



# Orange County Transportation Authority

## Board Agenda

Monday, July 22, 2024 at 9:00 a.m.

550 South Main Street, Orange, California

### **Board Members**

Tam T. Nguyen, Chair  
Doug Chaffee, Vice Chair  
Ashleigh Aitken  
Valerie Amezcua  
Andrew Do  
Jon Dumitru  
Jamey Federico  
Katrina Foley  
Patrick Harper  
Michael Hennessey  
Fred Jung  
Farrah N. Khan  
Stephanie Klopfenstein  
Vicente Sarmiento  
John Stephens  
Mark Tettermer  
Donald P. Wagner  
Vacant, Ex-Officio

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the Orange County Transportation Authority (OCTA) Clerk of the Board's office at (714) 560-5676, no less than two business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

### **Agenda Descriptions**

Agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Committee may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

### **Public Availability of Agenda Materials**

All documents relative to the items referenced in this agenda are available for public inspection at [www.octa.net](http://www.octa.net) or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

# BOARD MEETING AGENDA

---

## Meeting Access and Public Comments on Agenda Items

Members of the public can either attend in-person or listen to audio live streaming of the Board and Committee meetings by clicking this link: <https://octa.legistar.com/Calendar.aspx>

## In-Person Comment

Members of the public may attend in-person and address the Board regarding any item within the subject matter jurisdiction of the Orange County Transportation Authority. Please complete a speaker's card and submit it to the Clerk of the Board and notify the Clerk regarding the agenda item number on which you wish to speak. Speakers will be recognized by the Chair at the time of the agenda item is to be considered by the Board. Comments will be limited to three minutes. The Brown Act prohibits the Board from either discussing or taking action on any non-agendized items.

## Written Comment

Written public comments may also be submitted by emailing them to [ClerkOffice@octa.net](mailto:ClerkOffice@octa.net), and must be sent by 5:00 p.m. the day prior to the meeting. If you wish to comment on a specific agenda item, please identify the item number in your email. All public comments that are timely received will be part of the public record and distributed to the Board. Public comments will be made available to the public upon request.

## Call to Order

### Invocation

Director Stephens

### Pledge of Allegiance

Director Harper

## Closed Session

### 1. Closed Session

A Closed Session will be held as follows:

Pursuant to Government Code Section 54956.8 - Conference with real property negotiators for the following properties:

1. 5 Peters Canyon Road, Irvine, CA 92606 - The negotiator for this property is Pendulum Property Partners.
2. 550 & 600 South Main Street, Orange CA 92868 - The negotiator for this property is the Lincoln Property Company.
3. 2677 North Main Street, Santa Ana CA 92705 - The negotiator for this property is the Muller Company.
4. Stadium Tower II - Parcel No. APN 253-532-07 - The negotiator for this property is Trammell Crow.

Negotiators for the Orange County Transportation Authority are Andrew Ofelie, Peter Andrich, and Rick Warner.

# BOARD MEETING AGENDA

---

## Special Calendar

### Orange County Transportation Authority Special Calendar Matters

#### 2. Presentation of Resolutions of Appreciation for Employees of the Month

**Overview**

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2024-073, 2024-074, and 2024-075 to Thai Nguyen Coach Operator; Edgar Villar, Maintenance; Daniel Livingston, Administration, as Employees of the Month for July 2024.

### Consent Calendar (Items 3 through 11)

All matters on the Consent Calendar are to be approved in one motion unless a Board Member or a member of the public requests separate action on a specific item.

### Orange County Transportation Authority Consent Calendar Matters

#### 3. Approval of Minutes

Clerk of the Board

**Recommendation**

Approve the minutes of the July 8, 2024 Orange County Transportation Authority and affiliated agencies' regular meeting.

**Attachments:**

[Minutes](#)

#### 4. Fiscal Year 2023-24 Internal Audit Plan, Fourth Quarter Update

Janet Sutter

**Overview**

The Orange County Transportation Authority Board of Directors adopted the Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan on July 24, 2023. This update is for the fourth quarter of the fiscal year.

**Recommendation(s)**

Receive and file the fourth quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan as an information item.

**Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

## BOARD MEETING AGENDA

---

5. **Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan**

Janet Sutter

**Overview**

At the direction of the Orange County Transportation Authority Board of Directors, the Internal Audit Department develops and implements an annual risk-based internal audit plan. Implementation of an annual internal audit plan assists management in evaluating the effectiveness and efficiency of projects, programs, and operations, while ensuring that adequate controls and safeguards are in place to protect the Orange County Transportation Authority's assets and resources.

**Recommendation(s)**

- A. Approve the proposed Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan.
- B. Direct the Executive Director of the Internal Audit Department to provide quarterly updates on the Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan.

**Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

6. **Agreement to Provide Assistance Administering the Orange County Transportation Authority's Disadvantaged Business Enterprise Program**

Pia Veasapen/Andrew Oftelie

**Overview**

On February 21, 2024, the Orange County Transportation Authority released a request for proposals for Disadvantaged Business Enterprise consulting services. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for these services.

**Recommendation(s)**

- A. Approve the selection of Padilla & Associates, Inc. as the firm to provide assistance in administering the federal Disadvantaged Business Enterprise program for the Orange County Transportation Authority.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2046 between the Orange County Transportation Authority and Padilla & Associates, Inc., in the amount of \$990,000, for a four-year initial term with two, three-year option terms, to provide assistance in administering the federal Disadvantaged Business Enterprise program.

# BOARD MEETING AGENDA

---

***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

**7. Orange County Transportation Authority Investment and Debt Programs Report - May 2024**

Robert Davis/Andrew Oftelie

***Overview***

The Orange County Transportation Authority has a comprehensive investment and debt program to fund its immediate and long-term cash flow demands. Each month, the Treasurer submits a report detailing investment allocation, performance, compliance, outstanding debt balances, and credit ratings for the Orange County Transportation Authority's debt program. This report is for the month ending May 31, 2024. During the month of May, one investment manager purchased a security that did not comply with the Investment Policy. As a result of this compliance violation, the investment manager has been placed on probation for one year, in accordance with the requirements of the Investment Policy.

***Recommendation(s)***

Receive and file as an information item.

***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

**8. State Legislative Status Report**

Clara Brotcke/Lance M. Larson

***Overview***

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. This report includes a recommended support position on legislation that would require the California State Transportation Agency to study how vehicle miles traveled is used as a metric for measuring transportation impacts and an overview of the adopted state budget for fiscal year 2024-25, including relevant budget trailer bills.

***Recommendation(s)***

Adopt a SUPPORT position on SB 768 (Caballero, D-Fresno), which would require the California State Transportation Agency to study how vehicles miles traveled is used as a metric for measuring transportation impacts under the California Environmental Quality Act.

## BOARD MEETING AGENDA

---

***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

**9. Federal Legislative Status Report**

Alexis Carter/Lance M. Larson

***Overview***

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy and regulatory issues directly impacting the agency's programs, projects, and operations. This status report includes information on the House fiscal year 2025 Transportation, Housing, and Urban Development appropriations bill and congressionally directed spending requests made by delegation members on behalf of the Orange County Transportation Authority. An overview of the House Transportation and Infrastructure Committee's request to the Federal Transit Administration regarding transit assault data and summaries of hearings related to oversight of Amtrak, the California Air Resources Board In-Use Locomotive Regulation, and transit revenue and ridership post the coronavirus pandemic are also provided.

***Recommendation(s)***

Receive and file as an information item.

***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

## BOARD MEETING AGENDA

---

### Orange County Local Transportation Authority Consent Calendar Matters

**10. Approval to Sell Surplus Land for the Interstate 405 Improvement Project Between State Route 73 and Interstate 605**

Joe Gallardo/James G. Beil

**Overview**

The Orange County Transportation Authority has substantially completed the freeway improvements for the Interstate 405 Improvement Project between State Route 73 and Interstate 605 for public use. The project required acquisition of property rights from public and private parties adjacent to the existing freeway and city streets to construct the freeway improvements. Now an approximately 44,540 square-foot improved commercial property located at 14980 Goldenwest Avenue, in the City of Westminster, Assessor Parcel Numbers 096-522-02 and 096-522-04, is recommended to be sold as surplus land by the Orange County Transportation Authority. Staff is seeking approval to sell the vacant land as surplus land under the Surplus Land Act (Government Code Section 54220 et seq.).

**Recommendation(s)**

- A Direct staff to sell the surplus land located within the Interstate 405 Improvement Project between State Route 73 and Interstate 605 for public use.
- B. Authorize the Chief Executive Officer to negotiate and execute the necessary documents to complete the sale of the surplus land for the offer price of \$4,500,000.

**Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

**11. Amendment to Agreement for the Safety Education and Public Awareness Program for the OC Streetcar Project**

Tresa Oliveri/Maggie McJilton

**Overview**

On July 25, 2022, the Orange County Transportation Authority Board of Directors approved an agreement with Katz & Associates. Inc. to plan and implement a safety education and public awareness program during the pre-operation phase of the OC Streetcar project for a two-year initial term with one, two-year option term, to provide a safety awareness and public education program for the OC Streetcar project.

## BOARD MEETING AGENDA

---

### ***Recommendation(s)***

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Agreement No. C-2-2207 between the Orange County Transportation Authority and Katz & Associates, Inc., to exercise the option term, in the amount of \$150,000, to maintain and extend the safety education and public awareness program effective September 1, 2024, and continuing through August 31, 2026. This will increase the maximum obligation of the agreement to a total contract value of \$850,000.

### ***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

## Regular Calendar

### Orange County Local Transportation Authority Regular Calendar Matters

#### 12. OC Streetcar Project Quarterly Update

Jeff Mills/James G. Beil

#### ***Overview***

The Orange County Transportation Authority is implementing the OC Streetcar project, and updates are provided to the Board of Directors on a quarterly basis. This report covers OC Streetcar project activities from April 2024 through June 2024.

#### ***Recommendation(s)***

Receive and file as an information item.

#### ***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Presentation](#)

## Discussion Items

#### 13. Public Comments

#### 14. Chief Executive Officer's Report

#### 15. Directors' Reports

#### 16. Adjournment

The next regularly scheduled meeting of this Board will be held:

**9:00 a.m., on Monday, August 12, 2024**

OCTA Headquarters, Board Room

550 South Main Street, Orange, California





## **Call to Order**

The July 8, 2024, regular meeting of the Orange County Transportation Authority (OCTA) Board of Directors and affiliated agencies was called to order by Chair Nguyen at 9:00 a.m. at the OCTA Headquarters, 550 South Main Street, Orange, California.

**Directors Present:** Tam T. Nguyen, Chair  
Doug Chaffee, Vice Chair  
Ashleigh Aitken  
Valerie Hennessey  
Andrew Do  
Jon Dumitru  
Jamey Federico  
Katrina Foley  
Patrick Harper  
Michael Hennessey  
Fred Jung  
Farrah N. Khan  
Stephanie Klopfenstein  
John Stephens  
Mark Tettermer  
Donald P. Wagner

**Directors Absent:** Vicente Sarmiento

**Staff Present:** Darrell E. Johnson, Chief Executive Officer  
Jennifer L. Bergener, Deputy Chief Executive Officer  
Gina Ramirez, Assistant Clerk of the Board  
Sahara Meisenheimer, Clerk of the Board Specialist  
David Aguirre, Employee Rotation Program  
James Donich, General Counsel

## **Special Calendar**

### **1. Closed Session**

A Closed Session was held as follows:

- A. Pursuant to Government Code Section 54957(b) to evaluate the performance of the Chief Executive Officer, Darrell E. Johnson.
- B. Pursuant to Government Code Section 54957.6 to meet with the designated representative, Chair Tam T. Nguyen, regarding the compensation of the Chief Executive Officer, Darrell E. Johnson.

James Donich, General Counsel, stated there was no report out.



**2. Annual Review and Compensation Adjustment for the Chief Executive Officer, Darrell E. Johnson**

A motion was made by Director Jung, seconded by Director Hennessey, and declared passed by those present to approve for the Chief Executive Officer, Darrell E. Johnson, the following:

- A. 3.0 % salary increase
- B. 5 % Bonus

**3. Recognition of the 2024 American Public Transportation Association Bus Roadeo Team**

Darrell E. Johnson, Chief Executive Officer (CEO), recognized the 2024 American Public Transportation Association Bus Roadeo Team of Felipe Michel, Coach Operator, Ray Consiglio, Chris Jordan, and David Zirkelbach, Maintenance Team.

**4. Measure M2 Ten-Year Comprehensive Review Survey**

Mr. Johnson, CEO, introduced Dr. Tim McLarney, President of True North Research, who presented this item.

Director Foley requested a comparison of the primary language used by OC Bus ridership versus the Measure M2 10-Year Comprehensive Review survey pool.

No action was taken on this information item.

**Consent Calendar (Items 5 through 17)**

**5. Approval of Minutes**

A motion was made by Director Foley, seconded by Director Hennessey, and declared passed by those present to approve the minutes of the June 24, 2024 Orange County Transportation Authority and affiliated agencies' regular meeting.

**6. Orange County Employees Retirement System: Orange County Transportation Authority Employer Audit**

A motion was made by Director Foley, seconded by Director Hennessey, and declared passed by those present to receive and file an audit completed by the Internal Audit Department of the Orange County Employees Retirement System, Orange County Transportation Authority Employer Audit, Report Date: June 6, 2024, as an information item.



**7. Fiscal Year 2023-24 Third Quarter Budget Status Report**

A motion was made by Director Foley, seconded by Director Hennessey, and declared passed by those present to receive and file as an information item.

**8. Agreement to Provide Assistance Administering the Orange County Transportation Authority's Disadvantaged Business Enterprise Program**

Chair Nguyen pulled this item and noted that it would be continued at the next Board of Directors meeting.

**9. 2024 State Transportation Improvement Program Update**

A motion was made by Director Foley, seconded by Director Hennessey, and declared passed by those present to:

- A. Accept \$0.75 million in Community Project Funding/ Congressionally Directed Spending funds and authorize the use of this funding for the OC Connect Santa Ana - Garden Grove Rails to Trails Project.
- B. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.

**10. Master Agreement for State-Funded Projects**

A motion was made by Director Foley, seconded by Director Hennessey, and declared passed by those present to:

- A. Authorize the Chief Executive Officer to execute the Master Agreement for State-Funded Projects, Agreement No. 12-6071S21, and all necessary program supplement agreements with the California Department of Transportation for the reimbursement of state-funded transportation projects.
- B. Approve Orange County Transportation Authority Resolution No. 2024-053 as required by the California Department of Transportation to execute the above agreement and authorize the Chief Executive Officer to sign future program supplements agreements.

**11. 2024 Board of Directors and Chief Executive Officer Initiatives and Action Plan - Mid-Year Report**

Chair Nguyen pulled this item and summarized the initiatives.

Mr. Johnson, CEO, provided an overview of the accomplishments made through the reporting period.



No action was taken on this information item.

**12. Approval to Release Request for Proposals for Paratransit and Microtransit Software**

A motion was made by Director Foley, seconded by Director Hennessey, and declared passed by those present to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 4-2258 for selection of a firm to provide paratransit and microtransit software.
- B. Approve the release of Request for Proposals 4-2258 for a firm to provide paratransit and microtransit software for a two-year initial term, with one, five-year option term.

**13. Approval to Release Request for Proposals for Construction Management Support Services for the State Route 57 Improvement Project Between Orangewood Avenue and Katella Avenue**

A motion was made by Director Foley, seconded by Director Hennessey, and declared passed by those present to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 4-2241 for the selection of a consultant to provide construction management support services for the State Route 57 Improvement Project between Orangewood Avenue and Katella Avenue.
- B. Approve the release of Request for Proposals 4-2241 to provide construction management support services for the State Route 57 Improvement Project between Orangewood Avenue and Katella Avenue.
- C. Authorize the use of up to \$9.125 million in Measure M2 Freeway funds for construction management support services for the State Route 57 Improvement Project between Orangewood Avenue and Katella Avenue.

**14. Cooperative Agreement with the California Department of Transportation for the State Route 91 Improvement Project Between Acacia Street and La Palma Avenue**

A motion was made by Director Foley, seconded by Director Hennessey, and declared passed by those present to:

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2215 between the Orange County Transportation Authority and the California Department of Transportation, in an amount up to \$169,491,000, comprised of a construction capital share of \$145,588,000 and a construction management services share of \$23,903,000 for the State Route 91 Improvement Project between Acacia Street and La Palma Avenue.



- B. Authorize the use of fiscal year 2024-25 Community Project Funding/ Congressionally Directed Spending, in the amount of \$3,000,000, for the State Route 91 Improvement Project between Acacia Street and La Palma Avenue.
- C. Authorize the inclusion of State Highway Operation and Protection Program funding, in the amount of \$23,170,000, for the State Route 91 Improvement Project between Acacia Street and La Palma Avenue.
- D. Authorize the use of \$143,321,000 in State Route 91 Express Lanes excess revenue for construction capital and construction support for the State Route 91 Improvement Project between Acacia Street and La Palma Avenue.
- E. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.

**15. Measure M2 Environmental Mitigation Program Update**

A motion was made by Director Foley, seconded by Director Hennessey, and declared passed by those present to receive and file as an information item.

**16. Measure M2 Eligibility Review Recommendations for Fiscal Year 2022-23 Expenditure Reports**

A motion was made by Director Foley, seconded by Director Hennessey, and declared passed by those present to approve 33 of Orange County's 35 local jurisdictions as eligible to continue receiving Measure M2 net revenues.

**17. Draft 2024 State Route 91 Implementation Plan**

A motion was made by Director Foley, seconded by Director Hennessey, and declared passed by those present to receive and file as an information item.

**Regular Calendar**

**18. Active Transportation Program Biannual Update**

Peter Sotherland, Section Manager II, and Marissa Espino, Section Manager II, provided a presentation on this item.

No action was taken on this information item.



## **Discussion Items**

### **19. Public Comments**

The Clerk of the Board noted that public comments were received via email from the following:

McKayla Kay  
Kacee Lehman  
Mike Behen  
Colleen Kay  
Suzie Whitelaw  
Doris Buckhannon

The comments were emailed to the Board of Directors on Sunday, July 7, 2024, and would be retained as part of the July 8, 2024 Board meeting record.

Suzie Whitelaw, Save Our Beaches, San Clemente, provided an in-person public comment.

### **20. Chief Executive Officer's Report**

Mr. Johnson, CEO, reported on the following:

- California Transportation Commission Funding Allocations
- Orange County Transit Vision Master Plan Zoom webinar tomorrow at 5:30 p.m.

### **21. Directors' Reports**

There were no Directors' Reports.

### **22. Adjournment**

The meeting adjourned at 10:19 a.m.

The next regularly scheduled meeting of this Board will be held:

**9:00 a.m., on Monday, July 22, 2024**

OCTA Headquarters  
Board Room  
550 South Main Street  
Orange, California

ATTEST:

---

Gina Ramirez  
Assistant Clerk of the Board



COMMITTEE TRANSMITTAL

**July 22, 2024**

**To:** Members of the Board of Directors

**From:** Andrea West, Clerk of the Board *Andrea West*

**Subject:** Fiscal Year 2023-24 Internal Audit Plan, Fourth Quarter Update

Finance and Administration Committee Meeting of July 10, 2024

**Present:** Directors Do, Federico, Harper, Hennessey, Klopfenstein, and Nguyen

**Absent:** Director Sarmiento

**Committee Vote**

This item was passed by the Members present.

**Committee Recommendation(s)**

Receive and file the fourth quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan as an information item.



**July 10, 2024**

**To:** Finance and Administration Committee

**From:** Darrell E. Johnson, Chief Executive Officer

Janet Sutter, Executive Director  
Internal Audit

**Subject:** Fiscal Year 2023-24 Internal Audit Plan, Fourth Quarter Update

### **Overview**

The Orange County Transportation Authority Board of Directors adopted the Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan on July 24, 2023. This update is for the fourth quarter of the fiscal year.

### **Recommendation**

Receive and file the fourth quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan as an information item.

### **Background**

The Internal Audit Department (Internal Audit) is an independent appraisal function, the purpose of which is to examine and evaluate the Orange County Transportation Authority's (OCTA) operations and activities to assist management in the discharge of its duties and responsibilities.

Internal Audit performs a wide range of auditing services that include overseeing the annual financial and compliance audits, conducting operational and contract compliance audits, investigations, and agreed-upon procedures reviews. Audits initiated by entities outside of OCTA are coordinated through Internal Audit.

### **Discussion**

The OCTA Internal Audit Fiscal Year (FY) 2023-24 Internal Audit Plan (Plan), Attachment A, reflects the status of each audit project as of year-end. Staff



hours, as reflected in Attachment A, represent total hours available annually for audit activities and are budgeted by project as a preliminary estimate of the effort required to meet the audit objective. Actual hours available for audit activities exceeded budgeted hours by approximately 375 hours due primarily to a decrease in the number of hours consumed for Internal Audit administrative and training activities.

For the Plan year, Internal Audit completed 35 projects, including 15 audits, 16 price reviews, and four Buy America reviews. As of June 30, 2024, three internal audits are in process. These audit projects, along with the one contingency audit, will be carried over to the OCTA Internal Audit FY 2024-25 Plan.

During the fourth quarter, Internal Audit issued results of an audit of the design-build contract for the Interstate 405 Improvement Project. Based on the audit, oversight and invoice review controls were in place and invoices complied with contract provisions. One recommendation was made to improve documentation maintained in payment and project files. Management agreed to ensure complete files going forward.

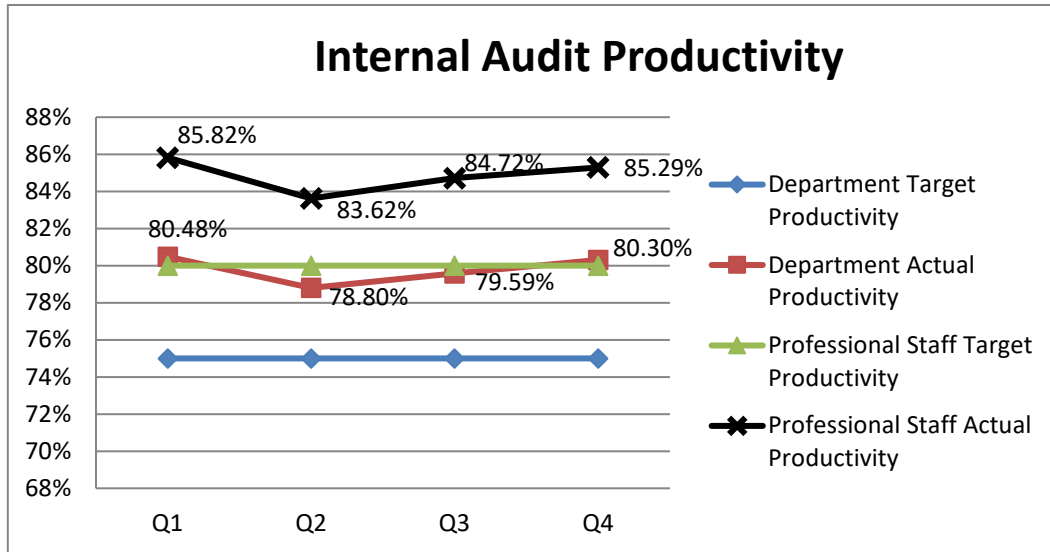
An audit of the flexible spending account program concluded that controls over employee enrollment, deductions, payments, and invoice processing are adequate and operating, and OCTA is complying with applicable Internal Revenue Service regulations. One recommendation was offered to implement controls to monitor the balance and activity of the custodial account held by WEX Health, Inc. Management agreed and indicated that a process for monitoring account transactions and balance will be implemented.

Also, during the quarter, Internal Audit provided results of an audit of liability claims management and found controls related to administration and management of general liability claims, and identification and management of subrogation claims, are adequate and functioning.

#### Internal Audit Productivity

Internal Audit measures the productivity of the department by calculating a productivity ratio. The ratio, used broadly throughout the audit industry, measures the amount of time auditors spend on audit projects versus time spent on administrative duties. Productivity goals are established for both the professional staff and for the department. Because the executive director regularly participates in non-audit management activities such as planning and committee meetings, the department-wide target is set at 75 percent. The target for Internal Audit professional staff, not including the executive director, is 80 percent.

By the quarter ended June 30, 2024, Internal Audit had achieved cumulative productivity of 80 percent, and the professional staff achieved cumulative productivity of 85 percent.



### Price Reviews

At the request of the Contracts Administration and Materials Management (CAMM) Department, and consistent with OCTA’s procurement policy, Internal Audit conducts agreed-upon procedure reviews of single-bid procurements exceeding \$50,000, to ensure that CAMM handled the procurement in a fair and competitive manner. Internal Audit also performs agreed-upon procedure reviews of sole source contractor proposals exceeding \$50,000, and prices proposed by architectural and engineering firms exceeding \$150,000, to ensure that the prices are fair and reasonable. Internal Audit makes recommendations to adjust proposed rates where they exceed the rates per review. During the fourth quarter, Internal Audit completed three price reviews. For the year ended June 30, 2024, a total of 16 price reviews were issued.

### Fraud Hotline

Internal Audit is responsible for administering the OCTA Fraud Hotline. The fraud hotline system allows reporters to file complaints anonymously through the internet or by calling a toll-free phone number. Complaints may also be received in person, by phone, or by mail directly to Internal Audit. To ensure proper recordkeeping, all complaints are recorded in the Ethicspoint system, regardless of how the complaint is received.

During the quarter ended June 30, 2024, no reports were received. A total of eight reports were received during the FY.

#### Outstanding Audit Recommendations Tracking

At the request of the Finance and Administration Committee, a listing of outstanding audit recommendations is included with the quarterly updates to the Plan as Attachment B.

For the quarter ended June 30, 2024, Internal Audit performed follow-up and closed out three outstanding recommendations, as reflected in Attachment C. Follow-up review of another nine outstanding recommendations is underway as of quarter-end. Two recommendations were added to the listing as a result of the audit of the design-build contract for the Interstate 405 Improvement Project and the audit of the flexible spending account program, summarized above.

#### **Summary**

The Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan is being closed out. Three projects that are in process, and one contingency project, have been carried forward to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan. The Internal Audit Department will continue to perform follow-up of all outstanding findings and recommendations.

#### **Attachments**

- A. Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan, Fourth Quarter Update
- B. Outstanding Audit Recommendations, Audit Reports Issued Through June 30, 2024
- C. Audit Recommendations Closed During Fourth Quarter, Fiscal Year 2023-24

#### **Approved by:**



Janet Sutter  
Executive Director, Internal Audit  
714-560-5591

**Orange County Transportation Authority  
Internal Audit Department  
Fiscal Year 2023-24 Internal Audit Plan  
Fourth Quarter Update**

**ATTACHMENT A**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours	Staff Hours To Date	Under (Over)	Status (Date Issued)
<b>Mandatory External Independent Audits</b>							
Annual Financial Audits and Agreed-Upon Procedures (AUP) Reviews	FY24-001 through FY24-004	Develop and issue a request for proposals and scope of work for an independent audit firm to conduct audits of the Orange County Transportation Authority (OCTA) and related entities. Coordinate and report on annual financial and AUP reviews for fiscal year (FY) 2022-23.	Financial	470	446	25	Complete
External Regulatory Audits	FY24-005	Coordinate and report on external audits by regulatory or funding agencies.	Compliance	40	44	(4)	2 Reports Issued
<b>Internal Audit Department Projects</b>							
Risk Assessment and Annual Audit Plan	FY24-100	Preparation of the annual audit plan, quarterly updates to the audit plan, and periodic assessment of risk throughout the year, including monitoring the audit results of related entities.	Audit Plan and Updates	180	175	5	Complete
Quality Assurance and Self-Assessment	FY24-101	Update of Internal Audit Policies & Procedures. Annual self-assessment of the Internal Audit Department's (Internal Audit) compliance with Generally Accepted Government Auditing Standards.	Quality Assurance	180	81	99	Complete
Fraud Hotline Activities	FY24-102	Administrative duties related to maintenance of the OCTA Fraud Hotline and work related to investigations of reports of fraud, waste, or abuse.	Fraud Hotline	120	166	(46)	8 Reports Received
Automated Workpaper Solution	FY24-103	System updates/training related to automated workpaper solution.	Workpaper System	40	23	18	
<b>Internal Audits</b>							
<b>Express Lanes Program</b>							
Operations and Management	FY24-508	Assess and test selected oversight, contract compliance, and/or invoice review controls related to the provision of services by Cofiroute USA, LLP.	Operational/ Compliance	340	294	46	In Process
<b>Security and Emergency Preparedness</b>							
Transit Police Services	FY24-503	Assess and test selected oversight, contract compliance, performance reporting, and/or invoice review controls related to the agreement for provision of Transit Police Services.	Operational/ Compliance	280	297	(17)	Complete 12-5-23

**Orange County Transportation Authority  
Internal Audit Department  
Fiscal Year 2023-24 Internal Audit Plan  
Fourth Quarter Update**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours	Staff Hours To Date	Under (Over)	Status (Date Issued)
<b>People and Community Engagement</b>							
Life Insurance Benefits	FY23-505	Assess and test policies, procedures, and controls over administration of employee life insurance benefits.	Operational	26	12	14	Complete 8-7-23
Bus Advertising Revenue	FY23-516	Assess and test oversight and contract compliance controls related to the agreement for bus advertising.	Operational/ Compliance	120	149	(29)	Complete 8-31-23
Liability Claims Management	FY24-510	Assess and test controls related to administration and management of liability claims.	Operational	320	253	67	Complete 5-23-24
Flexible Spending Accounts	FY24-511	Assess and test controls over the administration of employee flexible spending accounts.	Internal Control/ Compliance	200	333	(133)	Complete 5-29-24
College Pass Program	FY24-506	Assess and test oversight, compliance, and performance of the College Pass Program.	Operational	220	367	(147)	Complete 3-11-24
<b>Capital Programs</b>							
Anaheim Canyon Station Improvements	FY23-515	Assess and test oversight controls, contract compliance, and invoice review controls related to the Anaheim Canyon Station Improvements Project.	Internal Control/ Compliance	80	93	(13)	Complete 8-31-23
OC 405 Partners	FY24-507	Assess and test oversight controls, contract compliance, and invoice review controls related to the OC 405 design-build project.	Internal Control/ Compliance	360	464	(104)	Complete 4-9-24
<b>Operations</b>							
OC ACCESS Service	FY24-512	Assess adequacy of oversight controls and test oversight, contract compliance, and invoice review controls related to the agreement with First Transit/TransDev for OC ACCESS transportation services.	Operational/ Compliance	320	294	26	In Process
Regional Center of Orange County	FY24-502	Assess and test controls related to administration and operation of the agreements with Regional Center of Orange County and My Day Counts relating to transportation services.	Internal Control/ Operational	280	274	6	Complete 11-14-23
OC Vanpool Program	FY24-505	Assess and test controls and compliance related to the administration of the OC Vanpool Program.	Operational/ Compliance	180	236	(56)	Complete 1-18-24

**Orange County Transportation Authority  
Internal Audit Department  
Fiscal Year 2023-24 Internal Audit Plan  
Fourth Quarter Update**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours	Staff Hours To Date	Under (Over)	Status (Date Issued)
<b>Finance and Administration</b>							
Treasury	FY24-501, FY24-509	Semi-annual review of investments: compliance, controls, and reporting.	Compliance	250	446	(196)	2 Reports Issued
Accounts Payable	FY23-504	Assess and test controls over accounts payable operations.	Operational	320	513	(193)	Complete 1-15-24
Revenue Agreements	FY24-513	Assess and test controls over identification, tracking, and reporting of external revenue agreements.	Operational	280	102	178	In Process
Cybersecurity	FY23-509	Design a scope of work and procure an audit consultant to evaluate OCTA's Cybersecurity program.	Internal Control/ Operational	8		8	Complete 5-31-23
OCTA Store Operations	FY24-504	Assess and test OCTA Store operations to ensure adequate controls are in place to safeguard assets.	Internal Control/ Operational	280	164	116	Complete 10-26-23
Price Reviews	PR24-XXX	As requested by the Contracts Administration and Materials Management (CAMP) Department, apply AUP to sole source, single bid, and architectural and engineering firm proposals.	Price Review	800	696	105	16 Reports Issued
Buy America	FY24-5XX	As requested by the CAMP Department, apply AUP to determine compliance with Buy America requirements.	Buy America	300	391	(91)	4 Reports Issued
<b>Unscheduled Reviews and Special Requests</b>							
Unscheduled Reviews and Special Requests	FY24-800	Time allowed for unplanned audits and requests from the Board of Directors (Board) or management.	Varies	200	39	161	

**Orange County Transportation Authority  
Internal Audit Department  
Fiscal Year 2023-24 Internal Audit Plan  
Fourth Quarter Update**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours	Staff Hours To Date	Under (Over)	Status (Date Issued)
<b>Monitoring Activities</b>							
Measure M2 Taxpayer Oversight Committee (TOC)	FY24-601	Coordination of audit activities on behalf of the Audit Subcommittee of the TOC.	Administrative Support	60	77	(17)	
Metrolink Audit Activities	FY24-602	Review/monitor audit results of Metrolink activities. Participate in selection of independent auditing firm.	Non-Audit Service	10	26	(16)	
Bus Base Inspections	FY24-603	At the request of the Operations Division, participate in annual base inspections.	Non-Audit Service	80	43	37	Complete
Capital Asset Inventory Observation	FY24-604	At the request of the Finance and Administration Department, observe and apply limited procedures related to the bi-annual capital asset inventory counts.	Non-Audit Service	60	88	(28)	
<b>Follow-Up Reviews</b>							
Follow-Up Reviews and Reporting	FY24-700	Follow-up on the status of management's implementation of audit recommendations.	Follow-Up	280	471	(191)	
<b>Total Audit Project Planned Hours (A)</b>				<b>6,684</b>	<b>7053</b>	<b>(369)</b>	

**Orange County Transportation Authority  
Internal Audit Department  
Fiscal Year 2023-24 Internal Audit Plan  
Fourth Quarter Update**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours	Staff Hours To Date	Under (Over)	Status (Date Issued)
<b>Internal Audit Administration</b>							
Board and Committee Meetings				180	135		
Executive Steering and Agenda Setting Meetings				170	118		
Internal Audit Staff Meetings				150	91		
Other Administration				1,500	1393		
			<b>Total Hours (B)</b>	<b>8,684</b>	<b>8789</b>		
			<b>Department Target Efficiency (A/B)</b>	75%	80%		
			<b>Target Efficiency - Professional Staff</b>	80%	85%		

**Contingency: Internal Audit**

Project Controls	FY24-5XX	Assess the adequacy and effectiveness of internal controls over payment processing and project oversight exercised by the Project Controls section of Capital Programs.
------------------	----------	---



**Outstanding Audit Recommendations  
Audit Reports Issued Through  
June 30, 2024**

**ATTACHMENT B**

<b>Audit Issue Date</b>	<b>Report Number</b>	<b>Division/ Department/ Agency</b>	<b>Audit Name</b>	<b>Recommendation</b>	<b>Initiate Next Update</b>	<b>Management Response</b>	<b>Internal Audit Status</b>
1/26/22	21-511	Executive Office	Physical Access Security	The Internal Audit Department (Internal Audit) recommends the Security and Emergency Preparedness (SEP) Department management develop, maintain, and test a comprehensive, appropriate, and up-to-date set of physical security plans, policies, and procedures. A written Access Control Policy and related procedures should be developed and published, and management should address requirements included in the Physical Security Policy for implementing gate controls at all facilities. Finally, management should implement a regular training program to inform employees as to security policies, procedures, and protocols.	Jul-24	Management will work to document all processes and review assigned policies. SEP will make updates to the Physical Security Policy to address gate controls and create a Physical Access Control Policy. These updates will be completed by June 30, 2022. A "Record of Changes" section has been added to security plans to document reviews and updates. Management has hired a consultant to review the Orange County Transportation Authority's (OCTA) policies, procedures, and security plans. The consultant will provide recommendations on program improvements, conduct a new Threat and Vulnerability Assessment, provide a new written security plan, and create a security training program to include curriculums for all employees. Management will implement a training program within 12 months.	<u>Update August 2022</u> : Updates to security plans, policies, and procedures have not yet been prepared and are expected to be completed between August and December 2022. <u>Update March 2023</u> : Certain policy updates are in process. Development of an updated Master Security Plan (MSP) has been delayed and is now expected to be complete by the end of 2023. <u>Update September 2023</u> : Significant progress has been made; however, development of a MSP and a physical security training program are not yet complete. The contractor has experienced delays in producing these deliverables. <u>Update March 2024</u> : A final draft of the MSP was delivered in November 2023 but has not been finalized, and signed/accepted by the Chief Executive Officer. A training program has been implemented starting in the first quarter of 2024.
1/26/22	21-511	Executive Office	Physical Access Security	Internal Audit recommends management develop and implement written policies, procedures, and protocols that address the timely issuance, termination, and use of badges. These procedures should be referenced in contracts with Contracted Transportation Services (CTS) providers and be communicated to OCTA staff. Management should also ensure secondary controls are operating as intended.	Jul-24	Management is reviewing the issuance and termination of access badges in order to document processes. Management will work with other departments, including CTS, to advise of procedures for issuing and terminating access badges and encourage those departments to include procedures in their contracts, as appropriate. Additionally, management is currently reviewing and documenting procedures to ensure secondary controls are being utilized. Review and updating of procedures will conclude with the creation of a new Physical Access Policy to be completed by June 30, 2022.	<u>Update August 2022</u> : Management has not yet developed policies, procedures, and protocols to address timely issuance, termination, and use of access badges coordinated through OCTA. An Access Control Policy was originally expected to be completed by June 30, 2022, but has taken longer than expected due to the need to update the Physical Security Policy first. <u>Update March 2023</u> : Management expects an updated Access Control Policy (Policy) to be completed soon, and updates to agreements with CTS providers are in process. <u>September 2023</u> : Significant progress has been made; however, monitoring controls outlined in the newly-developed Policy have not yet been implemented. <u>Update March 2024</u> : Monitoring controls related to access control have been implemented; however, improvement is needed.

**Outstanding Audit Recommendations  
Audit Reports Issued Through  
June 30, 2024**

<b>Audit Issue Date</b>	<b>Report Number</b>	<b>Division/ Department/ Agency</b>	<b>Audit Name</b>	<b>Recommendation</b>	<b>Initiate Next Update</b>	<b>Management Response</b>	<b>Internal Audit Status</b>
2/9/22	21-507	Operations Division (Operations)	Facilities Maintenance (FM) Operations	Internal Audit recommends management implement a perpetual inventory system to track purchasing activity and maintain inventory of all parts and supplies. Purchasing, storage, issuance, and disposal activities should be centralized and include controls to ensure proper authorization for purchases, physical security of inventory items, and proper assignment of costs to work orders.	Aug-24	FM contracts for parts and supplies will be transferred to the Contracts Administration and Materials Management (CAMM) Department by July 2022. By February 2023, FM parts and supplies stored outside of CAMM's control will be brought into the inventory system for proper storage and issuance. The current Enterprise Asset Management (EAM) system is not capable of assigning all costs to FM work orders; however, a new EAM system is being implemented and should be capable of properly assigning costs to work orders. The new EAM system is estimated to be fully implemented in mid-2023.	<u>Update September 2022</u> : Management has completed transferring contracts to CAMM and a process to bring FM parts inventory into CAMM for proper storage and issuance has been established and is on track to be completed by February 2023. As stated in the original response, the current asset management system is not capable of assigning all costs to work orders. A new system will be implemented in mid-2023. <u>Update March 2023</u> : Management is still in the process of implementing a centralized inventory system and expects that physical transfer of all inventory may take up to two years. <u>Updated August 2023</u> : Management is still in the process of transferring parts inventory to centralized CAMM control. <u>Update March 2024</u> : FM inventory for three bases has been transferred to centralized inventory. Transfer of inventory from the remaining two bases is expected to take six months to a year.
2/9/22	21-507	Operations and Finance and Administration (F&A) Division	FM Operations	Management should enhance its invoice review process to ensure compliance with OCTA's Vendor Payment Policy and contract payment terms. Vendor mark-ups should be discontinued from time-and-expense contracts. For contracts related to the purchase of parts and materials only, any items not listed on the price summary sheet should include supporting cost documentation. If mark-ups are to be allowed on parts-and-materials contracts, the proposed mark-ups should be incorporated into the evaluation of costs during the vendor selection process.	Aug-24	Management will immediately begin working on enhancing the current invoice cover page to include a checklist that will require acknowledgement of review for sufficient detail as to quantity and rates of costs and justification. To address the issue of providing sufficient detail and complying with contract terms, the checklist being developed will improve oversight. In terms of discontinuing vendor mark-ups in time-and-expense contracts, management will work with CAMM to develop a solution that will address the issue of vendor mark-ups as well as incorporating an evaluation of cost, if mark-ups are allowed, during the vendor selection process.	<u>Update September 2022</u> : Management has enhanced the invoice checklist to include review for sufficient detail as to quantity and rates. CAMM has implemented an evaluation methodology to assign a percentage of the cost score for items not listed on the price summary sheet. Management and CAMM continue to explore options including discounts from price sheets and using fair market values to justify and validate price mark-ups. <u>Update March 2023</u> : FM has enhanced its invoice review; however, CAMM staff needs to enhance its review of invoices for contracts that have been transferred to their control. <u>Update August 2023</u> : CAMM staff has implemented an invoice review checklist; however, Internal Audit identified some payments that do not comply with contract terms and some vendors that do not have published list prices, required in order to validate discounts. <u>Update March 2024</u> : CAMM has hired a contract analyst to manage and review invoices and implement enhancements to invoice review.

**Outstanding Audit Recommendations  
Audit Reports Issued Through  
June 30, 2024**

<b>Audit Issue Date</b>	<b>Report Number</b>	<b>Division/ Department/ Agency</b>	<b>Audit Name</b>	<b>Recommendation</b>	<b>Initiate Next Update</b>	<b>Management Response</b>	<b>Internal Audit Status</b>
5/8/23	23-508	Planning Division (Planning)	Measure M2 Comprehensive Transportation Funding Programs (CTFP) Project Audits	Management should enforce timely use of funds requirements or obtain Board of Directors' (Board) approval for exceptions to CTFP guidelines.	May-24	Management will consider either clarifying guidelines or seeking Board action on a case-by-case basis.	<u>Update February 2024</u> : Management's response indicated that staff is currently conducting an off-cycle review to update timely use of funds requirements and contract award verbiage, and that presentation of the revisions to the Board has been delayed to spring 2024. <u>Update June 2024</u> : Follow-up in process.
5/8/23	23-508	Planning	Measure M2 CTFP Project Audits	Management should perform follow-up with the County of Orange (County) and the cities of Costa Mesa, Laguna Beach, and San Clemente on actions taken to address recommendations, including repayment of overcharges and duplicate charges by the City of Laguna Beach.	May-24	Direction to management provided in staff report. Management written response not required.	<u>Update February 2024</u> : Management response indicated staff was in communication with the City of Laguna Beach to recover amounts due related to overcharges and indirect cost charges and to recalculate indirect costs; however, no evidence of communication was provided and city staff indicated no communication have occurred. Follow-up with the County and other cities has been performed. <u>Update June 2024</u> : Follow-up in process.
5/31/23	22-513	F&A	OCTA's Cybersecurity Program	Management should adopt and implement a policy that governs asset management and associated activities.	Jul-24	Management agreed to develop and implement a policy.	<u>Update February 2024</u> : Management has drafted requirements of an asset management system and plans to utilize a module of the FreshService system which is currently being implemented. Once implemented, an Asset Management Policy should be developed and implemented by October 2025.
5/31/23	23-509	F&A	OCTA's Cybersecurity Program	Management should implement a comprehensive vulnerability management program that includes identifying, assessing, prioritizing, remediating, and/or documenting vulnerabilities as "accepted risks" in a timely manner.	Jul-24	Management agreed and indicated that the current Vulnerability Policy will be enhanced and all issues will be remediated or documented as "accepted risks" in a timely manner going forward.	<u>Update February 2024</u> : Management is working to build dashboards to identify vulnerabilities and a reporting system to monitor remediation efforts. Management estimates full implementation of this recommendation by June 2024.
5/31/23	23-509	F&A	OCTA's Cybersecurity Program	Management should update OCTA's Business Impact Analysis with direct input from the Cybersecurity Office and use results to inform the development, implementation, and maintenance of an updated Continuity of Operations Plan (COOP) and Disaster Recovery Plan (DRP), and test the DRP annually.	Jul-24	Management responded they are currently working with the SEP Department to review and update the COOP. Management plans to create playbooks to further improve the business continuity and disaster recovery processes to ensure business requirements are met.	<u>Update February 2024</u> : Management indicated that an initial portion of the disaster recovery runbook of core infrastructure applications has been completed and that a tabletop exercise of the incident response plan is planned for June 2024. Management will obtain an updated COOP and update its disaster systems recovery plans accordingly and implement annual testing of data and critical systems recovery by July 2024.

**Outstanding Audit Recommendations**  
**Audit Reports Issued Through**  
**June 30, 2024**

<b>Audit Issue Date</b>	<b>Report Number</b>	<b>Division/ Department/ Agency</b>	<b>Audit Name</b>	<b>Recommendation</b>	<b>Initiate Next Update</b>	<b>Management Response</b>	<b>Internal Audit Status</b>
5/31/23	23-509	F&A	OCTA's Cybersecurity Program	Management should strengthen the data protection and privacy program by adopting a comprehensive policy, designating an individual to define and communicate data and privacy requirements, and perform user access reviews at least every 90 days for all internal employees and third party contractors that have OCTA user accounts and/or access to internal resources.	Jul-24	Management committed to implementing a comprehensive data protection and privacy program for all protected data and to designate the cybersecurity manager as the individual responsible to define and communicate data and privacy requirements. In addition, management agreed to implement user access reviews at least every 90 days.	<u>Update February 2024</u> : Management indicated they have begun, and will continue, to meet with departments that handle protected data to identify where the data is stored and who has access. Once completed, management plans to develop policies and processes to properly secure such data. In addition, management is working with Microsoft to implement a governance platform to control user access during the entire employment life cycle. Management estimates five percent progress to-date, with full implementation by April 30, 2025.
5/31/23	23-509	F&A	OCTA's Cybersecurity Program	Management should strengthen third-party security management by requiring third-party consultants working with OCTA data to be subject to the same training as OCTA employees and be required to acknowledge OCTA information technology and cybersecurity policies. In addition access reviews of these third-party consultants should be conducted.	Jul-24	Management agreed and proposed additional security queries of vendors on a periodic basis, as well as development and implementation of a process to ensure all consultants working with OCTA data receive cybersecurity training and follow the same policy requirements as OCTA employees.	<u>Update February 2024</u> : Management has compiled a list of third-party vendors, along with contact information for each, and has developed a questionnaire for distribution to vendors. The Information Systems (IS) cybersecurity team will review responses and follow-up accordingly. This process will be repeated annually. In addition, IS has implemented a process to ensure all consultants/vendors receive and acknowledge cybersecurity training prior to being granted credentials in OCTA. Management estimates 75 percent progress to-date and full completion by March 2024.
8/7/23	23-505	People and Community Engagement (PACE)	Life Insurance Benefits	Management should develop procedures to ensure that benefit entries into the payroll system are reviewed for accuracy and the monthly invoice process be enhanced to include reconciliation of premiums collected versus premiums paid.	Aug-24	Management agreed to enhance procedures to include the review of benefit entries and reconciliation of premiums collected versus premiums paid and investigate variances.	<u>Update February 2024</u> : Management responded that enhanced procedures have been implemented; however, since VOYA has not provided invoices for January and February 2024, Internal Audit was unable to confirm new procedures are being performed. As such, Internal Audit will follow up again in August 2024.

**Outstanding Audit Recommendations  
Audit Reports Issued Through  
June 30, 2024**

<b>Audit Issue Date</b>	<b>Report Number</b>	<b>Division/ Department/ Agency</b>	<b>Audit Name</b>	<b>Recommendation</b>	<b>Initiate Next Update</b>	<b>Management Response</b>	<b>Internal Audit Status</b>
8/7/23	23-505	PACE	Life Insurance Benefits	Management should implement controls to properly coordinate the timing of annual premium updates and calculation and processing of invoices to ensure accuracy. Additionally, management should reconcile the employee payroll deductions for supplemental life insurance with the payroll system data detailing premiums paid to VOYA and investigate any variances	Aug-24	Management indicated they would implement controls for timely annual premium updates and reconcile payroll deductions to premiums paid.	<u>Update February 2024</u> : Management responded that controls to ensure timely system updates have been implemented and will reconcile premiums to payroll deductions; however, since VOYA has not provided invoices for January and February 2024, Internal Audit was unable to confirm new control procedures are being performed. As such, Internal Audit will follow up again in August 2024.
8/31/23	23-516	PACE	Bus Advertising Revenue Program	Management should implement controls to verify accurate and complete reporting of revenues, enforce reporting requirements, monitor free advertisements, and require the contractor to certify statements and the project manager to document reviews.	Aug-24	Management agreed to implement oversight procedures effective December 1, 2023.	<u>Update March 2024</u> : The project manager now verifies that remittances include required certification language and details as to bonuses. Also, management has documented procedures for a semi-annual verification of a sample of underlying advertising contracts. However, since these procedures have not yet been implemented, Internal Audit will follow-up again in six months to confirm procedures.
11/14/23	24-502	Operations and F&A	Cooperative Agreements with Regional Center of Orange County (RCOC) and My Day Counts (MDC)	Management should implement procedures to investigate and take action to address RCOC disputed trips and ensure timely submission and receipt of payments and related credit memos. Accounts Receivable (AR) staff should communicate with RCOC to obtain sufficient information to ensure payments are accurately recorded, remaining errors are corrected, and input a due date on invoices. AR staff should also establish a process to monitor and collect overdue balances.	May-24	RCOC billing procedures have been improved and disputed trips are now investigated and reconciled. The new process includes a tracking log to ensure timely submission of invoice requests. The new process should eliminate the need for credit memos. AR staff will communicate directly with RCOC to correct remaining errors and ensure due dates are included on all future invoices. Staff has also established a process for monitoring overdue balances and notifying project managers accordingly.	Follow-up in process.

**Outstanding Audit Recommendations  
Audit Reports Issued Through  
June 30, 2024**

<b>Audit Issue Date</b>	<b>Report Number</b>	<b>Division/ Department/ Agency</b>	<b>Audit Name</b>	<b>Recommendation</b>	<b>Initiate Next Update</b>	<b>Management Response</b>	<b>Internal Audit Status</b>
11/14/23	24-502	Operations	Cooperative Agreements with RCOC and MDC	Management should reconsider the current arrangement with MDC and, if continued, should amend contracts with RCOC and MDC to obligate RCOC to pay OCTA for pass-through amounts and to ensure disputed amounts are charged to MDC. Evaluation of per-trip subsidy amounts should include consideration of the pass-through payments going forward. Also, pass-through payment arrangements should be approved by the Board going forward. Management should also consider recovering from MDC amounts paid by OCTA for which RCOC reimbursement was not obtained.	May-24	The agreement with MDC will expire in June 2024 and staff will reconsider the pass-through arrangement at that time, as well as, ensure pass-through payments, if continued, are considered when evaluating the subsidy amount provided by OCTA. The new agreement will be subject to Board approval. Management has also revised billing procedures for pass-through trips to ensure disputed trips are deducted from payments to MDC; however, management has determined there is no contractual support to recover from MDC amounts for pass-through trips paid for by OCTA and disputed by RCOC.	Follow-up in process.
11/14/23	24-502	Operations and F&A	Cooperative Agreements with RCOC and MDC	Accounts Payable (AP) staff should ensure that invoices are properly authorized and verify that invoices are applied to the current agreement, and AR staff should ensure invoices are created against the current agreement. Operations should review invoices from MDC and reconcile trips before submitting invoices for payment.	May-24	AP staff will be provided refresher training to ensure invoices processed include the required signature authority and are applied to active agreements and a system control has been implemented to warn staff if an invoice is posted to an expired agreement. Going forward, AR staff will ensure invoices are created against the correct agreement. Operations staff have improved billing procedures for MDC to ensure full reconciliation prior to invoicing.	Follow-up in process.
12/5/23	24-503	Executive Office	Transit Police Services (TPS)	Management should ensure annual work plans are developed and documented as required by the contract.	Jun-24	Management has begun compiling the annual work plan in conjunction with TPS and expects the plan to be published in March 2024.	Follow-up in process.

