing mobile and web app for scheduling/adjusting trips, making payments, tracking vehicles with real time arrival information, for both paratransit trips and, if desired by agencies, microtransit/general purpose dial-a-ride. A draft scope of work for this RFP was shared with the TRANSCOM members to gather feedback and comments and to gauge their interest in participating in the RFP. All comments received by other agencies were included in the scope of work.

Valley Express, Camarillo Area Transit (CAT) and Thousand Oaks Transit intend to implement the system right away, while options are provided so that the other agencies may join if they choose. The intention is to provide flexibility to agencies to utilize aspects of the system that best fits their operation (i.e. for

paratransit service, for general purpose dial-a-ride, and/or microtransit) and allow agencies to join at a later date within the five-year contract term. Combining joint procurements is one of the Supporting Actions in Transit Integration and Efficiency Study (TIES) Implementation Plan.

The goals for this project are to:

- Improve the passenger experience of those who are using on-demand transit options,
- Lower paratransit and on-demand trip cost,
- Increase paratransit and on-demand trip efficiency,
- Achieve improved cross-jurisdictional on-demand trip scheduling and
- Offer agencies the ability to introduce new on-demand transit programs.

The RFP was posted on November 6, 2023 and staff held a pre-proposal video conference on November 20th to provide background information and collect questions. Additionally, bidders were given until November 27th to provide final questions. In total, VCTC received 66 questions from attendees. Proposals were due on January 5, 2024 and 10 were received. The scoring committee was made up of one transit representative each from the City of Simi Valley, Thousand Oaks, Camarillo, Gold Coast Transit and VCTC all of whom have direct involvement in the management of their on-demand services. The evaluation criteria was based on the following:

- Qualifications and experience of project team
- System functionality / technical solution
- Proposed methodology / approach to work
- Training and support
- Quality of proposal (including presentation, if applicable)
- Cost / cost effectiveness

Of the 10 proposals received all were deemed responsive and the top four highest scoring vendors were invited to present their programs and answer questions from the evaluation committee. The top four scored vendors were RideCo, Spare Labs, Ecolane, and Via. After presentations and interviews, the scoring committee scored the proposals one more time and submitted final scores to VCTC. The attached scoring summary is an average of the scores given by the evaluation panel to each vendor.

Through evaluation of their proposal and subsequent interview, RideCo, Inc. scored the highest among all five evaluation committee members.



Item 9J

May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: MATT MILLER, PROGRAM MANAGER
CLAIRE GRASTY, DIRECTOR OF PUBLIC TRANSIT
SUBJECT: PURCHASE OF COUNTYWIDE REPLACEMENT FAREBOXES

RECOMMENDATION:

- Approve purchase of new fareboxes and supporting equipment from Genfare in not to exceed amount of \$5,000,000.

BACKGROUND

County transit operators were informed that by the end of 2025, the current fareboxes installed on buses across the County will be unsupported by the manufacturer, Genfare. This means that starting in 2026, agencies should begin to expect that replacement parts availability will decrease, software patches will no longer be pushed out and general support to fix/replace the boxes will begin to wind down. Although this will not happen all at once, having a replacement plan in place will ensure transit operations continues with little to no disruption to the public. At the April Transcom meeting, the Committee approved the approach to use replace the old fareboxes as buses are replaced or repowered and to use SB-125 funds for the countywide project.

DISCUSSION

Beginning in 2014 approximately 150 Genfare Odyssey fareboxes were installed on buses throughout the County all of which can collect cash, coin, and issue and accept magnetic stripe transfers and passes onboard buses. As stated above, these machines will have become obsolete and will be unsupported by the end of 2025 which will eventually lead to issues with fare collection.

VCTC staff brought fare collection modernization items to Transcom several times over the last six months and discussed best paths forward when it comes to fareboxes and fare collection. After researching and discussing the possible ways forward related to replacing fareboxes, Transcom and VCTC staff settled on an approach that was affordable, manageable given limited staffing resources, and least burdensome to implement for the County Operators.

To ensure uninterrupted transit fare collection and effective project management, VCTC staff recommends that a slow transition from the old Genfare Odyssey farebox to the new Genfare “FastFare”

farebox takes place as buses are retired and replaced or repowered. This approach will allow operators to operate a mixed-fleet of buses with old and new fareboxes and continue to collect fares without going through an enormous transition all at once. The transition over time approach will allow for proper project management and oversight and will allow operators to work out kinks with the new equipment slowly rather than facing issues all at once. This approach necessitates a sole source procurement as the new fareboxes need to be provided by the same vendor in order to fit within the same ecosystem which will be necessary as the operators will have mixed-fleets until all fareboxes are replaced.

Like the current fareboxes, the new Genfare "FastFare" fareboxes will come outfitted with the ability to collect cash, coin, and issue and accept magnetic passes. The new fareboxes will also come equipped with a closed-loop reader to collect fares using account-based programs (similar to VCbuspass) and an open-loop validator that can collect fares by passengers using a debit or credit card. These features are modular add-ons and can be activated by the agency if they choose to do so.

This county-wide project will be a sole source procurement and funded by SB-125 funds at a cost not to exceed \$5,000,000.

May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: AUBREY SMITH, PROGRAM MANAGER – REGIONAL TRANSIT PLANNING
CLAIRE GRASY, DIRECTOR OF PUBLIC TRANSIT**

SUBJECT: METROLINK COMMUTER RAIL BUDGET AMENDMENT

RECOMMENDATION:

- Amend the FY 2023-2024 VCTC Metrolink budget by adding \$714,000 in Transit and Intercity Rail Capital Program (TIRCP) revenues and increasing the Station Rehabilitation expense line item by \$579,000, legal line item by \$113,000, staff wages line item by \$8,000, fringe line item by \$3,800 and indirect line item by \$10,200.

BACKGROUND:

VCTC and the Southern California Regional Rail Authority (SCRRA/Metrolink) entered into a Memorandum of understanding (MOU) on December 2020 for Metrolink's Southern California Optimized Rail Expansion (SCORE) Simi Valley Double Track and Platform Project. The SCORE Simi Valley Double Track Project (Project) will install 2.15 miles of a second track immediately adjacent to the existing track, install a new platform with pedestrian underpass at the existing Simi Valley Station, and upgrade the existing five (5) grade crossings within the project limits to current Metrolink standards.

SCRRA is the lead agency for the Project and is allocated Transit and Intercity Rail Capital Program (TIRCP) funding directly from the California Transportation Commission. The Project is a part of the SCORE program that will enable more frequent service across the Metrolink system.

DISCUSSION:

The next stage of the condemnation process is the preparation and filing of a Motion for Prejudgment Possession. If the Motion is approved by the court, it would grant VCTC and SCRRA an Order of Possession of the Delaware HVG Apartments property parcels on September 1, 2024. SCRRA must transfer the \$579,000 of funds to VCTC in order for VCTC, as the Plaintiff, to deposit the funds with the State Treasurer's Compensation Deposits Fund at the time of the filing of the Motion for Prejudgment Possession. SCRRA and VCTC has executed an amendment to the existing MOU in order to formalize the transfer of the \$579,000 of funds. SCRRA has received a ROW TIRCP funding allocation from the CTC, and therefore SCRRA is the holder of the \$579,000 of funds.

