



Committee Members Present

Laurie Davies, Chair
Lisa A. Bartlett, Vice Chairwoman
Barbara Delgleize
Michael Hennessey
Gene Hernandez
Gregory T. Winterbottom

Staff Present

Darrell E. Johnson, Chief Executive Officer
Ken Phipps, Deputy Chief Executive Officer
Olga Prado, Assistant Clerk of the Board
Sara Meisenheimer, Deputy Clerk of the Board
James Donich, General Counsel
OCTA Staff and members of the General Public

Committee Members Absent

Tim Shaw

Call to Order

The June 20, 2019 regular meeting of the Legislative and Communications Committee was called to order by Chair Davies at 9:01 a.m.

Pledge of Allegiance

Committee Vice Chairwoman Bartlett led in the Pledge of Allegiance.

1. Public Comments

No public comments were received.

Special Calendar

2. Conference Call with State Legislative Advocate Moira Topp

Moira Topp, Sacramento Advocate, reported on the following:

- The Legislature passed its required budget on June 14th with a \$214 billion budget, and \$147 billion of it will go into the general fund.
- The trailer bills that normally pass at the same time as the budget have been very few this year (only eight to ten have passed).
- There are still some controversial bills that remain to be flushed out or need to get the required votes, such as: the housing trailer bill and the tax conformity bill.
- The transportation trailer bill contains a proposal from Senator Hurtado to use funds from the Trade Corridor Improvement Fund for short line rail facilities.
- The Orange County Transportation Authority (OCTA) is expected to maintain the dollars it has received through 2020.
- Additional trailer bills will most likely come up in August and the deadline for fiscal bills to get out of their policy committees is July 10th.



2. (Continued)

- Highlighted the following bills:
 - Improving programs in Senate Bill (SB) 1, such as the Active Transportation Program and the Local Partnership Program
 - SB 664
- The Governor is now six months into the new administration and David Kim was appointed as the Secretary of the California State Transportation Agency and will be starting in early July.
- There still has not been an appointment for the new California Department of Transportation Director.

A discussion ensued regarding SB 664 and how the bill focuses on technical interactions such as: toll collection, how data is transferred to the Department of Motor Vehicles and focusing on data personally identifiable information.

Consent Calendar (Item 3)

3. Approval of Minutes

A motion was made by Director Delgleize, seconded by Committee Vice Chairwoman Bartlett, and declared passed by those present, to approve the minutes of the Legislative and Communications Committee meeting of May 16, 2019.

Regular Calendar

4. Citizens Advisory Committee Annual Update and New Member Recruitment

Christina Byrne, Department Manager of Public Outreach, provided opening comments and introduced Roy Shahbazian, Chairman of the Citizens Advisory Committee (CAC), who reported on the following:

- Expressed gratitude to the Board of Directors for their appointments and nominations of CAC members.
- Key activities of the CAC include:
 - Serving as a liaison between OCTA and the public;
 - Providing insight on the Beach Boulevard and Bristol Street corridor studies; and
 - Strategizing public information on ongoing freeway construction projects.



4. (Continued)

- Expressed gratitude to OCTA staff for supporting the CAC by preparing the minutes, staff reports, and assisting in the member nomination process.

Committee Vice Chairwoman Bartlett thanked Mr. Shahbazian for his commitment to the CAC and confirmed a pending member appointment.

Committee Chair Davies inquired on vacancies in the CAC and Ms. Byrne replied that there are some vacant seats pending; however, the seats should be filled shortly.

Director Delgleize stated she had the pleasure of serving on the CAC and she is grateful for the service of the CAC.

Following the discussion, no action was taken on this receive and file Citizens Advisory Committee status report.

5. Special Needs Advisory Committee Annual Update and Member Appointments

Ryan Maloney, Section Manager of Customer Engagement and Data Analysis, provided opening comments and introduced Paul Miller, Vice Chair of the Special Needs Advisory Committee (SNAC), who reported on the following:

- Items discussed during the SNAC meetings:
 - OC Bus 360° fiscal year 2019-20 Bus Service Plan;
 - OC ACCESS online booking service;
 - Long-Range Transportation Plan;
 - Beach Boulevard and Bristol Street corridor studies; and
 - Exceptional Service Awards for ACCESS drivers.

Committee Chair Davies thanked Mr. Miller for his work with the SNAC.

Following the discussion, no action was taken on this receive and file Special Needs Advisory Committee's status report.



6. State Legislative Status Report

Dustin J. Sifford, Senior Government Relations Representative, reported on the following:

- Assembly Bill (AB) 784
 - The Innovative Clean Transit regulation requires transit agencies in California begin purchasing zero-emission buses starting in 2023.
 - Projected cost is \$442 million to convert OCTA's current bus fleet to zero-emission technology.
 - The current sale tax exemption would only be effective until 2024.
 - AB 784 would provide financial assistance by saving OCTA as much as \$80,000 on each zero-emission bus purchase.
 - A SUPPORT position on AB 784 has been consistent with the State Legislative Platform.

Jaymal Patel, Associate Government Relations Representative, continued the presentation and reported on:

- AB 1475
 - Allows regional transportation agencies to utilize the construction manager/general contractor (CM/GC) project delivery tool on any transportation project that is not on the state highway system.
 - Allows a project sponsor to engage with a construction firm early in the design phase to provide input on scheduling, pricing, phasing, and other construction-related recommendations that allow for a more constructible project.
 - OCTA could take advantage of the CM/GC cost and time saving benefits on projects such as the: local streets and road improvements, rail fixed-guideways, and bus-rapid transit.
 - A SUPPORT position on AB 1475 has been taken consistent with the State Legislative Platform.