**Outstanding Audit Recommendations  
Audit Reports Issued Through  
June 30, 2024**

<b>Audit Issue Date</b>	<b>Report Number</b>	<b>Division/ Department/ Agency</b>	<b>Audit Name</b>	<b>Recommendation</b>	<b>Initiate Next Update</b>	<b>Management Response</b>	<b>Internal Audit Status</b>
12/5/23	24-503	Executive Office	TPS	Management should implement a process to evaluate, estimate, and document the methodology of assigning TPS costs on an annual basis. Management should also consider implementing a process to accumulate and report all costs of providing transit security.	Jun-24	Management will collaborate with the Orange County Sheriff's-Coroner Department to estimate and document contract costs on an annual basis. In addition, management will work with the Financial Planning and Analysis Department to ensure the ability for each department responsible for an aspect of providing or supporting TPS, to accumulate and consolidate transit security costs for a better understanding of the overall cost of transit security. Management will work with Financial Planning and Analysis to consolidate TPS associated costs and reporting by July 2024.	Follow-up in process.
12/5/23	24-503	Executive Office	TPS	Management should implement procedures to document agreements for enhanced services, including the type, time, and place of services, and obtain a cost estimate for services. Management should reconcile invoices for special services to these documents and obtain support, or include in the contract, the rates to be charged prior to authorizing payment.	Jun-24	Management will establish procedures to better document the estimates, agreed cost, and occurrence of special services performed. Management will also seek rates for services to be documented in annual contract amendments moving forward with the 2024-2025 TPS contract amendment. Work should conclude by May 2024.	Follow-up in process.
12/5/23	24-503	Executive Office	TPS	Management should strengthen controls over canine-related expense tracking and ensure all eligible costs are identified and submitted for grant reimbursement. Management should also review fiscal year (FY) 2022-23 eligible expenses that were not submitted and request reimbursement.	Jun-24	Management has begun improvements to canine-related expense tracking and to establish an enhanced invoice review process. Once established, the process will improve oversight to ensure eligible costs are identified and submitted for grant reimbursement. Starting immediately, and to be completed by the end of February 2024, management will work with the grants team to review eligible expenses and attempt to recover expenses of \$13,129.29 for FY 2022-23.	Follow-up in process.

**Outstanding Audit Recommendations  
Audit Reports Issued Through  
June 30, 2024**

<b>Audit Issue Date</b>	<b>Report Number</b>	<b>Division/ Department/ Agency</b>	<b>Audit Name</b>	<b>Recommendation</b>	<b>Initiate Next Update</b>	<b>Management Response</b>	<b>Internal Audit Status</b>
1/15/24	23-504	F&A	Accounts Payable Operations (A/P)	Management should separate the ability to create or edit vendors from the ability to process payments, require a Computer Access Request form for all user access requests, enhance the annual accounting system access review, and restrict the number of users granted administrative rights in the accounting system.	Jul-24	Management will separate the ability to create or edit vendors from the ability to process payments and will collaborate with the IS Department and create a new policy to strengthen controls over accounting system access.	
1/15/24	23-504	F&A	A/P	Management should review and update the Payment Request (PR) Policy, as necessary, and consider updating the PR form to include a checklist and details as to the types of allowable payments. Project managers should also be reminded of the proper use of PR's and staff should not process exceptions without approval.	Jul-24	Management will update the PR policy to enhance clarity and will update the PR form to ensure it is used in accordance with the PR policy. A/P staff have been reminded not to process exceptions without appropriate approval.	
3/11/24	24-506	PACE	College Pass Program	Agreements should be amended to accurately reflect all responsibilities and requirements for program operation, and management should enforce agreement requirements. Management should also develop, document, and implement procedures for administration of the program, including procedures for verifying the reasonableness of enrollment data provided by colleges for invoicing purposes and timely preparation of invoices. Management should implement procedures developed in December 2023, to monitor and collect outstanding receivables.	Sep-24	Management agrees that the agreements need to be more specific to each college, and procedures need to be formalized to administer the program beyond the pilot phase. Management will review and enhance agreement language by August 31, 2024. In addition, management will ensure the documentation and implementation of specific procedures for each aspect of program administration and will outline specific responsibility area(s) for program implementation and oversight by September 30, 2024.	
3/11/24	24-506	PACE	College Pass Program	Internal Audit recommends management update agreements to include requirements for security, inventory, distribution, and reporting of paper passes and implement monitoring controls to ensure colleges are complying with the requirements. Management should also strengthen controls to ensure all college bus passes are properly coded in the system.	Sep-24	Management will develop improved controls and a formal procedure for paper pass distribution to ensure proper security, accurate coding, reporting, and reconciliation, and amend agreements to include the procedures.	



**Outstanding Audit Recommendations  
Audit Reports Issued Through  
June 30, 2024**

<b>Audit Issue Date</b>	<b>Report Number</b>	<b>Division/ Department/ Agency</b>	<b>Audit Name</b>	<b>Recommendation</b>	<b>Initiate Next Update</b>	<b>Management Response</b>	<b>Internal Audit Status</b>
3/13/24	24-509	F&A	Investments: Compliance, Controls, and Reporting: July through December 31, 2023	Internal Audit recommends Treasury utilize month-end bank statements when preparing monthly reports.	Sep-24	Management will ensure that month-end bank statements are used for monthly reports.	
3/13/24	24-509	F&A	Investments: Compliance, Controls, and Reporting: July through December 31, 2023	Internal Audit recommends OCTA discontinue paying fees associated with accounts whose portfolio values are not automatically updated in the Clearwater system.	Sep-24	Management is actively addressing the issues pertaining to the subject accounts. The accounts have been removed from the Clearwater system until such time that a resolution is achieved.	
4/9/24	24-507	Capital Programs	Interstate 405 Improvement Project: Design-Build Contract	Internal Audit recommends that management file stop payment and release notices, daily extra work reports, and supporting tickets, and other supporting documentation with the invoice payment records. Also, management should ensure meeting minutes with sign-in sheets are consistently filed in the project files.	Oct-24	Management agrees and will work with F&A to include relevant supporting documents with invoice records going forward. Management will also ensure minutes and sign-in sheets are consistently filed with the project files.	
5/29/24	24-511	PACE	Flexible Spending Account Program	Management should implement a process for regular tracking of custodial account contributions, distributions, and running account balance and ensure the balance is updated for purposes of financial reporting.	Nov-24	Management will create a process to ensure the balance is updated and reported to accounting at the end of each fiscal year. In addition, a process will be established to regularly track account balance and activities.	

**Audit Recommendations Closed During  
Fourth Quarter, Fiscal Year 2023-24**

<b>Audit Issue Date</b>	<b>Report Number</b>	<b>Division/ Department/ Agency</b>	<b>Audit Name</b>	<b>Recommendation</b>	<b>Internal Audit Status Comments</b>
11/20/23	Not Applicable	Planning	Investigation and Limited Scope Review of Comprehensive Transportation Funding Programs (CTFP) Scope Change for Project No. 20-HBCH-CBT-3960	Management should revise CTFP guidelines, with Board of Directors' (Board) approval, to add guidance as to acceptable scope and/or programming changes to Project V projects, and include criteria to be used in evaluating changes. Staff should conduct and document evaluation of scope changes prior to seeking Board approval, and ensure that defined requirements are met. Reprogrammed projects should be evaluated against projects as originally scored when funding was approved.	Internal Audit confirmed that revisions to CTFP guidelines addressing scope changes were presented to and approved by the Board on May 13, 2024.
11/20/23	Not Applicable	Planning	Investigation and Limited Scope Review of CTFP Scope Change for Project No. 20-HBCH-CBT-3960	Management should return to the Board with a clear description of the scope change action and its impact on future funding decisions, and request consideration of approval. Going forward, management should ensure accurate and complete communications with the Board.	Internal Audit confirmed that an updated description and explanation of the scope change action was included in the CTFP semi-annual review report approved by the Board on December 11, 2023.
6/5/23	23-513	F&A	Lost and Found Operations	Management should enhance controls to ensure found cash and checks/money orders received are properly recorded and reconciled to deposits and general ledger entries.	Internal Audit confirmed that management has implemented enhanced tracking features for auctioned items and reconciliation of check deposits.



COMMITTEE TRANSMITTAL

**July 22, 2024**

**To:** Members of the Board of Directors  
**From:** Andrea West, Clerk of the Board *Andrea West*  
**Subject:** Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan

Finance and Administration Committee Meeting of July 10, 2024

**Present:** Directors Do, Federico, Harper, Hennessey, Klopfenstein, and Nguyen  
**Absent:** Director Sarmiento

**Committee Vote**

This item was passed by the Members present.

**Committee Recommendation(s)**

- A. Approve the proposed Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan.
- B. Direct the Executive Director of the Internal Audit Department to provide quarterly updates on the Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan.



**July 10, 2024**

**To:** Finance and Administration Committee

**From:** Darrell E. Johnson, Chief Executive Officer   
Janet Sutter, Executive Director   
Internal Audit Department

**Subject:** Orange County Transportation Authority Internal Audit Department  
Fiscal Year 2024-25 Internal Audit Plan

**Overview**

At the direction of the Orange County Transportation Authority Board of Directors, the Internal Audit Department develops and implements an annual risk-based internal audit plan. Implementation of an annual internal audit plan assists management in evaluating the effectiveness and efficiency of projects, programs, and operations, while ensuring that adequate controls and safeguards are in place to protect the Orange County Transportation Authority's assets and resources.

**Recommendations**

- A. Approve the proposed Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan.
- B. Direct the Executive Director of the Internal Audit Department to provide quarterly updates on the Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan.

**Background**

The Internal Audit Department (Internal Audit) is an independent appraisal function, the purpose of which is to examine and evaluate the Orange County Transportation Authority's (OCTA) operations and activities to assist management and the Board of Directors (Board) in the discharge of their duties and responsibilities.

***Discussion***

Internal Audit is presenting the proposed Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan (Audit Plan) for Board approval. The Audit Plan was developed from an enterprise-wide risk assessment. The Audit Plan will be implemented using Internal Audit staff, on-call consultants, an independent financial audit firm, and other firms, as needed.

**Fiscal Impact**

The Audit Plan has been developed within the resources available in the adopted OCTA Fiscal Year 2024-25 Budget.

***Summary***

The Audit Plan has been developed to support the Board and OCTA management in the discharge of their duties and responsibilities to safeguard assets of OCTA, while ensuring those assets are used in an efficient and effective manner.

***Attachment***

- A. Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan

**Authorized by:**



Janet Sutter  
Executive Director, Internal Audit  
714-560-5591

# ORANGE COUNTY TRANSPORTATION AUTHORITY Internal Audit Department



## Fiscal Year 2024-25 Internal Audit Plan



Janet Sutter, CIA, CFE  
Executive Director, Internal Audit  
(714) 560-5591

550 South Main Street  
P.O. Box 14184  
Orange, CA 92863-1584

**ORANGE COUNTY TRANSPORTATION AUTHORITY**  
**INTERNAL AUDIT DEPARTMENT**  
Fiscal Year 2024-25  
Internal Audit Plan

**Table of Contents**

Mission of the Internal Audit Department.....	1
Internal Audit Department Activities.....	1
Fiscal Year 2023-24 Accomplishments .....	3
Fiscal Year 2024-25 Goals.....	3
Internal Audit Organization.....	4
Internal Audit Plan Development .....	6
Conclusion .....	8
Risk Assessment by Program/Project/Contract/Function Fiscal Year 2024-25.....	Appendix A
Fiscal Year 2024-25 Internal Audit Plan .....	Appendix B

**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

Fiscal Year 2024-25  
Internal Audit Plan

**Mission of the Internal Audit Department**

The mission of the Internal Audit Department (Internal Audit) of the Orange County Transportation Authority (OCTA) is to assist management and the Board of Directors (Board) in the effective discharge of their duties and responsibilities to safeguard the assets of OCTA, while ensuring those assets are used in an efficient and effective manner. To this end, Internal Audit serves as an independent appraisal function to examine and evaluate OCTA's operations, activities, internal controls, compliance, opportunities, and risks.

**Internal Audit Department Activities**

Internal Audit is responsible for examining and evaluating the financial, administrative, and operational activities of OCTA, and supplying management with information to assist in its control of assets and operations for which it is responsible.

Internal Audit provides a wide range of auditing services, including annual financial and compliance audit oversight, operational reviews, compliance reviews, internal control assessments, investigations, pre-award and post-delivery Buy America reviews, and price reviews. In addition, all audits initiated by entities outside of OCTA are coordinated through Internal Audit.

Internal Audit measures the efficiency of the department by calculating a productivity ratio. The ratio, used broadly throughout the audit industry, measures the amount of time auditors spend on audit projects versus time spent on administrative duties. Productivity goals are established for the professional audit staff and for the department. The department-wide target includes all professional staff and the executive director. For fiscal year (FY) 2024-25, Internal Audit set a department-wide target productivity ratio of 75 percent and a professional audit staff productivity ratio of 80 percent. Because the executive director is required to regularly participate in non-audit management activities such as executive planning and committee meetings, the department ratio is set lower than that of the professional staff.

The Government Accountability Office (GAO) broadly defines audits as financial, attestation, or performance audits. Financial audits, including financial statement audits, are assessments of, and assurance about, an entity's financial condition, operating results, or other defined financial criteria. Attestation engagements are both financial and non-financial, and result in varying degrees of assurances about specific subject matter. Agreed-upon procedures engagements, performed by Internal Audit, are an example of attestation engagements, whereby Internal Audit applies procedures at the direction of the Contracts Administration and Materials Management (CAMP) Department related to contractor price proposals and procurements of federally funded revenue vehicles.

Internal Audit's efforts, however, are focused primarily on the third category of audits, performance audits, as defined by the GAO. Performance audit objectives vary widely and include review of internal controls, assessment of compliance with laws, regulations, contracts, policies and procedures, and assessment of program effectiveness, economy, and efficiency. To define the objectives of these performance audits more accurately, Internal Audit categorizes audit projects in a more descriptive manner as indicated below. It is



**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

Fiscal Year 2024-25  
Internal Audit Plan

important to note, however, that most audit projects include objectives consistent with one or more of these audit types.

**Compliance** – Compliance audits are performed to ensure that the terms and conditions of contracts, grants, memorandums of understanding, or other agreements are being followed and that there is compliance with Board-adopted policies and procedures, management policies and procedures, and applicable regulatory requirements.

**Price Review** – Price reviews refer to the agreed-upon procedures reviews performed for architectural and engineering price proposals, or sole source proposals, to determine if proposed pricing is fair and reasonable. Agreed-upon procedure reviews are also performed on single-bid procurements for the purpose of determining whether the CAMM complied with policies and procedures to ensure a fair and competitive process. Procedures are performed based on a written agreement with CAMM.

**Buy America Review** – Buy America reviews refer to the pre-award and post-delivery agreed-upon procedures reviews of vehicle purchases in accordance with federal Buy America laws. The procedures are performed based on a written agreement with CAMM.

**Financial** - Financial audits focus on verification of financial transactions and balances. Financial audits include the financial statement audits of OCTA and related legal entities, as well as other attestation engagements performed by an independent certified public accounting firm, to ensure compliance with the Measure M2 (M2) Ordinance or other legally mandated requirements.

**Internal Control** – Internal control reviews are performed to assess whether controls in place are adequate to protect the assets and resources of OCTA and to ensure compliance with laws, regulations, and policies.

**Operational** - An operational audit is performed to evaluate current operating procedures to determine if they provide for an adequate control environment and to assess whether processes are efficient and effective ways to accomplish the goals of the project, program, or activity. Operational audits generally include elements of both an internal control review and a compliance review.

Internal Audit also performs other activities outlined in the OCTA FY 2024-25 Internal Audit Plan (Audit Plan) as follows:

**Monitoring** – These activities include providing information to the Audit Subcommittee of the Taxpayer Oversight Committee (TOC) to assist in their duty to exercise oversight of the expenditure of M2 funds, participation in annual Operations Division bus base inspections, and observation of biennial capital asset inventory counts. Internal Audit also monitors results of audits issued related to Metrolink activities.

**Follow-Up Activities** – These activities are undertaken to determine whether audit recommendations have been implemented or otherwise satisfactorily addressed.

**Investigations** – Investigative activities are performed in response to a complaint or allegation received through OCTA's Fraud Hotline.

**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

Fiscal Year 2024-25  
Internal Audit Plan

**Fiscal Year 2023-24 Accomplishments**

- Conducted the annual risk assessment of OCTA and obtained Board approval to execute the FY 2023-24 Audit Plan on July 24, 2023. Implemented the FY 2023-24 Audit Plan and provided timely quarterly updates of progress and activities.
- Exceeded the department-wide productivity goal of 75 percent and exceeded the professional audit staff productivity goal of 80 percent.
- Completed 36 projects, including 15 audits, 16 price reviews, four Buy America reviews, and one investigation and limited scope review.
- Coordinated and issued all required annual, independent financial, and agreed-upon procedures reviews using the services of Crowe LLP. All reports were presented to the Board and, as applicable, submitted to the State Controller's Office and the California Department of Transportation.
- Provided administration of OCTA's Fraud Hotline and reviewed complaints received during the FY. Referred complaints to management, as appropriate, or conducted investigations and provided reports of any substantiated claims or internal control weaknesses identified during investigations. An initial response was provided within two business days.
- Assisted the Audit Subcommittee of the TOC during the year, by coordinating meetings, providing communication of M2-related audit and agreed-upon procedures results, and providing information for consideration in selecting local agencies for review.

**Fiscal Year 2024-25 Goals**

- Conduct the annual risk assessment of OCTA and obtain Board approval to execute the FY 2024-25 Audit Plan by August 2024. Implement the Audit Plan and provide timely quarterly updates of progress and activities.
- Achieve a department-wide productivity ratio of at least 75 percent and professional staff productivity ratio of at least 80 percent.
- Conduct agreed-upon procedures reviews, as requested by CAMM, of selected price proposals, single-bid proposals, and sole source proposals, and to determine compliance with Buy America laws.
- Provide administration of the OCTA Fraud Hotline, providing initial response to all reports within two business days, and conducting investigations and/or referring matters, as appropriate.

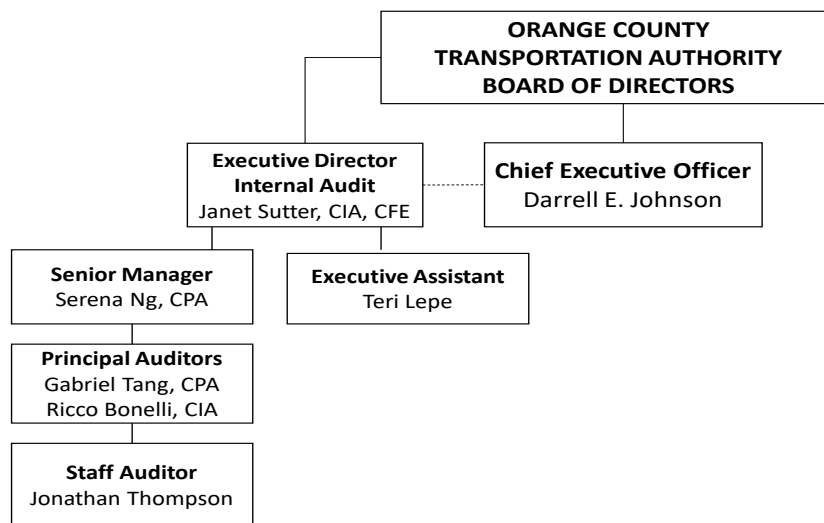
**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

Fiscal Year 2024-25  
Internal Audit Plan

- Obtain required Triennial External Quality Assurance Review of the Internal Audit and provide results to the Finance and Administration (F&A) Committee and the Board.
- Procure a firm to conduct the required State Triennial Reviews of OCTA, the Orange County Transit District, and the Laguna Beach Municipal Transit Lines.

**Internal Audit Organization**

Standards provide a framework for government auditors in the areas of transparency, independence, accountability, and quality. These standards require that auditors be independent in both mind and appearance with respect to the entities for which they perform audit services. Internal Audit has established policies and procedures to comply with the standards, and OCTA has established an internal audit function that is organizationally independent. As indicated below, Internal Audit reports functionally to the Board, and administratively to the Chief Executive Officer:



**Risk Assessment Process**

It is the responsibility of OCTA management to identify, assess, and manage risk. It is Internal Audit’s responsibility to facilitate the identification and assessment of risk, and to monitor and report on how well risks are being managed by OCTA. All organizations face risks, which are defined as those events, actions, or inactions that could cause key business objectives not to be achieved. To mitigate and manage these risks, an organization typically implements internal controls, anticipates, and plans for disruptions, develops risk management programs, and engages in other risk mitigation activities.

**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

Fiscal Year 2024-25  
Internal Audit Plan

The key business objective of OCTA is imbedded in its mission statement to “*Develop and deliver transportation solutions to enhance quality of life and keep Orange County moving.*” Developing and delivering these “*transportation solutions*” are several core business units of OCTA, including the Chief Executive Office, Operations, F&A, Planning, People and Community Engagement, Government Relations, and Capital Programs Divisions. These business units are supported by administrative functions, and all these services are delivered through a variety of projects, programs, and activities. With a budget exceeding \$1.75 billion, OCTA delivers transportation solutions through numerous channels with a variety of stakeholders, with the assistance of the private sector, and for the benefit of diverse customers.

Recognizing both the number and size of OCTA’s projects, programs, and activities, as well as the constraints of Internal Audit resources, Internal Audit maximizes its effectiveness by engaging in an annual risk assessment process to establish the priorities of the department for the upcoming FY.

Risk Assessment Methodology

Internal Audit established the architecture of the risk assessment by first identifying all OCTA projects, programs, contracts, and functions (auditable entities). Internal Audit then identified six categories of risks and assigned weightings as follows:

***Financial and Compliance Risks (20 percent)*** – The magnitude of financial exposure to OCTA and the degree of regulatory oversight and/or the volume of regulation with substantial fines, penalties, or other sanctions for noncompliance.

***Security and Safety Risks (15 percent)*** – The impact of a security breach to OCTA customers, contractors, employees, or the public, and the degree of severity (catastrophic, significant, moderate, or minimal) resulting from incidents or accidents.

***Operational and Strategic Risks (15 percent)*** – The impact severity of a disruption in the operation of this OCTA project or program on Orange County travelers, and the significance of this project or program to OCTA’s strategic success.

***Image and Reputation Risks (15 percent)*** – The intensity of public interest and awareness, and the visibility of the project, program, or function to the media.

***Complexity of Operations (15 percent)*** – The number of individuals, departments, contractors, information systems, and manual processes involved in the delivery of this project or program, and the degree to which transactions require professional judgment or technical expertise.

***Time Since Last Audit (20 percent)*** – The length of time since the last audit or review was conducted and the results of that review.

**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

Fiscal Year 2024-25  
Internal Audit Plan

Internal Audit then developed the following assigned ratings for each risk:

<b>Risk Rating</b>	<b>Description</b>
4.0 – 5.0	High Risk
3.0 – 3.9	Moderate to High Risk
2.1 – 2.9	Moderate Risk
1.6 – 2.0	Low to Moderate Risk
1.0 – 1.5	Low Risk

Following are examples of the risk assessment results for four different auditable entity types:

Auditable Entity	Audit History	Audit Requirement	Time Since & Results of Last Audit						Weighted Average Risk
			20%	20%	15%	15%	15%	15%	
Project Controls		No	3	5	1	4	3	4	3.4
Purchasing Cards	2018	No	1	1	1	2	4	1	1.6
ACCESS Eligibility	2023	No	1	4	3	4	5	3	3.3
Buy America Compliance	2022	Yes	As Needed						N/A

Following the risk assessment of each of approximately 270 auditable entities within OCTA, Internal Audit summarized the results on the heat chart in Appendix A. The heat chart translates the numerical risk ratings of each auditable entity into a more visually appealing format. Auditable entities that require an audit, either by regulation or at the direction of the Audit Subcommittee of the TOC, are not risk rated, and are reflected as “Required”.

**Internal Audit Plan Development**

The Audit Plan, Appendix B, calls for approximately 8,700 Internal Audit hours, exclusive of vacation, sick, holiday, and continuing professional education hours. Of the 8,700 hours, approximately 2,000 relate to administrative activities, including Board and committee meeting attendance, Internal Audit staff meetings, and other administrative tasks. The purpose of including these hours is to monitor and measure Internal Audit’s productivity.

**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

Fiscal Year 2024-25  
Internal Audit Plan

The Audit Plan includes 685 hours for mandatory audit activities, including hours needed to coordinate, review, and report on the results of the required annual audits and agreed-upon procedures reviews, as well as any audits by external regulatory bodies. Additionally, in the coming year, Internal Audit will procure an independent firm to conduct the required State Triennial Reviews of OCTA, the Orange County Transit District, and the Laguna Beach Municipal Transit Lines. Approximately 660 hours are anticipated for internal audit projects and non-audit activities, such as the annual risk assessment and audit planning process, required quality assurance and self-assessment activities, administration and investigation of complaints received through OCTA's Fraud Hotline, and updates to audit policies, procedures, and workpaper templates. In the upcoming year, Internal Audit will also undergo a required triennial quality assurance review and report results of this to the F&A Committee and the Board.

The Audit Plan also includes 700 hours for price review services and 320 hours for Buy America review services. While requests for price reviews are unpredictable, this budget is based on both the extent of current procedures and the volume of requests in prior years. Hours for Buy America services assume four requests for review will be received during the year.

The risk assessment developed by Internal Audit is the primary, but not absolute, means by which Internal Audit prioritizes and selects audit projects. There remain other factors that are not considered in the risk assessment. For example, some high-risk auditable entities are not selected because the projects and/or contracts are in their infancy, and it would be more suitable to perform an audit after the project and/or contract is better underway. Other high-risk auditable entities are not selected because of Internal Audit's knowledge of a recent or upcoming related review activity, such as audits by the California Department of Transportation and/or the Federal Triennial Review. Other subjective factors that affect the selection of audit projects include knowledge about external or regulatory auditor interest, project or program failures or successes, consideration of the impact to individual departments and/or divisions, and staffing resources.

The proposed Audit Plan includes audits to assess and test oversight, contract compliance, and invoice review controls related to contracts with Kapsch Trafficom USA, Incorporated for the toll integrator system, Keolis Transit Services, LLC for contracted fixed-route service, Woodruff and Smart for legal services, Siemens Mobility, for the manufacture and delivery of OC Streetcar Vehicles, and four firms for investment management services. An audit of oversight controls and contract compliance related to the Interstate 5 Improvement Project: Oso Parkway to Alicia Parkway is also part of the Audit Plan. In addition, operational audits of project controls, real estate administration, field supervision, budget development and monitoring, purchasing cards, and compensation are included. Finally, an audit of the agreement for public outreach related to the OC Streetcar is planned.

**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

Fiscal Year 2024-25  
Internal Audit Plan

The Audit Plan also reflects audits of warranty administration and right-of-way maintenance as contingency audits that will be initiated should there be available hours and/or resources prior to the preparation of the OCTA FY 2025-26 Audit Plan.

Each of the planned projects, along with projects carried over from the OCTA FY 2023-24 Audit Plan, is reflected at Appendix B, along with a brief description and the estimated staff hours required to perform the audit.

**Conclusion**

The OCTA FY 2024-25 Audit Plan seeks to align limited audit resources with risk throughout the organization while considering prior audit effort and other factors, as identified in Appendix A. Internal Audit will continue to refine the risk assessment to include emerging OCTA projects, programs, contracts, and functions. Internal Audit will also continue to assess the risk ratings and weightings to best reflect the risk profile of the organization and to allow the greatest coverage of that risk in the annual audit planning process.

**Orange County Transportation Authority  
Internal Audit Department  
Risk Assessment by Program/Project/Contract/Function  
Fiscal Year 2024-25**

Division	Department/Functional Area	RISK ASSESSMENT	7 Year Audit History
Project/Program/Contract/Function			
<b>Executive</b>			
	Clerk of the Board		
	Public Records Requests	Low to Moderate	2022
	Form 700 Disclosures	Moderate	2021
	Brown Act Compliance	Low to Moderate	2018
	Services of Legal Process	Low to Moderate	
	Board of Directors' Compensation and Ethics Compliance	Moderate	2019
	Legal Services		
	Woodruff & Smart	<b>High</b>	
	Security and Emergency Preparedness		
	Continuity of Operations/Emergency Response	Moderate to High	
	Emergency Operation Plans	Moderate to High	
	Physical Access Security	Moderate to High	2021
	Security Grants	Low to Moderate	
	Transit Police Services	Moderate	2023
	Express Lanes and Motorist Services Programs		
	91 Express Lanes		
	Master Custodial Agreement	Moderate	2019
	Operations and Management	<b>High</b>	in process
	California Highway Patrol Services	Moderate	
	Collections	Moderate	
	Building Lease	Low to Moderate	
	405 Express Lanes		
	Operations and Management	<b>High</b>	
	California Highway Patrol Services	Moderate	
	Collections	Moderate	
	Building Lease	Low to Moderate	
	Toll Lanes Integrator Services	Moderate to High	
	Motorist Services		
	Freeway Service Patrol	Moderate	2022
	Call Box Program	Low	
	511 Motorist Aid	Low to Moderate	
	Public Information Office		
	Crisis Communications Plan	Moderate	
<b>Capital Programs</b>			
<b>Highway Projects</b>			
<b>Interstate 5 (I-5) Improvements</b>			
	I-5 (between Interstate 405 (I-405) and State Route 55 (SR-55) - Measure M2 (M2) Project B		
	I-405 to Yale Avenue	Low to Moderate	
	Yale Avenue to SR-55	Low to Moderate	



**Orange County Transportation Authority  
Internal Audit Department  
Risk Assessment by Program/Project/Contract/Function  
Fiscal Year 2024-25**

Division	Department/Functional Area	RISK ASSESSMENT	7 Year Audit History
Project/Program/Contract/Function			
	I-5 (South of El Toro Road) - M2 Project C		
	State Route 73 (SR-73) to El Toro Road Landscape	Low to Moderate	
	SR-73 to Oso Parkway	Moderate to High	
	Oso Parkway to Alicia Parkway	Moderate to High	
	Alicia Parkway to El Toro Road	Moderate to High	
	I-5 Interchange Projects - M2 Project D		
	El Toro Road Interchange	Low to Moderate	
	<b>State Route 57 (SR-57) Improvements - M2 Project G</b>		
	Orangewood Avenue to Katella Avenue	Moderate	
	Lambert Road to Tonner Canyon Road	Low to Moderate	
	<b>SR-55 Improvements - M2 Project F</b>		
	I-405 to I-5	Moderate to High	
	I-5 to State Route 91 (SR-91)	Moderate	
	<b>SR-91 Improvements</b>		
	Improvements from SR-57 to SR-55 - M2 Project I		
	SR-55 to Lakeview Avenue	Moderate	
	La Palma Avenue to SR-55	Moderate	
	Acacia Street to La Palma Avenue	Moderate	
	91 Express Lanes to State Route 241 Toll Connector	Low	
	<b>Interstate 605 (I-605)</b>		
	Katella Ave Interchange	Moderate	
	<b>I-405 Improvements</b>		
	Improvements from I-605 and SR-55 - M2 Project K		
	Design-Build Contract Management	Moderate to High	2024
	Right-of-Way (ROW) Activities and Reporting	Moderate	2022
	Program Management Activities	High	2018
	Cooperative Agreements	Moderate	
	I-405 Improvements between SR-55 and I-5 - M2 Project L	Low to Moderate	
	<b>Highway Project Management</b>		
	Highway Project Management Support	Moderate to High	2018
	Project Controls	Moderate to High	
	Real Estate Administration	Moderate	
	<b>Right of Way Operations</b>		
	On-Call ROW Services	Moderate to High	2022
	On-Call Real Property Appraisals	Moderate to High	2022
	Excess Land Sales	Moderate	
	Utility Agreements	Moderate	

**Orange County Transportation Authority  
Internal Audit Department  
Risk Assessment by Program/Project/Contract/Function  
Fiscal Year 2024-25**

Division Department/Functional Area Project/Program/Contract/Function	RISK ASSESSMENT	7 Year Audit History
<b>Facilities Engineering</b>		
Facilities Project Management	Moderate	
Transit Security Operations Center	Moderate to High	
<b>Transit Project Delivery</b>		
<b>Program Management Support: Rail Programs</b>	Moderate to High	
<b>Local Initiatives</b>		
<b>Project S: Go Local Fixed Guideway Projects</b>		
OC Streetcar Project Construction		
Design and Construction Management	High	2022
Construction	High	
Cooperative Agreements	Moderate to High	
OC Streetcar Project Management	High	2021
<b>Rail Project Delivery</b>		
Placentia Metrolink Station Project	Moderate	
Anaheim Canyon Station Improvements	Moderate	2023
Orange County Maintenance Facility	Moderate	
Irvine Station Expansion	Low	
San Juan Creek Bridge Replacement	Low	
Serra Siding Project	Low to Moderate	
Control Point - Avery to San Onofre	Low	
Slope Stabilization Projects	Low to Moderate	
Track Protection - MP204.6	Moderate	
<b>Planning</b>		
<b>M2 Program Management Office</b>	Low to Moderate	
<b>Strategic Planning</b>		
<b>Transportation Planning</b>		
M2 Environmental Mitigation Program		
Program Administration	Moderate	
Land Security	Moderate	
Property Management	Moderate	
Mitigation Monitoring and Reporting	Moderate	
Transit and Non-Motorized Planning		
Bus Facilities Asset Management / Capital Plan	Moderate	
Fleet Outlook / Rollout Plan	Moderate	
Bikeway Master Plans	Low	
Transit Master Plan	Moderate	
Fullerton Park and Ride - Development Study	Low to Moderate	
Strategic Initiatives		
Strategic Plan - Development and Monitoring	Low to Moderate	
Board and Chief Executive Officer Initiatives	Low to Moderate	

**Orange County Transportation Authority  
Internal Audit Department  
Risk Assessment by Program/Project/Contract/Function  
Fiscal Year 2024-25**

Division	Department/Functional Area Project/Program/Contract/Function	RISK ASSESSMENT	7 Year Audit History
	<b>Southern California Association of Governments Agreement / Workplan</b>	Low to Moderate	
	<b>Geographic Information System Services</b>	Low to Moderate	
	<b>Modeling and Traffic Operations</b>	Low to Moderate	
	<b>State/Federal Programs</b>		
	State/Federal Improvement Program Funding Administration	Moderate	
	Annual 5307 Program of Projects	Moderate	
	Calls for Projects	Low to Moderate	
	<b>Local Programs</b>		
	Measure M Eligibility	Moderate to High	
	Comprehensive Transportation Funding Programs - Agency Audits (CTFP)	Moderate to High	2023
	M2 CTFP Program Eligibility / Call for Projects	Moderate	2021
	Oversight and Reporting: CTFP	Moderate	2021
	<b>M2 Local Projects</b>		
	Project Q - Local Fair Share	Required	
	<b>Operations</b>		
	<b>Passenger Rail Operations &amp; Metrolink</b>		
	ROW Maintenance - Joshua Grading & Excavating	Moderate	2019
	Joint Powers Agreement Allocation Southern California Regional Rail Authority	Moderate to High	
	<b>Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency Managing Agency Contract</b>	Moderate	
	<b>Transit Project Delivery</b>		
	<b>OC Streetcar Operations</b>		
	OC Streetcar Vehicles	High	
	Operations and Maintenance Contract	Moderate to High	
	<b>Service Planning and Scheduling</b>		
	Coach Operator Scheduling	Moderate	
	Stops and Zones	Low to Moderate	
	Service Change Implementation	Moderate	
	<b>Bus Operations</b>		
	Operator Bidding Process	Moderate to High	2019
	Overtime: Scheduled and Unscheduled	Moderate to High	
	Operations Training	Moderate	
	Field Supervision	Moderate	
	Central Communications	Moderate to High	
	Timekeeping System	Moderate	
	Uniform Allowance	Low	

**Orange County Transportation Authority  
Internal Audit Department  
Risk Assessment by Program/Project/Contract/Function  
Fiscal Year 2024-25**

Division	Department/Functional Area Project/Program/Contract/Function	RISK ASSESSMENT	7 Year Audit History
<b>Contracted Services</b>			
	Travel Training	Low to Moderate	
	OC ACCESS Eligibility	Moderate to High	2023
	Regional Center Day Programs	Moderate to High	2023
	Adult Day Health Care Program Agreements	Moderate	
	Senior Mobility Program		
	Locally-Funded	Low to Moderate	
	M2-Funded	Required	Annual
	Senior Non-Emergency Medical Transportation (M2 - Project U)	Required	2020
	Contracted Fixed Route Operations	High	
	OC ACCESS Service	High	2024
	Same-Day Taxi Service - Yellow Cab of North Orange County	Moderate to High	2020
	Vanpool Operations	Moderate	2024
	OC Flex Operations	Moderate	
<b>Maintenance</b>			
	Rolling Stock and Inventory Contracts		
	Bridgestone/Firestone Tire Lease	Moderate	2021
	Trillium USA - Operate and Maintain Compressed Natural Gas Stations	Moderate	
	Cummins Cal Pacific	Moderate	
	Revenue Vehicle Maintenance	Moderate to High	2020
	Specialty Shop Maintenance	Moderate	
	Fuel Management	Moderate	2018
	Transit Technical Services	Moderate to High	
	Revenue Vehicle Purchase / Acceptance	Moderate to High	2022
	Non-Revenue Vehicle Purchase	Low to Moderate	2022
	Maintenance Resource Management	Moderate to High	
	Timekeeping	Low to Moderate	
	Equipment Assignments and Tracking	Low	
	Uniform Rental and Cleaning	Low to Moderate	
	Facilities Maintenance	Moderate	2021
	Maintenance Training	Low to Moderate	
	Electric Vehicle Charging Stations	Moderate	
<b>Finance and Administration</b>			
	<b>Project U - Fare Stabilization</b>	Low to Moderate	
	<b>Financial Planning and Analysis</b>		
	Budget Development and Monitoring	Moderate to High	
	Comprehensive Business Plan	Moderate	
	Transit Performance Metrics	Moderate	
	<b>Treasury and Public Finance</b>		
	<b>Investments</b>		
	Investments - Compliance, Controls, and Reporting	Required	Semi-Annual
	Investment Management Service Contracts	Moderate to High	
	Endowment Funds	Low	
	Transportation Infrastructure Finance and Innovation Act Loan	Moderate	

**Orange County Transportation Authority  
Internal Audit Department  
Risk Assessment by Program/Project/Contract/Function  
Fiscal Year 2024-25**

Division	Department/Functional Area Project/Program/Contract/Function	RISK ASSESSMENT	7 Year Audit History	
<b>Accounting and Financial Reporting</b>				
	General Accounting	Moderate		
	Financial Reporting	Required		
	Cost Allocation Plan	Low to Moderate		
	M2 Accounting and Reporting	Required		
	Accounts Payable	Moderate to High		
	Purchasing Cards	Low to Moderate		
	Corporate Credit Cards	Low to Moderate		
	Capital Assets	Moderate		
	Pass Sales Program	Low to Moderate		
	Payroll Operations	Moderate to High		
	Administrative Employee Overtime	Moderate		
	Payroll Garnishments	Low		
	Petty Cash Funds Administration	Low		
	Banking Services	Moderate		
	National Transit Database	Required		
			Annual	
			Annual	
			2024	
			2018	
			2019	
			2020	
<b>General Services</b>				
	Printing and Reprographics	Low to Moderate		
	Records Management	Moderate		
	Lease Management	Low to Moderate		
	Asset Management and Inventory	Moderate		
	Orange County Transportation Authority (OCTA) Policies	Low		
	OCTA Store	Moderate		
	Parking Garage - ABM Parking Services	Low		
	Lost and Found	Low to Moderate		
				2023
				2023
<b>Revenue Administration</b>				
	Farebox Revenue Collections and Armored Car Services	Moderate		
	Mobile Ticketing Operations	Moderate		
	Revenue and Revenue Sharing Contracts	Moderate to High		
	Grant Administration and Accounting	Moderate to High		
	Transportation Development Act	Required		
	Federal Stimulus Funding	Moderate to High		
			2019	
			2020	
			Annual	
<b>Contracts Administration and Materials Management</b>				
	Contract Amendments	Moderate to High		
	Independent Cost Estimates	Moderate		
	Proposal Evaluations	Low to Moderate		
	Protests	Low to Moderate		
	Small Purchases	Low to Moderate		
	Buy America Compliance	As Required		
	Purchase Order and Blanket Purchase Orders	Moderate		
	Maintenance Inventory Management	Moderate		
	Warranty Administration	Moderate		
	Disadvantaged Business Enterprise Program	Moderate		
			2022	
			2018	
			2019	
	Inventory Contracts	Moderate		
	Unleaded Fuel	Moderate		
	Renewable Natural Gas Credits Contract	Low to Moderate		

**Orange County Transportation Authority  
Internal Audit Department  
Risk Assessment by Program/Project/Contract/Function  
Fiscal Year 2024-25**

Division	Department/Functional Area	RISK ASSESSMENT	7 Year Audit History
Project/Program/Contract/Function			
<b>Information Systems</b>			
	Applications		
	Integrated Transportation Management Systems Radio	Moderate to High	
	OCTA.net Website	Moderate	
	Application Infrastructure	Moderate to High	
	Database Systems	Moderate	
	Vendor Management	Moderate to High	
	Information Technology (IT) Systems and Security (Cybersecurity)	Moderate to High	2023
	System Development and Acquisition	Moderate	
	Patch Management	Moderate to High	2020
	IT Operations (User Management, Authentication, Access Controls)	Moderate to High	
	Technology Project Management	Moderate	
	Business Continuity/Disaster Recovery	Moderate to High	
	Change Management	Moderate	
	Payment Card Industry Compliance	Moderate	
	Incident Response Program	Moderate	
	Asset Management	Moderate	
	Operating Systems	Moderate	
	IT Contract Services	Moderate	
	Switch Data Center	Moderate to High	
	Enterprise Asset Management System - Implementation	Moderate	
	Telecommunications	Low to Moderate	
<b>People and Community Engagement</b>			
<b>Risk Management</b>			
	Insurance Program Administration	Moderate	
	Liability Claims Management and Subrogation	Moderate to High	2024
	Worker's Compensation and Subrogation	Moderate to High	2023
<b>Health, Safety and Environmental Compliance</b>			
	Drug and Alcohol Program	Moderate	
	Construction Safety / Safety Specifications	Moderate to High	2019
	Employee Safety	Moderate to High	
	Motor Vehicle and Traffic Safety		
	Pull Notice Program	Moderate	2021
	National Transit Database Accident Reporting	Low to Moderate	
	Environmental Compliance Program		
	Storm Water Pollution Prevention Program	Moderate	
	Spill Prevention Countermeasure and Control Plan	Moderate	
	Hazardous Waste Removal	Moderate	
	Air Quality Management District Permitting and Compliance	Moderate	
	Underground Storage Tank Removal Program	Moderate	
	Safety Management Plan	Moderate	
<b>Internal Communications</b>		Low	
<b>Employment &amp; Compensation</b>			
	Separations	Low to Moderate	2020
	Extra Help and Interns	Low to Moderate	
	Temporary Staffing	Low to Moderate	2022
	Recruitment and Employment	Moderate	2019

**Orange County Transportation Authority**  
**Internal Audit Department**  
**Risk Assessment by Program/Project/Contract/Function**  
**Fiscal Year 2024-25**

Division	Department/Functional Area	Project/Program/Contract/Function	RISK ASSESSMENT	7 Year Audit History
	Compensation		Moderate	
	Performance Reviews		Low to Moderate	

**Orange County Transportation Authority  
Internal Audit Department  
Risk Assessment by Program/Project/Contract/Function  
Fiscal Year 2024-25**

Division	Department/Functional Area	RISK ASSESSMENT	7 Year Audit History
	Project/Program/Contract/Function		
<b>Benefits</b>			
	Healthcare Plans	Moderate to High	2024
	Coach Operator Healthcare	Moderate	
	Maintenance Employee Healthcare	Moderate	
	Protected Leave	Moderate to High	
	Flexible Benefits	Low to Moderate	
	Health Savings Account	Moderate	
	Orange County Employees Retirement System	Moderate to High	
	Teamsters Pension Fund Trust	Low to Moderate	
	Employee Assistance Program	Low	
	Deferred Compensation Plans	Moderate	
	Wellness Program	Low	2023
	Life Insurance Benefit	Low to Moderate	
	Alternative/Remote Work Program	Low	
	Benefit Program Incentives	Low to Moderate	2021
	Commuter Club Program	Low to Moderate	
<b>Employee and Labor Relations</b>			
	Labor Contracts	Moderate	2020
	Unemployment Claims	Low	
	Employee Grievances and Complaints	Low to Moderate	
	Equal Employment Opportunity	Moderate	
	Title VI Compliance	Moderate	
	Medical Exams	Moderate	
	Americans with Disabilities Act	Moderate	
<b>Training &amp; Development</b>			
	Training (Learning Management System)	Low to Moderate	2023
	Educational Reimbursements	Low to Moderate	2023
<b>External Affairs</b>			
	Marketing and Customer Engagement	Low to Moderate	2019
	Digital and Creative Services		
	OCTA Bus Marketing and Promotional Items	Moderate	2023
	Bus Advertising Revenue Contracts	Low to Moderate	
	Rideshare Program	Moderate	2023
	Customer Engagement and Data Analytics	Low to Moderate	
	Data Analytics / Performance Management		
	In-House Customer Relations		
	Customer Information Center	Moderate	
	Reduced Fare Programs	Low to Moderate	
	College Pass Program	Moderate	2024
	Diversity Outreach and Economic Opportunity Programs	Low to Moderate	
	Public Outreach	Moderate	2018
	Project Outreach Contract Management		
	SR-91		
	I-5		
	SR-55		
	OC Streetcar Project		
	I-405 Improvement Project		
	I-5 - El Toro Road		
	I-5 Central (between SR-55 and SR-57)		



**Orange County Transportation Authority**  
**Internal Audit Department**  
**Risk Assessment by Program/Project/Contract/Function**  
**Fiscal Year 2024-25**

Division	Department/Functional Area	Project/Program/Contract/Function	RISK ASSESSMENT	7 Year Audit History
		Commuter Rail	Moderate	
		Planning Studies Outreach	Low to Moderate	

**Orange County Transportation Authority**  
**Internal Audit Department**  
**Risk Assessment by Program/Project/Contract/Function**  
**Fiscal Year 2024-25**

Division	Department/Functional Area	RISK ASSESSMENT	7 Year Audit History
Project/Program/Contract/Function			
<b>Government Relations</b>			
<b>State and Federal Relations</b>			
	Lobbying Contracts	Low to Moderate	2023
	<b>Subrecipient Monitoring</b>	Moderate	

**Orange County Transportation Authority  
Internal Audit Department  
Fiscal Year 2024-25 Internal Audit Plan**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours
<b>Mandatory External Independent Audits</b>				
Annual Financial Audits and Agreed-Upon Procedures (AUP) Reviews	FY25-001 through FY25-005	Coordinate and report on annual financial and compliance audits and AUP reviews for FY 2023-24.	Financial	425
External Regulatory Audits	FY25-006	Coordinate and report on audits by regulatory or funding agencies.	Compliance	40
State Triennial Review	FY25-007	Procure independent audit firm and coordinate and report on results of the required State Triennial Performance audits of the Orange County Transportation Authority (OCTA), Orange County Transit District, and Laguna Beach Municipal Transit Lines.	Compliance	220
<b>Internal Audit Department Projects</b>				
Risk Assessment and Annual Audit Plan	FY25-100	Preparation of the annual audit plan, quarterly updates to the audit plan, and periodic assessment of risk throughout the year, including monitoring the audit results of related entities.	Audit Plan and Updates	180
Quality Assurance and Self-Assessment	FY25-101	Update of Internal Audit Policies & Procedures to reflect Generally Accepted Government Auditing Standards (GAGAS). Annual self assessment of the Internal Audit Department's (Internal Audit) compliance with GAGAS.	Quality Assurance	160
Fraud Hotline Activities	FY25-102	Administrative duties related to maintenance of the OCTA Fraud Hotline and work related to investigations of reports of fraud, waste, or abuse.	Fraud Hotline	120
Peer Review	FY25-103	Participate in peer reviews of other internal audit agencies in exchange for reciprocal credit towards required peer review of OCTA's Internal Audit Department for calendar years 2022, 2023, and 2024. Report results of peer review to the Finance and Administration Committee and the Board of Directors (Board).	Peer Review	160
Automated Workpaper Solution	FY25-104	System updates/training related to automated workpaper solution.	Workpaper System	40
<b>Internal Audits</b>				
<b>Organization-Wide</b>				

**Orange County Transportation Authority  
Internal Audit Department  
Fiscal Year 2024-25 Internal Audit Plan**

<b>Audit Activity</b>	<b>Project Number</b>	<b>Description</b>	<b>Primary Audit Type</b>	<b>Planned Staff Hours</b>
Legal Services	FY25-5XX	Assess and test contract compliance and invoice review controls related to the contract with Woodruff and Smart for legal services.	Compliance	200
<b>Express Lanes Program</b>				
Operations and Management	FY24-508	Assess and test selected oversight, contract compliance, and/or invoice review controls related to the provision of services by Cofiroute USA, LLP.	Operational/ Compliance	200
Toll Integrator System	FY25-5XX	Assess and test oversight, contract compliance and invoice review controls related to the contract with Kapsch Trafficom USA, Inc. for the design, implementation, installation, operation and maintainance of a toll collection system for the existing 91 Express Lanes and 405 Express Lanes.	Internal Control/ Compliance	220
<b>People and Community Engagement</b>				
Compensation	FY25-5XX	Assess and test policies, procedures, and controls over employee compensation actions.	Operational	320
Public Outreach - OC Streetcar	FY25-5XX	Assess and test oversight controls, contract compliance, and invoice review controls related to the agreement for public outreach for the OC Streetcar project.	Internal Control/ Compliance	180
<b>Capital Programs</b>				
Interstate 5 (I-5) Improvement Project: Oso Parkway to Alicia Parkway	FY25-5XX	Assess and test oversight controls, contract compliance, and invoice review controls related to the I-5 Improvement Project: Segment 2 - Oso Parkway to Alicia Parkway	Internal Control / Compliance	320
Project Controls	FY25-5XX	Assess and test operating controls of the project controls function within the Capital Programs Division.	Operational	240
Real Estate Administration	FY25-5XX	Assess and test real estate administration and controls, including management of contracts.	Operational	240

**Orange County Transportation Authority  
Internal Audit Department  
Fiscal Year 2024-25 Internal Audit Plan**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours
<b>Operations</b>				
OC ACCESS Service	FY24-512	Assess adequacy of oversight controls and test oversight, contract compliance and invoice review controls related to the agreement with First Transit/TransDev for OC ACCESS transportation services.	Operational / Compliance	24
OC Streetcar Vehicles	FY25-5XX	Assess and test procurement, oversight, contract, and/or invoice review controls related to the contract with Siemens for OC Streetcar vehicles.	Operational / Compliance	280
Contracted Fixed Route	FY25-5XX	Assess adequacy of oversight controls and compliance with key provisions of the agreement with Keolis, performance standards measurement and reporting, and invoice review controls.	Operational / Compliance	320
Field Supervision	FY25-5XX	Evaluate and test field supervision activities for compliance with policies and procedures.	Operational	240
<b>Finance and Administration</b>				
Treasury	FY25-5XX	Semi-annual review of investments: compliance, controls, and reporting.	Compliance	250
Budget Development and Monitoring	FY25-5XX	Assess and test controls over budget development, monitoring and reporting.	Operational	240
Revenue Agreements	FY24-513	Assess and test controls over identification, tracking, and reporting of external revenue agreements.	Operational	60
Investment Management Contracts	FY25-5XX	Assess and test oversight, contract compliance and invoice review controls related to short-term investment management services provided by Chandler Asset Management, MetLife, Payden & Rygel, and PFM Asset Management, LLC.	Operational / Compliance	180
Purchasing Cards	FY25-5XX	Assess and test controls over purchasing card activities.	Operational / Compliance	240
Price Reviews	PR25-5XX	As requested by the Contracts Administration and Materials Management (CAMM) Department, apply AUP to sole source, single bid, and architectural and engineering firm proposals.	Price Review	700
Buy America	FY25-5XX	As requested by the CAMM Department, apply AUP to determine compliance with Buy America requirements.	Buy America	320

**Orange County Transportation Authority  
Internal Audit Department  
Fiscal Year 2024-25 Internal Audit Plan**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours
<b>Unscheduled Reviews and Special Requests</b>				
Unscheduled Reviews and Special Requests	FY25-800	Time allowed for unplanned audits and requests from the Board or management.	Varies	180
<b>Monitoring Activities</b>				
Measure M Taxpayer Oversight Committee (TOC)	FY25-601	Coordination of audit activities on behalf of the Audit Subcommittee of the TOC.	Administrative Support	50
Metrolink Audit Activities	FY25-602	Review/monitor audit results of Metrolink activities.	Non-Audit Service	8
Capital Asset Inventory Observation	FY24-604	At the request of the Finance and Administration Division, observe and apply limited procedures related to the bi-annual capital asset inventory counts.	Non-Audit Service	20
<b>Follow-Up Reviews</b>				
Follow-Up Reviews and Reporting	FY25-700	Follow-up on the status of management's implementation of audit recommendations.	Follow-Up	320
			<b>Total Audit Project Planned Hours (A)</b>	<b>6,697</b>

**Orange County Transportation Authority  
Internal Audit Department  
Fiscal Year 2024-25 Internal Audit Plan**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours
<b>Internal Audit Administration</b>				
Board and Committee Meetings				180
Executive Steering and Agenda Setting Meetings				170
Internal Audit Staff Meetings				150
Other Administration				1,500
			<b>Total Hours (B)</b>	<b>8,697</b>
			<b>Department Target Efficiency (A/B)</b>	75%
			<b>Target Efficiency - Professional Staff</b>	80%

**Contingency Audits: Internal**

Warranty Administration	FY25-5XX	Assess the adequacy and effectiveness of internal controls in place for identifying, tracking and recording of warranty repairs and credits.
Right-of-Way Maintenance	FY25-5XX	Assess and test the adequacy and effectiveness of controls related to maintenance of the railroad Right of Way and the contract with Joshua Grading and Excavating Incorporated.