At its April 5, 2024, Commission meeting, the Board of Commissioners approved an MOU for Right of Way (ROW) Acquisitions for the five (5) property parcels owned by Delaware Hidden Valley Grand Apartments, LLC (Delaware HVG Apartments). SCRRA requires ROW Acquisitions for construction of the

Project. All the property parcels needed for construction of the project are not developed, are located on the railroad side of the existing barrier wall, and as such the impacts to Delaware HVG Apartment and the local residents is minimal. This budget amendment will allow for VCTC to invoice SCRRA in the amount of \$579,000 in order to receive and deposit the funds into the State Treasurer's Compensation Deposits Fund.

Additionally, this budget amendment will amend in \$135,000 in TIRCP funds to compensate for staff time and legal costs associated with this project, as allowable by the MOU.



Item 9L

May 10, 2024

TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: STEVE MATTAS, GENERAL COUNSEL

SUBJECT: SECOND AMENDMENT TO EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT WITH MARTIN ERICKSON

RECOMMENDATION:

- It is recommended that the Ventura County Transportation Commission (“Commission”) adopt a resolution approving the Second Amendment to the Employment Agreement (“Second Amended Agreement”) between the Commission and Martin Erickson to serve as Executive Director of VCTC and its related agencies and authorizing Chairperson LaVere to execute the Second Amended Agreement.

DISCUSSION:

The Commission entered into an employment agreement with Martin Erickson on January 7, 2022 (“Agreement”) pursuant to which Mr. Erickson serves as the Commission’s Executive Director. The Commission entered into a First Amendment to the Employment Agreement to provide a merit increase to Mr. Erickson’s compensation and to extend the term of the Agreement. The Commission recently completed an annual evaluation of the Executive Director and directed staff to prepare a Second Amendment to the Employment Agreement to provide a five percent merit increase to Mr. Erickson’s compensation and to further extend the term of the Agreement. At the request of the Commission, the General Counsel prepared a Second Amendment to the Agreement and a resolution approving the Second Amendment to the Agreement.

If approved, the Second Amendment will increase Mr. Erickson’s annual salary by five percent (5%), from \$241,824 to \$253,915, effective as of the first day of the first pay period on or after January 7, 2024. The effective date of the compensation changes is consistent with the terms of Mr. Erickson’s employment agreement. The Second Amendment will also extend the Agreement by an additional two years for a new expiration date of January 15, 2028.

Staff recommends that the Commission adopt a resolution approving the Second Amendment between the Commission and Martin Erickson to continue to serve as Executive Director of VCTC and its related agencies and authorizing Chairperson LaVere to sign the Amendment on behalf of VCTC.

ATTACHMENTS

- Attachment 1: Resolution Approving and Authorizing Execution of Second Amendment to the Employment Agreement between the Commission and Martin Erickson.
- Exhibit A to Attachment 1: Second Amendment to the Employment Agreement between the Commission and Martin Erickson.

Attachment 1

Resolution Approving and Authorizing Execution of Second Amendment to the Employment Agreement

RESOLUTION NO. 2024 - 04

**A RESOLUTION OF THE VENTURA COUNTY
TRANSPORTATION COMMISSION APPROVING THE SECOND AMENDMENT
TO THE EMPLOYMENT AGREEMENT BETWEEN THE VENTURA COUNTY
TRANSPORTATION COMMISSION AND MARTIN ERICKSON TO SERVE AS
EXECUTIVE DIRECTOR**

WHEREAS, on January 7, 2022, the Ventura County Transportation Commission (“VCTC”) entered into an Employment Agreement with Martin Erickson to serve as Executive Director of the Commission and its related agencies effective January 16, 2022 (“Agreement”); and

WHEREAS, on May 12, 2023, VCTC entered into a First Amendment to the Employment Agreement to extend the term of employment by one year and provide for a five percent increase in annual salary; and

WHEREAS, it is the desire of the VCTC to amend the Agreement by extending the term of employment by two years and provide for a five percent increase in annual salary effective January 7, 2024.

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

1. The Ventura County Transportation Commission hereby approves the Second Amendment to the Employment Agreement between the Ventura County Transportation Commission and Martin Erickson to serve as Executive Director for VCTC and its related agencies, attached hereto and incorporated herein as Exhibit A.
2. The Chairperson of the Ventura County Transportation Commission is hereby authorized to execute the Second Amendment to the Agreement.

PASSED, APPROVED, AND ADOPTED this ____ day of May 2024.

MATT LAVERE, Chair, VCTC

ATTEST:

Roxanna Ibarra, Clerk

Exhibit A

Second Amendment to the Employment Agreement

**SECOND AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN
THE VENTURA COUNTY TRANSPORTATION COMMISSION, FOR ITSELF AND IN
ITS DESIGNATED CAPACITIES, AND MARTIN ERICKSON**

This SECOND AMENDMENT TO THE EMPLOYMENT AGREEMENT is made and entered into this 10th day of May 2024, by and between the Ventura County Transportation Commission, for itself and in its designated capacities as the Commissioners/ Board of Directors of the Local Transportation Authority, the Airport Land Use Commission, the Service Authority for Freeway Emergencies, the Consolidated Transportation Service Agency and the Congestion Management Agency (hereinafter the "Commission"), and MARTIN ERICKSON, an individual (hereinafter "Erickson").

RECITALS

WHEREAS, Commission employs the services of Erickson as Executive Director for Commission pursuant to an employment agreement with a start date of January 16, 2022 ("Employment Agreement"); and

WHEREAS, Commission entered into that certain First Amendment to the Employment Agreement on May 12, 2023, to amend specific terms, including the term of the Employment Agreement and compensation;

NOW, THEREFORE, in consideration of the mutual promises, covenants and stipulations herein contained, the parties hereto agree to amend the Employment Agreement as follows:

1. **Section 2** of the Employment Agreement "Term" is amended such that the term of the Agreement shall be extended by two years through January 15, 2028.
2. **Section 5.1** of the Employment Agreement "Annual Compensation" is amended such that the Executive Director's annual salary shall, as of the first day of the first pay period commencing on or after January 16, 2024, be increased by five percent (5%) to two hundred and fifty-three thousand three hundred and thirty-eight dollars (\$253,915).

Except as modified herein, all other provisions of the Employment Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Commission has caused this Agreement to be signed and executed on its behalf by its Chairperson, and duly attested by its officers thereunto duly authorized, and ERICKSON has signed and executed this Second Amendment.

Ventura County Transportation Commission

Matt LaVere, Chairperson

Date: _____

ATTEST:

Roxanna Ibarra, Clerk of the Commission

APPROVED AS TO FORM:

Steve Mattas, General Counsel

Martin Erickson

Martin Erickson, Executive Director

Date: _____



Item 10

May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)
FROM: CLAIRE GRASTY, DIRECTOR OF PUBLIC TRANSIT
DOLORES LOPEZ, TRANSIT PLANNER
SUBJECT: FISCAL YEAR (FY) 2024/25 TRANSPORTATION DEVELOPMENT ACT (TDA)
UNMET TRANSIT NEEDS (UTN) FINDINGS

RECOMMENDATION:

- Review and Approve the Fiscal Year 2024/2025 Unmet Transit Needs Findings and determination that there are no Unmet Transit Needs that are reasonable to meet.
- Adopt Resolution No. 2024-05

DISCUSSION:

As part of the annual Unmet Transit Needs (UTN) process, VCTC presents the Findings to the Commission. The Findings have been approved by the Citizen's Transportation Advisory Committee/Social Service Transportation Advisory Committee (CTAC/SSTAC), as they are required to review and comment on the recommendations. The Findings have also been reviewed by Transcom. Based on feedback received, part of the Analysis & Findings section has been revised for clarity.