- California High-Speed Rail Authority (CHSRA) Project Update:
 - On May 21, 2019, the Assembly Transportation Committee held an oversight hearing to review the CHSRA 2019 Project Update Report.
 - The discussion at the hearing revolved around the funding plan and construction on the initial segment between Merced and Bakersfield.
 - At the hearing, Assembly Member Daley requested that CHSRA conduct a parallel analysis of alternatives to the initial segment, including the Burbank to Anaheim corridor.



6. (Continued)

- Prior to the hearing, on May 16, 2019, the Federal Railroad Administration (FRA) formalized its plan to terminate the \$929 million federal grant awarded to the CHRSA.
- Through the California Attorney General, CHSRA has filed a complaint against the FRA challenging the termination of the grant and any future efforts to re-obligate the funds.

A discussion ensued regarding:

- The CM/GC delivery tool combines early phase activities and allows the designer and constructor to be hired together.
- The CM/GC process allows the designer and construction manager to work together earlier to focus on constructability; however, the project must complete the competitive bidding process.
- Federal funding removed from the high-speed rail program could return to the General Fund and be re-programmed by Congress.

Following the discussion, no action was taken this receive and file information item.

7. Federal Legislative Status Report

Jaymal Patel, Associate Government Relations Representative, provided an overview on H.R. 2939 and discussed the reasons why OCTA should take a SUPPORT position on the bill.

Dustin J. Sifford, Senior Government Relations Representative, continued the presentation and reported on:

- The Safer Affordable Fuel Efficient (SAFE) Vehicles Rule would set tailpipe emissions standards for the next five years and rescind the preemption waiver granted to the State of California under Clean Air Act.
- The California Association of Councils of Governments (CALCOG) estimates that there are over 2,000 transportation projects worth about \$130 billion that would be threatened by rescinding the waiver.
- Specific impacts to OCTA are difficult to adequately describe because it depends on the timing and implementation of the final language.
- Federal law allows for a one-year grace period for a failure to achieve air quality standards; however, the Environmental Protection Agency has flexibility in the implementation of the race period.
- CALCOG sent a statewide letter to Elaine Chao, Secretary of Transportation, in hopes of achieving a political solution.
- A summary of Fixing America's Surface Transportation Act and its rescission of \$7.569 billion in unobligated federal transportation funds.



7. (Continued)

- Two letters referenced in the Staff Report: a letter requesting repeal of the rescission from the Transportation Infrastructure Committee (Attachment C) and a signed letter sent from the Senate Environment and Public Works Committee asking to find a solution that does not revoke funding.
- Overview of the transportation funding bill for federal fiscal year 2020 and the CHSRA provision.
- In the next couple of weeks, there will possibly be a two-year budget bill from Congress, direction on the rescission, and the Trump administration threatening to veto over the CHSRA dollars.
- In the House version of the funding bill, there is a rider who would prohibit implementation of the SAFE Vehicles rule.
- Reference to the hearing entitled, "The Impacts of State-Owned Enterprise on Public Transit and Freight Rail Sector," which is included in the Staff Report.
- Ongoing discussions in California about contracts to be put in place that are owned by the Chinese government, but there are no specific issues on how OCTA rolls out trains or buses.

A discussion ensued regarding:

- H.R. 2939 and if the state legislature has any impact over the federal legislature; the bill is clarifying Congressional intent that local and state general sales taxes do not apply in the same manner as excess taxes.
- In the short term, the federal funds will still be there, but OCTA could lose those funds depending on the implementation of the SAFE Vehicles Rule.
- The SAFE Vehicles Rule is at the benefit of the administration to promote tailpipe emissions standards.
- California has been stricter than the federal government and feels it has legal authority to set air quality standards.
- Committee Vice Chairwoman Bartlett asked staff to monitor the Highway Trust Fund since it is always underfunded.
- Chairman DeFazio of the House Transportation and Infrastructure Committee wanting a five-year bill on reauthorization and what he sees for the future on the vehicle miles traveled/road usage charging and the traditional gas tax.

A motion was made by Director Delgleize, seconded by Director Hernandez, and declared passed by those present, to adopt a SUPPORT position on H.R. 2939 (Napolitano, D-El Monte), which would protect local sales tax dollars from being directed to airports.



Discussion Items

8. Chief Executive Officer's Report

Darrell E. Johnson, Chief Executive Officer, reported on the following:

- In regards to Agenda Item 7, OCTA will keep focused on the “big fix.”
- Today is National Dump the Pump Day which was started by the American Public Transportation Association 14 years ago with the idea to encourage public transportation. OCTA is offering free bus rides for customers that pledged to ride the bus today.
- Interstate 5 South construction preparation work began on the first segment with k-rail and signage placement. On Thursday, June 6, 2019, the groundbreaking event was held, and OCTA’s outreach staff continues to communicate with local residents and businesses. On Tuesday, June 18, 2019, OCTA outreach staff gave a presentation at the City of Laguna Niguel council meeting.
- The Summer Ridership Program kicked off with the Sun and Fun Pass going on sale on June 1, 2019. This promotion offers a 30 percent saving over the three-month summer period.
- The OC Fair begins on July 13, 2019 through August 11, 2019, and the OC Fair Express will run from nine locations on Saturdays and Sundays.

9. Committee Members' Reports

There were no Committee Members’ reports.



10. Closed Session

There were no Closed Session items scheduled.

11. Adjournment

The meeting adjourned at 10:01 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, July 18, 2019**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.

ATTEST

Laurie Davies
Committee Chair

Sahara Meisenheimer
Deputy Clerk of the Board