COMMITTEE TRANSMITTAL

*July 22, 2024*

**To:** Members of the Board of Directors  
**From:** Andrea West, Clerk of the Board *Andrea West*  
**Subject:** Agreement to Provide Assistance Administering the Orange County Transportation Authority's Disadvantaged Business Enterprise Program

Finance and Administration Committee Meeting of June 26, 2024

**Present:** Directors Federico, Harper, Hennessey, Klopfenstein, and Sarmiento  
**Absent:** Director Do and Nguyen

**Committee Vote**

This item was passed by the Members present.

**Committee Recommendation(s)**

- A. Approve the selection of Padilla & Associates, Inc. as the firm to provide assistance in administering the federal Disadvantaged Business Enterprise program for the Orange County Transportation Authority.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C- 4-2046 between the Orange County Transportation Authority and Padilla & Associates, Inc., in the amount of \$990,000, for a four-year initial term with two, three-year option terms, to provide assistance in administering the federal Disadvantaged Business Enterprise program.





**July 22, 2024**

**To:** Members of the Board of Directors

**From:** Darrell E. Johnson, Chief Executive Officer 

**Subject:** Agreement to Provide Assistance Administering the Orange County Transportation Authority's Disadvantaged Business Enterprise Program

**Overview**

On February 21, 2024, the Orange County Transportation Authority released a request for proposals for Disadvantaged Business Enterprise consulting services. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for these services.

**Recommendations**

- A. Approve the selection of Padilla & Associates, Inc. as the firm to provide assistance in administering the federal Disadvantaged Business Enterprise program for the Orange County Transportation Authority.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2046 between the Orange County Transportation Authority and Padilla & Associates, Inc., in the amount of \$990,000, for a four-year initial term with two, three-year option terms, to provide assistance in administering the federal Disadvantaged Business Enterprise program.

**Discussion**

The Orange County Transportation Authority (OCTA) is required to maintain a Disadvantaged Business Enterprise (DBE) program as a condition of receiving federal assistance, pursuant to Section 1101 of the Fixing America's Surface Transportation Act, Title 49 Code of Federal Regulations (CFR) Part 26, and the Federal Transit Administration (FTA) Master Agreement. As a recipient of federal

funds, OCTA must implement policies and procedures to ensure that DBE firms have maximum opportunities to participate in all procurement activities.

A DBE is a for-profit, small business that is at least 51 percent owned and controlled by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, is one in which 51 percent of the stock is owned and controlled by one or more socially and economically disadvantaged individuals. A socially and economically disadvantaged individual is defined by federal regulations to be a citizen or lawfully admitted permanent resident of the United States who is a Black American, Hispanic American, Native American, Asian-Pacific American, Subcontinent Asian American, a woman, or a member of any additional group that can demonstrate that he or she is socially or economically disadvantaged.

OCTA's Contracts Administration and Materials Management (CAMM) Department is responsible for the administration of the DBE program. Annually CAMM manages between 75 and 100 federally funded contracts that include DBE participation goals. The Director of CAMM is the DBE Liaison Officer for OCTA and oversees the DBE program part-time, while leveraging consultant services for staffing and expertise. The scope of consulting services include:

- Reviewing annually OCTA's DBE program and contract template language and updating the documents as necessary.
- Preparing triennial and contract specific DBE goals.
- Attending and providing DBE information at pre-proposal and pre-bid meetings.
- Assessing DBE compliance with the established goal and/or reviewing good faith efforts.
- Monitoring of DBE compliance on all federally funded contracts as well as with subrecipient agencies.
- Conducting staff and consultant training.
- Outreach Assistance.

### ***Procurement Approach***

This procurement was handled in accordance with OCTA's Board of Directors (Board)-approved procedures for professional and technical services. Various factors are considered in an award for professional and technical services. Award is recommended to the firm offering the most comprehensive overall proposal considering such factors as prior experience with similar projects, staffing and project organization, work plan, as well as cost and price.

On February 21, 2024, Request for Proposals (RFP) 4-2046 was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on February 21 and February 27, 2024. A pre-proposal conference was held on February 28, 2024, with 11 attendees representing nine firms. Seven addenda were issued to make available the pre-proposal conference registration sheets and presentation, handle administrative issues related to the RFP, and provide responses to written questions.

On March 28, 2024, nine proposals were received. An evaluation committee consisting of OCTA staff from CAMM, Public Outreach, Maintenance Administration, and Contracted Services departments met to review all proposals received.

The proposals were evaluated based on the following evaluation criteria and weightings:

- Qualifications of the Firm 25 percent
- Staffing and Project Organization 30 percent
- Work Plan 20 percent
- Cost and Price 25 percent

Several factors were considered in developing the evaluation criteria weightings. Qualifications of the firm was weighted at 25 percent as the firm had to demonstrate experience managing DBE programs and have extensive knowledge of DBE requirements. Staffing and project organization was weighted highest at 30 percent to emphasize the importance of the firm having experienced and qualified personnel to perform the work set forth in the scope of work. Work plan was weighted at 20 percent as the firm had to demonstrate a thorough understanding of the project requirements and can perform the work as required. Cost and price was weighted at 25 percent to ensure competitive hourly rates and that OCTA receives value for the services provided.

On April 15, 2024, the evaluation committee reviewed the nine proposals based on the evaluation criteria and short-listed the two most qualified firms listed below in alphabetical order:

GCAP Services, Inc. (GCAP)  
Headquarters: Costa Mesa, California  
Project Office: Costa Mesa, California

Padilla & Associates, Inc. (Padilla)  
Headquarters: Santa Ana, California  
Project Office: Santa Ana, California

On April 23, 2024, the evaluation committee conducted interviews with the two short-listed firms. The interviews consisted of a presentation by each firm to demonstrate their understanding of OCTA's requirements. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee's questions. Questions were asked relative to the firms' proposed staffing availability, the firms' tactics and measurements of success, and the firms' small business and DBE outreach approach, as well as specific clarification questions related to each firm's proposal.

After considering responses to questions asked during the interviews, the evaluation committee reviewed the preliminary ranking and made adjustments to individual scores. However, Padilla remained the higher-ranked firm with the higher overall score.

Based on the evaluation of the written technical proposals and the information obtained from the interviews, as well as cost and price, the evaluation committee recommends Padilla for consideration of contract award. The following is a brief summary of the proposal evaluation results.

#### Qualifications of the Firm

Padilla, located in the City of Santa Ana, has over 30 years of experience in development and administration of DBE compliance programs for various public agencies throughout the State of California and employs eight individuals. Padilla currently provides similar DBE consulting services to the Southern California Regional Rail Authority, Los Angeles County Metropolitan Transportation Authority's Crenshaw/LAX Transit Corridor Project, and is currently the DBE compliance consultant for OCTA. Padilla demonstrated strong working relationships with the United States Department of Transportation Operating Administrations, such as the FTA and the Federal Highway Administration (FHWA) and was selected by the California Department of Transportation (Caltrans) to develop and facilitate Best Practice Training in administering DBE programs on a statewide basis, based on its subject matter expertise. Padilla demonstrated a strong understanding of small business and DBE outreach. Padilla proposed a single subconsultant, Jaquith Consulting Group, that will assist in DBE program manual updates, triennial overall DBE goal development and outreach, shortfall analysis, and corrective action plans and reconsideration liaison support. The firm received positive feedback from its references.

GCAP, a firm based in the City of Costa Mesa, has approximately 26 years of experience in the development and administration of DBE programs. The firm employs 26 individuals and provides administration of DBE compliance programs similar to the scope of work for OCTA. GCAP's clients include the San Diego Association of Governments, Omnitrans, and the San Bernardino County Transportation Authority. In addition to administering DBE programs, GCAP also offers DBE-related services and training to various public agencies in California. As a subcontractor to Parsons Transportation Group, Inc., GCAP currently provides labor compliance and DBE support services for OCTA's Interstate 405 (I-405) Improvement Project and assists in outreach-related activities. The firm has worked with several government agencies since 1997 providing DBE consulting services and has experience with FTA, FHWA, and Caltrans. For scope of work outreach-related activities, GCAP proposed Costin Public Outreach Group, Inc. as a subconsultant with experience in OCTA public outreach.

#### Staffing and Project Organization

Padilla's proposed project team demonstrated experience in developing, planning, and administering tailored direct recipient and sub-recipient agency DBE programs. Padilla's proposed project manager, with over 21 years of experience, has a well-established positive track record in the field, having developed and administered DBE programs for transportation agencies, airports, cities, and counties. The proposed DBE analysts have a combined eight years of relevant DBE and small business public sector experience, and the proposed principal, with over 30 years of experience, specializes in all aspects of DBE program management. The proposed principal/technical advisor from Jacquith Consulting Group has worked extensively with OCTA on the DBE program and adds over 22 years of DBE program experience to the team. Additionally, the team is locally based and can attend Board meetings on short notice with a high availability for this project. During the interview, Padilla discussed its team's roles and approach to performing the various DBE services required for the scope of work and provided comprehensive responses to the evaluation committee's questions.

GCAP's proposed project team is comprised of a project manager with 19 years of experience, a senior DBE analyst with 11 years of experience, a DBE compliance analyst with six years of experience, and a principal with over 26 years of experience. The proposed project manager specializes in DBE and small business compliance with the individual's primary experience in the development of DBE programs. The proposed principal has a track record of developing and managing several DBE programs for state and regional transportation clients. However, there were concerns related to potential conflicts of interest and staff availability for in-person and on-site meetings.

During the interview, GCAP acknowledged a potential conflict of interest if awarded this contract as it would be overseeing its own activities related to DBE compliance on the I-405 Project and the firm did not provide a clear resolution for this issue. Furthermore, GCAP did not provide insight regarding staff availability for in-person meetings should their designated staff be unavailable to attend.

### Work Plan

Padilla proposed a comprehensive work plan, demonstrating its understanding of the project scope through its project management approach, quality assurance/control processes, and project scheduling. Padilla proposed a web-based monitoring and compliance tool, currently used by OCTA, which automates processes and reduces staff hours spent on reviewing hard-copy documentation. The firm outlined its approach to tasks and deliverables as per the scope of work requirements. Padilla provided details on effective communication with the agency and various stakeholders and the DBE program's effectiveness with DBEs and small business firms. Furthermore, Padilla discussed its ability to monitor prompt payment, outreach for small businesses to offer necessary training modules, and conduct outreach to develop relationships. Additionally, Padilla discussed its proposed subconsultant's responsibilities for various tasks including the triennial goal, shortfall analysis, quarterly standing summaries, DBE program updates, and training. During the interview, Padilla elaborated on their electronic compliance monitoring software, Enhanced Compliance Application Tool, including its increased capacities and the firm's strategy for monitoring projects, developing corrective plans, and ensuring compliance.

GCAP demonstrated a solid understanding of the project requirements and work plan, outlining its procedure for updating DBE materials and its methodology. The firm's work plan demonstrated its experience in developing contract goals for FTA, FHWA, and Federal Aviation Administration clients. The firm provided a detailed schedule for annual implementation, acknowledged participation in pre-bid and pre-proposal meetings, and addressed quality control, potential challenges, and possible solutions. GCAP proposed the use of B2Gnow software for DBE contract compliance monitoring for reporting and goal development processes. However, GCAP did not demonstrate a full understanding of the DBE program rules regarding the bidder's list requirements and a method of developing the triennial goal. Furthermore, GCAP's proposed electronic compliance monitoring solution did not meet the prompt payment requirement specified in the scope of work, which involves real-time verification of payments and prompt payment tracking for lower-tier DBE. During the interview, GCAP provided general responses without offering additional detail.

### Cost and Price

Pricing scores were based on a formula which assigned the highest score to the firm with the lowest weighted average hourly rate and scored the other proposals weighted average hourly rate based on its relation to the lowest weighted average hourly rate. Padilla's proposed weighted average hourly rate is the lower of the short-listed firms and lower than the OCTA project manager's independent cost estimate. Therefore, Padilla's proposed hourly rates are deemed fair and reasonable.

### Procurement Summary

Based on the evaluation of the written proposals, the firm's qualifications, and the information obtained from the interviews, as well as cost and price, the evaluation committee recommends the selection of Padilla as the top-ranked firm to assist in administrating the federal DBE program. Padilla delivered a thorough and comprehensive proposal and an interview that was responsive to all the requirements of the RFP.

### Fiscal Impact

This project is included in OCTA's Fiscal Year 2024-25 Budget, Finance and Administration Division, Contracts Administration and Materials Management Department, Account No. 1270-7519-A0011-KHT and is funded through local funds.

### **Summary**

Staff is recommending the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2046 between the Orange County Transportation Authority and Padilla & Associates, Inc., in the amount of \$990,000, for a four-year initial term with two, three-year option terms to provide assistance in administering the federal Disadvantaged Business Enterprise program.

***Attachments***

- A. Review of Proposals, RFP 4-2046 Disadvantaged Business Enterprise (DBE) Consulting Services
- B. Proposal Evaluation Criteria Matrix (Short-Listed Firms), RFP 4-2046 Disadvantaged Business Enterprise Consulting Services
- C. Contract History for the Past Two Years, RFP 4-2046 Disadvantaged Business Enterprise (DBE) Consulting Services

**Prepared by:**



Pia Veessen  
Director, Contracts Administration and  
Materials Management  
714-560-5619

**Approved by:**



Andrew Oftelie  
Chief Financial Officer  
Finance and Administration  
714-560-5649



**Review of Proposals**  
**RFP 4-2046 Disadvantaged Business Enterprise (DBE) Consulting Services**  
 Presented to Finance and Administration Committee - June 26, 2024  
 9 proposals were received, 2 firms were interviewed, 1 firm is being recommended.

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Average Weighted Hourly Rates
1	84	<b>Padilla &amp; Associates, Inc.</b> Santa Ana, California	Jaquith Consulting Group	Highest-ranked firm overall. Experienced project team. Has 30 years of experience in the DBE consultant industry. Currently provides similar DBE program services for Southern California Regional Rail Authority, Los Angeles County Metropolitan Transportation Authority's Crenshaw/LAX Transit Corridor Project, and OCTA's DBE program. Proposed project manager has over 21 years of experience managing DBE programs for public and private sectors. Proposed current web-based monitoring and compliance tool in an effort to streamline processes and provide a cost savings in labor hours to OCTA. Discussed its ability to monitor prompt payment. Proposed comprehensive work plan with strong quality control measures. Proposed lower average weighted hourly rates. Positive references.	\$140.00
2	71	<b>GCAP Services, Inc.</b> Costa Mesa, California	Costin Public Outreach Group, Inc. AskReply, Inc. doing business as B2Gnow	Has 26 years of experience in the DBE consultant industry. Currently provides similar DBE program services for San Diego Association of Governments, Omnitrans, and the San Bernardino County Transportation Authority. Proposed project manager has 19 years of experience in the fields of DBE and small business compliance. Did not clarify potential conflicts of interest. Did not clarify staffing availability for in-person and on-site meetings. Proposed new web-based monitoring and compliance tool that did not meet the prompt payment requirement in the scope of work. Discussed quality control measures with potential challenges and solutions. Proposed competitive hourly rates. Positive references.	\$148.00

**Evaluation Panel:**

Internal:  
 Contracts Administration and Materials Management (2)  
 Public Outreach (1)  
 Maintenance Administration (1)  
 Contracted Services (1)

**Proposal Criteria**

Qualifications of the Firm  
 Staffing and Project Organization  
 Work Plan  
 Cost and Price

**Weight Factors**

25%  
 30%  
 20%  
 25%

**PROPOSAL EVALUATION CRITERIA MATRIX (SHORT-LISTED FIRMS)  
RFP 4-2046 Disadvantaged Business Enterprise Consulting Services**

<b>Padilla &amp; Associates, Inc.</b>						<b>Weights</b>	<b>Overall Score</b>
<b>Evaluator Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>		
Qualifications of Firm	4.5	4.5	4.5	5.0	4.5	5	23.0
Staffing/Project Organization	4.5	4.5	4.0	4.5	4.5	6	26.4
Work Plan	4.0	4.0	4.0	4.5	4.0	4	16.4
Cost and Price	3.6	3.6	3.6	3.6	3.6	5	18.0
<b>Overall Score</b>	<b>83.5</b>	<b>83.5</b>	<b>80.5</b>	<b>88.0</b>	<b>83.5</b>		<b>84</b>
<b>GCAP Services, Inc.</b>							
<b>GCAP Services, Inc.</b>						<b>Weights</b>	<b>Overall Score</b>
<b>Evaluator Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>		
Qualifications of Firm	4.0	4.0	4.0	4.5	4.0	5	20.5
Staffing/Project Organization	3.5	3.5	3.5	3.0	3.5	6	20.4
Work Plan	3.5	3.5	3.5	3.0	3.0	4	13.2
Cost and Price	3.4	3.4	3.4	3.4	3.4	5	17.0
<b>Overall Score</b>	<b>72.0</b>	<b>72.0</b>	<b>72.0</b>	<b>69.5</b>	<b>70.0</b>		<b>71</b>

Range of score of non-short-listed firms was 39 to 67.

**CONTRACT HISTORY FOR THE PAST TWO YEARS**

**RFP 4-2046 DISADVANTAGED BUSINESS ENTERPRISE (DBE) CONSULTING SERVICES**

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
<b>GCAP Services, Inc.</b>						
Contract Type: N/A	None	N/A	N/A	N/A	N/A	\$ -
Subconsultants:None						
<b>Sub Total</b>						<b>\$ -</b>
<b>Padilla &amp; Associates, Inc.</b>						
Contract Type: Time and Expense	C-9-0987	DBE Consulting Services	August 15, 2019	August 31, 2024	N/A	\$ 1,092,500.00
Subconsultants:None						
<b>Sub Total</b>						<b>\$ 1,092,500.00</b>



COMMITTEE TRANSMITTAL

**July 22, 2024**

**To:** Members of the Board of Directors  
**From:** Andrea West, Clerk of the Board *Andrea West*  
**Subject:** Orange County Transportation Authority Investment and Debt Programs Report - May 2024

Finance and Administration Committee Meeting of July 10, 2024

**Present:** Directors Do, Federico, Harper, Hennessey, Klopfenstein, and Nguyen  
**Absent:** Director Sarmiento

**Committee Vote**

No action was taken on this item.

**Staff Recommendation(s)**

Receive and file as an information item.



*July 10, 2024*

**To:** Finance and Administration Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Orange County Transportation Authority Investment and Debt Programs Report – May 2024

**Overview**

The Orange County Transportation Authority has a comprehensive investment and debt program to fund its immediate and long-term cash flow demands. Each month, the Treasurer submits a report detailing investment allocation, performance, compliance, outstanding debt balances, and credit ratings for the Orange County Transportation Authority's debt program. This report is for the month ending May 31, 2024. During the month of May, one investment manager purchased a security that did not comply with the Investment Policy. As a result of this compliance violation, the investment manager has been placed on probation for one year, in accordance with the requirements of the Investment Policy.

**Recommendation**

Receive and file as an information item.

**Discussion**

As of May 31, 2024, the Orange County Transportation Authority's (OCTA) outstanding investments totaled \$2.5 billion. The portfolio is divided into three managed portfolios: the liquid portfolio for immediate cash needs, the short-term portfolio for future budgeted expenditures, and the bond proceeds portfolio to meet Measure M2 (M2) transportation program needs. In addition to these portfolios, OCTA has funds invested in debt service reserve funds for the 91 Express Lanes Program.

Portfolio Compliance and Liquidity Requirements for the Next Six Months: The portfolio is in full compliance with OCTA's Investment Policy and the State of California Government Code. Additionally, OCTA has reviewed the liquidity

requirements for the next six months and anticipates that OCTA's liquidity will be sufficient to meet projected expenditures during the next six months.

The weighted average book yield for the OCTA portfolio is 4.1 percent. The book yield measures the exact income, or interest, on a bond without regard to market price change. The yield is the income return on an investment, such as the interest received from holding a particular security. The yield is usually expressed as an annual percentage rate based on the investment's cost and market value.

OCTA's month-end balance in the Local Agency Investment Fund (LAIF), a pooled investment fund for California local agencies, was \$6,955,075, with an average monthly effective yield of 4.33 percent. LAIF offers local agencies an opportunity to invest funds in a diversified portfolio of high-quality, short-term securities managed by the State Treasurer's Office. OCTA's month-end balance in the Orange County Investment Pool (OCIP), a collective investment fund for local government entities in Orange County was \$749,259. For the month of April, the monthly gross yield for the OCIP was 4.48 percent. The yield for the month of May will be received in June 2024. OCIP allows local government entities to invest funds in a diversified portfolio managed by the Orange County Treasurer-Tax Collector's Office, aiming for competitive returns while prioritizing safety and liquidity. Mandated by the Transportation Development Act (TDA), OCTA is obliged to participate in the OCIP. It serves as a temporary holding account for TDA funds until claimed by OCTA and then processed by the County of Orange. This framework ensures effective fund management and adherence to regulatory compliance.

During the month of May, one security held within OCTA's investment portfolio was downgraded by Moody's. As of May 31, 2024, the security still meets the minimum ratings requirements set forth by OCTA's Investment Policy (Policy). Please refer to A-8 (Rating Downgrades and Negative Credit Watch) of Attachment A for further details.

On May 28, 2024, one of OCTA's investment managers, Payden & Rygel, purchased an asset-backed security issued by the American Tower Corporation. Pursuant to OCTA's Policy and the California Government Code, the maximum allowable term for public fund investments is five years. At the time of purchase, the security in question was listed with a final maturity date of March 15, 2028, in Bloomberg, which rendered it eligible for purchase. However, according to the Preliminary Official Statement for the security, the legal final maturity date is March 15, 2053, which exceeds the maximum allowable term of five years. OCTA's treasury management system immediately flagged the item as non-compliant, and staff notified the portfolio manager of the violation. The

portfolio manager sold the security on May 31, 2024, generating investment gains for OCTA's portfolio.

In accordance with OCTA's Policy, the Treasurer was informed of this violation, and Payden & Rygel were placed on a one-year probation effective May 28, 2024. Pursuant to OCTA's Policy, if a second violation occurs while the portfolio manager is on probation, the Finance and Administration (F&A) Committee shall review the error and may request that the portfolio manager meet with the Chair of the F&A Committee and the Treasurer as soon as practical. If OCTA's Treasurer finds that the portfolio manager has made a third non-compliant investment while on probation, the Treasurer will notify the Board of the compliance violations. OCTA may terminate services for its convenience at any time by providing at least 30 days' written notice.

OCTA's debt program is separate from its investment program and is comprised of M2 Sales Tax Revenue Bonds, 91 Express Lanes Toll Road Revenue Bonds, and 2021 Transportation Infrastructure Finance and Innovation Act Loan. The debt program currently has an outstanding principal balance of \$1.2 billion as of May 31, 2024. Approximately 46 percent of the outstanding balance is comprised of M2 debt, four percent is associated with the 91 Express Lanes Program, and 50 percent is associated with the 405 Express Lanes.

### ***Summary***

The Treasurer is submitting a copy of the Orange County Transportation Authority Investment and Debt Programs report to the Finance and Administration Committee. The report is for the month ending May 31, 2024.

***Attachments***

- A. Orange County Transportation Authority Investment and Debt Programs  
– For the Period Ending May 31, 2024
- B. Orange County Transportation Authority Portfolio Listing as of  
May 31, 2024

**Prepared by:**



Robert Davis  
Department Manager  
Treasury/Public Finance  
(714) 560-5675

**Approved by:**



Andrew Oftelie  
Chief Financial Officer  
Finance and Administration  
(714) 560-5649



**Treasury/Public Finance Department's  
Report On**

**Orange County Transportation Authority  
Investment and Debt Programs**



**Presented to the  
Finance and Administration Committee**

**For The Period Ending  
May 31, 2024**

# INVESTMENT PROGRAM

# OCTA Investment Dashboard

5/31/2024

## Safety of Principal

**Securities that fell below OCTA's minimum credit quality requirements during the month of May 2024:**  
N/A

**Securities currently held within OCTA's portfolio that fell below OCTA's minimum credit quality requirements during prior reporting periods:**

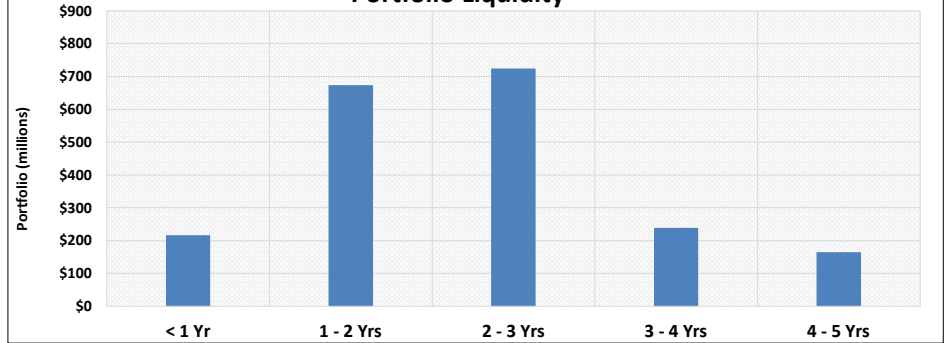
Three Keybank securities held within OCTA's investment portfolio were downgraded below minimum credit quality requirements for the month of October 2023.

**Securities downgraded or placed on Negative Credit Watch during the month of May 2024, but remain in compliance with OCTA's Investment Policy:**

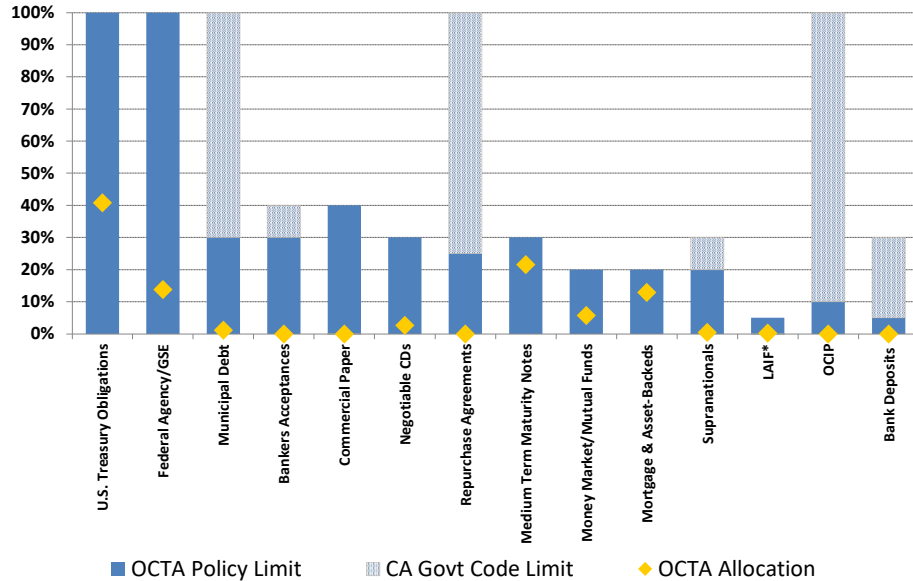
One security held within OCTA's investment portfolio was downgraded during the month.

For further details please refer to A-8 of this report.

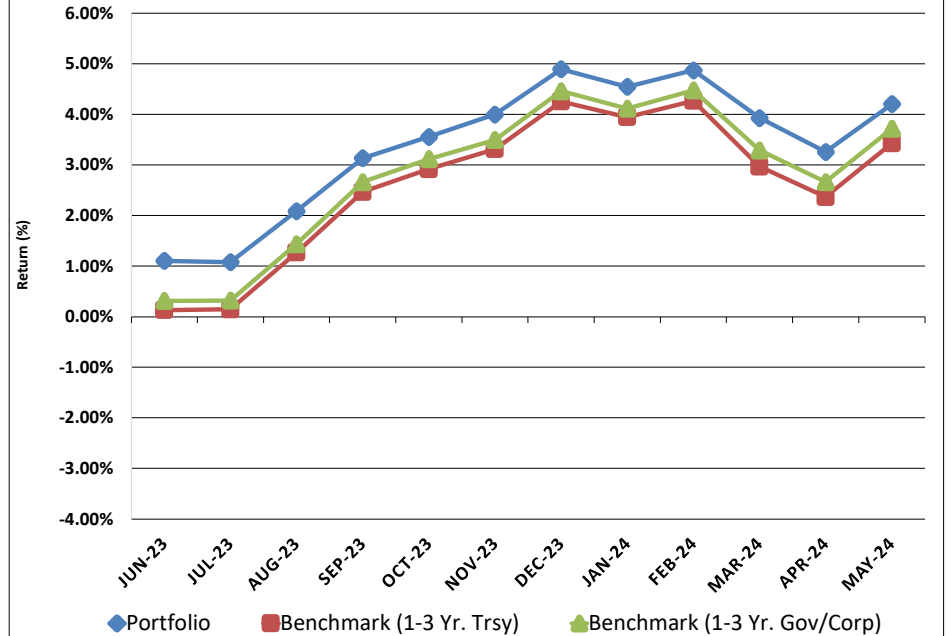
## Portfolio Liquidity



## Portfolio Diversification



## Portfolio Return - 12 Month



\* Per CA Government Code LAIF limit is \$75 million

\*\* Per OCTA's Investment Policy the limit is 30% for variable and floating rate securities. As of May 31, 2024, 6.9% of the portfolio was invested in variable & floating rate securities.

# Investment Compliance

5/31/2024

Portfolio Subject to Investment Policy			
	Dollar Amount	Percent Of	Investment Policy
Short-Term/Liquid Portfolio <sup>1</sup>	Invested	Portfolio	Max. Percentages
U.S. Treasury Obligations	\$ 887,433,906	40.8%	100%
Federal Agency/GSE	302,028,485	13.9%	100%
Municipal Debt	\$ 26,276,693	1.2%	30%
Commercial Paper	-	0.0%	40%
Negotiable Certificates of Deposit	\$ 60,250,000	2.8%	30%
Repurchase Agreements	-	0.0%	25%
Medium Term Maturity Notes/Corporates	\$ 469,711,914	21.6%	30%
Money Market/Mutual Funds	125,986,883	5.8%	20%
Mortgage & Asset-Backed	\$ 281,242,695	12.9%	20%
Supranationals	11,703,837	0.5%	20%
Local Agency Investment Fund	\$ 6,955,075	0.3%	\$ 75 Million
Orange County Investment Pool	749,259	0.0%	10%
Bank Deposits	\$ 250,000	0.0%	5%
<b>Total Short-Term/Liquid Portfolio<sup>2</sup></b>	<b>\$ 2,172,588,747</b>		

1. Excludes portion of Liquid Portfolio subject to Indenture

2. Includes variable & floating rate securities invested in the amount of \$147,438,863 (6.9% of total Short-Term/Liquid portfolio) and subject to 30% limit per OCTA's Investment Policy.

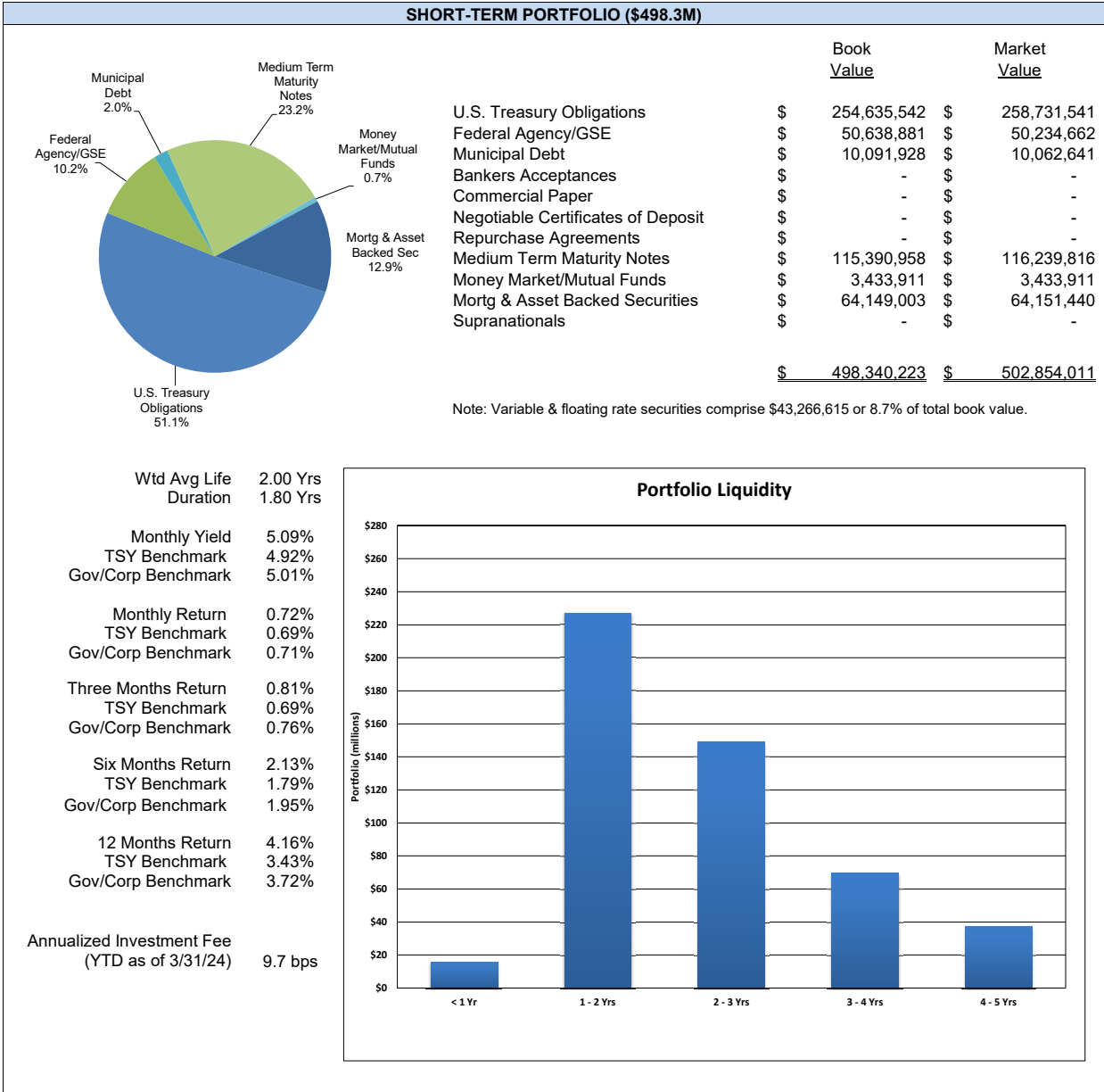
Portfolio Subject to Indenture					
Portfolio	Dollar Amount Invested	OCTA		Indenture Requirements	
		Credit Quality	Term	Min. Credit Quality	Max. Term
<b>Liquid Portfolio*</b>					
Government Obligations MMKT Fund	301,299,751	"AAAm"	N/A	AAA Category	N/A
Government Obligations MMKT Fund	14,792,770	"AAAm"/"Aammf"	N/A	AAA Category	N/A
<b>Total Liquid Portfolio</b>	<b>\$ 316,092,522</b>				
<b>Bond Proceeds Portfolio</b>					
<b>2021 Bond Anticipation Notes (BANs):</b>					
Government Obligations MMKT Fund	54,959	"AAAm"/ "Aaa-mf"/"AAAmf"	N/A	"AAAm" or "AAAm-G"	N/A
<b>91 Express Lanes 2023 Bonds:</b>					
Government Obligations MMKT Fund	2,594	"AAAm"/ "Aaa-mf"/"AAAmf"	N/A	N/A	N/A
<b>Total Bond Proceeds Portfolio</b>	<b>\$ 57,553</b>				
<b>Reserve Funds Portfolio</b>					
Bank Deposit	\$ -	N/A	N/A	N/A	N/A
Government Obligations MMKT Fund	5,428,836	"AAAm"/ "Aaa-mf"/"AAAmf"	N/A	N/A	N/A
Negotiable Certificates of Deposit	5,000,000	"A-1"/"P-1"/"F1+"	267 days	"A-1"/"P-1"/"F1"	270 days
Negotiable Certificates of Deposit	3,000,000	"A-1"/"P-1"/"F1+"	270 days	"A-1"/"P-1"/"F1"	270 days
Government Obligations MMKT Fund**	1,133	"AAAm"/ "Aaa-mf"/"AAAmf"	N/A	N/A	N/A
<b>Total Reserve Funds Portfolio</b>	<b>\$ 13,429,969</b>				
<b>Total Portfolio Subject to Indenture</b>	<b>\$ 13,487,522</b>				
<b>Portfolio Total</b>	<b>\$ 2,502,168,791</b>				

\*Reflects portion of Liquid Portfolio subject to Indenture (OCTA Sales Tax Revenue)

\*\*91 EL Debt Service Fund

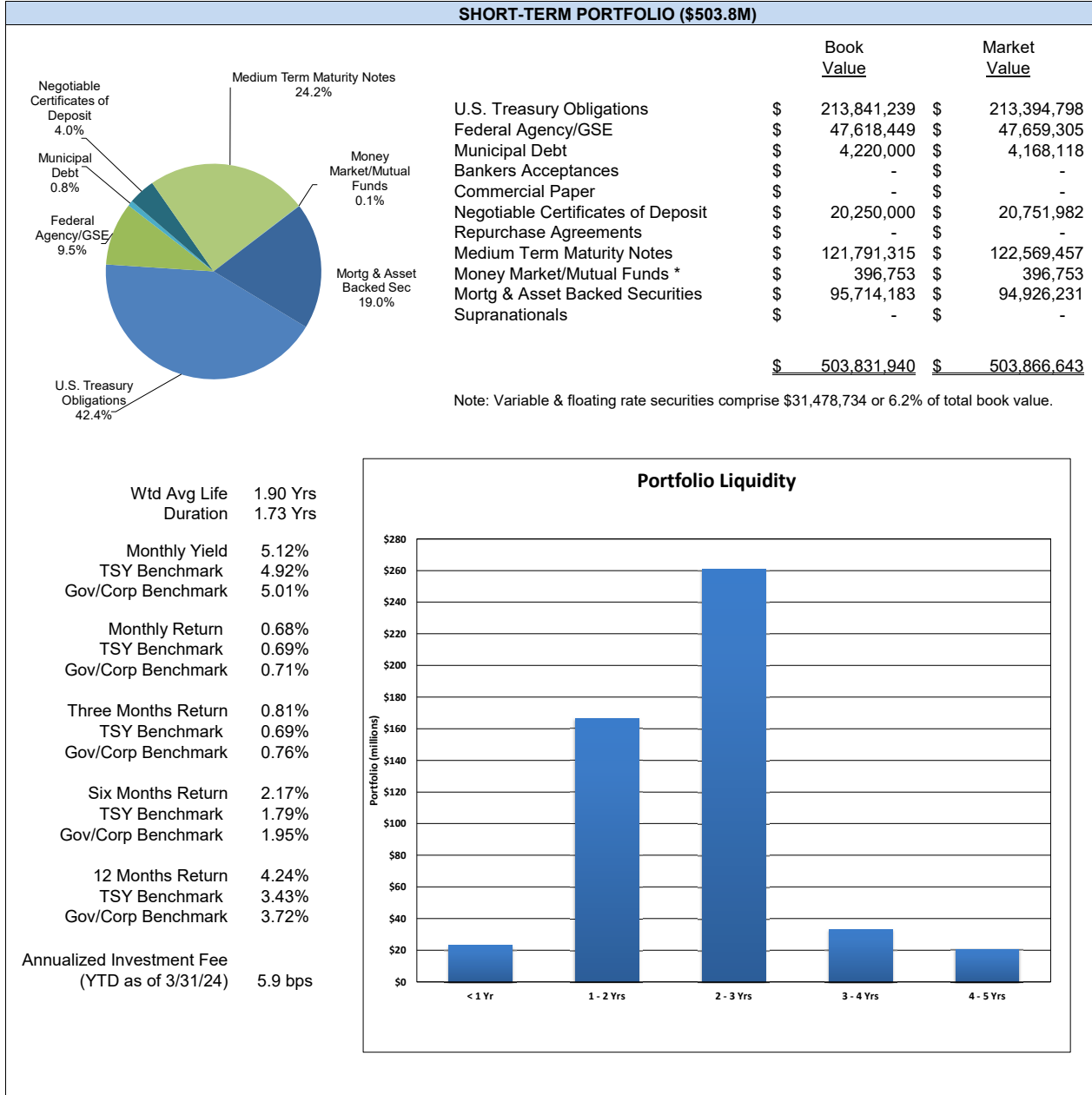
**Investment Manager Diversification and Maturity Schedules**

**MetLife Investment Management  
5/31/2024**



**Investment Manager Diversification and Maturity Schedules**

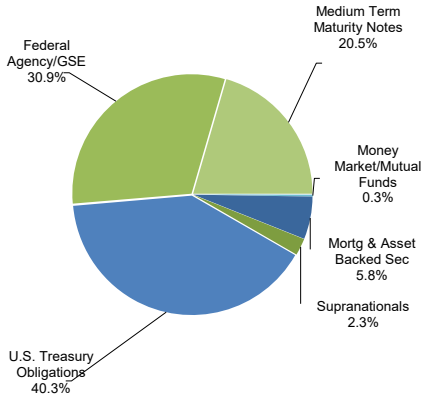
**PFM**  
**5/31/2024**



**Investment Manager Diversification and Maturity Schedules**

**Chandler Asset Management  
5/31/2024**

**SHORT-TERM PORTFOLIO (\$506.0M)**

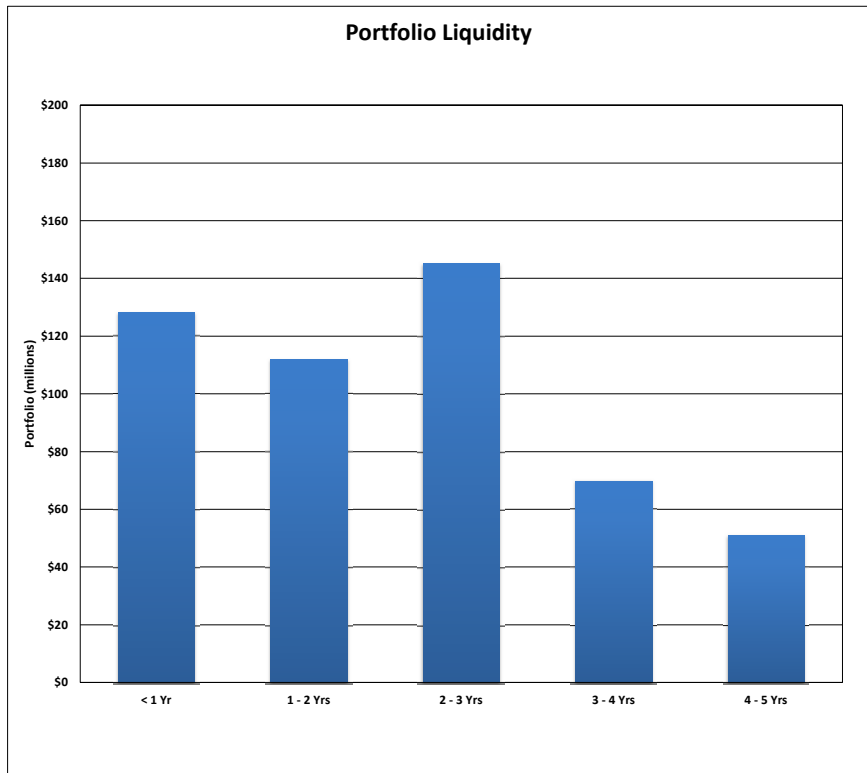


	Book Value	Market Value
U.S. Treasury Obligations	\$ 203,947,813	\$ 201,492,689
Federal Agency/GSE	\$ 156,170,353	\$ 156,172,753
Municipal Debt	\$ -	\$ -
Bankers Acceptances	\$ -	\$ -
Commercial Paper	\$ -	\$ -
Negotiable Certificates of Deposit	\$ -	\$ -
Repurchase Agreements	\$ -	\$ -
Medium Term Maturity Notes	\$ 103,714,752	\$ 103,293,376
Money Market/Mutual Funds	\$ 1,280,883	\$ 1,280,883
Mortg & Asset Backed Sec	\$ 29,149,280	\$ 28,980,285
Supranationals	\$ 11,703,837	\$ 11,659,896
	<b>\$ 505,966,918</b>	<b>\$ 502,879,883</b>

Note: Variable & floating rate securities comprise \$18,439,513 or 3.6% of total book value.

Wtd Avg Life	1.97 Yrs
Duration	1.81 Yrs
Monthly Yield	4.99%
TSY Benchmark	4.92%
Gov/Corp Benchmark	5.01%
Monthly Return	0.76%
TSY Benchmark	0.69%
Gov/Corp Benchmark	0.71%
Three Months Return	0.86%
TSY Benchmark	0.69%
Gov/Corp Benchmark	0.76%
Six Months Return	2.15%
TSY Benchmark	1.79%
Gov/Corp Benchmark	1.95%
12 Months Return	4.11%
TSY Benchmark	3.43%
Gov/Corp Benchmark	3.72%

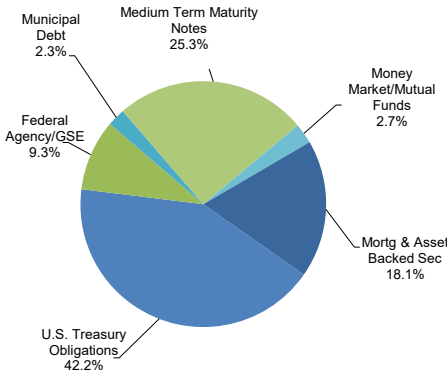
Annualized Investment Fee  
(YTD as of 3/31/24) 5.1 bps



**Investment Manager Diversification and Maturity Schedules**

**Payden & Rygel**  
5/31/2024

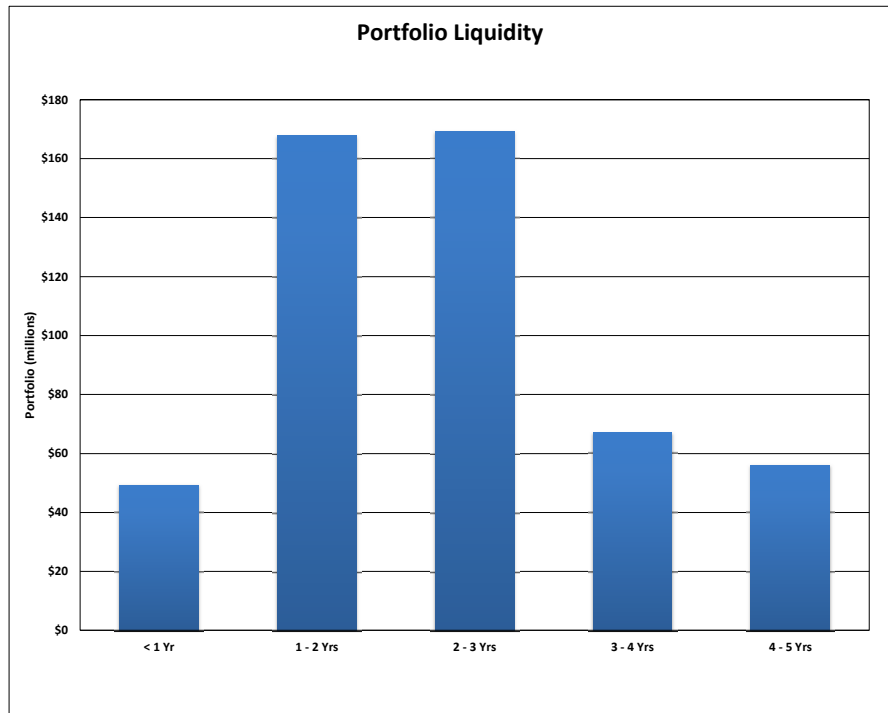
**SHORT-TERM PORTFOLIO (\$509.3M)**



	Book Value	Market Value
U.S. Treasury Obligations	\$ 215,009,312	\$ 214,993,990
Federal Agency/GSE	\$ 47,600,803	\$ 47,987,789
Municipal Debt	\$ 11,964,764	\$ 11,679,810
Bankers Acceptances	\$ -	\$ -
Commercial Paper	\$ -	\$ -
Negotiable Certificates of Deposit	\$ -	\$ -
Repurchase Agreements	\$ -	\$ -
Medium Term Maturity Notes	\$ 128,814,889	\$ 128,922,721
Money Market/Mutual Funds	\$ 13,638,839	\$ 13,638,839
Mortg & Asset Backed Sec	\$ 92,230,229	\$ 92,199,406
Supranationals	\$ -	\$ -
	<b>\$ 509,258,835</b>	<b>\$ 509,422,556</b>

Note: Variable & floating rate securities comprise \$54,254,001 or 10.7% of total book value.

Wtd Avg Life	2.04 Yrs
Duration	1.79 Yrs
Monthly Yield	5.15%
TSY Benchmark	4.92%
Gov/Corp Benchmark	5.01%
Monthly Return	0.73%
TSY Benchmark	0.69%
Gov/Corp Benchmark	0.71%
Three Months Return	0.85%
TSY Benchmark	0.69%
Gov/Corp Benchmark	0.76%
Six Months Return	2.24%
TSY Benchmark	1.79%
Gov/Corp Benchmark	1.95%
12 Months Return	4.31%
TSY Benchmark	3.43%
Gov/Corp Benchmark	3.72%
Annualized Investment Fee (YTD as of 3/31/24)	9.9 bps

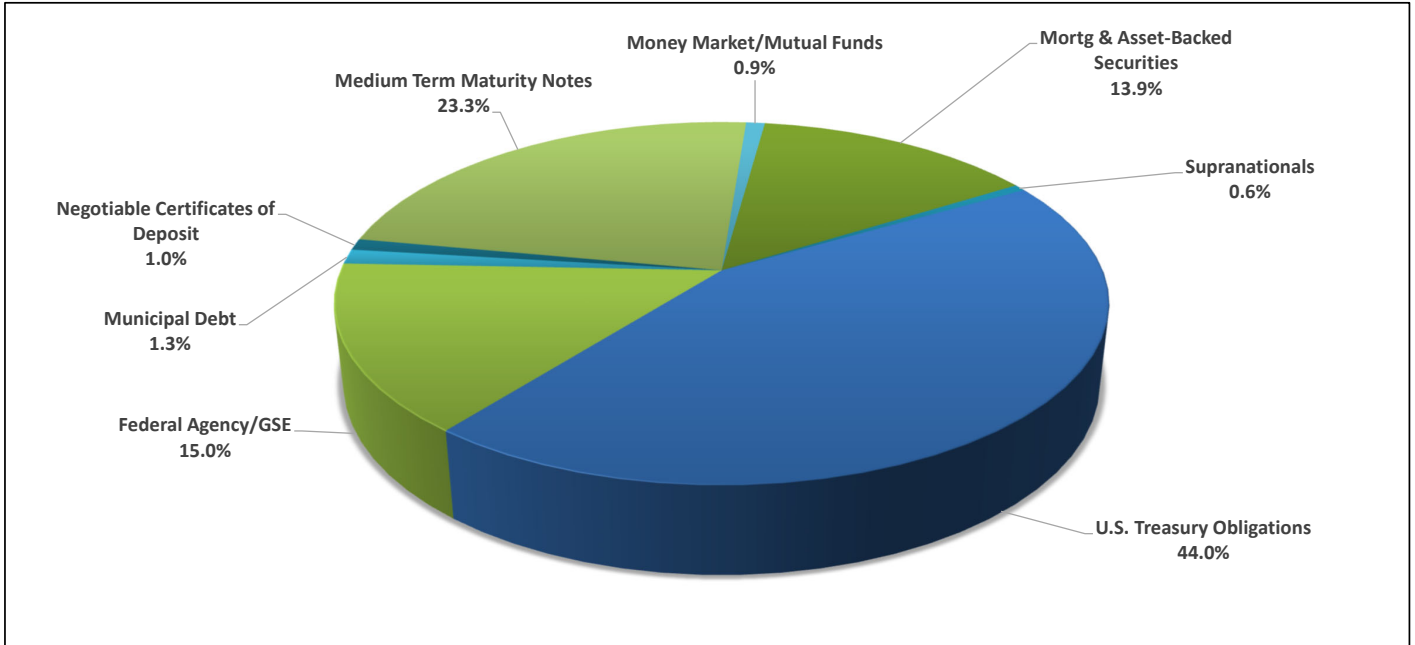




# Short-Term Portfolio

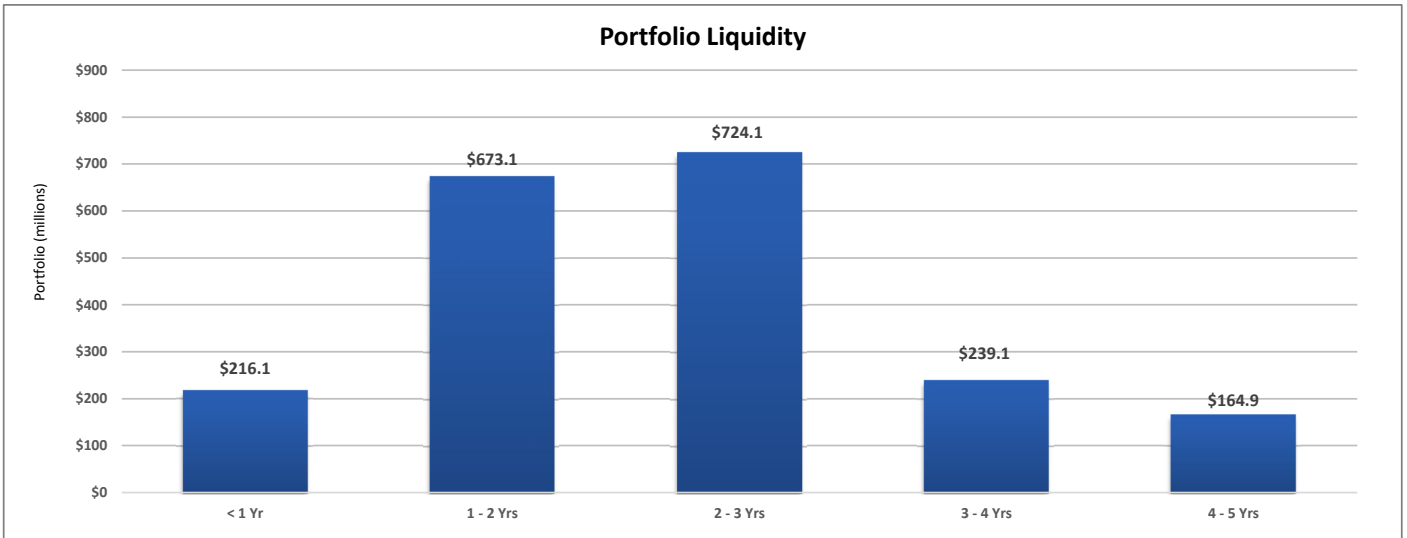
## 5/31/2024

### Portfolio Composition



Note: Variable & floating rate securities comprise 7.3% of total book value.