Pursuant to Senate Bill 203, the cities of Santa Paula, Fillmore, Moorpark, and Camarillo are subject to the Unmet Transit Needs process. Additionally, on June 11, 2018, legislation allowed Thousand Oaks to spend TDA funds on streets and roads and they therefore now participate in the process as well. VCTC Intercity service does not use Article 8 funds for non-transit purposes; however, service requests for the regional service it provides are included in the process. The Gold Coast Transit District (GCTD), City of Ojai and the City of Simi Valley do not utilize or claim TDA Article 8 funds for non-transit purposes and their service is not subject to the Unmet Transit Needs process.

Adopted Criteria

In order for a request to be considered an Unmet Transit Need, it must meet either of the two following definitions and must receive at least 15 requests for general public service or 10 requests for disabled service:

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

If they fulfill the above criteria, the need must also be determined to be reasonable to meet.

In December of 2023, the Commission refined the definition of Unmet Transit Need to bolster our dedication to advancing the UTN process, particularly for those in disadvantaged areas. By adopting the Median Household Income (MHI) standard for a low-income threshold, the Commission aims to not just maintain the 10 and 15 comment thresholds but to prioritize improvements that meet these criteria while giving special attention to requests from low-income areas that might fall below this threshold. Additionally, for comments that meet the 10 or 15 comment thresholds but are considered "Unreasonable to Meet", the agency tasked will pledge to evaluate the proposed service and explore funding for a pilot. Furthermore, the timeline for assessing passenger per hour performance has been increased from 36 to 60 months, endorsing a more comprehensive approach to evaluating new service efficacy over an extended period. The 10 and 15 comment thresholds was also reviewed and determined to be in line with best practice as it shows concentrated interest in a particular request and are in line with other agencies' definitions.

Public Input Process

The public comment period for the Fiscal Year 2024-2025 Unmet Transit Needs process was held between December 15, 2023 and February 15, 2024 with comments received throughout the year, but outside of the public comment period included in the analysis.

Each year, VCTC uses a variety of channels to promote and solicit public comment for the Unmet Transit Needs process including an online survey, social media advertising, eblasts, community meetings, and the GOVCbus app. Public notices were also printed in the Ventura County Star and VIDA News.

This year VCTC received a total of 218 surveys significantly higher than prior years. VCTC hosted two county-wide virtual community meetings and a virtual public hearing where over seventy comments were received. Additional comments were received via email, phone calls, and social media. Interestingly, 25% of the responses received through surveys were from individuals who indicated they do not use public transit. Overall, 273 respondents provided 468 comments.

Analysis

Staff screened each comment received based on the criteria; no requests met the 15-comment threshold for fixed route or the 10-comment threshold for dial-a-ride service and therefore were not further screened to determine if the need was reasonable to meet.

During the CTAC/SSTAC presentation a concern was raised about the 15-comment threshold, which some perceived as an unreasonably high bar for considering service changes. As mentioned above, when this threshold was reviewed as part of the definitions process and this approach aligns with industry-wide best practices ensuring requests represent a significant level of community engagement before implementation of a new service. In addressing these concerns, staff conveyed that and clarified that such a threshold is essential to ensure broad utilization of service. It is a significant investment to introduce a new route, and it's crucial to avoid implementing a service that might later be removed due to underuse in part because routes that are put into operation need to ultimately meet farebox recovery thresholds. Staff agreed to increase promotion of the UTN process, including increased outreach to social service agencies and those that would benefit most from increased service.

Public feedback garnered through the current years analysis for transit services showed a high level of interest in service between, Fillmore to Moorpark, service to East County Jail in Thousand Oaks, and

service to National Park Services Satwiwa. Although these requests fell short of the required 15 comments to be considered as Unmet Transit Needs, they indicate significant public demand. VCTC is planning to start service between Fillmore and Moorpark in the summer, which is a high-demand corridor area, and the proposed route will save passengers significant travel time and need for multiple transfers. While current transit services do not extend to the East County Jail in Thousand Oaks or the National Park Services Satwiwa, these locations represent a new request within our process. Recognizing the community's need, our staff will collaborate with partner agencies to explore potential service additions in the future, aiming to address these identified gaps and enhance overall transit accessibility.

The most common comments that are not considered Unmet Transit Needs this year were service between Ventura and the Goleta Tech Park and service from Fillmore to Santa Clarita. Other common requests were related to expanded service to various Los Angeles County and Santa Barbara County locations, VCTC Intercity service improvements, and Gold Coast Transit District service improvements. . VCTC explored the possibility of extending the Coastal Express service to the Goleta Tech Park but it would add too much time that would ultimately lead to a reduction in frequency. The location is served by MTD but not at the early hour service is requested for. Nonetheless, staff will work with MTD to see if service can be enhanced in the future. VCTC continues to explore the possibility of a potential partnership with Santa Clarita Transit for service from Fillmore. Fleet capacity, route costs, labor, and configuration need to be addressed for service to both Santa Clarita.

The comments highlight a community in need of transit services that are more frequent, reliable, accessible, and responsive to their varied daily schedules and destinations. Among these, the demand for extended service hours into late evenings and weekends is prominent, reflecting a shift towards using transit for leisure activities and accommodating non-traditional work schedules. All comments received are essential for future planning in Ventura County and comments that have decent support and have been brought up over the years are taken into consideration for future planning purposes.

RESOLUTION NO. 2024-05

**A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION
APPROVING UNMET TRANSIT NEEDS FINDINGS FOR FISCAL YEAR 2024/2025**

- I. THE VENTURA COUNTY TRANSPORTATION COMMISSION DOES HEREBY FIND THE FOLLOWING FACTS AND DECLARE THAT SAID FACTS ARE MATERIAL TO ITS DETERMINATIONS MADE HEREIN:**
- A. The Ventura County Transportation Commission, hereinafter referred to as VCTC, has been designated as the Regional Transportation Planning Agency; and
 - B. VCTC shall allocate monies in the Local Transportation Fund and State Transit Assistance Fund in accordance with the rules and regulations which implement the Transportation Development Act of 1971 as amended; and
 - C. The Public Utilities Code, Section 99401.5, requires VCTC to hold a public hearing to determine whether there are any Unmet Public Transportation Needs prior to allocations for streets and roads; and
 - D. VCTC, on December 4, 2020, reaffirmed methodology and definitions for noticing and conducting the annual Unmet Needs Hearings; and
 - E. The said Public Hearing was duly noticed and advertised in conformance with these procedures by means of publication of public hearing notices in the major newspapers in the region; press releases, agency web posting; and written notices to interested organizations and individuals; and
 - F. VCTC has given specific consideration to the following factors in the planning process pursuant to Public Utilities Code 99401.5
 - a. Established a Social Services Transportation Advisory Committee (SSTAC) by including social services and users' representatives as well as transit operators in conformance with Public Utility Code 99238;
 - b. In consultation with the Social Services Transportation Advisory Committee, conducted a transit needs assessment including an assessment of the size and location of identifiable groups likely to be transit dependent or transit disadvantaged and an analysis of the adequacy of existing an alternative public transportation services in meeting the demand; and
 - G. VCTC, after a review of these factors, considered public testimony at said advertised Public Hearing held on February 2, 2024; and
 - H. VCTC directed staff in conjunction with its advisory committees to evaluate and determine whether requests received by February 15, 2024 are "unmet transit needs" and are "reasonable to meet" based upon adopted definitions and criteria; and
 - I. Staff and input from the CTAC/SSTAC advise that there are no regional and community public transit needs within the Cities of Santa Paula, Fillmore, Moorpark, Camarillo and/or Thousand Oaks that are be reasonable to meet at this time, based upon adopted definitions.
- II. NOW, THEREFORE, BE IT RESOLVED THAT:** VCTC, acting as the Regional Transportation Planning Agency, makes the following determinations and findings that there are no "unmet transit needs," which are "reasonable to meet" for FY 2024-2025.