### Portfolio Liquidity



## Rating Downgrades & Negative Credit Watch

5/31/2024

**Investment Manager / Security**

**Par Amount**

**Maturity**

**S&P**

**Moody's**

**Fitch Ratings**

**Rating Downgrades:**

**PFM, Payden & Rygel**

TRUIST FINANCIAL CORP

\$	6,315,000	08/01/2024 - 10/28/2026	A-	Baa1	A-
----	-----------	-------------------------	----	------	----

On May 8, 2024, Moody's downgraded Truist Financial Corp (TFC) by one notch to Baa1 from A3 with stable outlook. The ratings action followed TFC's announcement that it had closed on the sale of its Truist Insurance Holdings LLC subsidiary (TIH). The downgrade reflects Moody's view that sale of TIH removes a stable source of revenue and will likely increase earnings volatility over the longer-term. The security complies with the requirements of the Investment Policy, and the investment managers maintain a recommendation to hold the position until maturity, given Truist's dominant competitive position in an attractive region and its conservative underwriting standards and relatively low exposures to commercial real estate.

**- Rating below minimum requirements:**

KEYBANK NATIONAL ASSOCIATION

\$	3,720,000	06/14/2024 - 01/26/2026	BBB+	Baa1	BBB+
----	-----------	-------------------------	------	------	------

During October 2023, Moody's and Fitch downgraded Keybank by one notch. The downgrade reflects the agencies' view that a higher-for-longer rate environment is likely to constrain profitability at Keybank more than for other banks of similar size. In addition, Keybank has a lower-than-average capital ratio on a proforma basis when adjusted for unrealized losses on available-for-sale securities. Due to the downgrade by both agencies, the three Keybank securities held within the portfolio fell below the minimum credit quality requirements of the Investment Policy. The Treasurer reviewed the position and recommended the securities be held for the short-term. The Treasurer presented his recommendation to the Chief Executive Officer who concurred.

**Negative Credit Watch:**

N/A

# **DEBT PROGRAM**

(M2 Sales Tax Revenue Bonds, 91 Express Lanes Toll Road Revenue Bonds, 2021 TIFIA Loan)

# Outstanding Debt<sup>1</sup>

## As of 5/31/2024

### Orange County Local Transportation Authority (OCLTA-M2)

#### 2010 Series A Taxable Build America Bonds - Sales Tax Revenue Bonds

Issued:	\$	293,540,000
Outstanding:		250,000,000
Debt Service FY 2024:		17,270,000
All in True Interest Cost:		4.33%
Pledged Revenue Source:	M2 Sales Tax Revenues	
Ratings (Fitch/ Moody's/ S&P):		AA+/Aa2/AA+
Final Maturity:		2041

#### 2019 M2 Sales Tax Revenue Bonds

Issued:	\$	376,690,000
Outstanding:		319,315,000
Debt Service FY 2024:		37,601,900
All in True Interest Cost:		3.14%
Pledged Revenue Source:	M2 Sales Tax Revenues	
Ratings (Fitch/ S&P):		AA+/AA+
Final Maturity:		2041

<b>Sub-total M2 Outstanding Debt</b>	<b>\$</b>	<b>569,315,000</b>
--------------------------------------	-----------	--------------------

### 91 Express Lanes

#### 2023 OCTA 91 Express Lanes Refunding Bonds

Issued:	\$	47,545,000
Outstanding:		47,545,000
Debt Service FY 2024:		1,446,160
All in True Interest Cost:		2.80%
Pledged Revenue Source:	91 Toll Road Revenues	
Ratings (Fitch/ Moody's/ S&P):		AA-/Aa3/AA-
Final Maturity:		2030

<b>Sub-total 91 Express Lanes Outstanding Debt</b>	<b>\$</b>	<b>47,545,000</b>
--	-----------	-------------------

### 405 Express Lanes

#### 2021 TIFIA Loan

Amount Available	\$	628,930,000
Outstanding:		613,711,295
Accrued Interest:		-
Interest Rate:		1.95%
Pledged Revenue Source:	405 Toll Road Revenues	
Ratings (Moody's):		Baa2
Final Maturity:		2058

<b>Sub-total 405 Express Lanes Outstanding Debt</b>	<b>\$</b>	<b>613,711,295</b>
---	-----------	--------------------

<b>TOTAL OUTSTANDING DEBT:</b>	<b>\$</b>	<b>1,230,571,295</b>
--------------------------------	-----------	----------------------

1. Comprises OCTA's debt obligations (M2 Sales Tax Revenue Bonds, 91 Express Lanes Toll Road Revenue Bonds, and 2021 TIFIA Loan) currently outstanding and irrespective of OCTA's investment program.

**Orange County Transportation Authority  
Portfolio Listing  
As of May 31, 2024**

**ATTACHMENT B**

LIQUID PORTFOLIO					
NOTE	DESCRIPTION	MATURITY DATE	BOOK VALUE	MARKET VALUE	YIELD
	<u>CASH EQUIVALENTS</u>				
	BANK DEPOSITS	N/A	250,000	250,000	0.00
	FEDERATED MONEY MARKET GOVERNMENT PORTFOLIO	N/A	56,728,626	56,728,626	5.17
	BMO HARRIS BANK NCD	6/6/2024	15,000,000	15,000,000	5.62
	BMO HARRIS BANK NCD	7/29/2024	25,000,000	25,000,000	5.90
	MONEY MARKET DEMAND ACCOUNT	N/A	507,870	507,870	3.71
	FIDELITY TREASURY OBLIGATIONS FUND	N/A	301,299,751	301,299,751	5.21
	INVESCO MONEY MARKET GOVERNMENT PORTFOLIO	N/A	50,000,000	50,000,000	5.22
	FEDERATED TREASURY OBLIGATIONS FUND	N/A	14,792,770	14,792,770	5.19
	<b>SUB-TOTAL</b>		<b>463,579,018</b>	<b>463,579,018</b>	
	<u>LOCAL AGENCY INVESTMENT FUND (LAIF)</u>	N/A	6,955,075	6,955,075	4.33
	<u>ORANGE COUNTY INVESTMENT POOL (OCIP)</u>	N/A	749,259	749,259	4.48
	<b>LIQUID PORTFOLIO - TOTAL</b>		<b>\$ 471,283,352</b>	<b>\$ 471,283,352</b>	

SHORT-TERM PORTFOLIO					
NOTE	DESCRIPTION	MATURITY DATE	BOOK VALUE	MARKET VALUE	YIELD
	<u>Money Market Funds</u>				
	FIRST AMER:GVT OBLG Z	5/31/2024	18,750,387	18,750,387	5.20
	<b>SUB-TOTAL</b>		<b>18,750,387</b>	<b>18,750,387</b>	
	<u>NEGOTIABLE CERTIFICATES OF DEPOSIT</u>				
	COÖPERATIEVE RABOBANK U.A., NEW YORK BRANCH	7/17/2026	3,450,000	3,474,323	4.73
	Credit Agricole Corporate And Investment Bank, New	2/1/2027	3,750,000	3,698,588	5.27
	Natixis, New York Branch	9/18/2026	3,575,000	3,620,224	4.81
	Nordea ABP - New York Branch	11/3/2025	4,750,000	4,768,573	5.24
	Toronto-Dominion Bank - New York Branch	10/27/2025	4,725,000	4,747,538	5.19
	<b>SUB-TOTAL</b>		<b>20,250,000</b>	<b>20,309,245</b>	
	<u>U.S. TREASURY OBLIGATIONS</u>				
	UNITED STATES TREASURY	2/28/2029	936,753	924,593	4.51
	UNITED STATES TREASURY	11/30/2028	8,522,848	8,440,887	4.53
	UNITED STATES TREASURY	11/15/2028	4,757,617	4,716,800	4.54
	UNITED STATES TREASURY	9/30/2028	18,529,175	18,665,261	4.55
	UNITED STATES TREASURY	8/31/2028	1,555,425	1,544,131	4.56
	UNITED STATES TREASURY	8/15/2028	9,283,594	9,362,500	4.56
	UNITED STATES TREASURY	4/15/2028	2,650,518	2,615,723	2.27
	UNITED STATES TREASURY	4/15/2028	7,428,559	7,331,905	2.26
	UNITED STATES TREASURY	11/15/2027	3,778,750	3,700,480	4.62
	UNITED STATES TREASURY	9/30/2027	6,517,012	6,399,185	4.63
	UNITED STATES TREASURY	8/31/2027	7,737,813	7,636,880	4.64
	UNITED STATES TREASURY	7/31/2027	3,865,469	3,778,120	4.65
	UNITED STATES TREASURY	6/30/2027	5,401,750	5,377,750	4.65
	UNITED STATES TREASURY	6/30/2027	23,939,852	23,429,612	4.65
	UNITED STATES TREASURY	5/15/2027	1,739,609	1,741,793	4.67
	UNITED STATES TREASURY	4/30/2027	8,049,434	8,057,405	4.68
	UNITED STATES TREASURY	4/15/2027	14,881,161	14,892,569	4.68
	UNITED STATES TREASURY	3/31/2027	6,686,992	6,834,575	4.68
	UNITED STATES TREASURY	3/15/2027	15,087,814	15,004,519	4.69
	UNITED STATES TREASURY	2/15/2027	8,006,270	7,975,720	4.70
	UNITED STATES TREASURY	2/15/2027	38,804,304	38,532,345	4.71
	UNITED STATES TREASURY	1/15/2027	19,033,681	18,705,047	4.73
	UNITED STATES TREASURY	12/31/2026	20,757,205	20,971,808	4.72
	UNITED STATES TREASURY	12/31/2026	10,403,754	10,398,402	4.72
	UNITED STATES TREASURY	12/15/2026	33,785,150	33,197,899	4.75
	UNITED STATES TREASURY	11/15/2026	24,377,150	24,222,240	4.76
	UNITED STATES TREASURY	11/15/2026	3,715,469	3,747,200	4.76
	UNITED STATES TREASURY	10/15/2026	18,944,607	18,976,628	4.78
	UNITED STATES TREASURY	9/15/2026	6,219,274	6,240,504	4.80
	UNITED STATES TREASURY	8/31/2026	13,152,289	13,167,000	4.81
	UNITED STATES TREASURY	8/31/2026	33,552,012	33,566,187	4.80
	UNITED STATES TREASURY	8/15/2026	30,310,746	30,262,525	4.83
	UNITED STATES TREASURY	7/15/2026	14,357,900	14,286,175	4.84
	UNITED STATES TREASURY	6/15/2026	12,402,597	12,337,537	4.86
	UNITED STATES TREASURY	5/15/2026	45,018,283	44,484,712	4.89
	UNITED STATES TREASURY	4/15/2026	37,459,945	36,770,822	4.91
	UNITED STATES TREASURY	3/15/2026	8,514,673	8,335,837	4.93
	UNITED STATES TREASURY	2/28/2026	14,271,250	14,822,500	4.94
	UNITED STATES TREASURY	2/28/2026	31,820,822	33,061,439	4.94
	UNITED STATES TREASURY	2/28/2026	15,705,664	15,634,363	4.95
	UNITED STATES TREASURY	2/15/2026	55,102,804	54,731,273	4.96
	UNITED STATES TREASURY	1/31/2026	1,316,563	1,309,789	4.97
	UNITED STATES TREASURY	1/15/2026	6,244,424	6,166,443	5.00
	UNITED STATES TREASURY	12/15/2025	42,820,944	42,355,000	5.02

**Portfolio Listing  
As of May 31, 2024**

<u>NOTE</u>	<u>DESCRIPTION</u>	<u>MATURITY DATE</u>	<u>BOOK VALUE</u>	<u>MARKET VALUE</u>	<u>YIELD</u>
	UNITED STATES TREASURY	11/15/2025	14,569,102	14,417,550	5.05
	UNITED STATES TREASURY	10/31/2025	8,032,813	7,778,720	5.05
	UNITED STATES TREASURY	9/30/2025	32,554,458	33,686,130	5.07
	UNITED STATES TREASURY	9/30/2025	9,515,918	9,249,105	5.07
	UNITED STATES TREASURY	9/30/2025	12,142,489	12,673,665	5.06
	UNITED STATES TREASURY	7/31/2025	14,709,063	14,660,830	5.08
	UNITED STATES TREASURY	6/30/2025	6,811,055	6,645,800	5.12
	UNITED STATES TREASURY	5/31/2025	7,357,324	7,144,050	5.18
	UNITED STATES TREASURY	5/15/2025	8,094,270	8,065,266	5.19
	UNITED STATES TREASURY	4/30/2025	7,440,527	7,181,400	5.18
	UNITED STATES TREASURY	3/31/2025	9,852,188	9,623,800	5.17
	UNITED STATES TREASURY	1/31/2025	8,313,750	7,799,200	5.25
	UNITED STATES TREASURY	12/15/2024	8,000,000	7,820,720	5.26
	UNITED STATES TREASURY	11/15/2024	8,004,375	7,838,640	5.27
	UNITED STATES TREASURY	10/31/2024	7,758,691	7,384,950	5.26
	UNITED STATES TREASURY	9/15/2024	7,484,473	7,395,300	5.25
	UNITED STATES TREASURY	8/15/2024	7,914,375	7,920,720	5.17
	UNITED STATES TREASURY	8/15/2024	3,929,063	3,975,800	5.27
	UNITED STATES TREASURY	7/15/2024	7,502,051	7,456,650	5.07
	<b>SUB-TOTAL</b>		<b>887,433,906</b>	<b>883,432,377</b>	
	<b>FEDERAL AGENCY/GSE</b>				
	FEDERAL FARM CREDIT BANKS FUNDING CORP	4/30/2029	2,396,400	2,405,064	5.38
	FEDERAL FARM CREDIT BANKS FUNDING CORP	4/10/2029	4,942,000	4,970,700	4.51
	FEDERAL FARM CREDIT BANKS FUNDING CORP	11/15/2027	4,973,700	4,976,500	4.77
	FEDERAL FARM CREDIT BANKS FUNDING CORP	10/4/2027	4,012,000	3,977,360	4.68
	FEDERAL FARM CREDIT BANKS FUNDING CORP	12/7/2026	7,968,800	7,922,240	4.79
	FEDERAL FARM CREDIT BANKS FUNDING CORP	9/1/2026	3,994,800	3,994,040	4.82
	FEDERAL FARM CREDIT BANKS FUNDING CORP	8/14/2026	14,828,188	14,780,098	4.81
	FEDERAL FARM CREDIT BANKS FUNDING CORP	7/30/2026	3,995,640	4,010,240	4.87
	FEDERAL FARM CREDIT BANKS FUNDING CORP	7/17/2026	4,003,400	3,977,320	4.91
	FEDERAL FARM CREDIT BANKS FUNDING CORP	6/23/2026	3,995,240	3,959,040	4.90
	FEDERAL FARM CREDIT BANKS FUNDING CORP	5/8/2026	7,957,920	7,972,800	4.94
	FEDERAL FARM CREDIT BANKS FUNDING CORP	2/25/2025	4,956,270	4,878,050	5.18
	FEDERAL HOME LOAN BANKS	9/8/2028	3,979,600	3,976,760	4.53
	FEDERAL HOME LOAN BANKS	6/30/2028	3,965,360	3,919,440	4.55
	FEDERAL HOME LOAN BANKS	6/9/2028	1,996,120	1,963,120	4.51
	FEDERAL HOME LOAN BANKS	3/10/2028	5,108,250	4,998,500	4.51
	FEDERAL HOME LOAN BANKS	12/10/2027	5,105,600	4,929,550	4.69
	FEDERAL HOME LOAN BANKS	4/9/2027	3,989,640	4,005,400	4.70
	FEDERAL HOME LOAN BANKS	3/25/2027	4,830,700	4,867,847	4.85
	FEDERAL HOME LOAN BANKS	11/17/2026	5,056,950	4,991,050	4.70
	FEDERAL HOME LOAN BANKS	9/11/2026	10,908,280	10,961,830	4.78
	FEDERAL HOME LOAN BANKS	8/26/2026	1,783,600	1,830,728	4.94
	FEDERAL HOME LOAN BANKS	6/12/2026	3,992,680	3,992,680	4.85
	FEDERAL HOME LOAN BANKS	12/20/2024	7,643,648	7,476,345	5.22
	FEDERAL HOME LOAN MORTGAGE CORP	5/1/2026	2,800,000	2,794,176	5.61
	FEDERAL HOME LOAN MORTGAGE CORP	2/24/2026	2,268,865	2,266,277	5.50
	FEDERAL HOME LOAN MORTGAGE CORP	1/27/2026	2,380,000	2,375,264	5.42
	FEDERAL HOME LOAN MORTGAGE CORP	10/20/2025	3,149,742	3,253,094	5.23
	FEDERAL HOME LOAN MORTGAGE CORP	9/30/2025	3,260,000	3,241,744	5.19
	FEDERAL HOME LOAN MORTGAGE CORP	8/28/2025	2,940,000	2,961,297	5.28
	FEDERAL HOME LOAN MORTGAGE CORP	8/28/2025	3,060,000	3,022,331	5.23
	FEDERAL HOME LOAN MORTGAGE CORP	8/12/2025	4,095,490	3,881,023	5.26
	FEDERAL HOME LOAN MORTGAGE CORP	7/21/2025	4,785,000	4,720,077	5.29
	FEDERAL HOME LOAN MORTGAGE CORP	2/28/2025	3,030,000	2,998,730	5.42
	FEDERAL HOME LOAN MORTGAGE CORP	1/27/2025	3,550,000	3,544,427	5.36
	FEDERAL HOME LOAN MORTGAGE CORP	1/24/2025	3,920,000	3,913,650	5.40
	FEDERAL NATIONAL MORTGAGE ASSOCIATION	7/24/2026	5,226,860	5,233,273	5.12
	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2/17/2026	2,610,000	2,605,198	5.31
	FEDERAL NATIONAL MORTGAGE ASSOCIATION	8/25/2025	7,771,280	7,554,240	5.09
	FEDERAL NATIONAL MORTGAGE ASSOCIATION	7/30/2025	3,614,768	3,725,363	5.25
	FHMS K-040 A2	9/25/2024	1,264,091	1,248,877	5.67
	FHMS K-045 A2	1/25/2025	4,508,012	4,484,701	5.53
	FHMS K-046 A2	3/25/2025	2,671,075	2,641,017	5.48
	FHMS K-047 A2	5/25/2025	3,588,234	3,494,763	5.40
	FHMS K-049 A2	7/25/2025	4,696,603	4,641,970	5.40
	FHMS K-051 A2	9/25/2025	6,041,381	5,874,014	5.36
	FHMS K-053 A2	12/25/2025	3,360,820	3,289,738	5.28
	FHMS K-054 A2	1/25/2026	11,003,391	11,088,203	5.25
	FHMS K-057 A2	7/25/2026	4,025,143	4,068,304	5.13
	FHMS K-058 A2	8/25/2026	2,290,781	2,275,584	5.12
	FHMS K-059 A2	9/25/2026	3,078,232	3,110,673	5.11
(1)	FHMS K-061 A2	11/25/2026	1,648,248	1,627,843	5.24
	FHMS K-062 A2	12/25/2026	2,396,755	2,391,759	5.06
(1)	FHMS K-063 A2	1/25/2027	10,336,469	10,121,984	5.07
	FHMS K-065 A2	4/25/2027	3,879,088	3,856,977	5.03

**Orange County Transportation Authority  
Portfolio Listing  
As of May 31, 2024**

<u>NOTE</u>	<u>DESCRIPTION</u>	<u>MATURITY DATE</u>	<u>BOOK VALUE</u>	<u>MARKET VALUE</u>	<u>YIELD</u>
	FHMS K-066 A2	6/25/2027	521,186	497,632	5.00
	FHMS K-067 A2	7/25/2027	3,858,125	3,790,800	4.99
	FHMS K-068 A2	8/25/2027	2,912,461	2,844,810	4.99
(1)	FHMS K-069 A2	9/25/2027	3,812,813	3,786,240	4.98
	FHMS K-073 A2	1/25/2028	6,511,410	6,413,825	4.98
(1)	FHMS K-081 A2	8/25/2028	4,803,447	4,758,187	4.93
(1)	FHMS K-733 A2	8/25/2025	1,736,895	1,757,761	5.37
	FHMS K-734 A2	2/25/2026	1,933,125	1,939,200	5.25
	FHMS K-736 A2	7/25/2026	2,458,807	2,509,948	5.14
	FHMS K-IR1 A2	3/25/2026	634,528	632,194	5.22
	FHMS K-S07 A2	9/25/2025	489,922	483,130	5.30
	FHMS K-S08 A2	3/25/2027	1,350,764	1,330,350	5.16
	FHR 3778 L	12/15/2025	111,120	108,426	5.79
	FHR 3806 L	2/15/2026	525,410	507,692	6.21
	FN AM8730	7/1/2025	1,463,644	1,463,264	6.19
	FN AN0429	1/1/2025	922,247	837,353	6.07
	FN AN0439	12/1/2025	869,027	865,971	6.12
	FN AN0571	1/1/2026	582,703	578,958	5.94
	FN AN0992	2/1/2026	922,699	897,131	5.79
	FN AN1793	6/1/2026	349,889	348,693	5.99
	FN AN6001	7/1/2027	508,802	507,904	6.41
	FN BL5365	2/1/2027	293,342	296,927	5.01
	FN BS9129	7/1/2028	975,938	979,540	4.92
(1)	FNA 2012-M14 AL	9/25/2027	3,611,291	3,583,086	6.83
(1)	FNA 2015-M15 A2	10/25/2025	1,285,050	1,288,618	6.29
	FNA 2016-M03 A2	2/25/2026	3,123,380	3,119,816	5.99
(1)	FNA 2017-M2 A2	2/25/2027	1,291,082	1,284,449	6.09
(1)	FNA 2018-M1 A2	12/25/2027	673,417	666,927	5.85
(1)	FNGT 2017-T1 A	6/25/2027	3,584,472	3,570,458	5.21
	FNR 2011-74 UY	3/25/2026	126,381	123,594	6.30
		<b>SUB-TOTAL</b>	<b>302,028,485</b>	<b>299,816,153</b>	
	<b><u>MEDIUM TERM NOTES</u></b>				
	ADOBE INC	4/4/2027	1,544,228	1,543,331	4.89
	AIR PRODUCTS AND CHEMICALS INC	5/15/2027	1,829,260	1,834,400	4.89
(1)	AMERICAN EXPRESS CO	7/28/2027	2,445,000	2,442,359	5.44
(1)	AMERICAN EXPRESS CO	4/23/2027	595,000	597,071	5.66
(1)	AMERICAN EXPRESS CO	11/4/2026	860,000	861,178	5.91
(1)	AMERICAN EXPRESS CO	10/30/2026	1,065,000	1,076,385	5.54
	AMERICAN EXPRESS CO	8/1/2025	7,278,816	7,275,532	5.45
	AMERICAN EXPRESS CO	3/4/2025	1,087,483	1,063,535	5.56
	AMERICAN HONDA FINANCE CORP	7/7/2026	1,243,469	1,246,133	5.20
	AMERICAN HONDA FINANCE CORP	10/3/2025	1,348,745	1,357,776	5.34
	APPLE INC	2/23/2026	3,855,100	3,884,080	5.02
	ASTRAZENECA FINANCE LLC	2/26/2027	1,712,119	1,705,499	5.02
	ATHENE GLOBAL FUNDING	3/25/2027	2,555,000	2,549,481	5.60
	AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD (NEW Y	1/18/2027	2,350,000	2,334,796	5.01
	AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD (NEW Y	3/18/2026	1,750,000	1,743,000	5.23
	AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD (NEW Y	12/8/2025	2,025,000	2,020,343	5.25
(1)	BANK OF AMERICA CORP	1/20/2027	1,425,000	1,414,769	5.54
(1)	BANK OF AMERICA CORP	10/24/2026	7,233,077	7,519,298	5.69
(1)	BANK OF AMERICA CORP	7/22/2026	195,000	193,071	5.73
(1)	BANK OF AMERICA CORP	4/2/2026	550,000	539,220	5.81
(1)	BANK OF AMERICA CORP	12/6/2025	2,930,000	2,866,917	5.84
(1)	BANK OF AMERICA CORP	10/22/2025	2,185,494	2,048,150	5.82
(1)	BANK OF NEW YORK MELLON	5/22/2026	4,845,000	4,829,012	5.50
	BANK OF NEW YORK MELLON CORP	1/26/2027	3,695,080	3,709,000	5.01
(1)	BANK OF NEW YORK MELLON CORP	7/24/2026	3,510,000	3,468,582	5.48
	BANK OF NEW YORK MELLON CORP	4/25/2025	1,229,828	1,206,519	5.55
	BMW US CAPITAL LLC	4/2/2027	2,447,085	2,437,946	5.09
	BMW US CAPITAL LLC	4/1/2025	1,068,994	1,050,772	5.48
	BP CAPITAL MARKETS AMERICA INC	11/17/2027	2,700,000	2,694,492	5.08
	BRIGHTHOUSE FINANCIAL GLOBAL FUNDING	1/13/2025	2,172,216	2,119,277	6.04
	BRISTOL-MYERS SQUIBB CO	2/22/2027	1,178,726	1,176,141	5.03
	BRISTOL-MYERS SQUIBB CO	2/20/2026	3,478,190	3,465,871	5.20
	BURLINGTON NORTHERN SANTA FE LLC	4/1/2025	753,641	686,511	5.39
	CAMDEN PROPERTY TRUST	11/3/2026	2,449,927	2,478,322	5.32
	CATERPILLAR FINANCIAL SERVICES CORP	5/14/2027	7,576,829	7,574,078	4.96
	CATERPILLAR FINANCIAL SERVICES CORP	5/15/2026	1,369,356	1,351,080	5.10
	CATERPILLAR FINANCIAL SERVICES CORP	2/27/2026	1,374,684	1,372,195	5.17
	CATERPILLAR FINANCIAL SERVICES CORP	1/6/2026	3,559,110	3,541,559	5.14
	CHUBB INA HOLDINGS LLC	5/3/2026	3,858,936	3,863,160	5.24
	CINTAS NO 2 CORP	5/1/2025	1,184,739	1,163,765	5.48
	CISCO SYSTEMS INC	2/26/2027	9,776,576	9,755,254	4.92
	CISCO SYSTEMS INC	2/26/2026	4,518,282	4,507,480	5.06
	CITIBANK NA	12/4/2026	1,440,000	1,448,006	5.24
	CITIBANK NA	4/30/2026	1,370,000	1,372,809	5.32
	CITIBANK NA	9/29/2025	8,805,128	8,863,905	5.30
(1)	CITIGROUP INC	1/25/2026	1,435,000	1,400,173	5.87
(1)	CITIGROUP INC	11/3/2025	420,221	412,020	5.89

**Orange County Transportation Authority  
Portfolio Listing  
As of May 31, 2024**

<u>NOTE</u>	<u>DESCRIPTION</u>	<u>MATURITY DATE</u>	<u>BOOK VALUE</u>	<u>MARKET VALUE</u>	<u>YIELD</u>
(1)	CITIGROUP INC	10/30/2024	2,500,000	2,501,575	5.81
(1)	CITIZENS BANK NA	10/24/2025	1,855,000	1,855,557	5.95
	CNO GLOBAL FUNDING	1/6/2025	694,555	676,610	6.23
	COMCAST CORP	11/7/2025	1,239,665	1,239,888	5.25
	COMCAST CORP	10/15/2025	4,042,257	3,549,966	5.32
	COMMONWEALTH BANK OF AUSTRALIA (NEW YORK BRANCH)	3/13/2026	2,350,000	2,356,369	5.15
	COOPERATIEVE RABOBANK UA (NEW YORK BRANCH)	1/9/2026	2,399,088	2,386,560	5.22
	COOPERATIEVE RABOBANK UA (NEW YORK BRANCH)	1/10/2025	274,159	268,100	5.63
	DTE ELECTRIC CO	12/1/2026	4,659,254	4,643,410	5.00
	DUKE ENERGY CAROLINAS LLC	11/15/2028	3,653,676	3,639,541	5.08
	ELEVANCE HEALTH INC	2/8/2026	254,732	252,651	5.47
	ELI LILLY AND CO	2/9/2027	2,468,691	2,444,584	4.91
	ENTERPRISE PRODUCTS OPERATING LLC	1/11/2027	2,562,358	2,536,631	5.06
	EQUITABLE FINANCIAL LIFE GLOBAL FUNDING	8/12/2024	2,504,775	2,480,125	5.88
	EXXON MOBIL CORP	3/1/2026	3,559,696	3,573,275	5.11
	F&G GLOBAL FUNDING	9/20/2024	1,974,663	1,949,924	6.00
(1)	FIFTH THIRD BANK NA	10/27/2025	950,000	948,984	6.09
	FLORIDA POWER & LIGHT CO	5/15/2028	3,935,680	3,909,520	5.04
	GA GLOBAL FUNDING TRUST	9/13/2024	1,551,563	1,532,421	6.00
(1)	GOLDMAN SACHS BANK USA	5/21/2027	1,265,000	1,261,180	5.58
(1)	GOLDMAN SACHS BANK USA	3/18/2027	2,220,000	2,210,942	5.52
	GOLDMAN SACHS GROUP INC	11/16/2026	1,937,324	1,985,526	5.40
(1)	GOLDMAN SACHS GROUP INC	8/10/2026	2,775,000	2,776,887	5.73
(1)	GOLDMAN SACHS GROUP INC	2/12/2026	6,058,338	6,378,108	5.84
	HOME DEPOT INC	9/30/2026	1,017,766	1,017,654	5.05
	HOME DEPOT INC	9/15/2025	2,204,206	2,170,955	5.25
	HORMEL FOODS CORP	3/30/2027	2,282,784	2,274,261	4.98
(1)	HUNTINGTON NATIONAL BANK	11/18/2025	2,415,000	2,409,808	6.16
	HYUNDAI CAPITAL AMERICA	3/30/2026	4,817,909	4,802,411	5.62
	INTERCONTINENTAL EXCHANGE INC	5/23/2025	3,351,310	3,288,964	5.75
	INTERNATIONAL BUSINESS MACHINES CORP	7/27/2025	2,600,000	2,561,000	5.35
	JACKSON NATIONAL LIFE GLOBAL FUNDING	4/10/2026	4,276,833	4,259,156	5.88
	JACKSON NATIONAL LIFE GLOBAL FUNDING	1/9/2026	1,601,549	1,594,889	5.91
	JACKSON NATIONAL LIFE GLOBAL FUNDING	1/12/2025	669,886	653,062	6.00
	JOHN DEERE CAPITAL CORP	3/5/2027	1,348,745	1,344,614	5.00
	JOHN DEERE CAPITAL CORP	1/8/2027	7,503,944	7,425,513	4.96
	JOHN DEERE CAPITAL CORP	6/8/2026	1,948,869	1,937,969	5.08
	JOHN DEERE CAPITAL CORP	1/9/2026	1,714,194	1,706,065	5.14
	JOHN DEERE CAPITAL CORP	1/10/2025	774,636	755,842	5.43
(1)	JPMORGAN CHASE & CO	4/22/2028	240,000	241,502	5.33
(1)	JPMORGAN CHASE & CO	1/23/2028	3,090,000	3,063,735	5.39
(1)	JPMORGAN CHASE & CO	10/22/2027	1,205,000	1,224,822	5.33
(1)	JPMORGAN CHASE & CO	11/19/2026	2,211,269	2,303,126	5.64
(1)	JPMORGAN CHASE & CO	4/26/2026	1,000,000	985,410	5.76
(1)	JPMORGAN CHASE & CO	2/24/2026	2,570,000	2,512,098	5.78
(1)	JPMORGAN CHASE & CO	8/9/2025	1,100,000	1,089,539	5.84
(1)	JPMORGAN CHASE & CO	6/1/2025	5,745,597	5,740,000	0.82
	JPMORGAN CHASE BANK NA	12/8/2026	3,595,000	3,587,774	5.20
	KEYBANK NA	1/26/2026	354,705	347,158	6.12
	KEYBANK NA	8/8/2025	1,319,630	1,291,501	6.06
(1)	KEYBANK NA	6/14/2024	2,045,000	2,045,000	4.70
	LINDE INC	12/5/2025	3,516,198	3,498,317	5.13
	LOCKHEED MARTIN CORP	10/15/2025	782,763	782,794	5.16
	MANUFACTURERS AND TRADERS TRUST CO	1/27/2026	2,430,763	2,382,087	6.04
	MASSMUTUAL GLOBAL FUNDING II	4/9/2027	3,488,953	3,483,893	5.16
	MASSMUTUAL GLOBAL FUNDING II	8/26/2025	1,208,754	1,192,745	5.35
	MERCEDES-BENZ FINANCE NORTH AMERICA LLC	1/11/2027	1,698,266	1,688,372	5.08
	MERCEDES-BENZ FINANCE NORTH AMERICA LLC	8/3/2026	1,340,348	1,349,190	5.23
	MET TOWER GLOBAL FUNDING	6/13/2025	1,973,065	1,941,208	5.42
	METROPOLITAN LIFE GLOBAL FUNDING I	1/6/2026	2,380,000	2,371,075	5.24
	METROPOLITAN LIFE GLOBAL FUNDING I	3/21/2025	579,484	567,518	5.56
	METROPOLITAN LIFE GLOBAL FUNDING I	9/27/2024	3,608,104	3,573,844	5.58
(1)	MORGAN STANLEY	4/13/2028	1,530,000	1,540,389	5.39
(1)	MORGAN STANLEY	7/20/2027	6,033,826	6,043,345	5.51
(1)	MORGAN STANLEY	1/28/2027	754,985	749,685	5.50
(1)	MORGAN STANLEY	10/16/2026	1,165,000	1,173,132	5.60
(1)	MORGAN STANLEY	2/18/2026	2,970,000	2,904,987	5.80
(1)	MORGAN STANLEY	10/21/2025	615,000	603,174	5.92
(1)	MORGAN STANLEY	1/22/2025	1,312,519	1,325,928	5.70
(1)	MORGAN STANLEY BANK NA	5/26/2028	680,000	683,033	5.34
(1)	MORGAN STANLEY BANK NA	1/14/2028	1,250,000	1,237,863	5.35
	MORGAN STANLEY BANK NA	10/30/2026	2,340,000	2,368,618	5.32
	MORGAN STANLEY BANK NA	4/21/2026	3,720,000	3,681,535	5.33
	NATIONAL AUSTRALIA BANK LTD (NEW YORK BRANCH)	1/12/2026	2,960,000	2,946,680	5.26
	NATIONAL AUSTRALIA BANK LTD (NEW YORK BRANCH)	6/9/2025	2,280,000	2,236,520	5.44
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	5/6/2027	2,828,245	2,826,491	5.15
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	2/5/2027	3,803,859	3,780,762	5.06
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	11/13/2026	1,734,393	1,748,637	5.24
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	3/13/2026	2,488,648	2,462,365	5.22



**Orange County Transportation Authority  
Portfolio Listing  
As of May 31, 2024**

<b>NOTE</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>BOOK VALUE</b>	<b>MARKET VALUE</b>	<b>YIELD</b>	
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	10/30/2025	758,982	759,506	5.50	
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	6/15/2025	3,164,145	3,098,060	5.57	
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	2/7/2025	2,254,932	2,200,790	5.50	
	NESTLE HOLDINGS INC	3/13/2026	819,729	822,288	5.08	
	NESTLE HOLDINGS INC	9/12/2025	224,926	221,708	5.19	
	NEW YORK LIFE GLOBAL FUNDING	9/18/2026	6,872,649	6,809,019	5.28	
	NEW YORK LIFE GLOBAL FUNDING	1/14/2025	5,948,569	5,805,589	5.63	
	NEW YORK LIFE GLOBAL FUNDING	10/29/2024	1,213,421	1,192,280	5.55	
	NEWMONT CORPORATION	3/15/2026	929,842	926,810	5.50	
	NEXTERA ENERGY CAPITAL HOLDINGS INC	1/29/2026	2,608,826	2,593,139	5.36	
(1)	NEXTERA ENERGY CAPITAL HOLDINGS INC	9/1/2025	1,149,770	1,150,746	5.69	
(1)	NEXTERA ENERGY CAPITAL HOLDINGS INC	9/1/2024	300,762	298,779	5.85	
	NIKE INC	3/27/2025	44,939	43,951	5.33	
	NORTHERN TRUST CORP	5/10/2027	3,930,215	3,891,800	5.00	
	NORTHWESTERN MUTUAL GLOBAL FUNDING	3/25/2027	1,634,820	1,635,000	5.07	
	NORTHWESTERN MUTUAL GLOBAL FUNDING	4/6/2026	6,038,862	5,969,158	5.32	
	NORTHWESTERN MUTUAL GLOBAL FUNDING	7/1/2025	5,003,298	4,933,228	5.38	
	PACCAR FINANCIAL CORP	5/13/2027	2,368,175	2,377,229	4.89	
	PACCAR FINANCIAL CORP	8/10/2026	3,593,203	3,587,594	5.15	
	PACCAR FINANCIAL CORP	4/7/2025	1,889,509	1,849,781	5.44	
	PACCAR FINANCIAL CORP	11/8/2024	644,961	632,306	5.52	
	PACCAR FINANCIAL CORP	8/9/2024	364,803	361,620	5.44	
	PACIFIC LIFE GLOBAL FUNDING II	8/28/2026	794,722	799,062	5.25	
	PEPSICO INC	2/13/2026	1,579,084	1,567,771	5.03	
(1)	PNC FINANCIAL SERVICES GROUP INC	1/21/2028	490,000	488,594	5.87	
(1)	PNC FINANCIAL SERVICES GROUP INC	10/20/2027	5,097,355	5,064,273	4.79	
(1)	PNC FINANCIAL SERVICES GROUP INC	1/26/2027	1,630,000	1,609,544	5.56	
(1)	PNC FINANCIAL SERVICES GROUP INC	10/28/2025	1,570,000	1,569,702	5.69	
	PRICOA GLOBAL FUNDING I	8/28/2026	809,182	814,423	5.28	
	PRICOA GLOBAL FUNDING I	8/28/2025	504,692	497,496	5.45	
	PRICOA GLOBAL FUNDING I	12/6/2024	4,565,293	4,467,861	5.62	
	PRINCIPAL LIFE GLOBAL FUNDING II	1/16/2027	474,815	472,511	5.21	
	PRINCIPAL LIFE GLOBAL FUNDING II	1/10/2025	922,003	902,051	5.58	
	PRINCIPAL LIFE GLOBAL FUNDING II	8/23/2024	299,814	296,727	5.59	
	PUBLIC SERVICE ELECTRIC AND GAS CO	9/1/2028	2,539,642	2,501,534	5.03	
	PUBLIC SERVICE ELECTRIC AND GAS CO	5/1/2028	1,929,762	1,932,602	5.05	
	ROCHE HOLDINGS INC	11/13/2026	2,775,000	2,788,015	5.05	
	ROYAL BANK OF CANADA	4/14/2025	2,524,066	2,478,540	5.57	
	ROYAL BANK OF CANADA	11/1/2024	4,205,160	3,945,640	5.58	
	SALESFORCE INC	7/15/2024	914,533	909,720	5.36	
	SOUTHERN CALIFORNIA EDISON CO	3/1/2026	4,730,000	4,728,676	5.36	
	STATE STREET CORP	3/18/2027	5,775,000	5,764,085	5.06	
(1)	STATE STREET CORP	11/4/2026	685,000	687,445	5.48	
	STATE STREET CORP	8/3/2026	4,335,000	4,334,653	5.27	
(1)	STATE STREET CORP	5/18/2026	1,225,000	1,218,887	5.64	
(1)	STATE STREET CORP	3/30/2026	2,045,440	1,952,920	5.83	
(1)	STATE STREET CORP	2/6/2026	3,765,000	3,660,107	5.86	
(1)	STATE STREET CORP	1/26/2026	345,000	343,037	5.75	
	TEXAS INSTRUMENTS INC	2/8/2027	2,198,592	2,186,514	4.84	
	THERMO FISHER SCIENTIFIC INC	12/5/2026	1,873,706	1,872,019	5.07	
	TORONTO-DOMINION BANK	4/5/2027	4,942,150	4,961,550	5.27	
	TOYOTA MOTOR CREDIT CORP	3/19/2027	724,123	723,688	5.07	
	TOYOTA MOTOR CREDIT CORP	5/18/2026	2,053,808	2,026,333	5.21	
	TOYOTA MOTOR CREDIT CORP	5/15/2026	3,822,514	3,823,126	5.23	
	TOYOTA MOTOR CREDIT CORP	6/18/2024	3,086,323	3,083,480	4.97	
(1)	TRUIST FINANCIAL CORP	10/28/2026	1,650,000	1,654,010	5.71	
(1)	TRUIST FINANCIAL CORP	7/28/2026	3,065,000	3,014,244	5.75	
	TRUIST FINANCIAL CORP	8/1/2024	1,659,632	1,591,488	5.68	
	UNITEDHEALTH GROUP INC	4/15/2027	2,085,363	2,076,753	5.01	
	US BANCORP	7/30/2024	2,662,075	2,486,875	5.54	
	VERIZON COMMUNICATIONS INC	8/15/2026	3,737,599	3,748,219	5.22	
	WALMART INC	4/15/2026	2,628,842.80	2,586,552.40	4.93	
	WALMART INC	9/9/2025	1,523,932.50	1,502,933.25	5.08	
(1)	WELLS FARGO & CO	4/22/2028	995,000.00	1,001,815.75	5.45	
(1)	WELLS FARGO & CO	8/15/2026	1,360,000.00	1,343,788.80	5.57	
(1)	WELLS FARGO & CO	4/25/2026	1,850,000.00	1,819,956.00	5.78	
	WELLS FARGO & CO	4/22/2026	2,046,240.00	2,081,997.00	5.41	
(1)	WELLS FARGO & CO	10/30/2025	2,182,028.50	2,046,593.25	5.76	
	WELLS FARGO BANK NA	12/11/2026	4,100,000.00	4,102,009.00	5.23	
	WELLS FARGO BANK NA	8/7/2026	534,957.20	536,893.90	5.27	
	WELLS FARGO BANK NA	8/1/2025	3,512,469.20	3,521,889.40	5.36	
	WISCONSIN PUBLIC SERVICE CORP	11/10/2025	684,849.30	684,938.35	5.35	
	<b>SUB-TOTAL</b>		<b>469,711,914</b>	<b>466,634,520</b>		
	<b><u>MORTGAGE AND ASSET-BACK SECURITIES</u></b>					
	AESOP 212 A	2/20/2028	1,612,535	1,613,582	5.61	
	AESOP 221 A	8/21/2028	4,957,063	4,953,052	5.61	
	ALLYA 2022-1 A3	11/16/2026	1,796,000	1,773,516	5.38	
	ALLYA 2022-2 A3	5/17/2027	1,124,986	1,117,980	5.55	
	ALLYA 2023-1 A3	5/15/2028	1,619,724	1,621,717	5.45	

**Orange County Transportation Authority  
Portfolio Listing  
As of May 31, 2024**

<u>NOTE</u>	<u>DESCRIPTION</u>	<u>MATURITY DATE</u>	<u>BOOK VALUE</u>	<u>MARKET VALUE</u>	<u>YIELD</u>
	AMCAR 2021-3 A3	8/18/2026	310,012	305,182	6.74
	AMCAR 2023-2 A3	5/18/2028	4,599,241	4,616,652	5.64
	AMCAR 2024-1 A3	1/18/2029	1,199,889	1,200,000	5.80
	AMETOW 231 A	3/17/2053	1,396,500	1,402,926	5.64
	AMXCA 2022-2 A	5/17/2027	11,233,105	11,039,867	5.54
	AMXCA 2023-1 A	5/15/2028	1,339,881	1,332,362	5.23
	AMXCA 2024-1 A	4/16/2029	5,218,930	5,244,795	5.10
	BAAT 231 A3	2/15/2028	1,079,959	1,081,436	5.50
	BAAT 232 A3	6/15/2028	1,299,976	1,307,800	5.49
	BAAT 241 A3	11/15/2028	549,910	548,306	5.29
	BACCT 2023-1 A	5/15/2028	914,793	907,936	5.26
	BACCT 2023-2 A	11/15/2028	3,348,649	3,323,027	5.19
	BMWOT 2022-A A3	8/25/2026	2,071,504	2,039,626	5.75
	BMWOT 2023-A A3	2/25/2028	779,862	780,538	5.48
	CARMX 2021-1 A3	12/15/2025	70,898	70,339	5.59
	CARMX 2021-2 A3	2/17/2026	270,095	266,846	5.46
	CARMX 2021-3 A3	6/15/2026	975,883	953,487	5.48
	CARMX 2022-2 A3	2/16/2027	1,408,825	1,388,721	5.59
	CARMX 2022-3 A3	4/15/2027	2,464,738	2,433,468	5.56
	CARMX 2022-4 A3	8/16/2027	2,954,307	2,949,060	5.58
	CARMX 2023-3 A3	5/15/2028	3,199,963	3,193,312	5.45
	CARMX 2023-4 A3	7/17/2028	599,882	606,174	5.54
	CARMX 2024-1 A3	10/16/2028	8,234,370	8,171,014	5.32
	CARMX 2024-2 A3	1/16/2029	2,367,596	2,373,159	5.42
	CARMX 2032-2 A3	1/18/2028	6,029,359	5,988,634	5.54
	CCCIT 2023-A1 A1	12/8/2027	584,927	583,690	5.37
	CHAIT 2023-1 A	9/15/2028	11,146,566	11,146,689	5.29
	CHAIT 241 A	1/16/2029	3,259,504	3,218,435	5.17
	CITZN 2023-1 A3	1/18/2028	2,299,620	2,307,636	5.69
	COMET 2022-1 A	3/15/2027	7,399,825	7,298,678	5.57
	COMET 2022-2 A	5/17/2027	5,254,160	5,156,994	5.54
	COMET 2023-1 A	5/15/2028	3,470,195	3,447,080	5.28
	COPAR 2021-1 A3	9/15/2026	613,936	597,672	5.44
	COPAR 2022-1 A3	4/15/2027	1,300,035	1,276,575	5.38
	COPAR 2022-2 A3	5/17/2027	1,459,895	1,435,355	5.41
	CRVNA 23P2 A3	4/10/2028	2,181,939	2,192,058	5.80
	DCENT 2022-2 A	5/17/2027	2,674,783	2,620,564	5.56
	DCENT 2022-3 A	7/15/2027	3,029,624	2,967,734	5.50
	FCAT 2023-3 A3	4/17/2028	799,951	796,792	5.76
	FCAT 231 A3	8/16/2027	1,599,884	1,587,312	5.85
	FITAT 2023-1 A3	8/15/2028	2,649,836	2,654,505	5.49
	FORDF 231 B	5/15/2028	568,621	569,118	5.93
	FORDF 241 A1	4/16/2029	2,599,488	2,599,688	5.45
	FORDO 2021-A A3	8/15/2025	121,334	120,876	5.04
	FORDO 2022-A A3	6/15/2026	384,094	376,091	5.57
	FORDO 2022-B A3	9/15/2026	646,797	640,195	5.52
	FORDO 2023-B A3	5/15/2028	1,434,981	1,432,345	5.39
	GALC 221 A3	9/15/2026	3,699,362	3,678,318	5.78
	GALC 241 A3	1/18/2028	2,799,516	2,773,652	5.53
	GFORT 231 A1	6/15/2028	3,275,385	3,294,357	5.48
	GMALT 2024-1 A3	3/22/2027	1,714,786	1,706,202	5.49
	GMCAR 2021-1 A3	10/16/2025	15,442	15,393	5.00
	GMCAR 2021-4 A3	9/16/2026	1,031,299	1,005,295	5.33
	GMCAR 2022-1 A3	11/16/2026	1,249,245	1,222,306	5.14
	GMCAR 2022-2 A3	2/16/2027	971,109	956,519	5.28
	GMCAR 2022-3 A3	4/16/2027	1,549,989	1,528,502	5.53
	GMCAR 2022-4 A3	8/16/2027	1,899,689	1,887,992	5.51
	GMCAR 2023-2 A3	2/16/2028	664,982	656,801	5.35
	GMCAR 2023-4 A3	8/16/2028	939,807	947,999	5.41
	GMCAR 2024-1 A3	12/18/2028	2,964,404	2,938,107	5.31
	GMCAR 2024-2 A3	3/16/2029	1,269,754	1,265,199	5.31
	GTE 2023-1 A3	3/15/2028	2,199,815	2,181,344	6.71
	HALST 24A A3	3/15/2027	1,794,660	1,784,194	5.56
	HALST 24B A3	5/17/2027	1,964,945	1,965,000	5.74
	HAROT 2021-4 A3	1/21/2026	1,260,840	1,233,778	5.53
	HAROT 2022-1 A3	5/15/2026	733,455	718,146	5.65
	HAROT 2022-2 A3	7/20/2026	1,549,785	1,530,752	5.62
	HAROT 2023-4 A3	6/21/2028	599,894	604,608	5.33
	HART 2021-A A3	9/15/2025	192,205	191,462	5.00
	HART 2021-B A3	1/15/2026	811,632	803,044	5.39
	HART 2021-C A3	5/15/2026	408,449	400,855	5.59
	HART 2022-A A3	10/15/2026	1,849,992	1,814,431	5.59
	HART 2022-B A3	11/16/2026	1,440,751	1,422,871	5.63
	HART 2022-C A3	6/15/2027	6,804,967	6,796,017	5.57
	HDMOT 2022-A A3	2/16/2027	1,533,690	1,511,825	5.64
	HDMOT 2023-A A3	12/15/2027	1,639,835	1,630,767	5.55
	HUNT 241 A3	1/16/2029	4,224,843	4,211,353	5.45
	JDOT 2021 A3	9/15/2025	294,170	291,837	4.73
	JDOT 2022 A3	9/15/2026	1,182,524	1,160,419	5.57