- A. The Chair shall execute this Resolution on behalf of VCTC and the Clerk of the Board shall attest to her signature and the adoption of this resolution.
- B. The Executive Director shall before August 15, 2024 forward to the Department of Transportation on behalf of VCTC all of the following:
 - a. A copy of the notice of hearing and proof of publication and a description of the actions taken to solicit citizen participation pursuant to Public Utilities Code Section 99238.5;
 - b. A copy of the Resolution or minutes documenting VCTC's definitions of "unmet transit needs" and "reasonable to meet", as determined pursuant to Public Utilities Code (use the symbol) 99401.5; and
 - c. A copy of this Resolution adopted as required by Public Utilities Code § 99401.5(d).

Executed this 3rd day of May 2024.

MATT LAVERE, CHAIR, VCTC

ATTEST:

Roxanna Ibarra, Clerk of the Commission

APPROVED AS TO FORM:

Steven T. Mattas, General Counsel

Date



May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: AUBREY SMITH, PROGRAM MANAGER
CLAIRE GRASTY, DIRECTOR OF PUBLIC TRANSIT
SUBJECT: 2024 TITLE VI PROGRAM UPDATE

RECOMMENDATION:

- Approve VCTC's 2024 Title VI Program Update.

BACKGROUND:

Title VI of the Civil Rights Act of 1964 (Title VI) prohibits discrimination on the basis of race, color, and national origin in programs that receive federal funding. The Federal Transit Administration (FTA) requires transportation agencies to demonstrate their compliance with Title VI by submitting a triennial Title VI Program Update in compliance with Title 49 CFR Section 21.9(b) and with FTA Circular 4702.1B "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," issued October 1, 2012. FTA requires the VCTC's Board of Directors to review and approve the Title VI Program Update prior to its submittal.

Section 601 of Title VI of the Civil Rights Act of 1964 (Title VI) states the following:

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Title VI sets the minimum federal requirements to prevent discrimination or benefits from being denied to federally-protected groups. The Title VI Program Update consists of a report and supporting documentation that provides evidence of the equitable distribution of services, promotion of full and fair participation in public transportation decision-making without regard to race, color, or national origin, and meaningful access to transit-related programs and activities by persons with limited English proficiency. The monitoring of service provides a means to measure and adjust for impacts and benefits to protected groups, which supports VCTC's goal to ensure that impacts on marginalized groups are considered in transportation decisions and service delivery. FTA reviews and concurs with the Title VI Program Update as submitted or requests additional information.

On May 18, 2022, FTA sent VCTC a Letter of Concurrence informing VCTC that VCTC's submitted 2021 Title VI Program Update met the requirements set out in the FTA Title VI Circular, 4702.1B.

DISCUSSION:

VCTC updates its Title VI Program every three years through agency wide coordination. VCTC will submit a Title VI Program Update that incorporates all the requirements set forth in the FTA Circular 4702.1B. There are several requirements under Title VI that VCTC must include in its Board approved program:

1. The Notice to Beneficiaries of their civil rights under Title VI;
2. The development of complaint procedures and a complaint form;
3. A list of all transit-related complaints, investigations, or lawsuits;
4. A Public Participation Plan;
5. A Limited English Proficiency (LEP) Four-Factor Analysis and Language Assistance Plan;
6. The provision of assistance to and monitoring of subrecipients;
7. Equity evaluations relating to the site and location of facilities;
8. Service standards and system-wide service policies;

Although no substantial changes were made to the Title VI Program since the 2021 submission, VCTC made the following updates to the Title VI Program:

- Updated the Public Participation Plan to include current demographic data on VCTC's stakeholders, public outreach activities since 2021 and the addition of minimum baseline thresholds for public outreach to strengthen VCTC's commitment to partner and engage with the public;
- Updated the Language Assistance Plan to include an updated LEP Four Factor Analysis and the initiation of a monitoring program for the Language Assistance Plan;
- Documentation of VCTC's Board approval of the 2024 Title VI Program will be added to the FTA submission once program is approved by VCTC's Board of Directors.
- A copy of the Board Resolution will be submitted with the program as evidence of Board approval.

ATTACHMENTS:

Attachment A – 2024 VCTC Title VI Program Update



Item 12

May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: ANDREW KENT, PROGRAM MANAGER

SUBJECT: INCIDENT RESPONDER GRANT PROGRAM ROUND 3 ALLOCATIONS

RECOMMENDATION:

- Approve an amendment to the Motorist Aid Program Budget for Fiscal Year 2023/2024 to increase expenditures in the Incident Responder Grant Program line item by \$355,852 and a corresponding \$355,852 increase in the SAFE Fund Revenues line item.
- Approve recommended allocations for the Incident Responder Grant Program Round 3 awards.

BACKGROUND:

The Ventura County Transportation Commission, acting in its capacity as the Service Authority for Freeway Emergencies (SAFE), manages the Motorist Aid Services Program, which is financed by a \$1 annual vehicle registration fee on all vehicles registered in Ventura County. Motorist Aid includes emergency roadside call boxes, Freeway Service Patrol, and the Incident Responder Grant Program.

In November 2018, the Commission approved the development of new programs funded through the SAFE to provide expanded services to Ventura County motorists and established a policy to maintain a \$1.5 million reserve fund balance. In June 2019, the Commission established the Incident Responder Grant Program to provide financial assistance to agencies that respond to incidents on the Ventura County SAFE network of freeways, highways and unincorporated county roads.

Entities responding to freeway and highway incidents play a significant role in aiding the motorists involved as well as those simply caught in the resultant congestion until the incident is cleared. These entities use a wide variety of tools to assist motorists, from life saving devices to photographic equipment for incident analysis. These tools heighten the efficiency of incident responders allowing them to save lives and reduce congestion. To accommodate the purchase of the widest possible array of tools and/or equipment by agencies both large and small, the Commission established a wide range of grants available from \$5,000 to \$500,000. With Program approval in June 2019, the Commission also approved grant participant eligibility criteria, eligible expenditures, grant amount and frequency, expenditure life cycle, ownership requirements, and application process and scoring.

Previous IRGP funding rounds total \$1.4 million in grant assistance provided to incident responder agencies for equipment deployed across the County to improve traffic control, reduce emergency response times, enhance traffic enforcement and aid collision investigations.

In February of 2024, the SAFE board approved the release of a third round of Incident Response Grants with \$500,000 of funds budgeted in FY2023/2024 to be awarded. In March 2024, VCTC received a total of six (6) grant applications totaling \$1,354,330.73 in requested funds by Ventura County police and fire agencies.

DISCUSSION:

In accordance with the guidelines and schedule approved by the Commission, VCTC released a call for applications on February 2, 2024. VCTC notified each of the law enforcement and emergency response agencies that serve communities across Ventura County and posted the call for applications online at <https://www.goventura.org/work-with-vctc/grant-opportunities/>. VCTC held a pre-proposal conference on February 15, 2024. Applications were due to VCTC no later than 4:00 PM on March 29, 2024.

VCTC received a total of six (6) applications by the application deadline. An itemized summary of applicant requests is included as Attachment A. The total amount requested across the six applications is \$1,354,330.92.

VCTC convened a Grant Scoring Committee comprised of one Ventura County SAFE staff member, two experts in incident response, and one local jurisdiction representative. The Committee included Andrew Kent, VCTC Program Manager; Geoff Dean, Former Sheriff of Ventura County; Tom Cady, Former Assistant Chief of Oxnard Police Department; and Paul Weinstein, Public Works Analyst for the City of Thousand Oaks. Applications were scored according to the Scoring Rubric included in the Program Guidelines, and the Committee met virtually on April 22, 2024, to develop the recommended allocations.

Committee Recommendations

The goals of the Incident Responder Grant Program (IRGP) include providing first responders with the tools they need to save lives on the Ventura County freeway and highway system, reducing congestion, and preventing secondary accidents. The goal of the Grant Scoring Committee is to recommend a grant allocation that maximizes the use of IRGP funds. The Committee determined that five (5) of the six (6) applications meet the SAFE nexus requirements and are eligible for funding. The summary table below displays the requested grant amounts and nexus justification.

Grant Request Summary

Agency	Equipment Request Summary	Nexus to SAFE Network	Amount Requested
Camarillo PD	Opticom Signal Preemption: 21 Vehicle Emitters & 52 Intersection Receivers	Incident Response Time	\$ 500,000.00
Oxnard FD	Opticom Signal Preemption: 8 Vehicle Emitters	Incident Response Time	\$ 72,000.00
Oxnard PD	Two (2) FARO P150 Laser Scanners (Incident Scene Mapping)	Collision Investigation Time	\$ 122,852.00
Port Hueneme PD	Portable Scales, Aerial Drone & Pickup Pack Truck Shell for Traffic Enforcement Vehicle	Commercial Truck Enforcement & Traffic Safety	\$ 31,000.00
Santa Paula PD	Incident Response Vehicle Including Traffic Control & Investigation Equipment	Incident Response Time / Investigation Time / Traffic Control	\$ 85,000.00
VCFD	Helicopter Fuel Tender	Panel Determined No SAFE Nexus Justification	\$ 543,478.92

Total \$ 1,354,330.92

While the Committee acknowledged the critical role aviation support equipment plays in responding to large scale emergencies, the application from the Ventura County Fire District to fund the purchase of a Helicopter Fuel Tender did not demonstrate a substantive nexus to aiding motorists travelling on Ventura County freeways, highways, and unincorporated County roads. Establishing the appropriate nexus is critical since SAFE programs are funded by vehicle registration fees for the purpose of providing Motorist Aid services.

The Committee determined the remaining applications meet the grant nexus requirements. Several agencies requested funds for equipment to enhance traffic enforcement efforts and accident scene investigation tools expected to reduce lane closure times. For instance, Port Hueneme PD requested funds to purchase portable truck scales to improve enforcement of commercial vehicles traveling between the Port of Hueneme and the County freeway/highway network. Santa Paula PD requested funds to purchase and outfit an Incident Response Vehicle (IRV) complete with scene investigation and traffic control equipment. An IRV based in Santa Puala would be available to assist the Highway Patrol with incidents on SR126 and SR150. Complex traffic collision investigations can take several hours to complete and often necessitate lane closures. Oxnard PD requested funds for two (2) FARO laser scanners for scene mapping, which the grant application cites would reduce collision investigation times as much as 50%.

With high scores across the eligible applications, the Committee sought to fully fund as many agency requests as possible under the \$500,000 budget constraint. The requested allocations of the five (5) eligible applications exceed the authorized maximum funding. The Committee’s recommendations emphasized equity in the allocation of available funds. The Committee recommends fully funding the requests for Santa Paula PD, Port Hueneme PD and Oxnard PD. The Committee believes the proposed equipment is essential to mitigating escalating collision rates faced by the County.

The Oxnard FD and Camarillo PD/City of Camarillo applications requested funds to further build-out the emergency traffic signal preemption systems within their jurisdictions. Signal preemption systems use emitters installed on emergency vehicles to force a green light at signal-controlled intersections outfitted with receivers. Signal preemption technology improves emergency vehicle response times by up to 25% and reduces crash rates at intersections during emergency responses by up to 70%. The Committee parsed the funds remaining between the two agencies in a manner the Committee believed to be equitable. This recommendation would overfund the Oxnard FD request by \$45,000, funding Opticom emitters for five (5) additional emergency vehicles. The Committee believes additional funding is justified due to the high collision rate in the City of Oxnard. The Committee’s recommended allocation would fund about 30% of Camarillo PD/City of Camarillo’s large total request of \$500,000.

Grant Scoring Committee’s Recommended Allocations

Agency	Amount Requested	Reccomended Allocation	Difference
Camarillo PD	\$ 500,000.00	\$ 144,148.00	\$ (355,852.00)
Oxnard FD	\$ 72,000.00	\$ 117,000.00	\$ 45,000.00
Oxnard PD	\$ 122,852.00	\$ 122,852.00	\$ -
Port Hueneme PD	\$ 31,000.00	\$ 31,000.00	\$ -
Santa Paula PD	\$ 85,000.00	\$ 85,000.00	\$ -
Total	\$ 810,852.00	\$ 500,000.00	\$ (310,852.00)

Given the significant benefits of signal preemption technology to incident responders, Ventura County motorists and the larger community, the Executive Director and SAFE Staff believe full funding of the Camarillo PD/City of Camarillo request is justified. Fully funding the grant request would build-out the City of Camarillo’s signal preemption network; with installation of Opticom receivers at forty-two (42) municipal intersections, ten (10) Caltrans controlled intersections and twenty-one (21) emitters for police vehicles.

Additionally, all other emergency response vehicles outfitted with Opticom emitters can make use of the system, including VCFD and American Medical Response contract ambulances.

Staff recommends the SAFE Board fully fund the five (5) qualifying agency requests and increase the IRGP Round 3 budget by \$355,852 using revenues in the SAFE Fund Balance. The SAFE Fund Balance for FY2023/2024 is estimated at approximately \$3.27 million (including the \$1.5 million reserve). Approving the requested budget amendment will not affect the \$1.5 million reserve in the SAFE fund balance. Per the Committee's determination, Staff recommends against funding the Helicopter Fuel Tender and that SAFE Staff debrief the Ventura County Fire District to assist with future IRGP funding rounds.