**Orange County Transportation Authority  
Portfolio Listing  
As of May 31, 2024**

<u>NOTE</u>	<u>DESCRIPTION</u>	<u>MATURITY DATE</u>	<u>BOOK VALUE</u>	<u>MARKET VALUE</u>	<u>YIELD</u>
	JDOT 2022-C A3	6/15/2027	3,899,697	3,883,815	5.54
	JDOT 2024 A3	11/15/2028	1,254,930	1,246,792	5.30
	KCOT 2021-1 A3	8/15/2025	194,302	192,554	5.77
	KCOT 2022-1 A3	10/15/2026	2,237,023	2,189,665	5.69
	KCOT 2023-1 A3	6/15/2027	6,743,944	6,696,908	5.55
	KCOT 212 A3	11/17/2025	585,315	574,953	6.07
	KCOT 222 A3	12/15/2026	2,374,565	2,342,130	5.76
	KCOT 232 A3	1/18/2028	3,029,235	3,023,395	5.41
	KCOT 241 A3	7/17/2028	4,039,842	4,024,123	5.50
	MBALT 2024-A A3	1/18/2028	1,319,846	1,319,683	5.38
	MBART 2022-1 A3	8/16/2027	3,894,230	3,884,873	5.51
	MBART 2023-1 A3	11/15/2027	729,912	722,189	5.43
	NAROT 2022-B A3	5/17/2027	1,504,689	1,490,296	5.40
	NAROT 2023-A A3	11/15/2027	3,299,417	3,278,055	5.41
	NAROT 2023-B A3	3/15/2028	2,799,432	2,822,260	5.54
	NART-24A-A3	12/15/2028	2,629,754	2,630,789	5.32
	NAVMT 231 A	8/25/2028	2,784,604	2,801,153	5.75
	NAVMT 241 A	4/25/2029	2,514,663	2,515,000	5.59
	NMOTR 24B A	2/15/2029	1,699,887	1,688,355	5.38
	ODART 2021-1 B	7/14/2028	798,188	836,271	5.09
	PFSFC 24B A	2/15/2029	616,797	617,988	5.28
	SBALT 23A A3	4/20/2027	3,309,545	3,345,880	5.68
	SBAT 24A A3	12/15/2028	4,199,391	4,183,956	5.73
	SDART 2023-3 A3	10/15/2027	1,399,842	1,398,544	5.78
	TAOT 2021-A A3	5/15/2025	29,721	29,712	1.26
	TAOT 2021-D A3	4/15/2026	584,679	572,045	5.59
	TAOT 2022-B A3	9/15/2026	1,056,749	1,039,084	5.58
	TAOT 2022-C A3	4/15/2027	3,025,132	3,042,352	5.52
	TAOT 2022-D A3	9/15/2027	4,799,526	4,792,752	5.47
	TAOT 2023-A A3	9/15/2027	775,000	767,413	5.46
	TAOT 2023-B A3	2/15/2028	1,894,894	1,872,127	5.51
	TAOT 2023-D A3	8/15/2028	2,385,301	2,394,447	5.31
	TEVT 2023-1 A3	6/20/2028	1,005,625	998,540	5.50
	TLOT 2024-A A3	4/20/2027	999,958	997,810	5.45
	VALET 2021-1 A3	6/22/2026	576,903	564,227	6.42
	VWALT 2022-A A3	7/21/2025	318,636	317,651	5.43
	VWALT 2024-A A3	6/21/2027	4,799,598	4,787,520	5.41
	WFCIT 2024-1 A	2/15/2029	4,490,859	4,481,505	5.15
	WFLOOR 241 A1	2/15/2028	999,872	997,410	5.50
	WLAKE 2023-1 A3	1/18/2028	1,599,921	1,594,032	5.75
	WLAKE 2023-2 A3	2/16/2027	3,799,858	3,803,230	5.74
	WLAKE 223 A3	7/15/2026	3,701,503	3,697,290	5.88
	WOART 2021-D A3	10/15/2026	700,332	684,590	5.51
	WOLS 2024-A A3	10/15/2027	799,932	798,944	5.38
	<b>SUB-TOTAL</b>		<b>281,242,695</b>	<b>279,702,252</b>	
	<b><u>Municipal Debt</u></b>				
	ALABAMA FED AID HWY FIN AUTH SPL OBLIG REV	9/1/2027	1,349,172	1,355,433	4.89
	BURBANK GLENDALE PASADENA ARPT AUTH CALIF ARPT REV	7/1/2028	1,500,000	1,496,910	5.18
	CALIFORNIA ST PUB WKS BRD LEASE REV	4/1/2027	1,510,000	1,500,925	5.15
	CALIFORNIA ST PUB WKS BRD LEASE REV	11/1/2026	1,600,000	1,611,792	5.21
	CALIFORNIA ST PUB WKS BRD LEASE REV	4/1/2026	1,135,000	1,128,758	5.31
	CONNECTICUT ST	6/15/2024	1,668,696	1,629,087	5.58
	FLORIDA ST BRD ADMIN FIN CORP REV	7/1/2025	1,025,000	979,193	5.57
	GOLDEN ST TOB SECURITIZATION CORP CALIF TOB SETTLE	6/1/2025	2,120,000	2,037,765	5.44
	HAWAII ST ARPTS SYS CUSTOMER FAC CHARGE REV	7/1/2024	715,000	712,962	5.40
	LOS ANGELES CALIF MUN IMPT CORP LEASE REV	11/1/2025	1,600,000	1,510,416	5.09
	MASSACHUSETTS (COMMONWEALTH OF)	7/15/2027	764,544	766,189	4.95
	MASSACHUSETTS (COMMONWEALTH OF)	11/1/2026	431,068	441,423	4.98
	MASSACHUSETTS (COMMONWEALTH OF)	1/15/2025	2,345,000	2,319,533	5.45
	NEW JERSEY ST TPK AUTH TPK REV	1/1/2025	850,000	828,419	5.38
	REDONDO BEACH CALIF CMNTY FING AUTH LEASE REV	5/1/2026	1,495,000	1,385,880	5.38
	RIVERSIDE CNTY CALIF INFRASTRUCTURE FING AUTH LEAS	11/1/2024	1,810,000	1,776,587	5.40
	WISCONSIN ST GEN FD ANNUAL APPROPRIATION REV	5/1/2027	2,276,950	2,227,727	4.86
	WISCONSIN ST GEN FD ANNUAL APPROPRIATION REV	5/1/2027	841,263	821,314	4.94
	WISCONSIN ST GEN FD ANNUAL APPROPRIATION REV	5/1/2026	1,240,000	1,223,558	5.10
	<b>SUB-TOTAL</b>		<b>26,276,693</b>	<b>25,753,871</b>	
	<b><u>Supranationals</u></b>				
	INTER-AMERICAN DEVELOPMENT BANK	9/23/2024	6,764,990	6,668,585	5.39
	INTERNATIONAL FINANCE CORP	1/15/2027	4,938,847	4,903,022	4.80
	<b>SUB-TOTAL</b>		<b>11,703,837</b>	<b>11,571,607</b>	
	<b>SHORT-TERM PORTFOLIO - TOTAL</b>		<b>\$ 2,017,397,916</b>	<b>\$ 2,005,970,411</b>	

**BOND PROCEEDS PORTFOLIO**

<u>NOTE</u>	<u>DESCRIPTION</u>	<u>MATURITY DATE</u>	<u>BOOK VALUE</u>	<u>MARKET VALUE</u>	<u>YIELD</u>
	<b>2021 Bond Anticipation Notes (BANs) - US Bank</b>				
	FIRST AMERICAN GOVERNMENT OBLIGATIONS FUND	N/A	54,959	54,959	4.93

**Orange County Transportation Authority  
Portfolio Listing  
As of May 31, 2024**

<u>NOTE</u>	<u>DESCRIPTION</u>	<u>MATURITY DATE</u>	<u>BOOK VALUE</u>	<u>MARKET VALUE</u>	<u>YIELD</u>
	<b><u>91 EXPRESS LANES 2023 BONDS (US Bank COI)</u></b>				
	FIRST AMERICAN GOVERNMENT OBLIGATIONS FUND	N/A	2,594	2,594	4.93
	<b>BOND PROCEEDS PORTFOLIO-TOTAL</b>		<b>\$ 57,553</b>	<b>\$ 57,553</b>	

**DEBT SERVICE RESERVE FUNDS**

<u>NOTE</u>	<u>DESCRIPTION</u>	<u>MATURITY DATE</u>	<u>BOOK VALUE</u>	<u>MARKET VALUE</u>	<u>YIELD</u>
	<b><u>91 EXPRESS LANES 2023 BONDS (US Bank DSF/DSRF)</u></b>				
	FIRST AMERICAN GOVERNMENT OBLIGATIONS FUND	N/A	5,429,969	5,429,969	4.93
	<b><u>91 EXPRESS LANES 2023 BONDS - OPERATING &amp; MAINTENANCE RESERVES</u></b>				
	BMO HARRIS BANK NCD	7/5/2024	5,000,000	5,001,800	5.84
	BMO HARRIS BANK NCD	10/8/2024	3,000,000	3,000,000	5.16
	<b>DEBT SERVICE RESERVE FUNDS - TOTAL</b>		<b>\$ 13,429,969</b>	<b>\$ 13,431,769</b>	

	<u>Book Value</u>	<u>Market Value</u>
<b>TOTAL PORTFOLIO</b>	<b>\$ 2,502,168,791</b>	<b>\$ 2,490,743,086</b>


NOTE: 1. Variable or floating rate securities.



COMMITTEE TRANSMITTAL

**July 22, 2024**

**To:** Members of the Board of Directors

**From:** Andrea West, Clerk of the Board 

**Subject:** State Legislative Status Report

Legislative and Communications Committee Meeting of July 18, 2024

**Present:** Directors Aitken, Dumitru, Foley, Jung, Nguyen, and Tettermer  
**Absent:** Director Wagner

**Committee Vote**

This item was declared passed by the Members present.

**Committee Recommendation(s)**

Adopt a SUPPORT position on SB 768 (Caballero, D-Fresno), which would require the California State Transportation Agency to study how vehicles miles traveled is used as a metric for measuring transportation impacts under the California Environmental Quality Act.



**July 18, 2024**

**To:** Legislative and Communications Committee  
**From:** Darrell E. Johnson, Chief Executive Officer  
**Subject:** State Legislative Status Report

A handwritten signature in blue ink, appearing to read "Darrell E. Johnson", is written over the "From:" line of the header.

**Overview**

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. This report includes a recommended support position on legislation that would require the California State Transportation Agency to study how vehicle miles traveled is used as a metric for measuring transportation impacts and an overview of the adopted state budget for fiscal year 2024-25, including relevant budget trailer bills.

**Recommendation**

Adopt a SUPPORT position on SB 768 (Caballero, D-Fresno), which would require the California State Transportation Agency to study how vehicle miles traveled is used as a metric for measuring transportation impacts under the California Environmental Quality Act.

**Discussion**

SB 768 (Caballero, D-Fresno): California Environmental Quality Act: Transportation Agency: Vehicle Miles Traveled: Study.

SB 743 (Chapter 386, Statutes of 2013) required the Office of Planning and Research (OPR) to update the California Environmental Quality Act (CEQA) criteria for analyzing transportation impacts of projects to replace the traditional metric of "levels of service." Discretion was provided on using the new metric in transit priority areas or statewide. The goal was to better promote the State's goals of reducing greenhouse gas emissions and transportation-related air pollution, promoting the development of a multimodal transportation system(s), and providing clean, efficient access to destinations. OPR proposed changing the CEQA guidelines, identifying vehicle miles traveled (VMT) as the best metric to evaluate a project's transportation impacts both within and beyond transit priority areas.

SB 768 (Caballero, D-Fresno) would require the California Transportation Agency (CalSTA), by January 1, 2028, to study how VMT could be used as a metric for measuring transportation impacts pursuant to CEQA. Specifically, in conducting this study, CalSTA would be required to consult with local governments and other interested parties including state agencies, local agencies or organizations represented by member agencies, and industry organizations. Implementation of this legislation is contingent upon appropriation by the Legislature. The study must include an analysis of methodologies used to create VMT reduction targets, the differences in the availability and feasibility of mitigation measures for VMT in rural, suburban, and urban areas, as well as a comparison of how VMT impacts, and mitigation measures are identified and deployed. It also requires an inventory of the cost of VMT mitigation measures to projects thus far and project types.

Since OPR first published updated CEQA guidelines pursuant to SB 743, agencies across the state have grappled with how to effectively deliver transportation projects while maintaining compliance with CEQA requirements. This shift necessitated significant changes in project evaluation, regulatory compliance, and long-term planning. The new guidelines require the adoption of sophisticated tools and methodologies to assess VMT, straining current analytical capabilities and necessitating extensive training and investment. Moreover, many transportation agencies in the State, including the Orange County Transportation Authority (OCTA), are not responsible for land use decisions and therefore cannot mitigate all VMT. This limitation is particularly pronounced in already urbanized areas, where influencing future land use and development patterns is difficult. Additionally, as transportation agencies in California have begun to develop VMT mitigation for projects, in some instances VMT mitigation has doubled the price of an overall project.

SB 768 provides for an opportunity to evaluate the implementation of VMT as it pertains to CEQA by identifying how it impacts the delivery of transportation infrastructure across the State. By conducting this study, the legislation will provide insights into how VMT metrics can be effectively applied and mitigated, addressing both urban and rural contexts. Understanding challenges associated with the VMT criteria in the updated CEQA guidelines could provide an opportunity to evaluate a path toward more realistic and achievable mitigation measures, ensuring compliance without jeopardizing project timelines or budgets. The study would highlight the practical difficulties and ramifications of implementing VMT guidelines, which can inform adjustments and improvements in the process. This would help transportation agencies plan and budget more effectively, avoiding indefinite or temporary delays. The analysis of differences in mitigation feasibility across rural, suburban, and urban areas could also allow for the development of tailored strategies that consider the unique characteristics and needs of each region. This ensures that mitigation measures are practical and feasible, promoting equitable transportation solutions across the state. Importantly, this legislation also requires consulting with a wide range of stakeholders, including local governments, state agencies, and industry

organizations, fostering collaboration and ensuring that diverse perspectives are considered.

SB 768 represents a step toward refining VMT metric implementation under CEQA, advancing sustainable transportation planning statewide. A comprehensive bill analysis and bill language are included as Attachment A. SB 768 is supported by key stakeholders including the California State Association of Counties, the League of California Cities, the Contra Costa Transportation Authority, and the Riverside County Transportation Commission, among others. A SUPPORT position is consistent with OCTA's 2023-24 State Legislative Platform principle to "Support efforts to ensure local flexibility in meeting the goals of the State's greenhouse gas reduction and vehicle miles traveled initiatives."

#### Update on the Approved Fiscal Year 2024-25 State Budget

On June 26, 2024, the California Legislature passed the final state budget agreement, including several budget trailer bills, which were a result of extensive negotiations between the Legislature and the Administration. This deal follows the initial budget bill the Legislature passed on June 13, 2024, to meet the Constitutionally prescribed deadline of June 15. The Governor signed both the initial budget bill and budget compromise prior to the start of the new fiscal year on July 1.

The budget agreement closes the State's projected shortfalls of about \$47 billion in fiscal year (FY) 2024-25 and over \$30 billion in FY 2025-26, providing a balanced budget, mostly due to funding cuts and reliance on reserves. The budget agreement includes the following general provisions:

- Reduces state operations by nearly eight percent beginning in FY 2024-25 to almost all department budgets.
- Permanently reduces about \$1.5 billion beginning in FY 2024-25 by eliminating approximately 10,000 positions, which are currently vacant.
- Maintains a total reserve of approximately \$23.2 billion.
- Includes a three-year suspension of corporate net operating loss deductions and various business tax credits in 2024, contributing to over \$5 billion more General Fund revenues in FY 2024-25.

#### Transportation Funding

The state budget agreement includes resources for transportation programs and operations purposes. The following is included:



- Preserves the \$5.1 billion for public transit capital projects and operations originally promised as part of last year's state budget, and subject to the accountability provisions of SB 125 (Chapter 54, Statutes of 2023). \$4 billion of these dollars are formula Transit and Intercity Rail Capital (TIRCP) funds, and the other \$1.1 billion are Zero-Emission Transit Capital Program funds. The Orange County Transportation Authority is anticipated to receive approximately \$380 million of these funds, which will be distributed over the next five years.
- Preserves the \$148 million originally proposed to be cut in remaining TIRCP Cycle 6 program funds for Southern California and the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Corridor.
  - To preserve the formula and Cycle 6 TIRCP funding programs, the agreement replaces \$958 million General Fund with Greenhouse Gas Reduction Fund revenues.
- Preserves \$150 million of TIRCP targeted grade separation projects, prioritizing funding for other grade separation projects in existing programs through the transportation trailer bill.
- Restores \$200 million of the \$600 million in proposed cuts for the Active Transportation Program, including \$100 million in FY 2024-25 and \$100 million in FY 2025-26. The remaining \$400 million of the \$600 million that was not restored as part of this budget is subject to future budget cycles.
- Includes \$211 million for the State-Supported Intercity Passenger Rail Agencies over three years: \$66 million in FY 2024-25, \$72 million in FY 2025-26, and \$73 million in FY 2026-27 to fund operating expenses from the Public Transportation Account.
- Restores most of the Regional Early Action Planning Grants 2.0. \$260 million of the \$300 million proposed cut was rejected, leaving the majority of the program intact.
  - Postpones the original deadline that recipients must obligate funds from June 30, 2024, to September 30, 2024, and expend them by June 30, 2026.
  - Extends the deadline that recipients must submit a final report to the Department of Housing and Community Development from June 30, 2026, to December 31, 2026, detailing the use of funds and evaluating actions taken to support the proposed uses, including the number of housing units accelerated and per capita reductions in vehicle miles traveled.

- Provides \$75 million for the Highways to Boulevards program at the California Department of Transportation (Caltrans).
- Includes \$7 million and 37 positions for the California Integrated Mobility Program, which will institutionalize the California Integrated Travel Project (Cal-ITP) and to build a Data & Digital Services Division at Caltrans. Cal-ITP is Caltrans' initiative to integrate trip planning and payment across modes and across services in California.
- Includes \$2 million to establish the Office of Inspector General at the California High-Speed Rail Authority (CHSRA).
- Includes \$280 million to replace and modernize Caltrans' fleet, prioritizing spending on zero-emission vehicles whenever feasible

#### Transportation Trailer Bill

In conjunction with the budget bill, the Legislature also approved associated trailer bills to facilitate its implementation. The transportation trailer bill includes several provisions of interest, including:

- Requires the Secretary of CalSTA to work with Caltrans and the California Transportation Commission to identify available funding for grade separation projects that were previously awarded funding from Cycle 6 of the TIRCP and the Port and Freight Infrastructure Program. This effort aims to maintain funding allocations despite significant cuts in the Budget Act. CalSTA must submit a report to the Legislature by April 30, 2025, on any identified funding for the impacted projects.
- Modifies the accountability provisions related to the use of SB 125 funding by:
  - Allowing CalSTA to adjust TIRCP formula program guidelines annually before fund distribution in 2024, 2025, 2026, and 2027.
  - Requiring regional transportation planning agencies to submit updated financial plans and transit operator data by December 31, 2024, to receive funds for FY 2024-25, with similar requirements for FYs 2025-26, 2026-27, and 2027-28.
  - Allows a regional transportation agency to remedy its financial plan and transit operator data by August 31, 2024, and maintains April 30th as the deadline for the next three years.
- Requires Caltrans to annually compile and report to the Legislature by October 1, starting in 2025, on the zero-emission vehicles it purchases, owns, or leases. The report must include details on weight categories, fuel source types, average prices, delivery times, and an analysis of vehicle performance by weight class, along with information on

charging and refueling stations. This requirement will be in effect until January 1, 2036.

- Modifies provisions related to the California High-Speed Rail Authority by:
  - Increasing the percentage of bond proceeds available for administrative purposes to five percent.
  - Requires the Department of Finance to notify the Legislature of any position or funding changes.
  - Specifies the duties of the CHSRA Inspector General, including reviewing and investigating contract adherence, and mandates that CHSRA provide the Inspector General access to records and property.
- Requires up to 25 percent of funding made available for the Highway to Boulevards Program to be set aside for planning, with the remainder for project implementation.

Other noteworthy policy provisions within other trailer bills include:

- Renames the Governor's OPR to the Governor's Office of Land Use and Climate Innovation. Clarifies that the Office of Land Use and Climate Innovation does not give direct operating or regulatory authority over land use decisions, public works projects, and other state, regional, or local projects or programs. Instead, the office is to develop policies, coordinate planning activities across state agencies, and provide support and oversight without directly managing or regulating specific projects.
- Establishes the Governor's Office of Service and Community Engagement, which will take over all duties and responsibilities relating to the administration or implementation of programs or offices previously under the Governor's Office of Land Use and Climate Innovation (formerly OPR), including California Volunteers, the Office of Community Partnerships and Strategic Communications, and the California Youth Empowerment Commission.
- Maintains current investment for the Middle-Mile Broadband Program and includes \$250 million in flex-funding for the program to prioritize construction of network segments in underserved areas. Also prioritizes Caltrans construction projects in the Department of Technology's Middle-Mile Broadband Initiative.
- Reassigns the Zero-Emission Vehicle Program from the California Air Resources Board (CARB) to the Governor's Office of Business and Economic Development. Creates the Zero-Emission Vehicle Market Development Office within the Office of Business and Economic Development. Establishes the position of the Zero-Emission Vehicle

Equity Advocate within the office until January 1, 2028, who will be appointed by the Governor.

- The office is tasked with setting an equity plan for deploying light-, medium-, and heavy-duty zero-emission vehicles (ZEVs), along with the necessary infrastructure and workforce development. The plan is to include recommendations on steps and metrics to improve access to ZEVs, public and private charging infrastructure, different ownership structures for ZEVs, state and federal subsidies for ZEVs, and ZEV transportation options in low-income, disadvantaged, and historically underserved communities.
- The office will provide information and coordinate policy and procedural changes with relevant state agencies such as CARB and the State Energy Resources Conservation and Development Commission.

**Summary**

A support position on legislation that would require the California State Transportation Agency to study how vehicle miles traveled is used as a metric for measuring transportation impacts is recommended. An overview of the adopted state budget for fiscal year 2024-25, including relevant budget trailer bills is provided.

**Attachments**

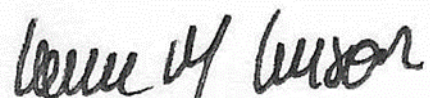
- A. SB 768 (Caballero, D-Fresno) Bill Analysis with Bill Language
- B. Orange County Transportation Authority Legislative Matrix

**Prepared by:**



Clara Brotcke  
Government Relations Representative Associate,  
Government Relations  
(714) 560-5329

**Approved by:**



Lance M. Larson  
Executive Director,  
Government Relations  
(714) 560-5908

**BILL:** SB 768 (Caballero, D-Fresno)  
Introduced February 17, 2023  
Amended March 22, 2023  
Amended January 11, 2024  
Amended May 29, 2024

**SUBJECT:** SB 768 would require the California Transportation Agency study how vehicle miles traveled is used as a metric for measuring transportation impacts under the California Environmental Quality Act.

**STATUS:** Pending in Assembly Committee on Appropriations  
Passed Assembly Natural Resources Committee 10-0  
Passed the Senate 34-4  
Passed Senate Appropriations 4-2  
Passed Senate Environmental Quality Committee 6-1

**SUMMARY AS OF JULY 1, 2024:**

SB 743 (Chapter 386, Statutes of 2013) required the Office of Planning and Research (OPR) to update the California Environmental Quality Act (CEQA) criteria for analyzing transportation impacts of projects to replace the traditional metric of “levels of service” (LOS). Discretion was provided on using the new metric in transit priority areas or statewide. The goal was to better promote the State’s goals of reducing greenhouse gas emissions and transportation-related air pollution, promoting the development of multimodal transportation system, and providing clean, efficient access to destinations. OPR proposed changing the CEQA guidelines, identifying vehicle miles traveled (VMT) as the best metric to evaluate a project’s transportation impacts both within and beyond transit priority areas.

SB 768 (Caballero, D-Fresno) would require the California Transportation Agency (CalSTA), by January 1, 2028, to study how VMT is used as a metric for measuring transportation impacts pursuant to CEQA. Specifically, in conducting this study, CalSTA would be required to consult with local governments and other interested parties including state agencies, local agencies or organizations represented by member agencies, and industry organizations. Implementation of this legislation is contingent upon appropriation by the Legislature. The study must include all of the following:

- An analysis of the implementation and ramifications of the updated CEQA guidelines.
- An analysis of the methodologies used to create VMT reduction targets as part of a mitigation measure at the local, regional, and statewide level.
- An analysis and comparison of how VMT impacts and mitigation measures are identified, measured, and deployed at the local, regional, and statewide level that must include an exhaustive list of project types that are considered to increase capacity, induce VMT, or both.

- An inventory of the cost of VMT mitigation measures to projects thus far, and an analysis of whether the cost of those measures either indefinitely delayed, temporarily delayed, or necessitated the phasing of those projects.
- An inventory of project types, if any, that are exempted from analysis of VMT.
- An analysis of the differences in the availability and feasibility of mitigation measures for VMT in rural, suburban, and urban areas. The analysis shall include best strategies and planning changes to mitigate VMT in areas where public transportation is inadequate.
- A discussion of the relationship between VMT reduction, greenhouse gas emissions reduction, housing, transportation, economic development, and equity.

### **EFFECTS ON ORANGE COUNTY:**

Since OPR first published updated CEQA guidelines pursuant to SB 743, agencies across the state have grappled with how to effectively deliver their transportation projects while maintaining compliance with CEQA requirements. This shift necessitated significant changes in project evaluation, regulatory compliance, and long-term planning. The new guidelines require the adoption of sophisticated tools and methodologies to assess VMT, straining current analytical capabilities and necessitating extensive training and investment. Moreover, many transportation agencies in the State, like the Orange County Transportation Authority (OCTA), are not responsible for land use decisions and therefore cannot mitigate all VMT. This limitation is particularly pronounced in already urbanized areas, where influencing future land use and development patterns is difficult. Additionally, as transportation agencies in California have begun to develop VMT mitigation for projects, in some instances VMT mitigation has doubled the price of the overall project.

SB 768 provides for an opportunity to evaluate the implementation of VMT as it pertains to CEQA by identifying how it impacts the delivery of transportation infrastructure across the State. By conducting this study, the legislation will provide insights into how VMT metrics can be effectively applied and mitigated, addressing both urban and rural contexts. Understanding challenges associated with the VMT criteria in the updated CEQA guidelines could provide an opportunity to evaluate a path toward more realistic and achievable mitigation measures, ensuring compliance without jeopardizing project timelines or budgets. The study will highlight the practical difficulties and ramifications of implementing VMT guidelines, which can inform adjustments and improvements in the process. This would help transportation agencies plan and budget more effectively, avoiding indefinite or temporary delays. The analysis of differences in mitigation feasibility across rural, suburban, and urban areas could also allow for the development of tailored strategies that consider the unique characteristics and needs of each region. This ensures that mitigation measures are practical and feasible, promoting equitable transportation solutions across the state. Importantly, this legislation also requires consulting with a wide range of stakeholders, including local governments, state agencies, and industry

organizations, fostering collaboration and ensuring that diverse perspectives are considered.

SB 768 represents a step toward refining VMT metric implementation under CEQA, advancing sustainable transportation planning statewide. SB 768 is supported by key stakeholders including the California State Association of Counties, the League of California Cities, the Contra Costa Transportation Authority, and the Riverside County Transportation Commission, among others. A SUPPORT position is consistent with OCTA's 2023-24 State Legislative Platform principle to "Support efforts to ensure local flexibility in meeting the goals of the State's greenhouse gas reduction and vehicle miles traveled initiatives."

**OCTA POSITION:**

Staff recommends: SUPPORT

AMENDED IN ASSEMBLY MAY 29, 2024  
AMENDED IN SENATE JANUARY 11, 2024  
AMENDED IN SENATE MARCH 22, 2023

**SENATE BILL**

**No. 768**

---

---

**Introduced by Senator Caballero**

February 17, 2023

---

---

An act to add and repeal Section 21099.5 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 768, as amended, Caballero. California Environmental Quality Act: ~~State Air Resources Board~~: *Transportation Agency*: vehicle miles traveled: study.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also 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.

Existing 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.

*Existing law establishes the Transportation Agency in state government with various duties and responsibilities. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over specified departments and offices, including the Department of Transportation.*

~~Existing 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, Transportation Agency, in consultation with local governments and other interested parties, as specified, by January 1, 2026, 2028, and subject to an appropriation by the Legislature for this purpose, to conduct and submit to the Legislature post on its internet website a study on how vehicle miles traveled is used as a metric for measuring transportation impacts pursuant to CEQA, as specified. CEQA. The bill would require the study to include, among other things, an analysis of the differences in the availability and feasibility of mitigation measures for vehicle miles traveled in rural, suburban, and urban areas. The bill would repeal those provisions on January 1, 2029.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 21099.5 is added to the Public Resources
- 2 Code, to read:
- 3 21099.5. (a) On or before January 1, ~~2026, 2028~~, the ~~State Air~~
- 4 ~~Resources Board~~ Transportation Agency shall conduct and ~~submit~~
- 5 ~~to the Legislature post on its internet website~~ a study on how
- 6 vehicle miles traveled is used as a metric for measuring
- 7 transportation impacts pursuant to the California Environmental
- 8 Quality Act.

1 (b) ~~The study shall be conducted in collaboration with~~  
2 *Transportation Agency, in conducting the study, shall consult with*  
3 *local governments and other interested parties, including, but not*  
4 *limited to, all of the following:*

5 (1) State agencies, such as the ~~Transportation Agency, State Air~~  
6 *Resources Board, the Department of Transportation, the*  
7 *Department of Housing and Community Development, and the*  
8 *Office of Planning and Research.*

9 (2) Local agencies, *or organizations represented by member*  
10 *agencies, such as a council of governments, councils of*  
11 *government, metropolitan planning agency, agencies, or regional*  
12 *transportation planning agency, agencies, on a volunteer basis.*

13 ~~(3) Academic and research institutions with demonstrated~~  
14 ~~expertise in transportation impacts and analyzing vehicle miles~~  
15 ~~traveled, on a volunteer basis.~~

16 ~~(4)~~

17 (3) Industry organizations, on a volunteer basis.

18 (c) The study shall include all of the following:

19 ~~(1) A study on the impacts and implementation~~ *An analysis of*  
20 *the implementation and ramifications of the guidelines described*  
21 *in paragraph (1) of subdivision (b) of Section 21099.*

22 (2) An analysis of the ~~methodology~~ *methodologies* used to create  
23 vehicle miles traveled reduction targets as part of a mitigation  
24 measure at the local, regional, and statewide level.

25 (3) An analysis *and comparison* of how vehicle miles traveled  
26 impacts and mitigation measures are identified, measured, and  
27 deployed at the local, regional, and statewide ~~level~~. *level that shall*  
28 *include an exhaustive list of project types that are considered to*  
29 *increase capacity, induce vehicle miles traveled, or both.*

30 (4) *An inventory of the cost of vehicle miles traveled mitigation*  
31 *measures to projects thus far, and an analysis of whether the cost*  
32 *of those measures either indefinitely delayed, temporarily delayed,*  
33 *or necessitated the phasing of those projects.*

34 (5) *An inventory of project types, if any, that are exempted from*  
35 *analysis of vehicle miles traveled.*

36 ~~(4)~~

37 (6) (A) An analysis of the differences in *the availability and*  
38 *feasibility of mitigation measures for vehicle miles traveled*  
39 ~~mitigation measures used in rural~~ *in rural, suburban, and urban*  
40 *areas.*

1 (B) *The analysis shall include best strategies and planning*  
2 *changes to mitigate vehicle miles traveled in areas where public*  
3 *transportation is inadequate.*

4 ~~(5) An analysis~~

5 (7) *A discussion of the relationship between vehicle miles*  
6 *traveled reduction, greenhouse gas emissions reduction, housing,*  
7 *transportation, economic development, and equity.*

8 ~~(6) A review of the implications of an electrified mobility future~~  
9 ~~on vehicle miles traveled.~~

10 ~~(d) (1) The study required to be submitted pursuant to this~~  
11 ~~section shall be submitted in compliance with Section 9795 of the~~  
12 ~~Government Code.~~

13 ~~(2) Pursuant to Section 10231.5 of the Government Code, this~~  
14 ~~section is repealed on December 31, 2030.~~

15 (d) *Implementation of this section is contingent upon an*  
16 *appropriation by the Legislature for purposes of this section in*  
17 *the annual Budget Act or another statute.*

18 (e) *This section shall remain in effect only until January 1, 2029,*  
19 *and as of that date is repealed.*



**Orange County Transportation Authority Legislative Matrix**

**2024 State Legislation Session  
July 18, 2024**

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>BILLS WITH POSITIONS</b>			
<p>► <b>AB 6</b> <b>(Friedman – D)</b></p> <p>Transportation Planning: Regional Transportation Plans: Reduction of Greenhouse Gas Emissions</p>	<p>Requires the State Air Resources Board to update regional targets indefinitely for the reduction of greenhouse gas emissions and requires a metropolitan planning organization, prior to adopting amendments to a regional transportation plan, to quantify the reduction in the emissions of greenhouse gases projected to be achieved by the amendments and set forth the difference between the amount of reduction and the regional targets set forth by the state board.</p>	<p><b>INTRODUCED:</b> 12/05/2022 <b>LOCATION:</b> Senate Transportation Committee <b>LAST AMEND:</b> 05/30/2024</p> <p><b>STATUS:</b> 06/11/2024 <i>In SENATE Committee on TRANSPORTATION. Set, first hearing. Hearing canceled at the request of author.</i></p>	<p>Oppose (partial list)</p> <p>Support: 350 Bay Area Action, Streets For All, California Environmental Voters</p> <p>Oppose: Mobility 21, Orange County Business Council, Rebuild SoCal Partnership, Transportation California, San Bernardino County Transportation Authority (SBCTA), Riverside County Transportation Commission (RCTC)</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p><b>AB 7 (Friedman – D)</b></p> <p>Transportation: Planning: Project Selection Processes</p>	<p>Requires the California State Transportation Agency, the California Department of Transportation, and the California Transportation Commission to incorporate specified principles into their existing program funding guidelines and processes.</p>	<p><b>INTRODUCED:</b> 12/05/2022 <b>LOCATION:</b> Senate Appropriations Committee <b>LAST AMEND:</b> 09/01/2023</p> <p><b>STATUS:</b> 09/14/2023 In SENATE. Failed Deadline pursuant to Rule 61(a)(14).</p>	<p>Oppose (partial list)</p> <p>Support: Coalition for Clean Air, Streets For All, California Environmental Voters</p> <p>Oppose: Mobility 21, Orange County Business Council, Rebuild SoCal Partnership, Transportation California, RCTC, SBCTA</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► <b>AB 817</b> <b>(Pacheco – D)</b></p> <p>Open Meetings: Teleconferencing: Subsidiary Body</p>	<p>Relates to the Ralph Brown Act. Authorizes a subsidiary body to use alternative teleconferencing provisions similar to the emergency provisions until January 1, 2026, and without regard to a state of emergency. The bill would require at least one staff member of a local agency to be present at the physical location during the meeting, require the agenda to be posted at the physical location, and require members of the subsidiary body to appear on camera during the publicly accessible open portion of a meeting via the internet.</p>	<p><b>INTRODUCED:</b> 02/13/2023 <b>LOCATION:</b> Senate Local Government Committee <b>LAST AMEND:</b> 05/29/2024</p> <p><b>STATUS:</b> 06/05/2024 <i>In SENATE Committee on LOCAL GOVERNMENT. Second hearing set. Failed passage. Reconsideration granted.</i></p>	<p>Support (partial list)</p> <p>Support: California Association of Recreation and Park Districts (co-sponsor), League of California Cities (co-sponsor), Rural County Representatives of California (co-sponsor), and the Urban Counties of California (co-sponsor), Los Angeles County Metropolitan Transportation Authority, Metropolitan Transportation Commission</p> <p>Oppose: ACLU California Action, California Broadcasters Association, Orange County Press Club</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► <b>AB 2043</b> <b>(Boerner – D)</b></p> <p>Medi-Cal: Nonmedical and Nonemergency Medical Transportation</p>	<p>Requires the State Department of Health Care Services (DHCS) to require Medi-Cal managed care plans to contract with public paratransit operators to establish reimbursement rates for nonmedical and nonemergency medical transportation trips and requires the reimbursement rates by the managed care plan to the public paratransit operator be based on the fee-for-service rates determined by DHCS for nonmedical transportation service that does not include fixed-route transportation service.</p>	<p><b>INTRODUCED:</b> 02/01/2024 <b>LOCATION:</b> <i>Senate Appropriations Committee</i> <b>LAST AMEND:</b> 04/01/2024</p> <p><b>STATUS:</b> 06/24/2024 <i>In SENATE Committee on APPROPRIATIONS. Referred to suspense file.</i></p>	<p>Support</p> <p>Support: San Diego Metropolitan Transit System (sponsor), AARP, California Special Districts Association, Eastern Sierra Transit Authority, Stanislaus Regional Transit Authority, California Transit Association</p>
<p>► <b>AB 2259</b> <b>(Boerner – D)</b></p> <p>Transportation: Bicycle Safety Handbook</p>	<p>Would require CalSTA to develop and distribute, on or before September 1, 2025, a bicycle safety handbook that includes information on, among other things, existing laws regulating bicycles and e-bikes. CalSTA must make a downloadable electronic version of the bicycle safety handbook available online. CalSTA will also be required to collaborate with other state agencies to develop the handbook.</p>	<p><b>INTRODUCED:</b> 02/08/2024 <b>LOCATION:</b> <i>Senate Appropriations Committee</i> <b>LAST AMEND:</b> 05/16/2024</p> <p><b>STATUS:</b> 06/24/2024 <i>In SENATE Committee on APPROPRIATIONS. Referred to suspense file.</i></p>	<p>Support (partial list)</p> <p>Support: California Association of Bicycling Organizations, <i>Automobile Club of Southern California (AAA)</i>, <i>California Bicycle Coalition</i>, <i>Transportation Agency for Monterey County</i></p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p><b>AB 2535 (Bonta – D)</b></p> <p>Trade Corridor Enhancement Program</p>	<p>Would require, starting January 1, 2025, the CTC, HCD, and CARB to create new guidance, which would need to be incorporated into the programming cycle starting January 1, 2028, for TCEP for the programming of projects that expand the physical footprint of a highway to address the impact on the highest ten percent of CalEnviroScreen communities.</p>	<p><b>INTRODUCED:</b> 02/13/2024  <b>LOCATION:</b> Assembly  Transportation Committee  <b>LAST AMEND:</b> 04/24/2024</p> <p><b>STATUS:</b> 05/16/2024  In ASSEMBLY Committee on  TRANSPORTATION. Held under  submission in committee.</p>	<p>Oppose (partial list)</p> <p>Support: Sierra Club  California, Greenlining  Institute, Streets for All,  Environmental California,  Environmental Defense  Fund, Coalition for Clean  Air</p> <p>Oppose: Riverside County  Transportation  Commission, Contra Costa  Transportation Authority,  League of California Cities,  California Chamber of  Commerce, California  Business Roundtable,  Transportation California,  United Contractors</p>



BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► <b>SB 768</b> <b>(Caballero – D)</b></p> <p><i>California Environmental Quality Act: Transportation Agency: Vehicle Miles Traveled: Study</i></p>	<p><i>Would require CalSTA, by January 1, 2028, to study how VMT is used as a metric for measuring transportation impacts pursuant to CEQA guidelines created from SB 743 (Chapter 386, Statutes of 2013). CalSTA would be required to consult with local governments and other interested parties, including state agencies, local agencies, or organizations represented by member agencies in industry organizations.</i></p>	<p><b>INTRODUCED:</b> 02/17/2023 <b>LOCATION:</b> Assembly Appropriations Committee <b>LAST AMEND:</b> 05/29/2024 <b>HEARING:</b> 07/02/2024</p> <p><b>STATUS:</b> 06/26/2024 <i>In ASSEMBLY Committee on APPROPRIATIONS. June 26 meeting postponed by committee.</i></p>	<p><b>STAFF RECOMMENDS SUPPORT</b> (partial list)</p> <p><i>Support: California State Association of Counties, Contra Costa Transportation Authority, League of California Cities, Riverside County Transportation Commission, Transportation California</i></p>

## BILLS BEING MONITORED

### **AB 99 (Connolly, D) Department of Transportation: state roads and highways: integrated pest management.**

**Introduced:** 01/09/2023

**Last Amended:** 07/13/2023

**Status:** 09/01/2023 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/14/2023) (May be acted upon Jan 2024)

**Location:** 09/01/2023 - Senate 2 YEAR

**Summary:** Would require the Department of Transportation to adopt, on or before January 1, 2025, a statewide policy to use integrated pest management, as defined, on state roads and highways, as specified, and to implement the statewide policy in cities or counties that have adopted integrated pest management approaches to roadside vegetation management. The bill would require the Department of Transportation, in developing the statewide policy, to consult with the Department of Pesticide Regulation and the University of California Statewide Integrated Pest Management Program. The bill would require the Department of Transportation, when operating in a city or a county that has adopted an integrated pest management policy that is more restrictive than the statewide policy, to the extent feasible, to operate in a manner consistent with the city's or county's integrated pest management policy, as specified. The bill would require the Department of Transportation, on or before December 31, 2025, and annually thereafter, to make publicly available on its internet website the amount, location, and type of pesticides, and the pesticide formulation, by city and county, it uses, and, at least 24 hours before applying a pesticide, would require the Department of Transportation to provide on its internet website and mobile application, and through any other means of communication deemed appropriate by the applicable state transportation district, information on when and where it plans to apply the pesticide.

**Subject:** Public Works

### **AB 382 (Cervantes, D) High-occupancy vehicle lanes: County of Riverside.**

**Introduced:** 02/02/2023

**Status:** 09/14/2023 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/13/2023) (May be acted upon Jan 2024)

**Location:** 09/14/2023 - Senate 2 YEAR

**Summary:** Current law authorizes a regional transportation agency, in cooperation with the Department of Transportation, to apply to the California Transportation Commission to develop and operate high-occupancy toll (HOT) lanes, including administration and operation of a value pricing program and exclusive or preferential lane facilities for public transit. Current law authorizes a value pricing and transit program involving HOT lanes to be developed and operated on State Highway Route 15 in the County of Riverside by the Riverside County Transportation Commission. Current law requires the Department of Transportation to report to the transportation policy committees of the Legislature, on or before January 1, 2020, on the feasibility and appropriateness of limiting the use of high-occupancy vehicle lanes to high-occupancy vehicles and eligible vehicles, as defined, only during the hours of heavy commuter traffic on both State Route 91 between Interstate 15 and Interstate 215 in the County of Riverside, and State Route 60 in the County of Riverside. Separate from that report, this bill would require the Transportation Agency, on or before January 1, 2025, to report to the transportation policy committees of the Legislature on that same topic and on the feasibility and appropriateness of removing from high-occupancy vehicle lanes in the County of Riverside, except for certain high-occupancy toll lanes, any double parallel solid lines to restrict the entrance into or exit from those lanes, including the use of the appropriate markings and signage.

**Subject:** Planning

**AB 518 (Wicks, D) Paid family leave: eligibility: care for designated persons.**

**Introduced:** 02/07/2023

**Last Amended:** 09/08/2023

**Status:** 09/14/2023 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/13/2023) (May be acted upon Jan 2024)

**Location:** 09/14/2023 - Senate 2 YEAR

**Summary:** Current unemployment compensation disability law requires workers to pay contribution rates based on, among other things, wages received in employment and benefit disbursement, for payment into the Unemployment Compensation Disability Fund, a special fund in the State Treasury. That fund is continuously appropriated for the purpose of providing disability benefits and making payment of expenses in administering those provisions. Current law establishes, within the above state disability insurance program, a family temporary disability insurance program, also known as the paid family leave program, for the provision of wage replacement benefits for up to 8 weeks to workers who take time off work for prescribed purposes, including to care for a seriously ill family member. Current law defines terms for its purposes, including "family care leave" and "family member." This bill would expand eligibility for benefits under the paid family leave program to include individuals who take time off work to care for a seriously ill designated person. The bill would define "designated person" to mean any individual related by blood or whose association with the employee is the equivalent of a family relationship.

**Subject:** Employment

**AB 637 (Jackson, D) Zero-emission vehicles: fleet owners: rental vehicles.**

**Introduced:** 02/09/2023

**Last Amended:** 06/12/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (June 25). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. Current law also generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Current law requires the state board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution the state board has found to be necessary, cost effective, and technologically feasible, to carry out specified purposes, unless preempted by federal law. This bill would, if the state board requires a fleet owner to acquire zero-emission vehicles as part of its fleet, require the state board to authorize the rental of a zero-emission vehicle or vehicles for a cumulative total of 260 days in a calendar year to be deemed ownership of one zero-emission vehicle for purposes of meeting that obligation.

**Subject:** Zero Emission

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

**Introduced:** 02/13/2023

**Last Amended:** 05/20/2024

**Status:** 05/30/2024 - Read second time. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 05/30/2024 - Senate THIRD READING

**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, 2025, 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 (TIFIA) loan, the date on which the district will cease to exist shall not be more than 75 years from the date of the approval of a TIFIA loan, as specified.

**Subject:** Transit

**AB 824 (Calderon, D) Highway greening: statewide strategic plan.**

**Introduced:** 02/13/2023

**Last Amended:** 07/03/2023

**Status:** 09/01/2023 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/14/2023) (May be acted upon Jan 2024)

**Location:** 09/01/2023 - Senate 2 YEAR

**Summary:** Would enact the Highway Greening Act, which would require the department to complete a statewide strategic plan, as specified, to work to achieve at least a 10% increase of green highways, as defined, in urban areas, disadvantaged communities, and low-income communities by 2035. The bill would require the Department of Transportation to submit the plan to the Legislature and specified committees of the Legislature on or before June 30, 2025.

**Subject:** Public Works

**AB 832 (Cervantes, D) California Transportation Commission: membership.**

**Introduced:** 02/13/2023

**Last Amended:** 03/01/2023

**Status:** 09/14/2023 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/13/2023) (May be acted upon Jan 2024)

**Location:** 09/14/2023 - Senate 2 YEAR

**Summary:** Under current law, the California Transportation Commission consists of 13 members, including 9 members appointed by the Governor with the advice and consent of the Senate, one member appointed by the Speaker of the Assembly, and one member appointed by the Senate Committee on Rules, as specified. Current law requires the Governor, in appointing those members to the commission, to make every effort to ensure, among other things, the commission has a diverse membership with expertise in transportation issues, taking into consideration factors, including, but not limited to, socioeconomic background and professional experience, which may include experience working in, or representing, disadvantaged communities. This bill would require that at least one of those Governor-appointed members of the commission have expertise in transportation issues and professional experience that includes experience working in, or representing, disadvantaged communities.

**Subject:** Miscellaneous

**AB 930 (Friedman, D) Local government: infrastructure financing districts: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) districts: housing development: restrictive covenants.**

**Introduced:** 02/14/2023

**Last Amended:** 06/13/2024

**Status:** 06/13/2024 - Read second time and amended. Re-referred to Com. on HOUSING.

**Hearing:** 07/02/2024

**Location:** 06/11/2024 - Senate Housing

**Summary:** Current law authorizes certain local agencies to form a community revitalization authority within a community revitalization and investment area, as described, and authorizes an authority to, among other things, provide for low- and moderate-income housing and issue bonds, as provided. Current law authorizes a community revitalization and investment plan to provide for the division of taxes within the plan area. This bill would authorize the legislative bodies of 2 or more specified local governments to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would require at least one of the local governments to be a city or county within the proposed RISE district boundaries. The bill would authorize a local government that lacks the authority to levy a property tax to join a RISE district, by resolution, as specified. The bill would prohibit a RISE district from including territory within the jurisdiction of a participating local government unless the city or county where the territory is located is also a participating local government.

**Subject:** Planning

**AB 1017 (Holden, D) Homelessness: Striking Worker Emergency Homelessness Prevention program.**

**Introduced:** 02/15/2023

**Last Amended:** 09/13/2023

**Status:** 09/14/2023 - Read second time. Ordered to third reading. Re-referred to Com. on RLS pursuant to Senate Rule 29.10(c).

**Location:** 09/14/2023 - Senate Rules

**Summary:** Would, upon appropriation by the Legislature, create within the Encampment Resolution Funding program the Striking Worker Emergency Homelessness Prevention (SWEHP) program administered by the Labor and Workforce Development Agency. The bill would specify that purpose of the program would be to prevent workers suffering strike-related hardship, as defined, from becoming homeless due to a prolonged labor dispute by making zero-interest loans available to eligible striking workers to assist them in paying their housing costs. The bill would require the agency, in consultation with the Business, Consumer Services, and Housing Agency, to develop an internet website and online application for the program, as specified. The bill would require an applicant for the program to electronically sign a declaration of strike-related hardship, as specified, under penalty of perjury. By expanding the scope of an existing crime, the bill would impose a state-mandated local program. The bill would make other conforming changes to the Encampment Resolution Funding program.

**Subject:** Planning

**AB 1250 (Friedman, D) Department of Transportation: low-carbon materials.**

**Introduced:** 02/16/2023

**Last Amended:** 08/14/2023

**Status:** 09/01/2023 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/21/2023) (May be acted upon Jan 2024)

**Location:** 09/01/2023 - Senate 2 YEAR

**Summary:** Would require the Secretary of Transportation, in consultation with the Director of Transportation, to submit a report to the Legislature that discusses, among other things, the global warming potential, as defined, associated with certain materials currently used in state transportation projects, alternative and emerging materials with lower carbon emissions or net-negative carbon emissions, and strategies for using materials with lower carbon materials. The bill would require the department to report to the Legislature annually on the department's progress in implementing the strategies described above.

**Subject:** Public Works

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

**Introduced:** 02/16/2023

**Last Amended:** 06/22/2023

**Status:** 09/01/2023 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 7/12/2023) (May be acted upon Jan 2024)

**Location:** 09/01/2023 - Senate 2 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.

**Subject:** Planning

**AB 1447 (Flora, R) Vehicles: motorized scooters.**

**Introduced:** 02/17/2023

**Last Amended:** 09/08/2023

**Status:** 03/04/2024 - Withdrawn from committee. Withdrawn from committee.

**Location:** 09/11/2023 - Senate Rules

**Summary:** This bill would change the definition of a motorized scooter by including 3-wheeled devices, limiting its maximum weight to 200 pounds and width to 3 feet, and specifying that it is powered by a motor that ceases to provide power at 20 miles per hour. The bill would require a manufacturer of a motorized scooter to apply a sticker to certain motorized scooters certifying the scooter is capable of achieving braking requirements, as specified, and would prohibit a person from operating a motorized scooter that does not have that certifying sticker and, if the scooter is capable of exceeding 15 miles per hour, a speedometer in good working order. The bill would prohibit a person from operating a motorized scooter in excess of 15 miles per hour while standing up or in excess of 20 miles per hour while sitting down. This bill contains other related provisions and other existing laws.

**Subject:** Active Transportation

**AB 1463 (Lowenthal, D) Automated license plate recognition systems: retention and use of information.**

**Introduced:** 02/17/2023

**Last Amended:** 07/03/2023

**Status:** 07/11/2023 - In committee: Set, first hearing. Failed passage. Reconsideration granted. (Set for hearing on 07/02/2024)

**Location:** 06/20/2024 - Senate Judiciary

**Summary:** Current law requires automated license plate recognition (ALPR) operators and ALPR end-users, as those terms are defined, to implement usage and privacy policies and to maintain reasonable security procedures and practices regarding ALPR information, as specified. Current law requires the usage and privacy policy implemented by an ALPR operator or an ALPR end-user to include the length of time ALPR information will be retained and the process the ALPR operator or ALPR end-user will utilize to determine if and when to destroy retained ALPR information. This bill would require an ALPR operator or ALPR end-user that is a public agency, excluding an airport authority, to include in those policies, procedures, and practices a requirement that ALPR information that does not match information on a hot list, as defined, be purged in 30 days, as specified. The bill would also prohibit those ALPR operators and end-users from accessing ALPR information that is older than 60 days, except as specified.

**AB 1774 (Dixon, R) Vehicles: electric bicycles.**

**Introduced:** 01/03/2024

**Status:** 06/25/2024 - Enrolled and presented to the Governor at 4 p.m.

**Location:** 06/25/2024 - Assembly ENROLLED

**Summary:** Current law defines an electric bicycle as a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts and requires electric bicycles to comply with specified equipment and manufacturing requirements. Current law prohibits a person from tampering with or modifying an electric bicycle so as to change the speed capability of the bicycle, unless they appropriately replace the label indicating the classification required, as specified. A violation of the Vehicle Code is a crime. This bill would clarify that the exception to this prohibition only applies if the bicycle continues to meet the definition of an electric bicycle. This bill would prohibit a person from selling a product or device that can modify the speed capability of an electric bicycle such that it no longer meets the definition of an electric bicycle.

**Subject:** Active Transportation

**AB 1777 (Ting, D) Autonomous vehicles.**

**Introduced:** 01/03/2024

**Last Amended:** 06/12/2024

**Status:** 06/27/2024 - From committee: Amend and do pass as amended and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (June 25).

**Hearing:** 07/01/2024

**Location:** 06/25/2024 - Senate Appropriations

**Summary:** Current law authorizes the operation of an autonomous vehicle on public roads for testing purposes by a driver who possesses the proper class of license for the type of vehicle operated if specified requirements are satisfied. Current law prohibits the operation of an autonomous vehicle on public roads until the manufacturer submits an application to the Department of Motor Vehicles, as specified, and that application is approved. Current law requires the department to adopt regulations setting forth requirements for the submission and approval of an application, including, among other things, any testing, equipment, and performance standards the department concludes are necessary to ensure the safe operation of autonomous vehicles on public roads, as specified. This bill would require that if an autonomous vehicle does not have a person in the driver's seat and commits a violation of the Vehicle Code or has a person in the driver's seat but commits the violation while the autonomous technology is engaged, the manufacturer to be cited for the violation. If an autonomous vehicle has a person in the driver's seat and commits a violation of the Vehicle Code while the autonomous technology is not engaged, the bill would require the driver to be cited for the violation.