May 10, 2024

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AMANDA FAGAN, DIRECTOR OF PLANNING & SUSTAINABILITY

SUBJECT: AMEND AGREEMENT WITH RAILPROS, INC. FOR DESIGN SERVICES TO RECONSTRUCT A PORTION OF THE SESPE CREEK OVERFLOW RAILROAD BRIDGE ON THE SANTA PAULA BRANCH LINE AND AMEND SANTA PAULA BRANCH LINE PROGRAM BUDGET

RECOMMENDATION:

- *Authorize the Executive Director to finalize and execute Amendment No. 2 to the Agreement with RailPros, Inc. for Design and Environmental Permitting Support Services to Reconstruct a Portion of the Sespe Creek Overflow Railroad Bridge in an amount not to exceed \$1,306,952 on a time and materials basis beginning February 9, 2024.*
- *Approve an Amendment to the Santa Paula Branch Line Program Budget as follows: Increase expenditures by \$1,351,952 in the Consultant Services category, increase expenditures by \$32,000 in the Salaries category, \$11,000 in the Benefits category, and \$37,000 in the Indirect Costs category, increase expenditures in the Legal Services category by \$30,000, increase the Non-Rail Maintenance category by \$360,000, increase revenues by \$1,821,952 in the State Transit Assistance (STA) category, increase the STA transfer-in by \$1,821,952, and increase the STA transfer-out to the SPBL Fund by a corresponding \$1,821,952, and increase the transfer-out of the SPBL Fund and into the General Fund by \$80,000.*

BACKGROUND:

The Sespe Creek Overflow railroad bridge is located at approximately Mile Post 423.44 on the Santa Paula Branch Line (SPBL) railroad, just west of Fillmore, California. The bridge was constructed in 1969 and has a total length of 450 feet, vertical clearance of 14 feet, and 15 spans of 29 feet-10 inches each. On the early morning of January 10, 2023, heavy rain, stream flow, and debris accumulated during a series of storms and washed out three spans, or approximately 90 feet, of the railroad bridge. Three spans on the western end of the bridge were destroyed and require reconstruction to restore to pre-disaster design, capacity, and function to restore rail service on the bridge. Bridge repair is necessary to reconnect the Fillmore-Piru segment of the SPBL railroad with the remainder of the SPBL and restore the connection to the mainline at East Ventura. On January 14, 2023, the President of the United States issued a disaster declaration for California Severe Winter Storms, Flooding, Landslides, and Mudslides (DR-4683-CA), including Ventura County. This declaration opens up eligibility for Federal Emergency Management Agency (FEMA) and California Office of Emergency Services (CalOES) reimbursement of costs related to storm recovery, including restoration of the Sespe Creek Overflow bridge to pre-disaster condition, capacity, and function.

The Railroad Lease and Operations Agreement with Sierra Northern Railway (SNR) includes provisions covering responsibilities for repair or replacement of railroad facilities. In general, SNR is responsible for the cost of repair, replacement, or reconstruction of damaged railroad facilities for the railway to conduct its operations. However, in the case of "Damage Caused by Acts of God or Other Factors" (such as storm damage), the Agreement includes a provision for SNR and VCTC to cooperate to seek funding for repair or replacement of damaged railroad facilities.

VCTC has followed a phased approach to repairing the railroad bridge. Phase 1 includes design, engineering, and environmental compliance and permitting to restore the bridge's pre-disaster design, capacity, and function, followed by construction in Phase 2. After a competitive procurement process, in June 2023, VCTC executed a contract with RailPros, Inc. for compliance with State and Federal environmental laws and permitting requirements, structural design and engineering, development of specifications consistent with applicable standards, evaluating design variations to mitigate future hazards, project management, coordination with the railroad operator, and preparation of construction bid documents. By January 2024, the 100% design had been completed, informed by the results of hydrological, geotechnical, historical, environmental, and other analysis. On February 2, 2024, after a subsequent competitive procurement process, the Commission approved and VCTC executed a second contract with RailPros, Inc. for Construction Management Support Services, with plans to proceed with construction of the bridge as designed.

However, on February 4-5, 2024, an atmospheric river storm and resulting water flows caused additional erosion behind the abutment and underneath the railroad track structure, exposing approximately 50 additional feet of track beyond the damage caused by the January 2023 storm. The same storm also caused substantial damage to the west abutment of Old Telegraph Road (OTR) bridge, causing the County to close OTR bridge to traffic. Emergency repairs to the OTR bridge abutment have been completed and one lane of traffic restored, however, a reduced load capacity has been established and additional repairs are required to provide long-term protection to the OTR bridge from future damage and to restore the pre-disaster capacity.

On February 5, 2024, FEMA issued a Request for Information (RFI) to VCTC regarding VCTC's legal responsibility, and thus FEMA eligibility, for the costs to repair the Sespe Creek Overflow Railroad Bridge. VCTC responded to the RFI on February 12, 2024. On March 27, 2024, VCTC received a response from FEMA regarding project eligibility for Public Assistance. FEMA provided an initial determination that the Sespe Creek Overflow Railroad Bridge project is not eligible for Public Assistance. However, staff engaged with FEMA and explained why the project is eligible for FEMA funding pursuant to FEMA guidelines and regulations. Staff was able to successfully clear up some misunderstandings within FEMA's initial analysis related to applicable provisions of the Railroad Lease and Operations Agreement. Counsel prepared and the Executive Director signed a written response to the FEMA determination to clarify and provide additional justification. FEMA has since advanced the project in FEMA Grants Portal to the Project Development stage, indicating acceptance of the legal responsibility argument presented by VCTC.

On April 13, 2024, the President of the United States signed a disaster declaration for several California counties affected by severe winter storms, tornadoes, flooding, landslides, and mudslides from January 31 to February 9, 2024. VCTC participated in an Applicant Briefing hosted by CalOES on May 1, 2024 and initiated the Request for Public Assistance process for the 2024 storms. CalOES recommended that VCTC discuss with FEMA how to best manage the Sespe bridge repairs as a single project across the two declared disasters.

VCTC has approved State Transit Assistance (STA) funding to cover consultant and staff costs, to include a total obligation to date of \$1,583,984 for design, engineering, environmental permitting, and construction management services, with the anticipation of reimbursement by FEMA.

DISCUSSION:

VCTC consulted with the design and construction management teams, the County of Ventura Public Works Agency, and Ventura County Watershed Protection District to evaluate the February 2024 damage and determine a path forward. Additional survey and analysis of the Sespe Creek post-storm conditions are needed to determine the type and quantities of fill material needed to repair the damaged bridge structure and protective measures necessary to provide near- and long-term resilience of the Sespe Creek Overflow railroad bridge, while preventing additional damage to the County's OTR bridge and surrounding private properties upstream and downstream of the bridges. The additional survey and analysis needed to address the additional damage exceeds the anticipated level of work included in the original scope of work and fee structure for the RailPros design contract but is within the overall scope of services and qualifications. The original contract with RailPros was a fixed price, lump sum contract. However, given uncertainties related

to the findings of the various stages of survey and analysis needed to proceed, the proposed contract amendment shifts to a time and materials basis for the remaining work beginning February 9, 2024. On April 15, 2024, VCTC and RailPros executed Amendment No. 1, an administrative amendment that provides flexibility for qualified RailPros personnel not directly identified in the original Cost Proposal to complete tasks within the project scope of work. Amendment No. 2 extends the contract term, expands upon the scope of work to include an analysis of the hydraulics, geomorphology of Sespe Creek, additional design support for necessary stakeholder coordination, surveying of the channel section immediately downstream and upstream from the railroad bridge and of the new scoured section, and utility identification within the additional project boundary limits, and includes a not-to-exceed amount of \$1,301,952 for this phase of work. Due to RailPros specialized expertise related to the Sespe Creek Bridge and the time-sensitive nature of identifying and implementing emergency repairs resulting from the February 2024 severe winter storm disaster, staff determined that this additional scope needs to be added as a sole source procurement through an amendment to the existing RailPros Agreement (Amendment No. 2).

Due to seasonal and environmental factors related to the protection of listed species and habitat protection, the construction window for Sespe Creek is May – September during the driest period of the year. Absent the additional damage sustained in February 2024, solicitation of the construction contractor could have proceeded in March and construction to begin in May or June. However, the additional damage and changed channel conditions delayed the solicitation and environmental permitting. In the time since the bridge was initially damaged, the U.S. Army Corps of Engineers (USACE) has required formal Section 7 consultation with U.S. Fish and Wildlife Service (USFWS), rather than the informal consultation approach used in the past. A new field site visit must be completed, and a final biological opinion prepared, before Section 7 consultation can begin. In addition, VCTC Counsel advised staff that the CEQA and NEPA Notice of Exemption (NOE) filed in 2023 needs to be updated to incorporate the additional damage. The NOE could not be re-filed until a disaster declaration was made for the February 2024 storms. The President of the United States signed the disaster declaration on April 13, 2024. Staff then updated the NOE and will file the notice on May 5, 2024, to begin the 35-day notice period. No mobilization or work can begin until a Section 404 permit has been secured from USACE, which is contingent upon the aforementioned NOE, Section 7 consultation, and other environmental permitting work is complete. Further, since it is anticipated that work will need to be completed beyond the existing railroad right-of-way to install protective measures, permission will need to be secured from adjacent property owner(s). These steps will take at least an estimated three (3) months from execution of the Amendment No. 2 with RailPros and a notice to proceed issued by VCTC, pushing the start of construction activities to August at the earliest, and leaving approximately one month within the construction (dry) season. This is not enough time to complete the bridge repairs.

Concurrent analysis, redesign and procurement of construction services, with construction to proceed during Summer 2024, was considered. However, in addition to the permitting constraints noted above, such an approach poses substantial risks, including but not necessarily limited to:

- Results of the survey, geomorphology analysis, and protective measures would not yet be known at the time of release of the IFB and likely would not be available until after a construction contract had been let, necessitating a contract amendment to incorporate any design changes and/or additional protective measures. This poses potentially significant cost and rework risk. Reconstructing the fill under the approximately 50-foot rail span that was lost during the February 2024 storm would be a significant Amendment or Change Order to the bridge repair project.
- Findings of the hydraulics and geomorphology analysis may recommend a project that would take significant time to coordinate, secure permits, perform additional studies, conduct right-of-way clearance, and fund construction costs. For example, a river training project is unlikely to be feasible this year or as a change order and would require subsequent permitting, coordination, and funding efforts. Long-term protective measures may include river training strategies, armoring, nature-based strategies, and/or hybrid approaches.
- Constricting the river channel from its current channel location west of the railroad bridge western abutment could alter the angle of attack and velocity of the river channel, which could cause further erosion or damage to the upstream embankment without additional protective measures, which will not be known until the geomorphological analysis and design and engineering recommendations are completed. Sierra Northern has also raised a concern that repairs to the west abutment of Old

Telegraph Road Bridge places additional pressure on the railroad right-of-way and risks further upstream erosion and damage.

- Environmental permitting efforts had been based on the bridge design that emanates from the January 2023 storm damage and July 2023 survey, staying predominantly within the railroad right-of-way. Repairing the February 2024 damage and ensuring a resilient bridge will likely require work outside of the VCTC-owned railroad right-of-way, which necessitates coordination with regulatory agencies and a different environmental review and permitting strategy.
- The anticipated timeline for completion of hydraulics and geomorphological analysis would complete the initial analysis by July 2024, with recommendations by August 2024. This would leave less than two months remaining in the Summer 2024 construction window, not enough time to complete the bridge reconstruction. Proceeding with construction while still developing the permanent channel resilience design could complicate the permitting process.

If VCTC elects not to proceed with construction during the Summer 2024 construction window, there is a risk of additional damage to the railroad tracks and erosion as the channel continues to move to the west, with the possibility of further damage to Old Telegraph Road bridge. To mitigate this risk, the design and construction management teams have recommended that VCTC and SNR undertake efforts to stabilize the shoreline under a Regional General Permit (RGP) 63, similar to an approach taken by the County of Ventura Public Works Agency for emergency repairs to Old Telegraph Road. Some interim mitigation strategies that can be done within the right-of-way include extending the proposed rock slope protection to the full length of additional scour, thickening the rip rap section, driving sheet piling, and a combination of the two. Meanwhile, VCTC and its consultant team would assess the additional damage and increasingly complex hydrological conditions and geomorphology, refine the bridge design, conduct the required consultations, secure permits, prepare the Invitation for Bids, and procure a construction contractor. The goal would be to issue a construction contract notice to proceed in January 2025, for on-site construction to begin in May 2025.

County of Ventura Public Works Agency staff have noted that the County's emergency contract for Old Telegraph Road focused on protecting the roadway bridge west abutment and preventing further damage to the existing abutment. County staff have advised that the effort to engineer a permanent repair or more robust scour countermeasure will take time to develop and implement. The County has indicated an interest in exploring the possibility of installing more scour countermeasures on the OTR bridge abutment when VCTC moves forward with its railroad bridge repair project.

Sierra Northern Railway has indicated that a delay in construction would have a "devastating" impact to their freight and tourist businesses, delaying investments in rail infrastructure and business development and planning for the return of excursion train service. However, the design and construction management teams have advised against proceeding with construction before completion of a hydraulics analysis due to the risk of additional scour, impacts to the embankment behind the railroad bridge abutment, and other potential negative impacts downstream triggered by changes in the channel flow that have not been assessed thoroughly. Without a hydraulic analysis, mitigation strategies may be inadequate to address the changing characteristics of the channel. Should temporary protective measures extend beyond the railroad right-of-way, and if stakeholder cooperation is limited, a design would be confined within the right-of-way. Such an approach would be robust, though may be visually unappealing and costly, most likely consisting of a sheet pile retaining wall and fill with riprap along the toe of the retaining wall and on embankment slopes above. A temporary structure may need to be removed once the permanent resilience work is ready to be constructed, with demolition an additional cost.

The proposed Budget Amendment includes increases to Revenues and Expenditures to address the much higher than anticipated level of staff time, consultant services (including \$50,000 for consultant support to VCTC for project management and coordination with FEMA), and legal support due to the additional damage sustained to the railroad bridge during the February 2024 storms. The Amendment also includes an increase to the Non-Rail Maintenance line item to cover the costs of debris removal and repair to two areas of the SPBL railroad and right-of-way caused during the January 2023 storms that have also been part of the FEMA Public Assistance process and have reached the obligations stage.