**Subject:** Transit

**AB 1778 (Connolly, D) Vehicles: electric bicycles.**

**Introduced:** 01/03/2024

**Last Amended:** 05/30/2024

**Status:** 05/30/2024 - Read second time and amended. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 05/30/2024 - Senate THIRD READING

**Summary:** Would establish the Marin Electric Bicycle Safety Pilot Program that would, until January 1, 2029, authorize a local authority within the County of Marin, or the County of Marin in unincorporated areas, to adopt an ordinance or resolution that would prohibit a person under 16 years of age from operating a class 2 electric bicycle or require a person operating a class 2 electric bicycle to wear a bicycle helmet, as specified. The bill would require an ordinance or resolution that is adopted for this purpose to make a violation punishable by warning notices for the first 60 days after the prohibition comes into effect. After the 60-day period, the bill would require a violation to be an infraction punishable by a fine of \$25. The bill would prohibit a record of the action from being transmitted to the court and a fee from being imposed if the person who violates the ordinance or resolution delivers proof to the issuing agency within 120 days after the citation was issued that the person has completed specified requirements. The bill would, if an ordinance or resolution is adopted, require the county to, by January 1, 2028, submit a report to the Legislature that includes, among other things, the total number of traffic stops initiated for violations, the results of the traffic stops, and the actions taken by peace officers during the traffic stops, as specified. The bill would require the local authority or county to administer a public information campaign for at least 30 calendar days prior to the enactment of the ordinance or resolution, as specified.

**Subject:** Active Transportation

**AB 1785 (Pacheco, D) California Public Records Act.**

**Introduced:** 01/03/2024

**Last Amended:** 05/29/2024

**Status:** 06/27/2024 - From Consent Calendar. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 06/27/2024 - Senate THIRD READING

**Summary:** The California Public Records Act prohibits a state or local agency from posting the home address or telephone number of any elected or appointed official on the internet without first obtaining the written permission of that individual. This bill would instead prohibit a state or local agency from publicly posting, as defined, the home address, telephone number, or both the name and assessor parcel number associated with the home address of any elected or appointed official on the internet without first obtaining the written permission of that individual. By expanding the scope of a current provision and thereby increasing the duties of local agencies, the bill would impose a state-mandated local program.

**Subject:** Records

**AB 1853 (Villapudua, D) San Joaquin Regional Transit District: meetings: surplus money investments.**

**Introduced:** 01/17/2024

**Last Amended:** 06/03/2024

**Status:** 06/13/2024 - Read second time. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 06/13/2024 - Senate THIRD READING

**Summary:** The San Joaquin Regional Transit District Act authorizes the creation of the San Joaquin Regional Transit District, and if created, specifies the district's powers and responsibilities. The act requires the district to be governed by a board of directors, requires the board to adopt rules for its proceedings, and authorizes the board to provide, by ordinance or resolution, that each board member receive \$50 for each board meeting attended, not to exceed \$100 in a calendar month. This bill instead would authorize the board to provide, by ordinance or resolution, that each board member receive \$100 for each board meeting and committee meeting attended, not to exceed \$500 in a calendar month.

**Subject:** Records

**AB 1870 (Ortega, D) Notice to employees: legal services.**

**Introduced:** 01/22/2024

**Last Amended:** 04/01/2024

**Status:** 06/20/2024 - Read third time. Passed. Ordered to the Assembly. (Ayes 36. Noes 0.). In Assembly. Ordered to Engrossing and Enrolling.

**Location:** 06/20/2024 - Assembly ENROLLMENT

**Summary:** Employers who are subject to the workers' compensation system are generally required to keep posted in a conspicuous location frequented by employees and easily read by employees during the hours of the workday a notice that includes, among other information, to whom injuries should be reported, the rights of an employee to select and change a treating physician, and certain employee protections against discrimination. Current law requires the Administrative Director of the Division of Workers' Compensation to make the form and content of this notice available to self-insured employers and insurers. This bill would require the notice to include information concerning an injured employee's ability to consult a licensed attorney to advise them of their rights under workers' compensations laws, as specified. The bill would also make technical, nonsubstantive changes to these provisions.

**Subject:** Employment



**AB 1889 (Friedman, D) Conservation element: wildlife and habitat connectivity.**

**Introduced:** 01/22/2024

**Last Amended:** 06/12/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 2.) (June 25). Re-referred to Com. on APPR.

**Location:** 06/25/2024 - Senate Appropriations

**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, 2028, 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 its general plan an existing plan that meets these requirements. The bill would authorize a city, county, or city and county preparing to update its conservation element to consider incorporating appropriate standards, policies, and implementation programs, consult with specified entities, and consider relevant best available science.

**Subject:** Planning

**AB 1890 (Patterson, Joe, R) Public works: prevailing wage.**

**Introduced:** 01/22/2024

**Status:** 06/18/2024 - Read second time. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 06/18/2024 - Senate THIRD READING

**Summary:** Current law defines the term "public works" for the purposes of requirements regarding the payment of prevailing wages, the regulation of working hours, and the securing of workers' compensation for public works projects. Current law requires an entity awarding a public works contract, as specified, to provide notice to the Department of Industrial Relations. Current law requires civil penalties to be imposed on an entity that fails to provide that required notice and authorizes the Labor Commissioner to issue a citation for civil penalties to an entity that fails to provide the required notice. This bill would additionally require the awarding body to provide notice to the department if there is a change in the identity of a contractor or subcontractor performing the project or, within 30 days, if the total amount of the contract change exceeds \$10,000.

**Subject:** Public Works

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

**Introduced:** 01/23/2024

**Status:** 05/30/2024 - Read second time. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 05/30/2024 - Senate THIRD READING

**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.

**Subject:** Transit

**AB 1924 (Nguyen, Stephanie, D) Sacramento Regional Transit District.**

**Introduced:** 01/25/2024

**Last Amended:** 05/13/2024

**Status:** 06/26/2024 - Enrolled measure version corrected.

**Location:** 06/26/2024 - Assembly ENROLLED

**Summary:** The Sacramento Regional Transit District Act provides for the formation of the Sacramento Regional Transit District, with specified powers and duties related to providing public transit services. The act authorizes the district to comprise the Cities of Citrus Heights, Davis, Elk Grove, Folsom, Rancho Cordova, Roseville, Sacramento, West Sacramento, and Woodland, the territory of the County of Sacramento that is the same area as the urban service area of the county, and other specified portions of the County of Yolo, provided those cities and counties have agreed to annexation by the district, as specified. This bill would authorize the district to also comprise the Cities of Galt and Isleton, and the unincorporated portions of the County of Sacramento where the county has declared a need for the district to operate, provided the cities and county agree to annexation, as specified.

**Subject:** Planning

**AB 1957 (Wilson, D) Public contracts: best value construction contracting for counties.**

**Introduced:** 01/29/2024

**Last Amended:** 04/08/2024

**Status:** 06/25/2024 - Enrolled and presented to the Governor at 4 p.m.

**Location:** 06/25/2024 - Assembly ENROLLED

**Summary:** Current law establishes a pilot program to allow the Counties of Alameda, Los Angeles, Monterey, Riverside, San Bernardino, San Diego, San Mateo, Santa Clara, Solano, and Yuba to select a bidder on the basis of best value, as defined, for construction projects in excess of \$1,000,000. Current law also authorizes these counties to use a best-value construction contracting method to award individual annual contracts, not to exceed \$3,000,000, for repair, remodeling, or other repetitive work to be done according to unit prices. Current law establishes procedures and criteria for the selection of a best-value contractor and requires that bidders verify specified information under oath. Current law requires the board of supervisors of a participating county to submit a report that contains specified information about the projects awarded using the best value procedures described above to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee before March 1, 2024. Current law repeals the pilot program provisions on January 1, 2025. This bill would instead authorize any county of the state to utilize this program and would extend the operation of those provisions until January 1, 2030. The bill would instead require the board of supervisors of a participating county to submit the report described above to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee before March 1, 2029.

**Subject:** Public Works

**AB 1976 (Haney, D) Occupational safety and health standards: first aid materials: opioid antagonists.**

**Introduced:** 01/30/2024

**Last Amended:** 06/13/2024

**Status:** 06/24/2024 - In committee: Referred to suspense file.

**Location:** 06/24/2024 - Senate APPR. SUSPENSE FILE

**Summary:** Current law grants the Division of Occupational Safety and Health, which is within the Department of Industrial Relations, jurisdiction over all employment and places of employment, and the power necessary to enforce and administer all occupational health and safety laws and standards. The Occupational Safety and Health Standards Board, an independent entity within the department, has the exclusive authority to adopt occupational safety and health standards within the state. The California Occupational Safety and Health Act of 1973 (OSHA) requires employers to comply with certain safety and health standards, as specified, and charges the division with enforcement of the act. Current law requires the division, before December 1, 2025, to submit to the standards board a rulemaking proposal to consider revising certain standards relating to the prevention of heat illness, protection from wildfire smoke, and toilet facilities on construction jobsites. Current law also requires the standards board to review the proposed changes and consider adopting revised standards on or before December 31, 2025. This bill would require the standards board, before December 1, 2026, to draft a rulemaking proposal to revise a regulation on first aid materials to require first aid materials in a workplace to include naloxone hydrochloride or another opioid antagonist approved by the United States Food and Drug Administration to reverse opioid overdose and instructions for using the opioid antagonist.

**Subject:** Safety and Security

**AB 2061 (Wilson, D) Sales and Use Tax: exemptions: zero-emission public transportation ferries.**

**Introduced:** 02/01/2024

**Last Amended:** 05/01/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 26). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** Current sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. This bill, beginning January 1, 2025, and until January 1, 2030, would exempt from those taxes the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, zero-emission public transportation ferries, as defined, sold to a public agency, as specified.

**Subject:** Funding

**AB 2086 (Schiavo, D) Transportation funding: California Transportation Plan: public dashboard.**

**Introduced:** 02/05/2024

**Last Amended:** 04/15/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (June 25). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**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.

**Subject:** Planning

**AB 2123 (Papan, D) Disability compensation: paid family leave.**

**Introduced:** 02/06/2024

**Status:** 06/18/2024 - Read second time. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 06/18/2024 - Senate THIRD READING

**Summary:** Current law establishes, within the state disability insurance program, a family temporary disability insurance program, also known as the paid family leave program, for the provision of wage replacement benefits to workers who take time off work to care for certain seriously ill family members, to bond with a minor child within one year of birth or placement, as specified, or to participate in a qualifying exigency related to the covered active duty or call to covered active duty of certain family members. Current law authorizes an employer to require an employee to take up to 2 weeks of earned but unused vacation before, and as a condition of, the employee's initial receipt of these benefits during any 12-month period in which the employee is eligible for these benefits. This bill would eliminate that authorization and related provisions.

**Subject:** Employment

**AB 2135 (Schiavo, D) Public works contracts: wage and penalty assessment.**

**Introduced:** 02/06/2024

**Last Amended:** 06/13/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 1.) (June 25). Re-referred to Com. on APPR.

**Location:** 06/25/2024 - Senate Appropriations

**Summary:** Current law requires the Labor Commissioner to issue a civil wage and penalty assessment to a contractor or subcontractor, or both, if, after an investigation, the commissioner determines there has been a violation of the laws regulating public works contracts, including the payment of prevailing wages. Current law requires the assessment to be served not later than 18 months after the filing of a valid notice of completion in the office of the county recorder in each county in which the public work or some part thereof was performed, or not later than 18 months after acceptance of the public work, whichever occurs last. This bill would extend the above-described time period to 24 months and would authorize an extension of an additional 18 months for good cause, including ongoing investigation and assessment.

**Subject:** Public Works

**AB 2167 (Cervantes, D) Unemployment insurance: disability: paid family leave.**

**Introduced:** 02/06/2024

**Last Amended:** 06/18/2024

**Status:** 06/20/2024 - In committee: Hearing postponed by committee.

**Hearing:** 07/01/2024

**Location:** 06/12/2024 - Senate Appropriations

**Summary:** Current unemployment compensation disability law requires workers to pay contribution rates based on, among other things, wages received in employment and benefit disbursement, for payment into the Unemployment Compensation Disability Fund, for purposes of compensating in part for the wage loss sustained by any individual who is unable to work due to the employee's own sickness or injury, among other reasons. Existing law sets forth standards for eligibility to receive unemployment compensation disability benefits. Current law authorizes an individual to file a first claim for these benefits no later than the 41st consecutive day following the first compensable day of unemployment and disability with respect to which the claim is made for benefits, as specified. This bill would, instead, authorize an individual to file a first claim for benefits no later than the 60th consecutive day following the first compensable day of unemployment and disability.

**Subject:** Employment

**AB 2182 (Haney, D) Public works.**

**Introduced:** 02/07/2024

**Last Amended:** 06/13/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 1.) (June 25). Re-referred to Com. on APPR.

**Location:** 06/25/2024 - Senate Appropriations

**Summary:** Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law requires the body awarding a contract for a public work to obtain from the director the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is to be performed, and the general prevailing rate of per diem wages for holiday and overtime work, for each craft, classification, or type of worker needed to execute the contract. Under current law, if the director determines during any quarterly period that there has been a change in any prevailing rate of per diem wages in a locality, the director is required to make that change available to the awarding body and their determination is final. This bill would instead require the director, if the director determines during any semiannual period that there has been a change in any prevailing rate of per diem wages in a locality, to make that change available to the awarding body and that decision would have exceptions to its finality, including authorizing a contractor, awarding body, or representative to file a petition to review the director's determination.

**Subject:** Public Works

**AB 2234 (Boerner, D) Vehicles: electric bicycles.**

**Introduced:** 02/08/2024

**Last Amended:** 06/13/2024

**Status:** 06/18/2024 - Read second time. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 06/18/2024 - Senate THIRD READING

**Summary:** This bill, the San Diego Electric Bicycle Safety Pilot Program, would, until January 1, 2029, authorize a local authority within the County of San Diego, or the County of San Diego in unincorporated areas, to adopt an ordinance or resolution that would prohibit a person under 12 years of age from operating a class 1 or 2 electric bicycle. For the first 60 days following the adoption of an ordinance or resolution for this purpose, the bill would make a violation of the ordinance or resolution punishable by a warning notice. After 60 days, the bill would make a violation of the ordinance or resolution punishable by a fine of \$25, except as specified. This bill would make a parent or legal guardian with control or custody of an emancipated minor who violates the ordinance or resolution jointly and severally liable with the minor for the amount of the fine imposed.

**Subject:** Active Transportation

**AB 2259 (Boerner, D) Transportation: bicycle safety handbook.**

**Introduced:** 02/08/2024

**Last Amended:** 05/16/2024

**Status:** 06/24/2024 - In committee: Referred to suspense file.

**Location:** 06/24/2024 - Senate APPR. SUSPENSE FILE

**Summary:** Would, upon appropriation by the Legislature, require the Transportation Agency to develop and distribute, on or before September 1, 2025, a bicycle safety handbook that includes information on, among other things, existing laws regulating bicycles and e-bikes. The bill would require the agency to make a downloadable electronic version of the bicycle safety handbook available on specified internet websites. In developing the handbook, the bill would require collaboration and consultation between the agency and prescribed state entities, including, among others, the Department of Motor Vehicles and the Department of the California Highway Patrol.

**Subject:** Active Transportation

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

**Introduced:** 02/08/2024

**Last Amended:** 05/21/2024

**Status:** 06/24/2024 - Urgency clause adopted. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 76. Noes 0.)

**Location:** 06/24/2024 - Assembly ENROLLMENT

**Summary:** Existing law provides for the use and allocation of various federal transportation funding sources, including, but not limited to, the Federal-Aid Secondary Highways Act, the Federal-Aid Combined Road Plan Act, and the Federal Aid for Safer Off-System Roads Act. This bill 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.

**Subject:** Funding

**AB 2283 (Pacheco, D) Civil actions: electronic service.**

**Introduced:** 02/08/2024

**Last Amended:** 05/02/2024

**Status:** 06/27/2024 - Read second time. Ordered to Consent Calendar.

**Hearing:** 07/01/2024

**Location:** 06/25/2024 - Senate CONSENT CALENDAR

**Summary:** Current law authorizes the service of documents in a civil action by electronic means pursuant to rules adopted by the Judicial Council. Current law requires a court, on and after July 1, 2024, to electronically transmit those documents to a party who is subject to mandatory electronic service, or who has consented to accept electronic service, as specified. This bill would extend the deadline for courts to comply with the requirement described above to July 1, 2025, and would make a conforming change to clarify that court's electronic transmittal of documents constitutes service of those documents.

**Subject:** Records

**AB 2284 (Grayson, D) County employees' retirement: compensation.**

**Introduced:** 02/08/2024

**Last Amended:** 06/27/2024

**Status:** 06/27/2024 - Read second time and amended. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 06/27/2024 - Senate THIRD READING

**Summary:** The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires a public retirement system, as defined, to modify its plan or plans to comply with the act. PEPRA, among other things, establishes new defined benefit formulas and caps on pensionable compensation. The County Employees Retirement Law of 1937 (CERL) authorizes counties to establish retirement systems pursuant to its provisions in order to provide pension benefits to their employees. CERL generally vests management of each retirement system in a board of retirement. CERL defines "compensation earnable" by a member, for the purpose of calculating benefits, to mean the average compensation, as determined by the board, for the period under consideration upon the basis of the average number of days ordinarily worked by persons in the same grade or class of positions during the period, and the same rate of pay, subject to certain exceptions. This bill would authorize a retirement system, to the extent it has not defined "grade" in the above-described circumstances, to define "grade" to mean a number of employees considered together because they share similarities in job duties, schedules, unit recruitment requirements, work location, collective bargaining unit, or other logical work-related group or class, as specified.

**Subject:** Employment

**AB 2286 (Aguilar-Curry, D) Vehicles: autonomous vehicles.**

**Introduced:** 02/08/2024

**Last Amended:** 04/08/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 11. Noes 1.) (June 25). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** Would require a manufacturer of an autonomous vehicle to report to the Department of Motor Vehicles a collision on a public road that involved one of its autonomous vehicles with a gross vehicle weight of 10,001 pounds or more that is operating under a testing or deployment permit that resulted in damage of property, bodily injury, or death within 10 days of the collision. The bill would require a manufacturer of an autonomous vehicle to annually submit to the department specified information regarding the deactivation of the autonomous mode for its autonomous vehicles with a gross vehicle weight of 10,001 pounds or more that were operating under a testing or deployment permit that authorized the vehicle to operate on public roads.

**Subject:** Safety and Security

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

**Introduced:** 02/12/2024

**Last Amended:** 06/13/2024

**Status:** 06/24/2024 - In committee: Referred to suspense file.

**Location:** 06/24/2024 - Senate APPR. SUSPENSE FILE

**Summary:** This bill would prohibit, on and after January 1, 2026, the California Transportation Commission from adding a project that creates a Class III bikeway or adds a specific road marking used to inform road users that bicyclists might occupy the travel lane to the program of projects, unless the bikeway or road marking is on a highway with a design speed limit of 25 miles per hour or less or the project will implement improvements to reduce the design speed limit to 25 miles per hour or less.

**Subject:** Active Transportation

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

**Introduced:** 02/12/2024

**Status:** 06/06/2024 - Read second time. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 06/06/2024 - Senate 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.

**Subject:** Public Meetings

**AB 2333 (Santiago, D) State highways: airspace leases: report.**

**Introduced:** 02/12/2024

**Last Amended:** 06/13/2024

**Status:** 06/24/2024 - In committee: Referred to suspense file.

**Location:** 06/24/2024 - Senate APPR. SUSPENSE FILE

**Summary:** Current law authorizes the Department of Transportation to lease to public agencies or private entities areas above or below state highways, subject to any reservations, restrictions, and conditions that the department deems necessary to ensure adequate protection to the safety and the adequacy of highway facilities and to abutting or adjacent land uses. This bill would require the department, on or before January 1, 2026, and annually thereafter, to submit a report to the Assembly and Senate Committees on Transportation with specified information on every airspace site leased by the department, including information about site inspections and each site's proximity to sensitive infrastructure, as specified.

**Subject:** Reports

**AB 2337 (Dixon, R) Workers' compensation: electronic signatures.**

**Introduced:** 02/12/2024

**Last Amended:** 06/20/2024

**Status:** 06/20/2024 - Read second time and amended. Re-referred to Com. on APPR.

**Location:** 06/18/2024 - Senate Appropriations

**Summary:** The Uniform Electronic Transactions Act provides that if a law requires a record to be in writing, or if a law requires a signature, an electronic record satisfies the law. Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of the employee's employment. Current law establishes a Workers' Compensation Appeals Board and sets forth various proceedings that are required to be brought forth before the board. Current law provides that the appeals board is vested with full power, authority, and jurisdiction to try and determine finally all the matters specified in those proceedings subject only to review by the courts, as specified. Current law requires every compromise and release agreement to be in writing and duly executed, signed by the employee or other beneficiary, and attested by 2 disinterested witnesses or acknowledged before a notary public. This bill would define "signature" for purposes of a proceeding before the board to include an electronic signature, as defined in the Uniform Electronic Transactions Act and would apply the notarization procedures of that act to the above-described acknowledgment requirement.

**Subject:** Employment

**AB 2401 (Ting, D) Clean Cars 4 All Program.**

**Introduced:** 02/12/2024

**Last Amended:** 04/09/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 15. Noes 0.) (June 25). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** Current law establishes the Clean Cars 4 All Program, which is administered by the State Air Resources Board, to focus on achieving reductions in the emissions of greenhouse gases, improvements in air quality, and benefits to low-income state residents through the replacement of high-polluter motor vehicles with cleaner and more efficient motor vehicles or a mobility option. Current law requires the implementing regulations to ensure that the program complies with certain requirements. This bill would require the implementing regulations for the Clean Cars 4 All Program to additionally ensure that, among other things, incentives provided under the program are available in all areas of the state and that, in those areas where a local air district has not elected to manage the distribution of incentives, the state board manages the distribution of incentives to eligible residents of those areas, and would make certain conforming changes in that regard. The bill would require, as one of the program goals for replacement of passenger vehicles and trucks, the state board to prioritize vehicle retirement in areas of the state that meet specified criteria, including those areas with the highest percentage of people residing in disadvantaged and low-income communities.

**Subject:** Environment

**AB 2421 (Low, D) Employer-employee relations: confidential communications.**

**Introduced:** 02/13/2024

**Last Amended:** 06/17/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on JUD. (Ayes 5. Noes 0.) (June 26). Re-referred to Com. on JUD.

**Hearing:** 07/02/2024

**Location:** 06/26/2024 - Senate Judiciary

**Summary:** Current law that governs the labor relations of public employees and employers, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, and provisions relating to judicial employees, public schools, higher education, the San Francisco Bay Area Rapid Transit District, the Santa Cruz Metropolitan Transit District, the Sacramento Regional Transit District, and other public transit employees, prohibits employers from taking certain actions relating to employee organizations. This includes imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with, restraining, or coercing employees because of their exercise of their guaranteed rights. Those provisions further prohibit denying to employee organizations the rights guaranteed to them by existing law. This bill would also prohibit a local public agency employer, a state employer, a judicial employer, a public-school employer, a higher education employer, or the district from questioning any employee or employee representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation.

**Subject:** Employment

**AB 2448 (Jackson, D) Electric Vehicle Economic Opportunity Zone: County of Riverside.**

**Introduced:** 02/13/2024

**Last Amended:** 06/20/2024

**Status:** 06/24/2024 - Withdrawn from committee. Re-referred to Com. on APPR.

**Location:** 06/24/2024 - Senate Appropriations

**Summary:** Would, upon appropriation by the Legislature, establish an Electric Vehicle Economic Opportunity Zone (EVEOZ) for the County of Riverside, administered by the Labor and Workforce Development Agency, for the purpose of creating programs to make electric vehicle manufacturing jobs and education more accessible to lower income communities. The bill would require the agency to collaborate with the County of Riverside in determining the geographical boundaries of the EVEOZ. By imposing additional duties on local officials, the bill would impose a state-mandated local program. The bill would authorize the agency to partner with educational institutions, electric vehicle manufacturing businesses, and local and national financial intuitions to develop EVEOZ education, training, and investment programs, as specified.

**Subject:** Zero Emission



**AB 2453 (Villapudua, D) Weights and measures: electric vehicle supply equipment.**

**Introduced:** 02/13/2024

**Last Amended:** 06/24/2024

**Status:** 06/24/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on B., P. & E. D.

**Hearing:** 07/01/2024

**Location:** 05/29/2024 - Senate Business, Professions and Economic Development

**Summary:** Current law provides that the Department of Food and Agriculture has general supervision of the weights and measures and weighing and measuring devices sold or used in the state, including devices used to measure electricity sold as a motor vehicle fuel. Current law regulates the use and repair of weighing or measuring devices. Current law authorizes a device to be placed in service only by a sealer or a service agency. This bill would prohibit, until January 1, 2028, requiring electric vehicle supply equipment (EVSE) to be retested or placed in service by a service agency or sealer, if the EVSE has previously been placed in service by a service agency or sealer, before the EVSE is used after receiving maintenance, as specified.

**Subject:** Zero Emission

**AB 2455 (Gabriel, D) Whistleblower protection: state and local government procedures.**

**Introduced:** 02/13/2024

**Last Amended:** 06/27/2024

**Status:** 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** Current law authorizes a city, county, or city and county auditor or controller to maintain a whistleblower hotline to receive calls from persons who have information regarding fraud, waste, or abuse by local government employees, as specified. Current law authorizes the county auditor to refer calls received on the whistleblower hotline to the appropriate government authority for review and possible investigation. During the initial review of a call, existing law requires the auditor, controller, or other appropriate governmental agency to hold in confidence information disclosed through the whistleblower hotline, as specified. Upon receiving specific information that an employee or local government has engaged in an improper government activity, current law authorizes a city or county auditor to conduct an investigative audit of the matter, as specified. Current law requires the identity of the individual or individuals reporting the improper government activity, and the subject employee or employees to be kept confidential. Current law defines "fraud, waste, or abuse" to mean any activity by a local agency or employee that is undertaken in the performance of the employee's official duties, as described, that is in violation of any local, state, or federal law or regulation relating to, among other things, corruption. This bill would also authorize a city, county, or city and county auditor or controller to maintain a whistleblower hotline to receive calls from persons who have information regarding improper governmental activity, and would recast information regarding fraud, waste, or abuse by local government employees as improper governmental activity.

**Subject:** Miscellaneous

**AB 2474 (Lackey, R) Retirement: County Employees Retirement Law of 1937: benefit payments and overpayments.**

**Introduced:** 02/13/2024

**Last Amended:** 06/13/2024

**Status:** 06/27/2024 - Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 74. Noes 0.).

**Location:** 06/27/2024 - Assembly ENROLLMENT

**Summary:** The County Employees Retirement Law of 1937 (CERL) authorizes counties and districts to establish retirement systems in order to provide pension benefits to their employees and their beneficiaries and prescribes the rights, benefits, and duties of members in this regard. CERL defines compensation and compensation earnable for purposes of its provisions. The Public Employees' Pension Reform Act of 2013 (PEPRA) prescribed various limitations on public employees, employers, and retirement systems concerning, among other things, the types of remuneration that may be included in compensation that is applied to pensions. Under CERL, the board of retirement is required to comply with and give effect to a revocable written authorization signed by a retired member or beneficiary of a retired member, as described, authorizing the treasurer or other entity authorized by the board to deliver the monthly warrant, check, or electronic fund transfer for the retirement allowance or benefit to any specified bank, savings and loan institution, or credit union to be credited to the account of the retired member or survivor of a deceased retired member. This bill would also define "account of the retired member or survivor of a deceased retired member" to include an account held in a living trust or an income-only trust, as specified.

**Subject:** Employment

**AB 2499 (Schiavo, D) Employment: unlawful discrimination and paid sick days: victims of violence.**

**Introduced:** 02/13/2024

**Last Amended:** 06/06/2024

**Status:** 06/19/2024 - From committee: Do pass and re-refer to Com. on L., P.E. & R. (Ayes 9. Noes 0.) (June 18). Re-referred to Com. on L., P.E. & R.

**Hearing:** 07/03/2024

**Location:** 06/18/2024 - Senate L., P.E. & R.

**Summary:** This bill would revise and recast the jury, court, and victim time off provisions for employees as unlawful employment practices within the California Fair Employment and Housing Act and, thus, within the enforcement authority of the Civil Rights Department. The bill would refer to a "qualifying act of violence," as defined, instead of crime, or crime or abuse. The bill would substantially revise existing definitions for its purposes, including defining "victim" as an individual against whom a qualifying act of violence is committed. The bill would prohibit an employer with 25 or more employees from discharging or in any manner discriminating or retaliating against an employee who is a victim or who has a family member who is a victim for taking time off work for any of a number of additional prescribed purposes relating to a qualifying act of violence. The bill would permit an employer to limit the total leave taken pursuant to these provisions, as specified, and require that the leave taken by an employee pursuant to these provisions run concurrently with leave taken pursuant to the federal Family and Medical Leave Act of 1993 and the California Family Rights Act if the employee would have been eligible for that leave.

**Subject:** Employment

**AB 2503 (Lee, D) California Environmental Quality Act: exemption: passenger rail projects.**

**Introduced:** 02/13/2024

**Last Amended:** 06/27/2024

**Status:** 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** The California Environmental Quality Act (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, located entirely within existing rail 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.

**Subject:** Planning

**AB 2522 (Carrillo, Wendy, D) Air districts: governing boards: compensation.**

**Introduced:** 02/13/2024

**Last Amended:** 06/19/2024

**Status:** 06/26/2024 - VOTE: Do pass as amended (PASS)

**Location:** 07/01/2024 – Senate Floor

**Summary:** Current law provides for the creation of the South Coast Air Quality Management District in those portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino included within the area of the South Coast Air Basin, as specified. Current law provides that the south coast district is governed by a district board consisting of 13 members and that each member of the board shall receive compensation of \$100 for each day, or portion thereof, but not to exceed \$1,000 per month, while attending meetings of the board or any committee thereof or, upon authorization of the board, while on official business of the district, and the actual and necessary expenses incurred in performing the member's official duties. This bill would raise the above-described compensation each member of the board receives to \$200 for each day, or portion thereof, but not to exceed \$2,000 per month.

**Subject:** Miscellaneous

**AB 2525 (Zbur, D) State highways: property leases.**

**Introduced:** 02/13/2024

**Last Amended:** 04/03/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 11. Noes 3.) (June 25). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** Current law vests the Department of Transportation with full possession and control of the state highway system, including associated property. Current law authorizes the department to offer leases to the City of Los Angeles on a right of first refusal basis for any airspace under a freeway or certain real property acquired for highway purposes located in the city for purposes of an emergency shelter or feeding program for a lease amount, for up to 10 parcels, of \$1 per month, and a payment of an administrative fee not to exceed \$500 per year, as specified. This bill would expand the purposes for which these leases may be issued to include an emergency shelter or feeding program, a secure vehicle lot program, or any combination of those purposes.

**Subject:** Planning

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

**Introduced:** 02/14/2024

**Last Amended:** 06/12/2024

**Status:** 06/12/2024 - Read second time and amended. Re-referred to Com. on HOUSING.

**Hearing:** 07/02/2024

**Location:** 06/11/2024 - Senate Housing

**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 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.

**Subject:** Transit

**AB 2559 (Petrie-Norris, D) Local planning: electric vehicle service equipment: permitting delays.**

**Introduced:** 02/14/2024

**Last Amended:** 05/16/2024

**Status:** 06/05/2024 - Referred to Com. on B., P. & E. D.

**Hearing:** 07/01/2024

**Location:** 06/05/2024 - Senate Business, Professions and Economic Development

**Summary:** This bill would require GO-Biz to create and maintain a publicly accessible internet website that contains a landing page with functionality to collect information and report delays and denials regarding all applicable forms of permitting for zero-emission vehicle infrastructure, as specified. The bill would prohibit GO-Biz from publicly displaying any submissions received under these provisions. The bill would require GO-Biz in a new or existing working group, as specified, to evaluate the data it receives from the internet website and direct the working group to determine recommended solutions to address permitting delays. The bill would require, on or before January 1, 2026, GO-Biz to submit to the Legislature and publish on its internet website a comprehensive report regarding the challenges identified throughout the data collection process, as specified. The bill would also require GO-Biz to establish a permit streamlining specialist to assist authorities having jurisdiction with permit delays and denials related to these provisions.

**Subject:** Reports

**AB 2561 (McKinnor, D) Local public employees: vacant positions.**

**Introduced:** 02/14/2024

**Last Amended:** 06/27/2024

**Status:** 06/27/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on L., P.E. & R.

**Hearing:** 07/03/2024

**Location:** 06/05/2024 - Senate L., P.E. & R.

**Summary:** The Meyers-Milias-Brown Act (act) authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. The act prohibits a public agency from, among other things, imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with specified employee rights guaranteed by the act. This bill would require each public agency with high vacancy rates for more than 180 days, at the request of the recognized employee organization, to promptly meet and confer with the representative of the recognized employee organization within 21 days about substantive strategies to fill vacancies and to hold a public hearing within 90 days about high vacancy rates and specified related matters.

**Subject:** Employment

**AB 2570 (Patterson, Joe, R) Department of Housing and Community Development: annual report: Homeless Housing, Assistance, and Prevention program.**

**Introduced:** 02/14/2024

**Last Amended:** 05/09/2024

**Status:** 06/20/2024 - Read third time. Passed. Ordered to the Assembly. (Ayes 36. Noes 0.). In Assembly. Ordered to Engrossing and Enrolling.

**Location:** 06/20/2024 - Assembly ENROLLMENT

**Summary:** Current law establishes the Homeless Housing, Assistance, and Prevention (HHAP) program for the purpose of providing jurisdictions, as defined, with one-time grant funds to support regional coordination and expand or develop local capacity to address their immediate homelessness challenges, as specified. Under current law, grants under the HHAP program are allocated in 4 rounds of funding, administered by the associated staff within the Interagency Council on Homelessness, as provided. Current law requires the Department of Housing and Community Development to submit an annual report to the Governor and both houses of the Legislature on the operations and accomplishments during the previous fiscal year of the housing programs administered by the department. Current law requires that the report include, among other things, the number of units assisted by those programs and the number of individuals and households served and their income levels. This bill would additionally require that this report include an evaluation of the HHAP program.

**Subject:** Reports

**AB 2634 (McCarty, D) Sacramento Regional Transit District.**

**Introduced:** 02/14/2024

**Last Amended:** 05/30/2024

**Status:** 06/17/2024 - Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 75. Noes 0.).

**Location:** 06/17/2024 - Assembly ENROLLMENT

**Summary:** Current law authorizes the formation of the Sacramento Regional Transit District with various powers and duties with respect to transportation planning, programming, construction, and operations. Current law requires each transit operator, including the district, that offers reduced fares to senior citizens to also offer reduced fares to disabled persons, as defined, and disabled veterans, as defined, at the same rate established for senior citizens, as specified. This bill would exempt the district from that requirement until January 1, 2027, as specified. If the district reduces fares for senior citizens below the rate offered to disabled persons or disabled veterans, the bill would prohibit the district from increasing rates for disabled persons and disabled veterans and would require the district to submit a report to the Legislature, as specified.

**Subject:** Transit

**AB 2645 (Lackey, R) Electronic toll collection systems: information sharing: law enforcement.**

**Introduced:** 02/14/2024

**Last Amended:** 06/27/2024

**Status:** 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** Current law prohibits a transportation agency, as defined, from selling or otherwise providing to any other person or entity, with certain exceptions, personally identifiable information of a person who subscribes to an electronic toll collection system or who uses a toll bridge, toll lane, or toll highway that employs an electronic toll collection system. Current law authorizes a law enforcement agency to request the Department of the California Highway Patrol (CHP) to activate the Emergency Alert System within the appropriate area if that agency determines that a child 17 years of age or younger, or an individual with a proven mental or physical disability, has been abducted and is in imminent danger of serious bodily injury or death, and there is information available that, if disseminated to the general public, could assist in the safe recovery of that person. Current law also authorizes the CHP, upon the request of a law enforcement agency, to activate various other alerts for missing individuals meeting certain criteria and alerts following an attack upon a law enforcement officer or a hit-and-run fatality. This bill would authorize a transportation agency that employs an electronic toll collection system to provide the date, time, and location of a vehicle license plate read captured by the system to a peace officer in response to one of these alerts.

**Subject:** Safety and Security

**AB 2669 (Ting, D) Toll bridges: tolls.**

**Introduced:** 02/14/2024

**Last Amended:** 04/02/2024

**Status:** 06/24/2024 - In committee: Referred to suspense file.

**Location:** 06/24/2024 - Senate APPR. SUSPENSE FILE

**Summary:** Current law provides for the construction and operation of various toll bridges by the state, the Golden Gate Bridge, Highway and Transportation District, and private entities that have entered into a franchise agreement with the state. This bill would prohibit a toll from being imposed on the passage of a pedestrian, bicycle, or personal micromobility device over these various toll bridges, unless the bridge was under construction on or after January 1, 2025, and the tolls are used to fund the cost of constructing the bridge.

**Subject:** Tolling

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

**Introduced:** 02/14/2024

**Last Amended:** 03/18/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 13. Noes 1.) (June 25). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**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.

**Subject:** Planning

**AB 2697 (Irwin, D) Transportation electrification: electric vehicle charging stations: network roaming standards.**

**Introduced:** 02/14/2024

**Last Amended:** 06/27/2024

**Status:** 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** Current law prohibits persons desiring to use an electric vehicle charging station that requires payment of a fee from being required to pay a subscription fee to use the station and from being required to obtain membership in any club, association, or organization as a condition of using the station. Current law requires the total actual charges for the use of an electric vehicle charging station, including any additional network roaming charges for nonmembers, to be disclosed to the public at the point of sale. Current law authorizes the State Energy Resources Conservation and Development Commission to adopt interoperability billing standards for network roaming payment methods for electric vehicle charging stations if no interoperability billing standards have been adopted by a national standards organization by January 1, 2015. This bill would require the commission to apply any network roaming standards it adopts only to major electric vehicle charging network operators, as defined.

**Subject:** Zero Emission

**AB 2698 (Ta, R) Route 405: Little Saigon Freeway.**

**Introduced:** 02/14/2024

**Last Amended:** 06/18/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (June 25). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** Would specify that Route 405 from Bolsa Chica Road to Bolsa Avenue in the County of Orange shall be known and designated as the Little Saigon Freeway and would require the Department of Transportation to determine the cost of appropriate signs showing that special designation and, upon receiving donations from nonstate sources sufficient to cover the cost, to erect those signs, as specified.

**Subject:** Miscellaneous

**AB 2712 (Friedman, D) Preferential parking privileges: transit-oriented development.**

**Introduced:** 02/14/2024

**Last Amended:** 06/24/2024

**Status:** 06/24/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HOUSING.

**Hearing:** 07/02/2024

**Location:** 06/11/2024 - Senate Housing

**Summary:** This bill would, for purposes of its provisions, define "development project" to mean a residential, commercial, or other development project exempt from minimum automobile parking requirements, or subject to parking minimum reductions based on any other applicable law, located within the boundaries of the City of Los Angeles. This bill, for a development project that is located within a preferential parking area, would require the development project to be excluded from the boundaries of the preferential parking area and would prohibit the local authority, as defined, from issuing any permit to the residents or visitors of the development project that grants preferential parking privileges.

**Subject:** Planning

**AB 2715 (Boerner, D) Ralph M. Brown Act: closed sessions.**

**Introduced:** 02/14/2024

**Last Amended:** 04/24/2024

**Status:** 06/27/2024 - Read second time. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 06/27/2024 - Senate THIRD READING

**Summary:** The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Current law authorizes a legislative body to hold a closed session with specified individuals on, among other things, matters posing a threat to the security of essential public services, as specified. This bill would additionally authorize a legislative body to hold a closed session with other law enforcement or security personnel and to hold a closed session on a threat to critical infrastructure controls or critical infrastructure information, as defined, relating to cybersecurity.

**Subject:** Public Meetings

**AB 2783 (Alvarez, D) San Diego Unified Port District.**

**Introduced:** 02/15/2024

**Last Amended:** 05/16/2024

**Status:** 06/05/2024 - Referred to Com. on L. GOV.

**Hearing:** 07/03/2024

**Location:** 06/05/2024 - Senate Local Government

**Summary:** The San Diego Unified Port District Act authorizes the establishment of the San Diego Unified Port District for the acquisition, construction, maintenance, operation, development, and regulation of harbor works and improvements for the harbor of San Diego and for the promotion of commerce, navigation, fisheries, and recreation. This bill would require the board of commissioners of the Port District to adopt a code of ethics for the board, commissioners, and unrepresented district employees and to accept and respond to certain ethics complaints, as specified. The bill would require the board to appoint a board of ethics to provide independent ethics advice to the board, as specified. The bill would require the board to submit certain ethics complaints to the board of ethics, as specified. The bill would require the board of ethics, upon the conclusion of an investigation into the conduct of a commissioner, to provide all findings from the investigation to the city that appointed the commissioner that was subject to the investigation.

**Subject:** Miscellaneous

**AB 2813 (Aguilar-Curry, D) Government Investment Act.**

**Introduced:** 02/15/2024

**Last Amended:** 06/26/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (June 26). Re-referred to Com. on APPR. From committee: Amend, and do pass as amended. (Ayes 5. Noes 2.) (June 26). Read second time and amended. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 06/26/2024 - Senate THIRD READING

**Summary:** The Proposition 218 Omnibus Implementation Act defines various terms and prescribes procedures and parameters for local jurisdictions to comply with specified provisions of the California Constitution. The Legislature adopted Assembly Constitutional Amendment 1 (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 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 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, for purposes of ACA 1, would define “affordable housing” to include rental housing, ownership housing, interim housing, and affordable housing programs such as downpayment assistance, first-time homebuyer programs, and owner-occupied affordable housing rehabilitation programs, that are affordable to households earning up to 150% of countywide median income. The bill would require a local government to ensure that any project that is funded with ACA 1 bonded indebtedness to have an estimated useful life of at least 15 years or 5 years if the funds are for specified public safety facilities, infrastructure, and equipment.

**Subject:** Funding

**AB 2815 (Petrie-Norris, D) Clean Transportation Program: electric vehicle chargers.**

**Introduced:** 02/15/2024

**Last Amended:** 06/04/2024

**Status:** 06/24/2024 - VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)

**Location:** 06/24/2024 - Senate Appropriations

**Summary:** Current law establishes the Clean Transportation Program, administered by the State Energy Resources Conservation and Development Commission, to provide funding to certain entities to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies. Current law limits funding under the program to specified categories of programs and projects. Current law creates the Alternative and Renewable Fuel and Vehicle Technology Fund, to be administered by the commission, and requires the moneys in the fund, upon appropriation by the Legislature, to be expended by the commission to implement the program. This bill would add to the categories of programs and projects eligible for funding under the Clean Transportation Program a program to repair or replace nonoperational electric vehicle chargers that are at least 5 years old and that are located in a publicly available parking space, as provided. The bill would require the commission to allocate at least 50% of the funding allocated for the repair or replacement program to low-income communities and disadvantaged communities.

**Subject:** Zero Emission

**AB 2817 (Dixon, R) State highways: Route 1: relinquishment.**

**Introduced:** 02/15/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 15. Noes 0.) (June 25). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** Would authorize the California Transportation Commission to relinquish to the City of Laguna Beach a specified portion of Route 1 if the Department of Transportation and the city enter into an agreement providing for that relinquishment, as specified.

**Subject:** Planning

**AB 2854 (Irwin, D) Bradley-Burns Uniform Local Sales and Use Tax Law.**

**Introduced:** 02/15/2024

**Last Amended:** 06/18/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 26). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** The Bradley-Burns Uniform Local Sales and Use Tax Law (Bradley-Burns) authorizes counties and cities to impose local sales and use taxes in conformity with the Sales and Use Tax Law. Current law, on or after January 1, 2016, prohibits a local agency from entering into any form of agreement that would result, directly or indirectly, in the payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to any person, as defined, for any purpose, if the agreement results in a reduction in the amount of Bradley-Burns local tax revenues that, in the absence of the agreement, would be received by another local agency and the retailer continues to maintain a physical presence within the territorial jurisdiction of that other local agency, with specified exceptions. This bill would require a local agency, as defined, to annually provide specified information relating to each agreement resulting in the direct or indirect payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to the California Department of Tax and Fee Administration. The bill would additionally require the local agency to publish that information on its internet website.

**Subject:** Funding



**AB 2879 (Lackey, R) High-Speed Rail Authority: contracting.**

**Introduced:** 02/15/2024

**Last Amended:** 06/06/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 15. Noes 0.) (June 25). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Senate Appropriations

**Summary:** The California High-Speed Rail Act creates the High-Speed Rail Authority, composed of 11 members, to develop and implement a high-speed rail system in the state, with specified powers and duties. The act authorizes the authority to enter into contracts with private or public entities for the design, construction, and operation of high-speed trains. The act requires the authority to appoint an executive director to administer the affairs of the authority as directed by the authority. This bill, notwithstanding the authority's ability to delegate power to the executive director, would require any contract change order with a value greater than \$100,000,000 to be approved by the authority.

**Subject:** Public Works

**AB 3025 (Valencia, D) County employees' retirement: disallowed compensation: benefit adjustments.**

**Introduced:** 02/16/2024

**Last Amended:** 06/27/2024

**Status:** 06/27/2024 - Read second time and amended. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 06/27/2024 - Senate THIRD READING

**Summary:** The Public Employees' Retirement Law (PERL) also authorizes its board of administration to adjust retirement payments due to errors or omissions, including for cases in which the retirement systems that the benefits of a member or annuitant are, or would be, based on disallowed compensation that conflicts with PEPRA and other specified laws and is thus impermissible. This bill would require a retirement system established under CERL, upon determining that the compensation reported for a member is disallowed compensation, to require the employer, as defined, to discontinue reporting the disallowed compensation. The bill would require, for an active member, the retirement system to credit all employer contributions made on the disallowed compensation against future contributions to the benefit of the employer that reported the disallowed compensation, and return any member contribution paid by, or on behalf of, that member, to the member directly or indirectly through the employer that reported the disallowed compensation, except in certain circumstances in which a system has already initiated a process, as defined, to recalculate compensation.

**Subject:** Employment

**AB 3123 (Jones-Sawyer, D) Los Angeles County Metropolitan Transportation Authority: board code of conduct: lobbying rules.**

**Introduced:** 02/16/2024

**Last Amended:** 04/25/2024

**Status:** 06/12/2024 - From committee: Do pass and re-refer to Com. on E. & C.A. (Ayes 12. Noes 3.) (June 11). Re-referred to Com. on E. & C.A.

**Hearing:** 07/02/2024

**Location:** 06/11/2024 - Senate Elections and Constitutional Amendments

**Summary:** Current law creates the Los Angeles County Metropolitan Transportation Authority (MTA), governed by a 14-member board, with specified powers and duties relative to transportation planning, programming, and operations in the County of Los Angeles. Current law prescribes a code of conduct for the board of MTA, which includes, among other things, rules pertaining to gifts and financial conflicts of interest. As part of the provisions establishing this code of conduct, current law requires the board of MTA to appoint an ethics officer who reports to the board. Current law also requires MTA to appoint an inspector general and requires the code of conduct to be enforced by the inspector general. This bill would revise and recast the code of conduct by, among other things, specifying that board members are subject to all ethics laws applicable to other public officials and by eliminating specific rules from the code of conduct including, among others, certain rules pertaining to gifts and financial conflicts of interest. The bill would also provide that the code of conduct is in addition to any rules or codes adopted by the board. The bill would require the ethics officer, in addition to reporting to the board, to operate in an independent manner, and would prohibit the ethics officer from being removed from office except under certain circumstances.

**Subject:** Employment

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

**Introduced:** 02/16/2024

**Last Amended:** 06/13/2024

**Status:** 06/13/2024 - Read second time and amended. Re-referred to Com. on HOUSING.

**Hearing:** 07/02/2024

**Location:** 06/11/2024 - Senate Housing

**Summary:** 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, as specified. 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 a transit priority area, as specified, 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. The bill would define "transit priority area" as an area within 1/2 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan. This bill would prohibit a local agency from imposing a land dedication requirement, as defined, on a housing development to widen a roadway if the land dedication requirement is for the purpose of mitigating vehicular traffic impacts, achieving an adopted traffic level of service related to vehicular traffic, or achieving a desired roadway width.

**Subject:** Planning

**AB 3186 (Petrie-Norris, D) Public works: prevailing wages: access to records.**

**Introduced:** 02/16/2024

**Last Amended:** 05/20/2024

**Status:** 06/05/2024 - Referred to Com. on RLS.

**Location:** 05/23/2024 - Senate Rules

**Summary:** This bill would require an owner or developer, as defined, undertaking any public works project to make specified records available upon request to the Division of Labor Standards Enforcement, to multiemployer Taft-Hartley trust funds, and to joint labor-management committees, as specified. The bill would also apply this requirement to an owner or developer that undertakes a development project that includes work subject to the requirements of public works. The bill would subject an owner or developer, for failing to comply with the provisions of this act, to a penalty by the commissioner, as specified, and would deposit the penalties into a specified fund. This bill would require the Director of Industrial Relations to adopt rules to govern the release of those records.

**Subject:** Public Works

**ACA 10 (Aguiar-Curry, D) Local government financing: affordable housing and public infrastructure: voter approval.**

**Introduced:** 03/06/2023

**Last Amended:** 06/20/2024

**Status:** 06/27/2024 - Chaptered by Secretary of State - Chapter 134, Statutes of 2024

**Location:** 06/27/2024 - Assembly CHAPTERED

**Summary:** Assembly Constitutional Amendment No. 1 of the 2023–24 Regular Session (ACA 1) would, if adopted by the people, amend Section 4 of Article XIII A, Section 2 of Article XIII C, and Section 3 of Article XIII D of, and would add Section 2.5 of Article XIII C to, the California Constitution, relative to local finance. Under these provisions, ACA 1 would condition the imposition, extension, or increase of a sales and use tax or transactions and use tax imposed in accordance with specified law or a parcel tax by a local government for the purposes of funding the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, including downpayment assistance, or permanent supportive housing, or the acquisition or lease of real property for those purposes, on the proposition proposing that tax being approved by a majority vote of the membership of the governing board of the local government and by 55% of its voters voting on the proposition and the proposition includes specified accountability requirements. ACA 1 would also make conforming changes. This measure would remove the above-described provisions of ACA 1 relating to special taxes and make conforming changes in other provisions of ACA 1.

**Subject:** Miscellaneous

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

**Introduced:** 02/16/2024

**Status:** 02/17/2024 - From printer. May be heard in committee March 18.

**Location:** 02/16/2024 - Assembly PRINT

**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.

**Subject:** Funding

**ACR 38 (Alvarez, D) Freeway lids.**

**Introduced:** 03/09/2023

**Status:** 09/14/2023 - Ordered to inactive file at the request of Assembly Member Alvarez.

**Location:** 09/14/2023 - Assembly INACTIVE FILE

**Summary:** Would recognize the need to reunite communities split by the creation of the interstate highway system and the importance of freeway lids as a partial solution to that problem. The measure would also declare that the Legislature should utilize federal resources, in partnership with state agencies and local entities, to begin reconnecting these communities with, among other things, freeway lids.

**Subject:** Miscellaneous

**ACR 87 (Ta, R) "Surf City USA" interchange.**

**Introduced:** 05/26/2023

**Last Amended:** 06/15/2023

**Status:** 04/25/2024 - Chaptered by Secretary of State - Chapter 57, Statutes of 2024

**Location:** 04/25/2024 - Assembly CHAPTERED

**Summary:** Would designate the interchange at State Highway Route 405 and State Route 39 in the County of Orange at Beach Boulevard as the "Surf City USA" interchange. The measure would request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from nonstate sources covering that cost, to erect those signs.

**Subject:** Miscellaneous

**ACR 93 (Dixon, R) Marian Bergeson Memorial Bridge.**

**Introduced:** 06/05/2023

**Last Amended:** 06/26/2023

**Status:** 04/25/2024 - Chaptered by Secretary of State - Chapter 59, Statutes of 2024

**Location:** 04/25/2024 - Assembly CHAPTERED

**Summary:** Would designate the North Arm Newport Bay Bridge on State Route 1, in the County of Orange, as the Marian Bergeson Memorial Bridge. The measure would also request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from nonstate sources to cover that cost, to erect those signs.