Summary of Options to Reconstruct Sespe Bridge

OPTION	PROS	CONS / RISKS	TIMELINE
<p>1. Emergency repairs to stabilize embankment under RGP-63 permit, Proceed with hydraulics and geomorphology analysis, design support, and environmental permitting to repair bridge in Summer 2025</p>	<p>Provides for informed environmental review and permitting and updates to bridge design to be completed prior to release of IFB</p> <p>Reduces risk of rework and cost increases associated with demobilization and remobilization with permit delays</p>	<p>Negative economic and financial impacts of delayed return to service for rail operations to SNR, Mendocino Railway, VCTC, and local communities</p>	<p>Complete bank stabilization by July 2024</p> <p>Issue notice to proceed with construction in January 2025</p> <p>Begin on-site construction May 2025, complete bridge reconstruction and protective measures by Sept. 2025</p>
<p>2. Forego emergency repairs under RGP-63 permit, Prepare and release IFB to initiate construction in Summer 2024</p>	<p>Potential to restore rail service by end of CY 2024 and enable business expansion for SNR and restoration of passenger (tourist/excursion) service by Mendocino Railway for holiday service 2024</p>	<p>Risk of additional damage to tracks and erosion as channel continues to move to the west</p> <p>Quantities, materials and design for erosion repair and protective measures not known at time of IFB, necessitating contract amendment, potential rework, and additional costs</p> <p>Environmental review and permitting timeline pushes start of construction to August at earliest, leaving less than 2 months remaining within construction window; would require work in watercourse outside of dry period</p> <p>Protective measures would need to be permitted and constructed separately from bridge reconstruction during Summer 2025</p>	<p>Issue IFB in June 2024</p> <p>Award contract in July 2024</p> <p>Begin bridge reconstruction Sept. 2024</p> <p>Complete bridge reconstruction by December 2024 (without additional protective measures)</p>

Recommendation:

Weighing the costs, risks, and benefits of options for the Sespe Creek Overflow railroad bridge, staff recommends approval of Amendment No. 2 to the RailPros design contract to begin additional hydraulics and geomorphology analysis, design support, and environmental permitting activities as described in the RailPros proposal dated April 26, 2024. Staff recommends that VCTC follow Option 1, Emergency repairs to stabilize the embankment during Summer 2024 and bridge reconstruction target for Summer 2025, as described above. Staff also recommends approval of an amendment to the Santa Paula Branch Line Program Budget as described in the above Staff Recommendation.



May 10, 2024

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

RECOMMENDATION:

- *Receive and file a report on Santa Paula Branch Line updates for the month of April 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, February 2, March 1, and April 5, 2024 meetings, with written staff reports provided to the Commission in July and September 2023. The following report includes updates for the month of April 2024.

DISCUSSION:

April updates and activities include:

- *Leasing, Licensing, and Rights-of-Entry*
 - Two lease reassignments (Loose Caboose/Barnyard, Lindgren/Underwood), one new private crossing agreement (Beylick Farms), two license agreements (County of Ventura/Broadband, Fillmore RV storage facility), and one new lease agreement (Texas Lane Emergency Access) remain pending completion and execution.
 - VCTC continued to work with the East Area 1 developer and legal counsels on final language for the lease agreement and completed review of plans for the emergency access roadway in the Texas Lane area of Santa Paula. VCTC also issued a right-of-entry permit

- to Southern California Edison (SCE) and extended rights-of-entry to two parties, SCE and the City of Santa Paula (for completion of a water line repair).
- 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. In April, staff finalized the license agreement and received an updated Certificate of Insurance from the lessee. However, as of the Commission agenda deadline, issuance of the license is pending receipt of administrative fees from the applicant.
 - On April 12, VCTC staff and Executive Director met with representatives of the County of Ventura and the Oxnard Performing Arts Center (OPAC) to discuss an upcoming community engagement event at the Saticoy Depot. Plans are being developed for a community-based art project that will apply colorful fence weaving material to the Depot property fence, similar to a project completed at the OPAC.
 - Upon Commission approval of the new ROE permitting process and template, staff initiated the required outreach to ROE applicants regarding the new permitting process and fee structure. Notification was provided in writing to each of the four corridor cities and previous ROE applicants via email on April 22, 2024.
- ***SPBL Trail Planning***
 - Staff supported the City of Ventura's ongoing efforts to plan, design, and conduct community engagement for the 4-mile section of the SPBL Trail from East Ventura/Montalvo Metrolink Station to Saticoy Depot. On April 23, staff participated in an Agency Stakeholders virtual meeting convened by the City's project team.
 - VCTC's Surface Transportation Block Grant (STBG) application to the Southern California Association of Governments (SCAG) to update the SPBL Trail Master Plan has been submitted and remains pending consideration by SCAG.
 - ***Storm Damage and Response***
 - VCTC continued to work with the RailPros design and construction management teams to evaluate options for an assessment of the additional storm damage sustained during February 2024 storms and its impact to the repair design plans and specifications. Staff prepared an amendment to the design contract with RailPros to address the additional damage to the Sespe Creek Overflow railroad bridge. On April 24, staff met with the RailPros design and construction management teams to discuss VCTC comments on the draft scope of work and fee estimate. The amendment is presented to the Commission as Item 13.
 - In February, VCTC responded to a request for information from the Federal Emergency Management Agency (FEMA) related to legal responsibility for the repair of the Sespe Creek Overflow Railroad Bridge. In late March, FEMA issued an initial determination that the project was not eligible for FEMA Public Assistance funding. In April, staff argued that the determination was based on a misreading of the Railroad Lease and Operations Agreement with Sierra Northern Railway and responded to FEMA with a letter detailing VCTC and project eligibility for Public Assistance. FEMA has since acknowledged eligibility for Public Assistance and moved the project forward within the project development process.
 - To facilitate awareness of the Sespe Creek Overflow railroad bridge project and communicate its importance, staff prepared a one-page overview of the SPBL and storm damage and initiated communications with the State and Federal elected officials who represent Ventura County.
 - On April 13, the President of the United States issued a disaster declaration for several California counties affected by severe winter storms, tornadoes, flooding, landslides, and mudslides from January 31 to February 9, 2024. The declaration includes Ventura County, and the timeframe aligns with the additional damage to the Sespe Creek Overflow railroad bridge western abutment and track structure sustained during the February 4 – 5, 2024 atmospheric river storm. VCTC attended a CalOES Applicant Briefing on May 1.
 - ***Coordination with Sierra Northern Railway***
 - On April 16, VCTC staff and Sierra Northern Railway held a virtual regular check-in meeting. During the month of April, Sierra Northern hosted a television series production on the SPBL near Fillmore. The production brought in revenue to the railroad and local

- businesses. The City of Fillmore and the County's Film Liaison also engaged in the planning and permitting effort to support the production.
- VCTC staff shared with Sierra Northern Railway and Mendocino Railway a notification from the Ventura County Farm Bureau regarding the Asian citrus psyllid and HLB Virus Task Force Area-wide Treatment Schedule, map, and other information as a courtesy notification of the potential for increased pesticide application in the vicinity of the SPBL.
 - Sierra Northern Railway sponsored the Aut-to-Run Race event held at Cal State University Channel Islands benefitting the Autism Foundation of Ventura County.
- *Broadband Infrastructure*
 - To support County of Ventura efforts to extend broadband infrastructure along the Santa Paula Branch Line, VCTC issued a request for quotes from rail engineering firms to assist VCTC with review of plans and specifications. VCTC received one responsive proposal from Wilson & Co., which has provided plan check and engineering support to VCTC since 2016. Staff prepared a draft contract for plan check and engineering services with Wilson & Co. for Counsel review and an accompanying memo to file. VCTC also provided information to the County's consulting team on how to request a right-of-entry permit and flagging services to facilitate field work as part of the construction document preparation. A revised Utility License Agreement was provided by the County's contract legal counsel to VCTC for review, which remains pending VCTC Counsel review at the end of April. VCTC staff anticipates bringing either a Utility License Agreement or a Memorandum of Understanding (MOU) to the Commission for consideration in June 2024. An MOU will be used, if needed, to initially secure grant funds, while the license agreement and project alignment details are worked out.