**Subject:** Miscellaneous

**SB 265 (Hurtado, D) Cybersecurity preparedness: critical infrastructure sectors.**

**Introduced:** 01/31/2023

**Last Amended:** 06/19/2023

**Status:** 06/26/2024 - June 26 hearing postponed by committee.

**Hearing:** 07/02/2024

**Location:** 06/21/2024 - Assembly Appropriations

**Summary:** The California Emergency Services Act, among other things, creates the Office of Emergency Services (Cal OES), which is responsible for the state's emergency and disaster response services, as specified. Current law requires Cal OES to establish the California Cybersecurity Integration Center (Cal-CSIC) with the primary mission of reducing the likelihood and severity of cyber incidents that could damage California's economy, its critical infrastructure, or public and private sector computer networks in the state. This bill would require Cal OES to direct Cal-CSIC to prepare, and Cal OES to submit to the Legislature on or before January 1, 2025, a strategic, multiyear outreach plan to assist critical infrastructure sectors, as defined, in their efforts to improve cybersecurity and an evaluation of options for providing grants or alternative forms of funding to, and potential voluntary actions that do not require funding and that assist, that sector in their efforts to improve cybersecurity preparedness.

**Subject:** Safety and Security

**SB 422 (Portantino, D) California Environmental Quality Act: expedited environmental review: climate change regulations.**

**Introduced:** 02/13/2023

**Last Amended:** 03/20/2023

**Status:** 09/14/2023 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/12/2023) (May be acted upon Jan 2024)

**Location:** 09/14/2023 - Assembly 2 YEAR

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also 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 requires specified public agencies, including air pollution control districts and air quality management districts, to perform, at the time of adoption of a rule or regulation requiring the installation of pollution control equipment or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance. This bill would also require those specified public agencies, at the time of adoption of a rule or regulation requiring the reduction in emissions of greenhouse gases, criteria air pollutants, or toxic air contaminants, to perform an environmental analysis of the reasonably foreseeable methods of compliance.

**Subject:** Public Meetings

**SB 511 (Blakespear, D) Greenhouse gas emissions inventories.**

**Introduced:** 02/14/2023

**Last Amended:** 04/24/2023

**Status:** 09/01/2023 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/23/2023) (May be acted upon Jan 2024)

**Location:** 09/01/2023 - Assembly 2 YEAR

**Summary:** The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would require the state board, before January 1, 2028, to develop, and publish on its internet website, a report on greenhouse gas emissions inventories for the calendar year 2025 for each city, county, or city and county that requests inclusion in the report, as provided. The bill would require the state board, consistent with the preparation of the updates to the scoping plan and before January 1, 2033, and every 5 years thereafter, to update the inventories, for each city, county, or city and county that requests inclusion in the respective update, for the calendar year 2030 and every 5th year thereafter. The bill would authorize the state board to solicit bids and enter into contracts for the development of the inventories. The bill would require the state board, before January 1, 2026, to establish a local government advisory committee to inform its development of the greenhouse gas emissions inventories.

**Subject:** Environment

**SB 569 (Glazer, D) Political Reform Act of 1974: audits.**

**Introduced:** 02/15/2023

**Last Amended:** 08/28/2023

**Status:** 09/01/2023 - September 1 hearing: Held in committee and under submission.

**Location:** 08/28/2023 - Assembly Appropriations

**Summary:** Would transfer the responsibility for conducting audits and field investigations of lobbying reports to the Fair Political Practices Commission. The bill would also exclude lobbying firms and lobbyist employers with less than one dollar in payments or contributions from being selected for audit. Additionally, this bill would require the Fair Political Practices Commission to adopt regulations or policies that would ensure the operational independence of the commission's audit personnel from the Fair Political Practices Commission's enforcement operations. Audits conducted by the commission would be required to be posted on the commission's internet website for 10 years following the conclusion of the audit and the commission would be required to annually report to the Legislature on the number and types of audits completed by the commission. This bill would delay the operation of these provisions until the January 1 of the next odd numbered year following an appropriation made to support the commission's exercise of these responsibilities.

**Subject:** Reports

**SB 689 (Blakespear, D) Local coastal program: bicycle lane: amendment.**

**Introduced:** 02/16/2023

**Last Amended:** 06/03/2024

**Status:** 06/11/2024 - From committee: Do pass and re-refer to Com. on TRANS. (Ayes 10. Noes 0.) (June 10). Re-referred to Com. on TRANS.

**Hearing:** 07/01/2024

**Location:** 06/10/2024 - Assembly Transportation

**Summary:** The California Coastal Act of 1976 requires the issuance of a coastal development permit if the proposed development is in conformity with the certified local coastal program. The act provides for the certification of local coastal programs by the California Coastal Commission. This bill would provide that an application by a local government to convert an existing motorized vehicle travel lane into a dedicated bicycle lane, dedicated transit lane, or a pedestrian walkway shall not require a traffic study for the processing of either a coastal development permit or an amendment to a local coastal program. The bill would require, if a proposal to convert an existing motorized vehicle travel lane into a dedicated bicycle lane, dedicated transit lane, or a pedestrian walkway within the developed portion of an existing road right-of-way requires an amendment to a local coastal program, that the amendment be processed in accordance with the procedures applicable to de minimus local coastal program amendments if the executive director of the commission makes specified determinations.

**Subject:** Active Transportation

**SB 768 (Caballero, D) California Environmental Quality Act: Transportation Agency: vehicle miles traveled: study.**

**Introduced:** 02/17/2023

**Last Amended:** 05/29/2024

**Status:** 06/26/2024 - June 26 hearing postponed by committee.

**Hearing:** 07/02/2024

**Location:** 06/10/2024 - Assembly Appropriations

**Summary:** This bill would require the Transportation Agency, in consultation with local governments and other interested parties, as specified, by January 1, 2028, and subject to an appropriation by the Legislature for this purpose, to conduct and post on its internet website a study on how vehicle miles traveled is used as a metric for measuring transportation impacts pursuant to the California Environmental Quality Act (CEQA). The bill would require the study to include, among other things, an analysis of the differences in the availability and feasibility of mitigation measures for vehicle miles traveled in rural, suburban, and urban areas. The bill would repeal those provisions on January 1, 2029.

**Subject:** Environment

**SB 769 (Gonzalez, D) Local government: fiscal and financial training.**

**Introduced:** 02/17/2023

**Last Amended:** 06/22/2023

**Status:** 09/01/2023 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 7/12/2023) (May be acted upon Jan 2024)

**Location:** 09/01/2023 - Assembly 2 YEAR

**Summary:** Would require if a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in the performance of official duties, all local agency officials, as defined, to receive at least 2 hours of fiscal and financial training, as described. The bill would require the training to be received at least once every 2 years, as provided. The bill would exempt a local agency official from the training requirements if they comply with specified criteria under existing law relating to eligibility for appointment or election to, and continuing education for, the office of county auditor, county treasurer, county tax collector, or county treasurer-tax collector.

**Subject:** Miscellaneous

**SB 782 (Limón, D) Gubernatorial appointments: report.**

**Introduced:** 02/17/2023

**Last Amended:** 01/03/2024

**Status:** 06/19/2024 - June 19 set for first hearing. Placed on suspense file.

**Location:** 06/19/2024 - Assembly APPR. SUSPENSE FILE

**Summary:** Would require the office of the Governor, commencing January 1, 2026, to maintain on its internet website a list of every state board and commission that includes, for each state board or commission, the membership list, stated purpose, duties, meeting frequency, internet website, and vacancies in the membership. The bill would require the office of the Governor, on or before January 1, 2027, and annually thereafter, to create and publish on its internet website a report containing aggregate demographic information of appointments made by the office during the prior calendar year, as specified.

**Subject:** Reports

**SB 827 (Glazer, D) San Francisco Bay Area Rapid Transit District: Office of the BART Inspector General.**

**Introduced:** 02/17/2023

**Last Amended:** 06/24/2024

**Status:** 06/24/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on JUD.

**Hearing:** 07/02/2024

**Location:** 06/18/2024 - Assembly Judiciary

**Summary:** Current law establishes the San Francisco Bay Area Rapid Transit District (BART), governed by a board of directors, with specified powers and duties relative to the construction and operation of a rapid transit system. Current law also establishes the independent Office of the BART Inspector General within BART and specifies the duties and responsibilities of the BART Inspector General including, among others, conducting, supervising, and coordinating audits and investigations relating to the district's programs and operations. This bill would provide that the BART Inspector General is vested with the full authority to exercise all responsibility for maintaining a full scope, independent, and objective audit and investigation program. The bill would provide the office with access and authority to examine all records, files, documents, accounts, reports, correspondence, or other property of the district and external entities that perform work for the district. The bill would provide that all books, papers, records, and correspondence of the office are public records subject to the California Public Records Act, but would prohibit the BART Inspector General from releasing certain types of records to the public, except under certain circumstances.

**Subject:** Miscellaneous

**SB 863 (Allen, D) Measures proposed by the Legislature.**

**Introduced:** 02/17/2023

**Last Amended:** 06/19/2024

**Status:** 06/27/2024 - Read second time. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 06/27/2024 - Assembly THIRD READING

**Summary:** Current law requires every constitutional amendment, bond measure, or other legislative measure submitted to the people by the Legislature to appear on the ballot of the first statewide election occurring at least 131 days after the adoption of the proposal by the Legislature. This bill would allow the Legislature to specify, in the text of a measure that proposes an amendment or revision of the Constitution, that the constitutional amendment or revision submitted to the people will appear on the ballot at an election other than the one described above if the election specified in the measure would occur at least 131 days after adoption of the measure by the Legislature.

**Subject:** Miscellaneous

**SB 867 (Allen, D) Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024.**

**Introduced:** 02/17/2023

**Last Amended:** 06/29/2024

**Status:** 07/01/2024 - Assembly Rule 96 suspended. Withdrawn from committee. Ordered to third reading. Joint Rule 62(a) suspended.

**Hearing:** 07/02/2024

**Location:** 06/03/2024 - Assembly Committee on Natural Resources

**Summary:** Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$10,000,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate-smart, sustainable, and resilient farms, ranches, and working lands, park creation and outdoor access, and clean air programs.

**Subject:** Miscellaneous

**SB 892 (Padilla, D) Public contracts: automated decision systems: AI risk management standards.**

**Introduced:** 01/03/2024

**Last Amended:** 06/21/2024

**Status:** 06/21/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on P. & C.P.

**Hearing:** 07/02/2024

**Location:** 06/03/2024 - Assembly Privacy and Consumer Protection

**Summary:** Would require the Department of Technology to develop and adopt regulations to create an artificial intelligence (AI) risk management standard, as specified. To develop those regulations, the bill would authorize the department to apply principles and industry standards addressed in specified publications regarding AI risk management. The bill would require the AI risk management standard to include, among other things, a detailed risk assessment procedure for procuring automated decision systems (ADS), as defined, that analyzes specified characteristics of the ADS, methods for appropriate risk controls, as provided, and adverse incident monitoring procedures. The bill would require the department to, among other things, collaborate with specified organizations to develop the AI risk management standard.

**Subject:** Public Works

**SB 896 (Dodd, D) Generative Artificial Intelligence Accountability Act.**

**Introduced:** 01/03/2024

**Last Amended:** 06/04/2024

**Status:** 06/04/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on P. & C.P.

**Hearing:** 07/02/2024

**Location:** 06/03/2024 - Assembly Privacy and Consumer Protection

**Summary:** This bill, the Generative Artificial Intelligence Accountability Act, would, among other things, require the Government Operations Agency, the Department of Technology, and the Office of Data and Innovation to produce a State of California Benefits and Risk of Generative Artificial Intelligence Report that includes certain items, including an examination of the most significant, potentially beneficial uses for deployment of generative artificial intelligence tools by the state, and would require those entities to update the report, as prescribed. The bill would require, as often as is deemed appropriate by the Director of Emergency Services, the California Cybersecurity Integration Center, and the State Threat Assessment Center, those entities to perform a joint risk analysis of potential threats posed by the use of generative artificial intelligence to California's critical energy infrastructure, including those that could lead to mass casualty events and environmental emergencies.

**Subject:** Reports

**SB 904 (Dodd, D) Sonoma-Marín Area Rail Transit District.**

**Introduced:** 01/04/2024

**Last Amended:** 03/21/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (June 26). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Assembly Appropriations

**Summary:** Current law creates, within the Counties of Sonoma and Marin, the Sonoma-Marín Area Rail Transit District with specified duties and powers relative to the provision of a passenger and freight rail system within the territory of the district. Under current law, the district is governed by a 12-member board of directors appointed by various local governmental entities. Current law authorizes the board to submit to the voters of the district a measure proposing a retail transactions and use tax ordinance. This bill would also authorize those special taxes to be imposed by a qualified voter initiative if that initiative complies with certain requirements. The bill would require the board of supervisors of the Counties of Sonoma and Marin to call a special election on a tax measure proposed by the district's board of directors or a qualified voter initiative in their respective counties, as specified. To the extent that the bill would impose additional duties on a county elections official, the bill would impose a state-mandated local program. The bill would delete a provision that limits the district, in the County of Sonoma north of the City of Healdsburg, to locating commuter stations only within incorporated areas.

**Subject:** Miscellaneous

**SB 930 (Laird, D) Memorial highways: Memorial Highway Signage Fund.**

**Introduced:** 01/16/2024

**Last Amended:** 06/12/2024

**Status:** 06/18/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 11. Noes 1.) (June 17). Re-referred to Com. on APPR.

**Hearing:** 07/02/2024

**Location:** 06/18/2024 - Assembly Appropriations

**Summary:** Would establish the Memorial Highway Signage Fund in the State Treasury and would make moneys in the fund available, upon appropriation by the Legislature, to the Department of Transportation for the department's costs in erecting signage for memorial highway designations previously approved by the Legislature that memorialize individuals who have promoted racial and gender equity.

**Subject:** Miscellaneous



**SB 934 (Gonzalez, D) Zero-emission freight infrastructure: interagency coordination: report.**

**Introduced:** 01/16/2024

**Last Amended:** 06/19/2024

**Status:** 06/19/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on U. & E.

**Hearing:** 07/01/2024

**Location:** 06/18/2024 - Assembly Utilities and Energy

**Summary:** Current law requires the Transportation Agency to prepare a state freight plan every 5 years to govern the immediate and long-range planning activities and capital investments of the state with respect to the movement of freight. Current law requires the state freight plan to include, among other things, a description of needed infrastructure, projects, and operations for the deployment of zero-emission medium- and heavy-duty vehicles and the development of freight corridors identified in a specified assessment. This bill would require the Transportation Agency and the Energy Commission to jointly convene the Zero-Emission Freight Central Delivery Team, composed of representatives from various state agencies, to lead the statewide coordination of zero-emission freight infrastructure planning and implementation, including carrying out specified actions.

**Subject:** Reports

**SB 936 (Seyarto, R) Office of Planning and Research: study: road safety projects.**

**Introduced:** 01/17/2024

**Last Amended:** 06/20/2024

**Status:** 06/20/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on TRANS.

**Hearing:** 07/01/2024

**Location:** 06/03/2024 - Assembly Transportation

**Summary:** Would require the Office of Planning and Research (OPR), in coordination with the Department of Transportation, to conduct a study to identify certain locations in the state highway system with regard to vehicle collisions, projects that could improve road safety at each of those locations, and common factors, if any, contributing to the delay in the delivery of those projects. The bill would require OPR to post the study on its internet website on or before January 1, 2026.

**Subject:** Planning

**SB 960 (Wiener, D) Transportation: planning: complete streets facilities: transit priority projects.**

**Introduced:** 01/23/2024

**Last Amended:** 05/17/2024

**Status:** 06/03/2024 - Referred to Com. on TRANS.

**Hearing:** 07/01/2024

**Location:** 06/03/2024 - Assembly Transportation

**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.

**Subject:** Planning

**SB 961 (Wiener, D) Vehicles: safety equipment.**

**Introduced:** 01/23/2024

**Last Amended:** 06/21/2024

**Status:** 06/21/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on P. & C.P.

**Hearing:** 07/02/2024

**Location:** 06/18/2024 - Assembly Privacy and Consumer Protection

**Summary:** Would require, commencing with the 2030 model year, certain new vehicles to be equipped with a passive intelligent speed assistance system, as specified, that would utilize a brief, one-time, visual and audio signal to alert the driver each time the speed of the vehicle is more than 10 miles per hour over the speed limit. The bill would require all specified vehicles to be capable of having the system fully disabled, by the manufacturer or a franchisee, as specified. The bill would require the system, if the system receives conflicting speed limits for the same area, to apply the higher speed limit. The bill would exempt emergency vehicles and certain passenger vehicles from this requirement.

**Subject:** Safety and Security

**SB 978 (Seyarto, R) State government: budget: state publications: format.**

**Introduced:** 01/29/2024

**Last Amended:** 05/16/2024

**Status:** 06/20/2024 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 19. Noes 0.) (June 19). Re-referred to Com. on APPR.

**Hearing:** 07/02/2024

**Location:** 06/20/2024 - Assembly Appropriations

**Summary:** Would require the Department of Finance to make available on the home page of its internet website access to the Governor's Budget in an electronic machine-readable format.

**Subject:** Records

**SB 983 (Wahab, D) Energy: gasoline stations and alternative fuel infrastructure.**

**Introduced:** 01/29/2024

**Last Amended:** 06/24/2024

**Status:** 06/24/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on TRANS.

**Hearing:** 07/01/2024

**Location:** 06/19/2024 - Assembly Transportation

**Summary:** Would require the State Energy Resources Conservation and Development Commission, upon appropriation by the Legislature, to form the Alternative Fuels Infrastructure Taskforce to conduct a study on retail gasoline fueling stations and alternative fuels infrastructure, as provided. The bill would require the taskforce, on or before January 1, 2027, to submit to the Legislature a report on the study with recommendations.

**Subject:** Planning

**SB 1034 (Seyarto, R) California Public Records Act: state of emergency.**

**Introduced:** 02/06/2024

**Last Amended:** 06/05/2024

**Status:** 06/27/2024 - In Senate. Concurrence in Assembly amendments pending.

**Hearing:** 07/01/2024

**Location:** 06/27/2024 - Senate CONCURRENCE

**Summary:** The California Public Records Act requires state and local agencies to make their records available for public inspection, except as specified. Current law requires each agency, within 10 days of a request for a copy of records, to determine whether the request seeks copies of disclosable public records in possession of the agency and to promptly notify the person of the determination and the reasons therefor. Current law authorizes that time limit to be extended by no more than 14 days under unusual circumstances and defines "unusual circumstances" to include certain circumstances. This bill would revise the unusual circumstances under which the time limit may be extended to include the need to search for, collect, and appropriately examine records during a state of emergency, as defined, proclaimed by the Governor in the jurisdiction where the agency is located when the state of emergency currently affects, due to the state of emergency, the agency's ability to timely respond to requests due to staffing shortages or closure of facilities where the requested records are located, except as specified.

**Subject:** Records

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

**Introduced:** 02/12/2024

**Last Amended:** 03/14/2024

**Status:** 06/18/2024 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 15. Noes 0.) (June 17). Re-referred to Com. on APPR.

**Hearing:** 07/02/2024

**Location:** 06/18/2024 - Assembly Appropriations

**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.

**Subject:** Public Works

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

**Introduced:** 02/13/2024

**Last Amended:** 05/16/2024

**Status:** 06/18/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (June 17). Re-referred to Com. on APPR.

**Location:** 06/18/2024 - Assembly Appropriations

**Summary:** Current law authorizes the Department of Transportation, subject to the 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.

**Subject:** Transit

**SB 1134 (Caballero, D) Surplus land.**

**Introduced:** 02/13/2024

**Last Amended:** 06/10/2024

**Status:** 06/20/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (June 19). Re-referred to Com. on APPR.

**Hearing:** 07/02/2024

**Location:** 06/19/2024 - Assembly Appropriations

**Summary:** Current law provides for the disposal of land owned by a local agency that is surplus and is not necessary for the agency's use. The local agency is required to declare the land either "surplus land" or "exempt surplus land," as prescribed. Current law sets forth procedures for the disposal of surplus land and provides that these procedures do not apply to exempt surplus land. Current law, for prescribed surplus land parcels developed with residential units, requires minimum percentages of residential units developed on the parcel to be sold or rented at affordable housing cost or affordable rent. This bill, with regard to surplus land, would require each parcel of land to be considered a distinct unit of surplus land, with the exception of contiguous parcels that are disposed of simultaneously to the same receiving entity or any entity working in concert with another receiving entity, which parcels the bill would require to be treated as a single unit of land.

**Subject:** Surplus Land

**SB 1136 (Stern, D) California Global Warming Solutions Act of 2006: report.**

**Introduced:** 02/13/2024

**Status:** 06/18/2024 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 10. Noes 0.) (June 17). Re-referred to Com. on APPR.

**Hearing:** 07/02/2024

**Location:** 06/17/2024 - Assembly Appropriations

**Summary:** The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. Current law requires the state board to present an informational report on the reported emissions of greenhouse gases, criteria pollutants, and toxic air contaminants from all sectors covered by the scoping plan at least once a year at a hearing of the Joint Legislative Committee on Climate Change Policies. This bill would instead require that informational report to cover topics related to the scoping plan, as directed by the Joint Legislative Committee on Climate Change Policies.

**Subject:** Environment

**SB 1140 (Caballero, D) Enhanced infrastructure financing district.**

**Introduced:** 02/14/2024

**Last Amended:** 06/17/2024

**Status:** 06/18/2024 - Read second time. Ordered to third reading.

**Hearing:** 07/01/2024

**Location:** 06/18/2024 - Assembly THIRD READING

**Summary:** Current law allows the legislative body of a city or county to designate an enhanced infrastructure financing district (EIFD) to finance public capital facilities or other projects. The governing body, known as the public financing authority, must adopt a resolution of intention, direct an official to mail the resolution to each affected taxing entity, hold a meeting and three public hearings on the proposed infrastructure financing plan, and mail the plan to each landowner and taxing entity. Notice requirements include mailing written notices to each landowner, resident, and taxing entity, with alternative notice procedures allowed. The public financing authority must review the plan annually, make necessary amendments, and adopt an annual report after a public hearing with mailed notice. This bill revises these provisions by reducing the requirement to one meeting and two public hearings, removing the requirement for first-class mail notices for the annual report, and allowing alternative notice procedures for amendments and annual plans.

**Subject:** Planning

**SB 1158 (Archuleta, D) Carl Moyer Memorial Air Quality Standards Attainment Program.**

**Introduced:** 02/14/2024

**Last Amended:** 04/16/2024

**Status:** 06/25/2024 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 10. Noes 0.) (June 24). Re-referred to Com. on APPR.

**Location:** 06/24/2024 - Assembly Appropriations

**Summary:** Current law requires that funds be allocated under the Carl Moyer Memorial Air Quality Standards Attainment Program to local air districts for liquidation in accordance with grant criteria and guidelines adopted by the State Air Resources Board. Current law provides that any funds reserved for a local air district by the state board are available for disbursement to the district for a period of not more than 2 years from the time of reservation. Current law requires funds not liquidated by a district by June 30 of the 4th calendar year following the date of the reservation to be returned to the state board within 90 days for future allocation under the program. Beginning January 1, 2034, current law reduces the deadline for that period of liquidation to June 30 of the 2nd calendar year following the date of reservation. This bill would extend the deadline for the period of liquidation to June 30 of the 6th calendar year following the date of disbursement and would make other conforming changes.

**Subject:** Funding

**SB 1159 (Dodd, D) California Environmental Quality Act: roadside wildfire risk reduction projects.**

**Introduced:** 02/14/2024

**Last Amended:** 06/24/2024

**Status:** 06/24/2024 - Read second time and amended. Re-referred to Com. on APPR.

**Hearing:** 07/02/2024

**Location:** 06/17/2024 - Assembly Appropriations

**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 requires the Office of Planning and Research to prepare and develop, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of CEQA. CEQA requires the guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and are exempt from the requirements of CEQA, commonly known as categorical exemptions. This bill, on or before January 1, 2026, would require the office to evaluate, and the secretary to consider, the inclusion of roadside projects no more than 5 road miles from a municipality or census-designated place that are undertaken solely for the purpose of wildfire risk reduction in the classes of projects subject to a categorical exemption. The bill would require the office to consider appropriate eligibility criteria for these projects, as specified.

**Subject:** Environment

**SB 1162 (Cortese, D) Public contracts: employment compliance reports and payroll records: workers' dates of birth.**

**Introduced:** 02/14/2024

**Last Amended:** 06/10/2024

**Status:** 06/20/2024 - From committee: Do pass and re-refer to Com. on P. & C.P. with recommendation: To consent calendar. (Ayes 7. Noes 0.) (June 19). Re-referred to Com. on P. & C.P.

**Hearing:** 07/02/2024

**Location:** 06/19/2024 - Assembly Privacy and Consumer Protection

**Summary:** Current law establishes requirements that apply when a public entity is required by statute or regulation to obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce to complete a contract or project. Current law requires the enforceable commitment to provide that the contractor, bidder, or other entity will provide to the public entity or other awarding body a report on a monthly basis demonstrating its compliance with these requirements. This bill would additionally require the enforceable commitment to provide that the above-described report will include the date of birth of each worker.

**Subject:** Employment

**SB 1205 (Laird, D) Workers' compensation: medical treatment.**

**Introduced:** 02/15/2024

**Last Amended:** 06/27/2024

**Status:** 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Assembly Appropriations

**Summary:** Current law, under the workers' compensation system, requires employers to provide medical, surgical, chiropractic, acupuncture, licensed clinical social worker, and hospital treatment reasonably required to cure or relieve the injured worker from the effects of the injury. Current law makes it a misdemeanor for an employer to discharge, threaten to discharge, or discriminate against, or for an insurer to advise, direct, or threaten an insured to discharge, an employee because they have filed or made known their intention to file a claim for compensation, or an application for adjudication, or because the employee has received a rating, award, or settlement, as specified. This bill would require an employee, when possible, to make a reasonable effort to schedule treatment outside of work hours. The bill would require the employee to provide notice if treatment occurs during work hours, as specified. The bill would require that the leave taken by an employee pursuant to these provisions run concurrently with leave taken pursuant to the federal Family and Medical Leave Act of 1993 and the California Family Rights Act if the employee would have been eligible for that leave.

**Subject:** Employment

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

**Introduced:** 02/15/2024

**Last Amended:** 04/16/2024

**Status:** 05/28/2024 - Referred to Com. on TRANS.

**Hearing:** 07/01/2024

**Location:** 05/28/2024 - Assembly Transportation

**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.

**Subject:** Active Transportation

**SB 1243 (Dodd, D) Campaign contributions: agency officers.**

**Introduced:** 02/15/2024

**Last Amended:** 06/27/2024

**Status:** 06/27/2024 - Read second time and amended. Ordered to second reading.

**Hearing:** 07/01/2024

**Location:** 06/27/2024 - Assembly SECOND READING

**Summary:** The Political Reform Act of 1974 prohibits certain contributions of more than \$250 to an officer of an agency by any party, participant, or party or participant's agent in a proceeding while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered in the proceeding, as specified. The act requires disclosure on the record of the proceeding, as specified, of certain contributions of more than \$250 within the preceding 12 months to an officer from a party or participant, or party's agent. The act disqualifies an officer from participating in a decision in a proceeding if the officer has willfully or knowingly received a contribution of more than \$250 from a party or a party's agent, or a participant or a participant's agent, as specified. The act allows an officer to cure certain violations of these provisions by returning a contribution, or the portion of the contribution of in excess of \$250, within 14 days of accepting, soliciting, or receiving the contribution, whichever comes latest. This bill would raise the threshold for contributions regulated by these provisions to \$1,000, as specified. The bill would extend the period during which an officer may cure a violation to within 30 days of accepting, soliciting, or directing the contribution, whichever is latest. The bill would specify that a person is not a "participant" for the purposes of these provisions if their financial interest in a decision results solely from an increase or decrease in membership dues.

**Subject:** Miscellaneous

**SB 1271 (Min, D) Electric bicycles, powered mobility devices, and storage batteries.**

**Introduced:** 02/15/2024

**Last Amended:** 06/26/2024

**Status:** 06/26/2024 - Read second time and amended. Re-referred to Com. on APPR.

**Location:** 06/25/2024 - Assembly Appropriations

**Summary:** This bill would clarify that an electric bicycle is a bicycle equipped with fully operable pedals and an electric motor with continuous rated mechanical power of not more than 750 watts. The bill would also clarify the definitions of "class 1 electric bicycle" and "class 3 electric bicycle" by providing that the motor on a class 1 electric bicycle is not capable of exclusively propelling the bicycle nor providing assistance to reach speeds greater than 20 miles per hours hour and the motor on a class 3 electric bicycle is not capable of exclusively propelling the bicycle.

**Subject:** Active Transportation

**SB 1297 (Allen, D) The City of Malibu's speed safety system pilot program.**

**Introduced:** 02/15/2024

**Last Amended:** 04/11/2024

**Status:** 06/18/2024 - From committee: Do pass and re-refer to Com. on P. & C.P. (Ayes 13. Noes 1.) (June 17). Re-referred to Com. on P. & C.P.

**Hearing:** 07/02/2024

**Location:** 06/18/2024 - Assembly Privacy and Consumer Protection

**Summary:** Current law requires a participating city or city and county to adopt a Speed Safety System Use Policy and a Speed Safety System Impact Report before implementing the program and requires the participating city or city and county to engage in a public information campaign at least 30 days before implementation of the program, including information relating to when the systems would begin detecting violations and where the systems would be utilized. Current law requires a participating city or city and county to issue warning notices rather than notices of violations for violations detected within the first 60 calendar days of the program. Existing law also requires a participating city or city and county to develop uniform guidelines for, among other things, the processing and storage of confidential information. Current law designates all photographic or administrative records, not including data about the number of violations issued or the speeds at which they were issued for, made by a system as confidential, and would only authorize public agencies to use and allow access to these records for specified purposes. This bill would authorize, until January 1, 2032, the City of Malibu to establish a similar program for speed enforcement that utilizes up to 5 speed safety systems on the Pacific Coast Highway.

**Subject:** Planning

**SB 1325 (Durazo, D) Public contracts: best value procurement: goods.**

**Introduced:** 02/16/2024

**Last Amended:** 04/10/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (June 26). Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Assembly Appropriations

**Summary:** Current law imposes requirements on, and authorizes procedures for, public contracting for equipment and services, among other things, by local and state agencies. Current law authorizes certain procurements to be facilitated through a lowest responsible bidder requirement. This bill would authorize a public entity, as defined, to award contracts through a best value procurement method, as described, for the purchase of goods with a base value of \$250,000 or more. The bill would require the public entity to adopt and publish procedures and guidelines for evaluating the qualifications of the bidders to ensure the best value selections are conducted in a fair and impartial manner, as described. The bill would authorize the procedures and guidelines to include the adoption of a high road jobs plan policy that evaluates bidders' high road jobs plan commitments as part of the overall score for the public contract, as specified. This bill would require the solicitation document to include certain information and would direct the public entity to use a scoring method based on price and the factors described in the solicitation document.

**Subject:** Public Works

**SB 1375 (Durazo, D) Workforce development: records: poverty-reducing standards: funds, programs, reporting, and analyses.**

**Introduced:** 02/16/2024

**Last Amended:** 04/15/2024

**Status:** 05/28/2024 - Referred to Com. on L. & E.

**Hearing:** 07/02/2024

**Location:** 05/28/2024 - Assembly Labor and Employment

**Summary:** Current law grants current and former employees, or their representative, the right to inspect and receive a copy of personnel records maintained by the employer relating to the employee's performance or to any grievance concerning the employee. Current law requires the employer to make the contents of those personnel records available for inspection and makes it a crime for an employer to violate these requirements. This bill would provide that personnel records relating to the employee's performance include education and training records and would require an employer who maintains education and training records to ensure those records include specified information.

**Subject:** Funding

**SB 1402 (Min, D) 30x30 goal: state agencies: adoption, revision, or establishment of plans, policies, and regulations.**

**Introduced:** 02/16/2024

**Last Amended:** 06/11/2024

**Status:** 06/27/2024 - From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 10. Noes 1.) (June 25).

**Hearing:** 07/01/2024

**Location:** 06/25/2024 - Assembly Appropriations

**Summary:** Current law requires the Secretary of the Natural Resources Agency to prepare and submit, on or before March 31, 2024, and annually thereafter, a report to the Legislature on the progress made in the prior calendar year toward achieving the goal to conserve 30% of California's lands and coastal waters by 2030. Current law provides that it is the goal of the state to conserve at least 30% of California's lands and coastal waters by 2030, known as the 30x30 goal. This bill would require all state agencies, departments, boards, offices, commissions, and conservancies to consider the 30x30 goal when adopting, revising, or establishing plans, policies, and regulations that directly affect land use, management of natural resources, or biodiversity conservation.

**Subject:** Environment

**SB 1404 (Glazer, D) Political Reform Act of 1974: audits.**

**Introduced:** 02/16/2024

**Last Amended:** 06/27/2024

**Status:** 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

**Location:** 06/26/2024 - Assembly Appropriations

**Summary:** The Political Reform Act of 1974 requires the Franchise Tax Board to conduct audits and field investigations regarding the reports filed by lobbyists. Current law requires 25% of lobbyist employers and lobbying firms to be subject to a random audit and investigation every 2 years. This bill would revise the provisions above relating to audits and field investigations. Until January 1, 2033, this bill would transfer the responsibility for conducting audits and field investigations of lobbying reports to the Fair Political Practices Commission. During this period, the bill would require the Secretary of State to impose an additional fee, to be established by the commission, not to exceed \$500 per year, to lobbying firms and lobbyist employers subject to audit to offset costs associated with conducting audits and field investigations. This fee would be deposited in a new fund that the bill would establish, the Field Audits and Investigations Fund, which would be continuously appropriated to the commission for these purposes. From January 1, 2027 through January 1, 2033, the bill would require 60 lobbying firms and lobbyist employers who employ one or more lobbyists to be selected for audit, as specified.

**Subject:** Public Works

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

**Introduced:** 02/16/2024

**Status:** 04/29/2024 - Referred to Com. on TRANS.

**Hearing:** 07/01/24 A-TRANSPORTATION 2:30 p.m. - 1021 O Street, Room 1100 WILSON, LORI, Chair

**Location:** 04/29/2024 - Assembly Transportation

**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.

**Subject:** Safety and Security



**SB 1418 (Archuleta, D) Hydrogen-fueling stations: expedited review.**

**Introduced:** 02/16/2024

**Last Amended:** 05/15/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on TRANS. (Ayes 7. Noes 0.) (June 26). Re-referred to Com. on TRANS.

**Hearing:** 07/01/2024

**Location:** 06/26/2024 - Assembly Transportation

**Summary:** The Planning and Zoning Law requires every city, county, and city and county to administratively approve an application to install electric vehicle charging stations and hydrogen-fueling stations through the issuance of a building permit or similar nondiscretionary permit. Current law, the Planning and Zoning Law, requires each city, county, and city and county to adopt an ordinance that creates an expedited, streamlined permitting process for electric vehicle charging stations. Current law authorizes a city, county, or city and county developing an ordinance to refer to the recommendations contained in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist," as specified. Current law requires a city, county, and city and county, in developing the expedited permitting process, to adopt a checklist of all requirements with which electric vehicle charging stations must comply to be eligible for expedited review. For these purposes, current law defines "hydrogen-fueling station" to mean the equipment used to store and dispense hydrogen fuel to vehicles according to industry codes and standards that is open to the public. Current law requires a hydrogen-fueling station to meet certain requirements, including any rules established by the State Air Resources Board, Energy Commission, or Department of Food and Agriculture regarding safety, reliability, weights, and measures. This bill would modify the definition of "hydrogen-fueling station" to mean the equipment and structural design components necessary to ensure the safety of the fueling station, including hydrogen-refueling canopies, that are used to store and dispense hydrogen fuel to vehicles according to industry codes and standards that are open to the public.

**Subject:** Zero Emission

**SB 1420 (Caballero, D) Hydrogen.**

**Introduced:** 02/16/2024

**Last Amended:** 06/24/2024

**Status:** 06/24/2024 - Read second time and amended. Re-referred to Com. on NAT. RES.

**Hearing:** 07/01/2024

**Location:** 06/19/2024 - Assembly Natural Resources

**Summary:** Current law requires the State Air Resources Board, no later than July 1, 2008, to adopt hydrogen fuel regulations that ensure state funding for the production and use of hydrogen fuel contributes to the reduction of the emissions of greenhouse gases, criteria air pollutants, and toxic air contaminants, and ensure the production and direct use of hydrogen fuel in motor vehicles also contributes to a reduced dependence on petroleum, as provided. Current law requires that those regulations impose certain requirements relating to emissions from hydrogen fuel and require that, on a statewide basis, no less than 33.3% of the hydrogen produced for, or dispensed by, fueling stations that receive state funds be made from specified renewable energy resources. Current law requires the state board, in consultation with other relevant agencies, to review the emissions and renewable resource requirements every 4 years and strengthen those requirements if it makes a specified determination. Current law requires the Secretary for Environmental Protection to convene the California Environmental Protection Agency's Environmental Justice Advisory Committee at least once annually to solicit the committee's comments on the production and distribution of hydrogen fuel. This bill would delete those requirements. The bill would express the policy of the state that hydrogen produced for use in a fuel cell electric vehicle shall have a well-to-gate carbon intensity equal to or less than the carbon intensity of electricity from the California electrical grid when used to power an electric vehicle. (Based on 06/24/2024 text)

**Subject:** Zero Emission

**SB 1443 (Jones, R) California Interagency Council on Homelessness.**

**Introduced:** 02/16/2024

**Status:** 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 6. Noes 0.) (June 25). Re-referred to Com. on APPR.

**Hearing:** 07/02/2024

**Location:** 06/25/2024 - Assembly Appropriations

**Summary:** Current law requires the Governor to establish the California Interagency Council on Homelessness, and requires the council to, among other things, identify mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California, and promote systems integration to increase efficiency and effectiveness while focusing on designing systems to address the needs of people experiencing homelessness. Current law sets forth the composition of the council, which includes, among others, the Secretary of Business, Consumer Services, and Housing and the Secretary of California Health and Human Services, who serve as co-chairs of the council. This bill would add a representative from the State Council on Developmental Disabilities to the council described above.

**Subject:** Miscellaneous

**SB 1488 (Durazo, D) Outdoor advertising displays: exemptions.**

**Introduced:** 02/16/2024

**Last Amended:** 04/25/2024

**Status:** 06/20/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 1.) (June 19). Re-referred to Com. on APPR.

**Location:** 06/20/2024 - Assembly Appropriations

**Summary:** The Outdoor Advertising Act provides for the regulation by the Department of Transportation of advertising displays, as defined, within view of public highways. The act exempts from its provisions certain advertising displays, including, among others, any advertising display used exclusively either to advertise products, goods, or services sold by persons on the premises of an arena on a regular basis, or to advertise any products, goods, or services marketed or promoted on the premises of an arena pursuant to a sponsorship marketing plan with a duration of at least one year, if specified conditions are met. This bill would reduce the minimum duration of a sponsorship marketing plan that qualifies an advertising display for this exemption from regulation under the act from one year to 120 days.

**Subject:** Public Works

**SB 1497 (Menjivar, D) Polluters Pay Climate Cost Recovery Act of 2024.**

**Introduced:** 02/16/2024

**Last Amended:** 04/25/2024

**Status:** 05/22/2024 - Ordered to inactive file on request of Senator Menjivar.

**Location:** 05/22/2024 - Senate INACTIVE FILE

**Summary:** Would enact the Polluters Pay Climate Cost Recovery Act of 2024 and would establish the Polluters Pay Climate Cost Recovery Program to be administered by the California Environmental Protection Agency to require fossil fuel polluters to pay their fair share of the damage caused by the sale of their products during the covered period, which the bill would define as the time period between the 2000 and 2020 calendar years, inclusive, to relieve a portion of the burden from climate harms that is borne by California taxpayers. The bill would require the agency, within 90 days of the effective date of the act, to determine and publish a list of responsible parties, which the bill would define as an entity with a majority ownership interest in a business engaged in extracting or refining fossil fuel that, during the covered period, did business in the state or otherwise had sufficient contact with the state and is determined by the agency to be responsible for more than 1,000,000,000 metric tons of covered fossil fuel emissions, as defined, in aggregate, globally during the covered period.

**Subject:** Environment

**SB 1510 (Stern, D) Permitting: electric vehicle charging.**

**Introduced:** 02/16/2024

**Status:** 02/29/2024 - Referred to Com. on RLS.

**Location:** 02/16/2024 - Senate Rules

**Summary:** Current law requires every city, county, and city and county to administratively approve an application to install electric vehicle charging stations through the issuance of a building permit or similar nondiscretionary permit and requires the review of an application to install an electric vehicle charging station to be limited to the building official's review of whether it meets all health and safety requirements of local, state, and federal law. Current law requires an electric vehicle charging station to comply with, among other things, all applicable rules of the Public Utilities Commission regarding safety and reliability, as specified. This bill would express the intent of the Legislature to enact subsequent legislation that would reduce state and local permitting barriers for electric vehicle charging.

**Subject:** Public Works

**SCA 7 (Umberg, D) Employment: workers' rights.**

**Introduced:** 05/01/2023

**Last Amended:** 06/26/2023

**Status:** 06/26/2023 - Read second time and amended. Re-referred to Com. on E. & C.A.

**Location:** 06/22/2023 - Senate Elections and Constitutional Amendments

**Summary:** Current state law forbids a public employer from deterring or discouraging public employees from becoming or remaining members of an employee organization. Current federal law forbids employers from interfering with, restraining, or coercing employees in the exercise of rights relating to organizing, forming, joining, or assisting a labor organization for collective bargaining purposes, or from working together to improve terms and conditions of employment, or refraining from any such activity. This measure, the Right to Organize and Negotiate Act, would ensure that all Californians have the right to join a union and to negotiate with their employers, through their legally chosen representative, to protect their economic well-being and safety at work. This measure would require the Legislature to provide for the enforcement of these rights.

**Subject:** Employment

**SCR 74 (Nguyen, R) Officer Jon Coutchie Memorial Bridge.**

**Introduced:** 06/05/2023

**Last Amended:** 06/27/2023

**Status:** 01/12/2024 - Chaptered by Secretary of State - Chapter 2, Statutes of 2024

**Location:** 01/12/2024 - Senate CHAPTERED

**Summary:** This measure would designate the Aliso Creek Bridge on State Highway Route 1 in the County of Orange as the Officer Jon Coutchie Memorial Bridge. The measure would also request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from nonstate sources to cover that cost, to erect those signs. This bill contains other related provisions.


**Subject:** Miscellaneous



COMMITTEE TRANSMITTAL

**July 22, 2024**

**To:** Members of the Board of Directors

**From:** Andrea West, Clerk of the Board 

**Subject:** Federal Legislative Status Report

Legislative and Communications Committee Meeting of July 18, 2024

**Present:** Directors Aitken, Dumitru, Foley, Jung, Nguyen, and Tettemer

**Absent:** Director Wagner

**Committee Vote**

No action was taken on this item.

**Staff Recommendation(s)**

Receive and file as an information item.



*July 18, 2024*

**To:** Legislative and Communications Committee  
**From:** Darrell E. Johnson, Chief Executive Officer  
**Subject:** Federal Legislative Status Report

A handwritten signature in blue ink, appearing to read "Darrell Johnson", is written over the "From:" line of the header.

**Overview**

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy and regulatory issues directly impacting the agency's programs, projects, and operations. This status report includes information on the House fiscal year 2025 Transportation, Housing, and Urban Development appropriations bill and congressionally directed spending requests made by delegation members on behalf of the Orange County Transportation Authority. An overview of the House Transportation and Infrastructure Committee's request to the Federal Transit Administration regarding transit assault data and summaries of hearings related to oversight of Amtrak, the California Air Resources Board In-Use Locomotive Regulation, and transit revenue and ridership post the coronavirus pandemic are also provided.

**Recommendation**

Receive and file as an information item.

**Discussion**

Fiscal Year 2025 House Appropriations Update

On June 27, 2023, the House of Representatives (House) Appropriations Transportation, Housing, and Urban Development (THUD) Subcommittee approved the fiscal year (FY) 2025 THUD appropriations bill. The bill provides \$90.4 billion in discretionary funding for the United States Department of Transportation (USDOT), which is \$7.084 billion or 7.3 percent below the FY 2024 enacted level and significantly under what is required from the debt limit agreement from last year. The THUD bill includes \$63.544 billion for the Federal Highway Administration (FHWA), which is \$552 million above the FY 2024 enacted level, \$15.307 billion in total budgetary resources for the Federal Transit Administration (FTA), which is \$1.297 billion below the FY 2024 enacted level, and \$2.758 billion in total budgetary resources for the Federal Railroad Administration (FRA), which is about \$212 million below the FY 2024 enacted

level. This does not include advanced appropriations from the Infrastructure Investment and Jobs Act (IIJA), which total \$36.9 billion.

Each discretionary transportation program faces significant cuts under the House proposal, well below the authorized levels, some examples include:

- \$754 million is included for the Capital Investment Grants program compared to the \$3 billion in authorized levels. The bill retains the additional \$1.6 billion from the IIJA advanced appropriations. The House also reallocates \$509 million from FY 2024 making the total funding \$2.864 billion. This funding is proposed to be reallocated from projects that include the San Francisco Transbay, the Inglewood Connector in Los Angeles, and construction of the Second Avenue Subway, Phase 2 in New York City.
- \$2.125 billion is included for Amtrak grants, \$1.123 billion of which is for the National Network. An additional \$4.4 billion will be provided through advanced appropriations. The FY 2025 authorized levels are \$3.45 billion.
- No funding was provided for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) competitive grant program, denying the President's budget request to shift \$800 million from the Transportation Infrastructure Finance and Innovation Act program to the RAISE grant program. However, \$1.5 billion will be provided through advanced appropriations. The FY 2025 authorized levels are \$1.5 billion.
- No funding was provided for the Megaprojects program. However, \$1 billion will be provided through advanced appropriations. The FY 2025 authorized levels are \$1 billion.
- \$298.525 million is included for the Consolidated Rail Infrastructure and Safety (CRISI) Program. \$1 billion is also provided in advanced appropriations for this program. Authorized levels for FY 2025 for this program are \$1 billion.
- No funding was provided for the Federal-State Partnership for Intercity Passenger Rail program. However, \$7.2 billion will be provided through advanced appropriations. The FY 2025 authorized levels are \$1.5 billion.
- No additional funding was provided for Buses and Bus Facilities Competitive grant program, or Low-No Emission Bus grant program compared to \$120.96 million and \$74.96 million, respectively, in FY 24 authorized funding.

Additionally, there were several policy provisions included in the House proposal that should be noted:

- Prohibits funds to be provided to the State of California for the High-Speed Rail project or any “substantially similar project”.
- Specifies that no funds within any grant program under the Department of Transportation can be used in accordance with an equity action plan, including the Equity Action Plan of the USDOT published in January 2022.
- Prohibits any funding to finalize, implement, or enforce the FHWA’s July 15, 2022, proposed rule that would add greenhouse gas emissions reduction to the set of performance-based planning and programming measures for federal highway programs that metropolitan planning organizations and state departments of transportation must measure and report upon biennially.
- Blocks what is known as the Rostenkowski Test. This will prevent a possible across-the-board cut of FY 2025 transit formula funds to each public transit agency.
- Prohibits any funding for activities to implement New York City congestion pricing under the Value Pricing Pilot Program or New York City’s Central Business District Tolling Program.
- Prohibits funds provided to be used to enforce a mask mandate in response to coronavirus (COVID-19).
- Prohibits the FRA from using any Federal-State Partnership or Intercity Passenger Rail grant funding to make promises for multi-year funding beyond IIJA’s expiration via letters of intent or phased funding agreements.

Included in the House THUD appropriations bill is \$1.52 billion in Community Project Funding (CPF) for transportation-related projects. It should be noted that these are not finalized and are subject to continued negotiations. However, the following projects were submitted by Orange County delegation members and included by the House Appropriations for the Orange County Transportation Authority (OCTA):

- \$4 million for the Interstate 5 Improvement Project (Interstate 405 to State Route 55) – submitted by Representative Young Kim (R-Fullerton).
- \$250,000 for the Katella Avenue Pedestrian Bridge – submitted by Representative J. Luis Correa (D-Santa Ana).

#### Congressionally Directed Spending Requests

OCTA and its advocates have been actively engaged with Orange County delegation members to submit earmark requests for a variety of multimodal

projects. For context, the House uses the term, CPF, while the Senate uses “congressionally directed spending” (CDS). Both are colloquially known as earmarks and can be defined as any congressionally directed spending, tax benefit, or tariff benefit that would benefit an entity or a specific state, locality, or congressional district. CPF and CDS are similar to the previous earmark process, but with added transparency and accountability rules to ensure the funding is being used for its intended purposes, supported by the community, and can be used on a project or program in a timely manner.

The following project was submitted by Senator Padilla on behalf of the OCTA:

- \$3 million for OCTA’s zero-emission vanpool program. The project will expand OCTA’s successful Rideshare Vanpool Program in Orange County with an all-electric option for three years by partially funding the capital lease costs and other activities.

This list does not include other projects that were submitted within Orange County, which were requested by individual cities, the County, or other transportation agencies such as Metrolink. Although a project may be submitted by a member for funding, this does not guarantee that the project will receive funding in the final FY 2025 appropriations bill. Staff will continue to work with the delegation members throughout the appropriations process and will provide updates to the OCTA Board of Directors.

#### House Transportation and Infrastructure Committee: FTA Transit System Assault Data Request

On May 9, 2024, the House Committee on Transportation and Infrastructure sent a letter addressed to Acting Administrator Veronica Vanterpool of the FTA, highlighting concern about a spike in violent crime and assaults on some major transit systems across the United States. While some examples of this type of activity was provided related to certain systems, OCTA was not included and has not experienced a comparable trend of activity. This letter is included as Attachment A.

The letter requested the following responses from FTA:

- Effectiveness of FTA’s data collection methods in measuring violent crime.
- Utilization of data to promote safety improvements.
- Detailed list of agencies awarded or denied funding through the Enhanced Transit Safety and Crime Prevention Initiative.
- Copies of FTA training guidance and best practices for safety and security.



- Programmatic changes or new recommendations in response to rising crime reports.

On May 24, 2024, FTA Acting Administrator Veronica Vanterpool, responded to the request. This letter is included as Attachment B. In the letter, FTA emphasized its commitment to transit safety, providing responses to the request for information.

The FTA noted the National Transit Database (NTD) captures data on safety and security events from urban transit agencies, including assaults, homicides, and cyber security threats. The IIJA has updated NTD reporting to include specific data on assaults on transit workers and bus-related fatalities. This data informs safety policies and directives, such as an FTA General Directive proposed in December 2023 to address assaults on transit workers.

In regard to funding, the FTA clarified that the Enhanced Transit Safety and Crime Prevention Initiative utilizes existing formula funding programs, which FTA does not have complete data. However, FTA notes that since 2022, they have funded 21 Innovations in Transit Public Safety grants totaling \$3.36 million and three Crime Prevention and Public Safety Awareness agreements totaling \$2 million. Extensive training and guidance on safety and security best practices are provided through webinars, newsletters, and a de-escalation training resource directory. Information dissemination is conducted through the monthly Transit Safety and Oversight Spotlight newsletter, webinars, social media, industry events, and direct engagement with transit agencies. The Public Transportation Agency Safety Plans (PTASP) Technical Assistance Center offers support and peer-sharing opportunities.

In response to the spike in criminal activity occurring on some transit systems, the FTA shared that it collaborates with transit agencies to promote best practices, including increased security personnel and surveillance measures. A fall 2024 webinar is planned to share best practices and success measures. Some of FTA's ongoing efforts include a Transit Customer Assault Prevention webpage and research to understand factors contributing to passenger assaults.

Finally, the FTA noted that per the IIJA, they have updated the PTASP regulation and the National Public Transportation Safety Plan to enhance safety requirements. A final General Directive on required actions regarding assaults on transit workers will be published later this summer. The FTA is also drafting a transit worker and public safety notice of proposed rulemaking to establish minimum safety standards and requirements.

As demonstrated by the detailed inquiries from the House Committee on Transportation and Infrastructure and the response from the FTA, there is a continued and significant interest in the topic of transit assaults. Staff will provide further updates as discussions continue.

---

### Summary of House Transportation and Infrastructure Subcommittee on Railroads, Pipelines, and Hazardous Materials Hearing on Amtrak and Intercity Passenger Rail Oversight

On June 12, 2024, the House Transportation and Infrastructure Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing entitled "*Amtrak and Intercity Passenger Rail Oversight: Promoting Performance, Safety, and Accountability*." The hearing discussed Amtrak's construction and equipment procurement initiatives and their financial implications.

The hearing opened with a statement from Chairman Troy Nehls (R-TX), who highlighted the federal ownership and governance of Amtrak, emphasizing its responsibility to use taxpayer dollars effectively to improve services and achieve profitability. Chairman Nehls criticized Amtrak for projecting a \$1 billion annual loss while pursuing costly acquisitions and route expansions despite receiving substantial funding from the IJJA. Chairman Nehls also identified significant delays and budget overruns in the procurement of new Acela trainsets, raising concerns about Amtrak's transparency and accountability. He also highlighted concern regarding executive bonuses at the organization and underscored the need for the subcommittee's continued oversight to ensure effective use of taxpayer funds and improvements in Amtrak's operations.

During the hearing, witnesses provided insights into Amtrak's operations and challenges. Amtrak CEO Stephen Gardner highlighted a record ridership increase of 20 percent this year, with goals to double ridership by 2040, noting the anticipated service commencement of new Acela trains by the end of the year. Gardner emphasized Amtrak's role in alleviating traffic congestion and the necessity of sustained funding for operations and maintenance. Also among the witnesses was Amtrak Chair of the Board, Anthony Coscia, who discussed efforts to diversify the Board and the importance of public and state partnerships. Julie White, Deputy Secretary for Multimodal Transportation at the North Carolina Department of Transportation, underscored the significance of CRISI grants and called for a formulaic program for passenger rail funding to support comprehensive rail routes. White also emphasized grade-crossing safety improvements and community investment in rail infrastructure.

During the question-and-answer portion of the hearing, committee members questioned Amtrak executives on various issues, including financial management, safety, and service improvements. Representatives also raised concerns about profitability, executive compensation, and the impact of infrastructure investments on local communities.

### Summary of House Science, Space and Technology Subcommittee on Investigations and Oversight Hearing on the In-Use Locomotive Regulation

On June 13, 2024, the House Science, Space and Technology Subcommittee on Investigations and Oversight held a hearing entitled, "*Environmentalism Off*

*the Rails: How CARB will Cripple the National Rail Network.*” The hearing discussed the California Air Resources Board’s (CARB) approved In-Use Locomotive Regulation, which requires locomotives operating in California to transition to zero-emission technology.

Subcommittee Chairman Jay Obernolte (R-CA) opened the committee’s hearing by discussing the status of the In-Use Locomotive Regulation as approved by CARB. Specifically, CARB is seeking a waiver from the Environmental Protection Agency (EPA) to allow the state to regulate emissions typically done at the federal level, which is allowable through the Clean Air Act. Chairman Obernolte urged the EPA to deny the waiver because the regulation requires a transition to technology that is not commercially available, and that this regulation violates federal preemption. Other Members discussed how the regulation reduces emissions and provides environmental benefits to communities next to railroads.

Ian Jeffries from the Association of American Railroads provided testimony on how regulating railroads is a federal responsibility due to interstate commerce. He further detailed that if this waiver is approved there will be a patchwork of laws governing railroads throughout the country. Chuck Baker from the American Short Line Regional Railroad Association agreed that this regulation is overreaching and warned that it could decimate the short-line industry and send a ripple effect throughout the supply chain. Alan Abbs from the Bay Area Air Quality Management District disagreed, stating that California has the right to regulate on its own with the federal waiver and that locomotives represent a significant piece of the industry that needs to reduce emissions in order for regions to meet the air quality goals set forth in the Clean Air Act. Questions from the Subcommittee focused on air quality benefits and the impacts the regulation will have on businesses throughout the country.

#### Summary of House Transportation and Infrastructure Subcommittee on Highways and Transit Hearing on Revenue and Ridership in Public Transit

On June 13, 2024, the House Transportation and Infrastructure Subcommittee on Highways and Transit held a hearing entitled, “*Revenue, Ridership, and Post-Pandemic Lessons in Public Transit.*” The hearing explored the trends that have been affecting public transit as agencies continue to recover from the effects of the COVID-19 pandemic.

The hearing opened with a statement from Subcommittee Chairman Rick Crawford (R-AR), who highlighted the crucial role of transit agencies across the country. He noted that nearly \$180 billion from pandemic relief and the IIJA has been allocated to support transit systems. Chair Crawford emphasized the uneven distribution of funds, with legacy systems in major cities receiving over half of the relief funding amid rising crime. He expressed the need for the hearing to evaluate the use of these funds, changes in ridership patterns, and strategies

for adapting operations to attract riders back, including safety measures and fare adjustments.

Questions from members of Congress included a question by Representative Doug LaMalfa (R-CA), inquiring about the push toward electric vehicles and how this will impact transportation funding. Marc Scribner, Senior Transportation Policy Analyst at the Reason Foundation, shared his belief that the best approach is shifting revenue collection from per-gallon taxation to per-mile charging, where the method of propulsion of the vehicle does not matter.

Among notable witness testimony, Greg Regan, President of the Transportation Trades Department of the American Federation of Labor and Congress of Industrial Organizations, emphasized throughout the hearing the importance of public transportation as a public good and criticized current federal policy that prioritizes capital spending over operating costs. Additionally, Regan discussed the impact of the pandemic on transit operations and workforce, emphasizing the importance of federal support for transit systems and the need to protect workers' wages, benefits, and training during the transition to new working models. MJ Maynard, Chief Operating Officer of the Regional Transportation Commission of Southern Nevada, on behalf of the American Public Transportation Association, discussed the importance of flexibility in federal funding for transit agencies, highlighting the need to balance capital investments with operating assistance to ensure reliable and efficient transit services.

### ***Summary***

Information is provided on the House's Transportation, Housing, and Urban Development appropriations bill and earmark requests submitted by Members of Congress on behalf of the Orange County Transportation Authority. A summary is given on correspondence submitted by the Federal Transit Administration at the request of the House Transportation & Infrastructure Committee. Three summaries are provided for hearings related to Amtrak, ridership post pandemic, and the California Air Resources Board's In-Use Locomotive Regulation.

**Attachments**

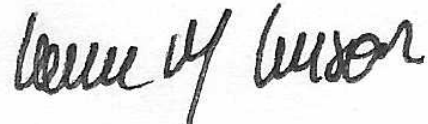
- A. Letter from House Committee on Transportation and Infrastructure Chairman, Sam Graves (R-MO), and others, to Veronica Vanterpool, Acting Administrator, Federal Transit Administration, re: Transit System Assault Data Request, dated May 9, 2024.
- B. Letter from Veronica Vanterpool, Acting Administrator, Federal Transit Administration, to Congressman Troy E. Nehls (R-TX), Member, House Committee on Transportation and Infrastructure, re: Response to Transit System Assault Data Request, dated May 24, 2024
- C. Potomac Partners DC, Monthly Legislative Report – June 2024

**Prepared by:**



Alexis Carter  
Government Relations Representative,  
Government Relations  
(714) 560-5329

**Approved by**



Lance M. Larson  
Executive Director,  
Government Relations  
(714)560-5908



**Committee on Transportation and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515**

**Sam Graves**  
**Chairman**

**Rick Larsen**  
**Ranking Member**

Jack Ruddy, Staff Director

Katherine W. Dedrick, Democratic Staff Director

May 9, 2024

Ms. Veronica Vanterpool  
Acting Administrator  
Federal Transit Administration  
United States Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

Dear Acting Administrator Vanterpool:

We are concerned by the recent spike in reports of violent crime and assaults on our Nation’s major transit systems.<sup>1</sup> The Federal Transit Administration (FTA) maintains five strategic goals, the first of which states, “FTA is committed to improving safety ... for riders and patrons who use transit, workers who maintain and operate transit, and pedestrians and others who interact with transit.”<sup>2</sup> At a time when criminal activity on transit systems and in transit facilities is rising, it is vital that FTA provide appropriate safety and security measures and direction to counter this dangerous trend.<sup>3</sup> Accordingly, we seek information about FTA’s actions taken in response to this rise in crime on transit systems and plans to ensure the safety of transit riders and workers.

According to the Bureau of Transportation Statistics, from 2020 to 2022 reports of homicides on urban transit systems increased by 61 percent, assaults increased by 70 percent,

---

<sup>1</sup> See e.g. Jennifer A. Kingson, *Violent Assaults on Transit Workers Are On the Rise*, AXIOS (Jan. 22, 2024), available at <https://www.axios.com/2024/01/22/crime-violence-public-transportation-statistics-workers>; Molly Bohannon, *NYC’s Subway Violence: Here’s What Caused a New National Guard Crackdown*, FORBES, (Mar. 6, 2024), available at <https://www.forbes.com/sites/mollybohannon/2024/03/06/nycs-subway-violence-heres-what-caused-a-new-national-guard-crackdown/?sh=5e7fd4f27eca>; Aaron Katersky, et. al, *Rise in Mass Transit Crime has LA Officials Searching for Solutions*, ABCNEWS, (Apr. 4, 2024), available at <https://abcnews.go.com/US/rise-mass-transit-crime-la-officials-searching-solutions/story?id=108745419>.

<sup>2</sup> U.S. DEP’T OF TRANSP., FTA, *Mission, Vision, Values, and Goals*, (last updated Feb. 2, 2023), available at <https://www.transit.dot.gov/about/mission-vision-values-and-goals>.

<sup>3</sup> U.S. DEP’T OF TRANSP., BUREAU OF TRANSP. STATISTICS, *Security Events of Crime by Transit Mode*, (last accessed May 9, 2024), available at <https://www.bts.gov/content/reports-violent-crime-property-crime-and-arrests-transit-mode>.

and other crimes, including burglary, increased by 34 percent.<sup>4</sup> In just the past six months alone, violent, and deadly assaults were reported on transit vehicles or in transit stations in Los Angeles, Denver, Houston, and Washington, DC.<sup>5</sup> Also, in March of this year, the Philadelphia transit system experienced four shootings over four days that left three dead and twelve wounded.<sup>6</sup> Additionally, from December 2023 to February 2024, criminal acts in Chicago included the sexual assault of a teenager aboard a Chicago Transit Authority (CTA) train, three people being attacked by one assailant over a two-day period inside CTA stations, and a 61-year-old being beaten to death aboard a CTA train.<sup>7</sup>

And in New York City, crime in Metropolitan Transit Authority (MTA) facilities and vehicles has been shocking. Violent incidents included a victim slashed with a boxcutter, a subway conductor attacked pulling into a station, a deadly assault during the morning commute, six victims – one fatally shot – during an incident on a Bronx subway platform, a subway performer assaulted during rush hour, an unprovoked beating with a metal pipe, a second MTA

---

<sup>4</sup> *Id.*

<sup>5</sup> Vivian Chow, *1 Killed at South Los Angeles Metro Station; Suspect at Large*, KTLA5, (Dec. 30, 2023), available at <https://kfla.com/news/local-news/1-killed-at-south-los-angeles-metro-station-suspect-at-large/>; see also, Nate Lynn, *Man Killed in RTD Bus Shooting Identified*, 9NEWS, (Feb. 2, 2023), available at <https://www.9news.com/article/news/crime/shooting-bus-denver/73-611b9e13-1f03-4e1a-9651-651b6f61e67b>; see also, Rachel Estrada, *Fatal Stabbing on Houston Metro Train Sparks Homicide Investigation*, CW39 HOUSTON, (Jan. 8, 2024), available at <https://cw39.com/crime/fatal-stabbing-on-houston-metro-train-sparks-homicide-investigation/>; see also, Peter Herman and Emily Davies, *Teenager fatally shot in D.C.'s Brookland Metro station*, WASHINGTON POST, (April 4, 2024), available at <https://www.washingtonpost.com/dc-md-va/2024/04/04/brookland-metro-shooting-bypass/>.

<sup>6</sup> Ron Todt, *8 Teens Wounded by Gunfire at Philadelphia Bus Stop in City's 4th Transit Shooting in as Many Days*, AP NEWS, (Mar. 6, 2024), available at <https://apnews.com/article/philadelphia-septa-bus-fatal-shooting-7b477ff1b7546817393bbf2e7ac9d60d>.

<sup>7</sup> See e.g., Sophie Sherry, *Austin Man Charged with Sexually Assaulting 16-year-old Girl on Purple Line Train: 'bold, brazen, criminal act'*, CHICAGO SUN-TIMES, (Feb. 27, 2024), available at <https://chicago.suntimes.com/2024/02/26/girl-16-sexually-assaulted-purple-line>; Suzanne Le Mignot, *Crisis Responder Says He Witnessed Suspect Attack Three People on CTA*, CBS NEWS, (Dec. 21, 2023), available at <https://www.cbsnews.com/chicago/news/crisis-responder-suspect-attack-cta/>; John Dodge, *Woman Who Was Attacked on CTA Red Line Has Died*, CBS NEWS, (Jan. 16, 2024), available at <https://www.cbsnews.com/chicago/news/woman-who-was-attacked-on-cta-red-line-has-died/>.

worker assaulted with a glass bottle, a rush hour altercation aboard a Brooklyn-bound train that ended in gunfire, and two separate incidents of victims being pushed onto subway tracks.<sup>8</sup>

While millions of Americans ride transit systems daily without incident, the brazenness of these attacks and other incidents, and their geographic diversity, has justifiably diminished public trust in transit safety Nationwide and resulted in unprecedented policy changes in some communities.<sup>9</sup> For example, New York Governor Kathy Hochul recently announced the deployment of 1000 members of state personnel, including 750 National Guard members, to aid in patrolling the New York City subways.<sup>10</sup> In Chicago, Illinois, the head of the largest union of Chicago transit workers called for a similar effort to improve system security.<sup>11</sup> And in Pennsylvania, Governor Josh Shapiro enacted a measure to create a special prosecutor with specific jurisdiction over criminal activity that takes place on or near the Philadelphia-based

---

<sup>8</sup> See e.g., CBS New York Team, *NYPD Releases Image of Suspect in A Train Attack in Manhattan*, CBS NEWS, (Mar. 4, 2024), available at <https://www.cbsnews.com/newyork/news/nypd-releases-image-of-suspect-in-a-train-attack-in-manhattan/>; Myles Miller and Romney Smith, *Subway Conductor Slashed in Neck in Brooklyn Amid Uptick in Transit Violence*, NBC NEW YORK, (Feb. 29, 2024), available at <https://www.nbcnewyork.com/news/local/subway-conductor-slashing-brooklyn-rockaway-avenue/5181115/>; NBC New York Staff, *Police Search for Three Suspects After Subway Rider Killed on D Train*, NBC NEW YORK, (Feb. 23, 2024), available at <https://www.nbcnewyork.com/news/local/nyc-subway-shooting-nypd/5163071/>; Jonathon Dienst, Ida Siegal, and Tom Shea, *1 Dead, 5 Hurt in Shooting at Bronx Subway Station After Fight Breaks out on Train: NYPD*, NBC NEW YORK, (Feb. 13, 2024), available at <https://www.nbcnewyork.com/news/local/six-teens-shot-on-bronx-subway-platform-after-fight-breaks-out-on-train-police-sources/5130110/>; Amanda Woods, *Stranger Cracks Cellist Over the Head with Metal Water Bottle During Rush-hour Attack in NYC Subway Station in Shocking Video*, NEW YORK POST, (Feb. 16, 2024), available at <https://nypost.com/2024/02/16/us-news/video-shows-woman-randomly-hitting-nyc-subway-cellist/>; Desheania Andrews, Amanda Woods, and Jorge Fitz-Gibbon, *Straphanger Beaten Unconscious by Stranger with Metal Pipe in Latest NYC Subway Violence: Cops*, NEW YORK POST, (Feb. 19, 2024), available at <https://nypost.com/2024/02/19/us-news/straphanger-beaten-unconscious-by-stranger-with-metal-pipe-in-latest-nyc-subway-violence-cops/>; Amanda Geffner, *MTA Conductor Struck in Head with Glass Bottle at Bronx Station*, FOX5 NEW YORK, (Mar. 6, 2024), available at <https://www.fox5ny.com/news/mta-conductor-assaulted-bronx-subway-station>; Claire Fahy, *Man is Critically Wounded in a Shooting on a Subway Train in Brooklyn*, N.Y. TIMES, (Mar. 14, 2024), available at <https://www.nytimes.com/2024/03/14/nyregion/subway-shooting-brooklyn.html>; Natalie Neysa Alund, *Woman Loses Feet After Police Say She was Pushed onto Subway Tracks, Struck by Train in NYC*, USA Today, available at <https://www.usatoday.com/story/news/nation/2024/03/11/woman-pushed-on-subway-tracks-nyc-man-arrested-nypd/72928936007/>; *Man Kicked onto Platform, Woman Punched in Violent Weekend on the Subway*, EYEWITNESS NEWS ABC7 NEW YORK, (Mar. 4, 2024), available at <https://abc7ny.com/nyc-man-pushed-onto-subway-tracks-crime-midtown-push/14489142/>.

<sup>9</sup> Philip Marcelo, *Transit Crime is Back as a Top Concern in Some US Cities, and Political Leaders Have Taken Notice*, AP NEWS, (Mar. 7, 2024), available at <https://apnews.com/article/transit-subways-buses-crime-nyc-philadelphia-f26609cb9fda9f9ad32f13481c3d8b6d>.

<sup>10</sup> Press Release, NEW YORK STATE GOVERNOR KATHY HOCHUL, *Governor Hochul Announces Five-Point Plan to Protect New Yorkers on the Subway*, (Mar. 6, 2024), available at <https://www.governor.ny.gov/news/governor-hochul-announces-five-point-plan-protect-new-yorkers-subway>.

<sup>11</sup> Todd Feurer, *Union Boss Calls for National Guard, Bag Checks on Chicago Transit System, Like in New York*, CBS NEWS, (Mar. 8, 2024), available at <https://www.cbsnews.com/chicago/news/cta-bus-drivers-union-keith-hill-national-guard-bag-checks/>.



transit system.<sup>12</sup> These actions are local steps taken to respond to local events, but collectively indicate a broader need for FTA policies that can protect transit riders and transit workers and quell a growing National tragedy.

Section 30012 of the *Infrastructure Investment and Jobs Act (IIJA)* (P.L. 117-58), the “Public Transportation Safety Program,” requires FTA to advance steps related to the mitigation of assaults on transit workers and develop risk reduction programs related to transit worker safety.<sup>13</sup> In November 2022, FTA announced the Biden Administration’s Enhanced Transit Safety and Crime Prevention Initiative, identifying funding opportunities for crime prevention projects, operational security costs, and assault prevention procedures.<sup>14</sup>

Further, on December 20, 2023, FTA published Proposed General Directive 24-1, seeking public feedback related to proposed steps “to address the significant and continuing national-level safety risk related to assaults on transit workers.”<sup>15</sup> These initial efforts by FTA are an important acknowledgement that the frequency and scope of these assaults necessitate consideration by the transit sector’s safety regulator. Further, when operationalized, these efforts could provide a critical focus on broader safety concerns for transit workers, riders, and other community members engaged with transit systems.

On April 9, 2024, FTA published updates to Public Transportation Agency Safety Plan (PTASP) regulations and an updated version of the National Public Transportation Safety Plan.<sup>16</sup> Changes to the PTASP include improving transit worker safety involvement and engagement in safety planning and protocol development, while the National Public Transportation Safety Plan was updated to provide guidance related to vehicle and pedestrian incident mitigation and emergency practices.<sup>17</sup>

Although these updated regulations and guidance should positively impact overall transit system operations, these actions do not address rising crime across transit systems nor propose

---

<sup>12</sup> Hayden Mitman and Lauren Mayk, *Pa. Gov. Defends Controversial Plan to Appoint Special Prosecutor for Crimes on SEPTA*, NBC PHILADELPHIA, (Feb. 12, 2024), available at <https://www.nbcphiladelphia.com/news/politics/shapiro-says-controversial-septa-special-prosecutor-plan-simply-concurrent-jurisdiction/3773314/>.

<sup>13</sup> Infrastructure Investment and Jobs Act of 2021, Pub. L. No. 117-58, 135 Stat. 904.

<sup>14</sup> U.S. DEP’T OF TRANSP., FTA, *Enhanced Transit Safety and Crime Prevention Initiative*, (Nov. 30, 2022), available at [https://www.transit.dot.gov/sites/fta.dot.gov/files/2022-11/Enhanced-Transit-Safety-and-Crime-Prevention-Initiative-11-30-22\\_0.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/2022-11/Enhanced-Transit-Safety-and-Crime-Prevention-Initiative-11-30-22_0.pdf).

<sup>15</sup> Proposed General Directive 24-1: Required Actions Regarding Assaults on Transit Workers, 88 Fed. Reg. 88213, (Dec. 20, 2023), available at <https://www.federalregister.gov/documents/2023/12/20/2023-28002/proposed-general-directive-24-1-required-actions-regarding-assaults-on-transit-workers>.

<sup>16</sup> News Release, U.S. DEP’T OF TRANSP., FTA, *USDOT Finalizes Important National Regulation to Promote Transit Safety and Protect Transit Workers*, (Apr. 9, 2024), available at <https://www.transit.dot.gov/about/news/usdot-finalizes-important-national-regulation-promote-transit-safety-and-protect-transit>.

<sup>17</sup> 49 C.F.R. § 673 (2024) available at [https://www.transit.dot.gov/sites/fta.dot.gov/files/2024-04/PTASP-Final-Rule-2024-04-09\\_0.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/2024-04/PTASP-Final-Rule-2024-04-09_0.pdf); see also, U.S. DEP’T OF TRANSP., FTA, NATIONAL PUBLIC TRANSPORTATION SAFETY PLAN: VERSION 2 (Apr. 2024), available at <https://www.transit.dot.gov/sites/fta.dot.gov/files/2024-04/National-Safety-Plan-04-05-2024.pdf>.

any steps to counter the growing number of dangerous and deadly assaults. In light of the many recent reports of violent criminal activity in and around transit vehicles and facilities, we remain committed to ensuring FTA meets its stated goal of promoting safety for all users of the National transit network.

We strongly encourage FTA to consider all available necessary and applicable actions that may be taken to aid local transit agencies in improving safety and security practices and mitigation operations. As we conduct oversight of FTA's response to this unacceptable safety threat, we request responses to the following questions, as soon as possible, but no later than 5:00 p.m. ET on May 23, 2024:

1. Are FTA's data collection methods and data assessment tools effective at measuring violent crime and criminal behavior on designated Urban Area transit systems?
  - a. If so, please describe how FTA utilizes that data to promote safety improvements among federal funding assistance recipients.
  - b. If not, please detail the requirements that are needed to provide FTA with more accurate or more actionable information to counter violent crime on transit systems.
2. Please provide a detailed list of transit agencies that have been awarded funding through the Enhanced Transit Safety and Crime Prevention Initiative and the progress of their projects or operational actions related to the funding.
  - a. Please also provide a list of agencies that sought and were denied funding through this program, if any.
  - b. Provide copies of FTA training guidance or supplemental information available for Federal grantees and other transit agencies regarding safety and security best practices, protocols or other mitigation tactics to counter rising criminal activity.
    - i. How is this information disseminated and are agencies provided the tools to offer feedback about practical application of those practices and guidelines in real world scenarios?
3. Is FTA pursuing any programmatic changes, document development, new recommendations, or guidance reassessments to respond to the recent spike in reports of criminal activity on transit vehicles and in transit facilities?

Pursuant to House Rule X, clause 1(r), the Committee has jurisdiction over these issues and shall conduct appropriate oversight of these actions. This request and any documents created as a result of this request will be deemed Congressional documents of the Committee. An attachment contains additional instructions for responding to this request. When producing

Acting Administrator Vanterpool

May 9, 2024

Page 6 of 7

documents to the Committee, please deliver production sets to the Majority Staff in Room 2165 of the Rayburn House Office Building.

If you have questions related to this request please contact Ben Siegrist, Senior Professional Staff, Majority Subcommittee on Highways and Transit at (202) 225-9446. Thank you for your prompt attention to this matter.

Sincerely,



Sam Graves  
Chairman  
Committee on Transportation  
and Infrastructure



Eric A. "Rick" Crawford  
Chairman  
Subcommittee on Highways  
and Transit



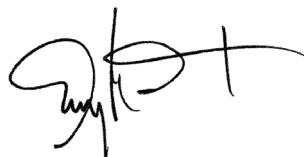
Brian Babin, D.D.S.  
Member of Congress



Aaron Bean  
Member of Congress



Mike Collins  
Member of Congress



Anthony D'Esposito  
Member of Congress



Mike Ezell  
Member of Congress

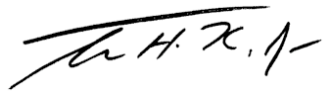


Jenniffer González-Colón  
Member of Congress

Acting Administrator Vanterpool

May 9, 2024

Page 7 of 7



Thomas H. Kean, Jr.  
Member of Congress



Marcus J. Molinaro  
Member of Congress



Pete Stauber  
Member of Congress



Troy E. Nehls  
Member of Congress



Brandon Williams  
Member of Congress



Rudy Yakym III  
Member of Congress

cc: The Honorable Rick Larsen, Ranking Member  
Committee on Transportation and Infrastructure

The Honorable Eleanor Holmes Norton, Ranking Member  
Subcommittee on Highways and Transit

Enclosure

Attachment A – 118th TI Document Response Instructions



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

Administrator

1200 New Jersey Avenue, SE  
Washington, DC 20590

May 24, 2024

The Honorable Troy E. Nehls  
Member  
Committee on Transportation and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515

Dear Representative Nehls:

Thank you for your letter of May 9, 2024, regarding violent crime and assaults on our Nation's major transit systems. While public transportation remains the safest form of surface transportation, and continues to help lead industry efforts to reduce greenhouse gas emissions, transit worker and rider safety is a top priority for the Biden-Harris Administration, the U.S. Department of Transportation, and the Federal Transit Administration. I am happy to provide the below responses to your inquiries.

**1. Are FTA's data collection methods and data assessment tools effective at measuring violent crime and criminal behavior on designated Urban Area transit systems?**

Yes, the FTA's National Transit Database (NTD) captures valuable, self-reported information on Safety and Security (S&S) events. "Major events" are safety events that result in fatalities or injuries meeting the thresholds identified in FTA's [2023 Safety and Security Policy Manual](#). This reporting includes individual major event reports for urban agencies with more than 30 vehicles in maximum service and all agencies providing rail transit service. These agencies also submit monthly non-major event summary reports for each mode they operate.

These event reports include reporting for both system security and personal security events. System security events include (but are not limited to) arson, burglary, vandalism, sabotage, hijacking, suspicious packages and objects, cyber security, bomb threats, bombings, and chemical, biological, and nuclear releases. Other system security events may include rocks or objects thrown at transit vehicles and shots fired in an area where the vehicle travels. Personal security events include assault, robbery, rape, larceny, or theft (including vehicle theft from a parking lot), homicide, and "other" personal security events.

The Bipartisan Infrastructure Law (BIL) updated the NTD S&S reporting requirements for two topics: (1) assaults on a transit worker and (2) fatalities that result from an impact with a bus. FTA implemented the updated reporting requirements in 2023. Additional information on those changes is available at [Federal Register: National Transit Database Safety and Security Reporting Changes and Clarifications](#).

**a. If so, please describe how FTA utilizes that data to promote safety improvements among federal funding assistance recipients.**

At the federal level, NTD data is used to inform the development of rules, policies, and guidance regarding transit safety. For example, FTA analyzed data on assaults on transit workers reported to the NTD between 2016 and 2021. Through this analysis, FTA determined that nine transit agencies accounted for 79 percent of all assaults on transit workers reported to the NTD. FTA issued Special Directives to these nine agencies on October 4, 2022. FTA reviewed and analyzed the information received from these agencies and determined it was necessary to propose a General Directive to address the significant and continuing national-level safety risk related to assaults on transit workers. The proposed General Directive was published December 20, 2023 for public comment.

**b. If not, please detail the requirements that are needed to provide FTA with more accurate or more actionable information to counter violent crime on transit systems.**

*N/A (see above)*

**2. Please provide a detailed list of transit agencies that have been awarded funding through the Enhanced Transit Safety and Crime Prevention Initiative and the progress of their projects or operational actions related to the funding.**

FTA requires that at least one (1) percent of all urban transit formula funding be spent on security for transit systems or recipients must certify that such expenditures for security are not necessary. The Enhanced Transit Safety and Crime Prevention Initiative, established in 2022, is intended to inform transit agencies of the availability of Urbanized Area Formula Grants (Section 5307), Formula Grants for Rural Areas (Section 5311), State of Good Repair Grants (Section 5337), Grants for Buses and Bus Facilities (Section 5339), COVID 19 Supplemental funding, and/or other existing resources available to address and prevent crime on their systems and protect transit workers and riders. Because this is formula funding available to agencies and states, there are no individual awards through the Initiative.

For research and innovation initiatives, FTA has funded 21 Innovations in Transit Public Safety (ITPS) competitive grants totaling \$3.36 million. A listing of selected projects is available at [Human Trafficking Awareness & Public Safety Initiative Grant and Cooperative Agreement Selections | FTA \(dot.gov\)](#). FTA also funded three Crime Prevention and Public Safety Awareness (CPPSA) cooperative agreements totaling \$2 million. Recipients were the Council of State Governments (CSG), End Child Prostitution and Trafficking (ECPAT-USA), and the Community Transportation Association of America (CTAA).

**a. Please also provide a list of agencies that sought and were denied funding through this program, if any.**

The Enhanced Transit Safety and Crime Prevention Initiative is not a standalone grant program, therefore has not denied funding.

- b. Provide copies of FTA training guidance or supplemental information available for Federal grantees and other transit agencies regarding safety and security best practices, protocols, or other mitigation tactics to counter rising criminal activity.**

Information on Funding Eligibility, Data, Public Webinars, and Training related to the [Enhanced Transit Safety and Crime Prevention Initiative | FTA \(dot.gov\)](#) are available on [our website](#). Resources specifically focused on [Transit Customer Assault Prevention | FTA \(dot.gov\)](#) can be found [here](#). FTA's [De-Escalation Training Resource Directory | FTA \(dot.gov\)](#) is also available to support the transit industry in developing, implementing, and updating their de-escalation training programs.

- i. How is this information disseminated and are agencies provided the tools to offer feedback about practical application of those practices and guidelines in real world scenarios?**

FTA provides the following resources to transit agencies and other stakeholders:

- FTA's Transit Safety and Oversight Spotlight monthly newsletter is publicly available and highlights important news and resources related to public transit safety.
- FTA's Transit Safety and Oversight webinars including how to Develop Community-Based Public Safety Programs for Transit [TSO Webinars | FTA \(dot.gov\)](#)
- Stakeholders may sign up to receive FTA's GovDelivery messages notices and follow FTA on social media for updates.
- FTA regularly presents at industry events and conferences where safety concerns are addressed. FTA leadership, including the Administrator and Acting Administrator, have frequently made safety on transit a centerpiece of keynote addresses, including at conferences that are attended by thousands of transit stakeholders.
- Research from the Transportation Safety Board on Transit Security Preparedness funded by FTA.
- The Public Transportation Agency Safety Plans (PTASP) Technical Assistance Center (TAC) provides comprehensive technical assistance to help the transit industry meet PTASP regulation requirements. The TAC also provides opportunities for peer-sharing via live webinars and roundtables.
- Scheduled meetings with transit agencies, industry associations and labor stakeholders to receive input and discuss new resources and opportunities.

**3. Is FTA pursuing any programmatic changes, document development, new recommendations, or guidance reassessments to respond to the recent spike in reports of criminal activity on transit vehicles and in transit facilities?**

FTA is working with agencies nationwide to promote best practices to reduce crime in and around transit. Transit agencies have addressed crime on their transit systems in a variety of ways, including increased security personnel, non-uniformed ambassadors, and surveillance

The Honorable Troy E. Nehls

measures to protect the riding public and to direct individuals to supportive social services where needed. FTA continues to develop webinar topics to engage with all industry stakeholders, including a webinar for fall 2024 on best practices, lessons learned and measures of success.

FTA recently published a [Transit Customer Assault Prevention webpage](#), which includes data, research, and resources for transit agencies. In partnership with the Department's Volpe Center, FTA commissioned [research](#) to gain a deeper understanding of transit customer assault through interviews with transit agency representatives. The Volpe Center research team explored factors that contribute to customer assaults and potential mitigations.

Recent updates to FTA's [Public Transportation Agency Safety Plans \(PTASP\) regulation](#), along with a newly revised [National Public Transportation Safety Plan](#), enhance safety by empowering transit agencies and workers to identify risks, find solutions to mitigate those risks and ensure the solutions are properly carried out. FTA is working to ensure that recipients are aware of these changes and are meeting these regulatory requirements.

Additionally, FTA proposed a General Directive on *Required Actions Regarding Assaults on Transit Workers* in December of 2023. The General Directive would require each transit agency subject to FTA's PTASP regulation to conduct a safety risk assessment, identify safety risk mitigations or strategies, and provide information to FTA on how it is assessing, mitigating, and monitoring the safety risk associated with assaults on transit workers. The final General Directive will be published this summer.

Finally, the FTA is also drafting a Transit Worker and Public Safety Notice of Proposed Rulemaking (NPRM), which would establish minimum baseline standards and risk-based requirements to address transit worker and public safety, including FAST Act section 3022 requirements.

Sincerely,



Veronica Vanterpool  
Acting Administrator





## Monthly Legislative Report – June 2024

---

### June Advocacy Meetings

**Office of Congressman Mike Levin (D-CA)** – We followed up with Congressman Levin’s staff regarding possible report language in the Water Resources Development Act (WRDA) that could benefit the Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN Corridor). We also discussed possible programmatic language in the Fiscal Year 2025 (FY25) Appropriations bills to help advance funding for this study.

**Office of Congressman Lou Correa (D-CA)** – We met with Congressman Correa’s staff regarding the funding for the Katella Avenue Pedestrian Bridge project in the FY25 Transportation, Housing, and Urban Development (THUD) Appropriations bill and the specific account for that funding.

**Office of Congresswoman Grace Napolitano (D-CA)** – We met with the Congresswoman’s staff to discuss possible WRDA report language.

**Office of Congresswoman Young Kim (R-CA)** – We followed up with Congresswoman Kim and her staff to discuss funding for the I-5 Improvement Project (I-405 to SR-55), which was included in the THUD Appropriations bill at \$4M.

**Office of Congresswoman Michelle Steel (R-CA)** – We followed up with Congresswoman Steel’s staff regarding possible Ways and Means tax legislation. The House Ways and Means Committee Republicans announced new “Tax Teams” to draft their priorities and create legislative proposals ahead of 2025. The Tax Teams are comprised of Republican Committee members, with each team assigned specific areas of tax policy for review. Portfolio areas include American Manufacturing, Working Families, American Workforce, Main Street, New Economy, Rural America, Community Development, Supply Chains, U.S. Innovation, and Global Competitiveness. The House Ways and Means Committee also launched a new comment portal where stakeholders and members of the public can share information on the proposals. We will continue to monitor this legislation for potential provisions that could benefit OCTA and transportation projects.

**Office of Senator Alex Padilla (D-CA)** – We followed with Senator Padilla’s staff regarding ongoing discussions with the U.S. Environmental Protection Agency (EPA) to find a solution that will prevent any loss of transportation funding for the region because of failing to meet Clean Air Act requirements after the EPA rejected South Coast Air Quality Management District’s 2019 Contingency Measure Plan. We also discussed Congressionally Directed spending request for Zero Emission Rideshare Vanpool program that Senator Butler requested in the THUD appropriations bill.

**House Transportation and Infrastructure (T&I) Committee Staff**– We met House T&I majority and minority staff to discuss rail safety legislation and WRDA report language.

**Chairman Tom Cole (R-OK)** – We met with Appropriation Chairman Cole and his staff to discuss funding for OCTA’s community project funding requests.

**FY25 Appropriations Update**

In June, the House Appropriations Committee advanced four appropriations bills. The first was the FY25 Homeland Security appropriations bill, approved by the Committee 33-2. The measure includes \$93.8 billion in total discretionary appropriations for the various agencies within the Department of Homeland Security. \$22.7 billion would go to refill Federal Emergency Management Agency (FEMA) funds, and \$18.26 billion would be directed to U.S. Customs and Border Protection.

The second bill advanced in June by the House Appropriations Committee, by a vote of 31 to 26, was the FY25 State, Foreign Operations, and Related Programs Appropriations Act. This measure provides a total discretionary allocation of \$51.713 billion, which is 11% below the FY24 enacted level and 19% below the President’s budget request. The last two bills advanced by the House Appropriations Committee were the FY25 Legislative Branch spending bill and the FY25 Defense spending bill. The Legislative Branch spending bill was passed by a 33-24 vote and would provide \$5.5 billion in funding. This is a 3.5% increase from 2024. The Defense spending bill was passed by a 34-25 vote and provides \$883.1 billion in funding.

On June 27<sup>th</sup>, the House Transportation-Housing Appropriations Subcommittee held a cursory markup session to approve a draft funding bill for the U.S. Department of Transportation in FY25. New subcommittee Chairman Steve Womack (R-AR) said that the bill had “targeted investments and targeted cuts.” In the House, it is common practice to save all disputes and amendments for the full committee markup, and we expect the week of July 8<sup>th</sup> for the THUD bill.

A summary of the House markup progress is below:

**HOUSE Appropriations Legislation**

Bill Name	Subcommittee Markup	Full Committee Markup	Floor Action
Military, Construction, Veterans Affairs, and Related Agencies	05/21/2024	05/23/2024 Approved: 34-25	06/05/2024 Approved: 209-197
Legislative Branch	05/23/2024	06/13/2024 Approved: 33-24	
State, Foreign Operations, and Related Programs	06/04/2024	06/12/2024 Approved: 31-26	06/28/2024 Approved: 212-200

Homeland Security	06/04/2024	06/12/2024 Approved: 33-26	06/28/2024 Approved: 212-203
Defense	06/05/2024	06/13/2024 Approved: 34-25	06/28/2024 Approved: 217-198
Financial Services and General Government	06/05/2024	06/13/2024 Approved: 33-24	
Agriculture, Rural Development, Food and Drug Administration	06/11/2024		
Commerce, Justice, Science, and Related Agencies	06/26/2024		
State, Foreign Operations, and Related Programs	06/04/2024	06/12/2024 Approved: 31-26	06/28/2024 Approved: 212-200
Energy and Water Development and Related Agencies	06/28/2024		
Labor, Health and Human Services, Education, and Related Agencies	06/27/2024		

The schedule for the remaining House markups is as follows:

**Tuesday, July 9**

*Full Committee Markup*

Commerce, Justice, Science, and Related Agencies  
Interior, Environment, and Related Agencies  
Energy and Water Development and Related Agencies

**Wednesday, July 10**

*Full Committee Markup*

Labor, Health and Human Services, Education, and Related Agencies  
Transportation, Housing and Urban Development, and Related Agencies  
Agriculture, Rural Development, Food and Drug Administration

Senate Appropriations Chair Patty Murry (D-WA) appears ready to move forward with the Senate’s FY25 spending bills without a bipartisan deal on topline allocations. Chair Murray already provided 302(b) allocations to three of the subcommittees about two weeks ago, with tentative plans to begin markups the week of July 8<sup>th</sup>, when the Senate returns from a

two-week Independence Day recess. The first three bills slated for markups (Agriculture, Military Construction-VA, and Legislative Branch) are considered among the least controversial. Allocations for the other nine bills, while still subject to change, are sure to trigger bigger partisan disputes. Setting the allocations, even in some preliminary form, allows committee staff to write all 12 bills, positioning the measures for potential markups beginning next month. If there is still no GOP support for markups because of the partisan standoff, Sen. Murray may release the bills after they are written. They could then serve as a starting point for negotiations with the House over final spending legislation that is unlikely to come until after the November elections.

### **Update on the 2024 WRDA**

The biennial Water Resources Development Act is a bill to authorize U.S. Army Corps of Engineers (USACE) flood control, navigation, and environmental works. We have been working with Representative Levin (D-CA) on possible report language that would direct the USACE to assess the extent to which coastal erosion is affecting rail corridors that are critical to national defense, as designated by the United States Department of Defense in the Strategic Rail Corridor Network that would benefit the LOSSAN Corridor.

At the end of June, the House Transportation and Infrastructure (T&I) Committee approved its version of the 2024 Water Resources Development Act (WRDA) with a vote of 61-2. The specific timing for consideration of the Committee-approved bill by the full House is unclear at the time of this report. While House Leadership has said they would like to move the bill to the floor prior to the August recess, a crowded floor schedule could mean consideration is postponed until September. As previously reported, the Senate Environment and Public Works (EPW) Committee approved its own WRDA reauthorization bill last month by a 19-0 vote. A final conference on the House and Senate bills would likely occur during the lame-duck session of Congress after the November elections.

### **Secretary Buttigieg Testifies at a House T&I Committee Hearing**

T&I Committee Chairman Sam Graves (R-MO) held an oversight hearing with Transportation Secretary Pete Buttigieg, during which Committee Members had the opportunity to question the Secretary on a range of issues, including the Department of Transportation's policy decisions and program implementation and the Department's FY25 budget request.

During the hearing, Republican Members of the T&I Committee called into question various policies and priorities of the Biden Administration's Department of Transportation (DOT), including regulatory proposals such as the onerous greenhouse gas (GHG) emissions proposal, the ongoing impacts of high inflation on infrastructure projects, the heedless push to electric vehicles (EVs), and the billions of dollars in federal spending on the California high-speed rail project. Highways and Transit Subcommittee Chairman Rick Crawford (R-AR) raised the concerns that he and many other Members of Congress have expressed about the Federal Highways Administration's proposed imposition of greenhouse gas (GHG) emissions performance measure on states and metropolitan planning organizations, a

proposal that federal courts have found, “demonstrably exceeds the Administration’s authority.

### **Rail Safety Bill Update**

The National Transportation Safety Board finalized a report on the investigation into the February 2023 Norfolk Southern derailment and chemical spill in East Palestine, Ohio. The final report did highlight potential flaws in the rail system that could be addressed through legislation and increased oversight. While the preliminary report identified an overheated wheel bearing as a contributing factor to the derailment, questions remain about the functionality of hot bearing detectors and communication with the crew. The aftermath of the derailment has sparked debates in Congress about rail safety legislation, with differing perspectives on the necessity and scope of proposed bills. Despite some Senate and House members pushing for action, challenges like industry lobbying have hindered progress. The release of the NTSB's final report is not expected to immediately precipitate legislative action as lawmakers scrutinize the report's findings and implications for rail safety measures. In conversation with House T&I Committee staff, we expect to have a hearing on the final NTSB report before the end of July.

### **House T&I Hearing on Post-Pandemic Lessons in Public Transit**

On June 13<sup>th</sup>, the House Committee on Transportation & Infrastructure held a hearing entitled “Post-Pandemic Lessons in Public Transit.” Many committee members focused primarily on the steps being taken to protect public transit workers due to a recent increase in physical attacks. Committee Chair Rick Crawford (R-AR), for example, focused his questioning on what public transit agencies are doing in response to transit violence. Some witnesses discussed safety measures like bus shields to separate the drivers from the rest of the riders and alert buttons that can immediately connect drivers with local law enforcement. One witness claimed to have seen a double-digit percentage decrease in attacks on drivers after physical barriers were installed.

A complete witness list is as follows:

- Ms. MJ Maynard, CEO, Regional Transportation Commission of Southern Nevada, on behalf of the American Public Transportation Association (APTA)
  - [Witness Testimony](#)
- Ms. Laura Hendricks, CEO, Transdev U.S., on behalf of the North American Transit Alliance (NATA)
  - [Witness Testimony](#)
- Mr. Marc Scribner, Senior Transportation Policy Analyst, Reason Foundation
  - [Witness Testimony](#)
- Mr. Greg Regan, President, Transportation Trades Department, AFL-CIO
  - [Witness Testimony](#)
- 

The full hearing is available for viewing [here](#).

## **Graves Welcomes Representative Vince Fong to T&I**

On June 12<sup>th</sup>, Transportation and Infrastructure Committee Chairman Sam Graves (R-MO) welcomed Congressman Vince Fong, a Republican representing California's 20<sup>th</sup> Congressional District, to the Transportation and Infrastructure Committee. "As a former Member of the California State Assembly and seven-year member of its Transportation Committee, Congressman Fong is an experienced legislator, and I am excited to welcome him to the T&I Committee," said Chairman Graves.

Rep. Fong was sworn in on June 3, 2024. He will serve on the Subcommittee on Aviation and the Subcommittee on Railroads, Pipelines, and Hazardous Materials.

## **House T&I Hearing on Amtrak and Intercity Rail**

On June 12<sup>th</sup>, the House T&I Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing entitled "Amtrak and Intercity Passenger Rail Oversight: Promoting Performance, Safety, and Accountability." Chairman Troy Nehls (R-TX) expressed his concerns regarding the effectiveness and profitability of Amtrak among record funding levels from Congress and the Bipartisan Infrastructure Law (BIL),

Chairman Nehls addressed issues relating to the \$2.5 billion in funding set aside for the procurement of new Acela trainsets in 2016, which have yet to be integrated into service. Full Committee Ranking Member Larsen (D-WA) raised concerns that Amtrak has focused too heavily on the Northeast Corridor instead of creating a national network.

Several committee members expressed concern regarding recent pay raises for Amtrak executives despite the Amtrak never breaking even in terms of profitability.

The full hearing is available [here](#).

## **Senate THUD Subcommittee Hearing on TIFIA for Transit Oriented Development**

On June 18<sup>th</sup>, the Senate THUD Appropriations Subcommittee held a hearing entitled: "*Unlocking Department of Transportation Financing for More Transit-Oriented Housing Development*" (TOD) to discuss ways to promote TOD through the Transportation Infrastructure Finance and Innovation Act (TIFIA) program, aiming to stimulate local economies, increase housing affordability, and reduce dependence on cars.

The U.S. Department of Transportation's TIFIA program offers federal credit assistance for large-scale transportation projects, with a focus on leveraging funds to attract private investments. Despite the potential benefits of TOD, only one project out of 24 proposals has been approved, leading the subcommittee to question the program's efficiency. Concerns were raised about high housing costs and the financial burden on households, highlighting the need for dense housing near public transit. Testimonies at the hearing pointed out regulatory barriers and suggested streamlining the TIFIA processes, reducing local funding requirements, and granting waivers to expedite housing development near transit hubs.

Experts emphasized the importance of providing affordable housing options near transit stations, particularly for low-income individuals.

The full hearing can be found [here](#).

### **House Oversight Hearing Looks at California's Zero-Emission Railroad Mandate**

On June 13<sup>th</sup>, the Investigations and Oversight Subcommittee of the House Committee on Science, Space, and Technology held a hearing entitled: "*Environmentalism Off the Rails: How CARB Will Cripple the National Rail Network*". The House hearing focused on California's zero-emission railroad mandate, which imposes strict regulations on freight rail locomotives to reduce emissions.

The California Air Resources Board (CARB) rule requires locomotives in the state to have newer engines by 2030 and mandates zero-emission freight locomotives by 2035. The hearing discussed the logistical challenges and economic impacts of implementing this rule, including the need for advanced technology such as battery-powered, hydrogen-powered, or catenary electric locomotives.

Witnesses highlighted the potential disruptions to rail operations and the financial burden on railroads, especially smaller operators. The debate also touched on legal issues regarding federal versus state authority in regulating emissions and the potential health benefits versus economic impacts of the mandate.

A list of witnesses is as follows:

- Mr. Ian Jefferies, President and Chief Executive Officer, Association of American Railroads
- Mr. Chuck Baker, President, American Short Line and Regional Railroad Association
- Mr. Alan Abbs, Legislative Officer, Bay Area Air Quality Management District
- Dr. Tyler Dick, Professor, Texas Railway Analysis & Innovation Node (TRAIN), University of Texas Austin

The hearing raised concerns about the feasibility and implications of enforcing the CARB mandate, particularly in the context of interstate commerce and industry practices. A similar hearing is currently being schedule by the House T&I Railroad Subcommittee in July.

A link to the full hearing is available [here](#).

### **Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grants Announced**

On June 26<sup>th</sup>, U.S. Transportation Secretary Pete Buttigieg announced \$1.8 billion in awards from the RAISE discretionary grant program for 148 projects across the country. This announcement brings the total amount of Biden-Harris Administration RAISE grants to more than \$7.2 billion for over 550 projects across the country. The competitive and popular

RAISE program, which was authorized \$1.5 billion a year on top of already appropriated funds from President Biden’s Bipartisan Infrastructure Law, supports a diverse slate of communities with projects of local and regional significance. Funding is split equally between urban and rural areas, and a large percentage of grants support regions defined as historically disadvantaged or areas of persistent poverty. The eligibility requirements of RAISE allow project sponsors, including state and local governments, counties, Tribal governments, transit agencies, and port authorities, to pursue multi-modal and multi-jurisdictional projects that are more difficult to fund through other grant programs. Project selections announced in June include:

- **\$25,000,000** for the **Santa Ana Boulevard Grade Separation Project in Santa Ana, California** – The project will fund the reconstruction of an existing rail crossing with the Southern California Regional Rail Authority Orange Line double tracks at Santa Ana Boulevard, adjacent to the Santa Ana Regional Transportation Center, with a new multimodal grade separated underpass. The reconstructed roadway will be reduced from six-lanes to four-lanes with on-street protected bikeways, sidewalks, and a pedestrian overcrossing is included that parallels the rail line. Additionally, the project will include connection to the future Golden Loop trail system, with 17.5 miles of planned trail improvements for access to the wider Santa Ana trail and recreational park network. Also, the project will eliminate vehicle idling when the at-grade crossing is closed, thereby improving air quality for the surrounding communities.

The full list of projects is available [here](#).

### **Funding Available through National Culvert Removal and Restoration Program**

The Federal Highway Administration (FHWA) recently announced a Notice of Funding Opportunity making available up to \$784 million for the National Culvert Removal, Replacement, and Restoration Grant Program (Culvert Aquatic Organism Passage (AOP) program). The program funds projects that improve anadromous fish passage by mitigating AOP barriers posed by transportation-related facilities such as culverts.

States, local governments, transit agencies, and Indian Tribes are eligible to receive funds under the Culvert AOP Program. The deadline to apply for FY23 funding via Grants.gov is Monday, September 23, 2024.

FHWA will host a webinar at 1:00 p.m. ET on July 15<sup>th</sup> to present an overview of updates to the Culvert AOP Program for FY 2023-26, provide applicants with knowledge for applying to the program, and clarify questions associated with the application process. This webinar is free and open to the public, and it can be found [here](#).

### **FY23 through FY26 Bridge Investment Program: Planning and Bridge Project Grants**

As part of the Bipartisan Infrastructure Law (BIL), the Department of Transportation (DOT) announced funding availability for the Bridge Investment Program (BIP), which includes the Planning and Bridge Project grants. DOT will provide financial assistance for a project to



replace, rehabilitate, preserve, or protect one or more bridges on the National Bridge Inventory. The goals of the program are to: 1) improve the safety, efficiency, and reliability of the movement of people and freight over bridges; 2) improve the condition of bridges in the United States; and 3) provide financial assistance that leverages and encourages non-Federal contributions from sponsors and stakeholders involved in the planning, design, and construction of eligible projects.

Eligible Entities: State, County, and Local Governments, Metropolitan Planning Organizations, Federal Land Management Agencies, Multi-State or Multi-Jurisdictional groups, and Federally recognized Indian Tribes. Required Cost Sharing or Match of 20% is required.

Application Deadlines: As outlined in the NOFO, eligible applicants may apply for a Planning or Bridge Project grant for a specific fiscal year of funding at any time up to the application deadline for that fiscal year (see below).

- FY25: October 1st, 2024 (planning application) and November 1st, 2024 (bridge project application)
- FY26: October 1st, 2025 (planning application) and November 1st, 2025 (bridge project application)

Additional program information is available [here](#).

### **Strengthening Mobility and Revolutionizing Transportation (SMART) Grant Program Funding Availability Announced**

USDOT announced the funding availability for the SMART Grants Program. The purpose of the program is to conduct demonstration projects focused on advanced smart city or community technologies and systems in a variety of communities to improve transportation efficiency and safety. The program funds projects that are focused on using technology interventions to solve real-world challenges and build data and technology capacity and expertise in the public sector. The SMART Grants Program includes two stages: Stage 1 Planning and Prototyping Grants (Stage 1 grants) and Stage 2 Implementation Grants (Stage 2 grants).

Eligible Entities are as follows: A State; Cities, Counties, and other political subdivisions of a State; Federally recognized Indian tribes; Public transit agency or authority; Public toll authority; Metropolitan planning organization; A group of two or more eligible entities through a single lead applicant.

The total program funding available is \$50 million. There is no required cost sharing or match. **Application Deadline:** July 12<sup>th</sup>, 2024 at 5:00PM EST. Additional program information is available [here](#).



COMMITTEE TRANSMITTAL

**July 22, 2024**

**To:** Members of the Board of Directors  
**From:** Andrea West, Clerk of the Board *Andrea West*  
**Subject:** Approval to Sell Surplus Land for the Interstate 405 Improvement Project Between State Route 73 and Interstate 605

Finance and Administration Committee Meeting of July 10, 2024

**Present:** Directors Do, Federico, Harper, Hennessey, Klopfenstein, and Nguyen  
**Absent:** Director Sarmiento

**Committee Vote**

This item was passed by the Members present.

**Committee Recommendation(s)**

- A. Direct staff to sell the surplus land located within the Interstate 405 Improvement Project between State Route 73 and Interstate 605 for public use.
- B. Authorize the Chief Executive Officer to negotiate and execute the necessary documents to complete the sale of the surplus land for the offer price of \$4,500,000.



**July 10, 2024**

**To:** Finance & Administration Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Approval to Sell Surplus Land for the Interstate 405 Improvement Project Between State Route 73 and Interstate 605

A handwritten signature in blue ink, appearing to read "Darrell Johnson", is written over the "From:" line of the memo.

**Overview**

The Orange County Transportation Authority has substantially completed the freeway improvements for the Interstate 405 Improvement Project between State Route 73 and Interstate 605 for public use. The project required acquisition of property rights from public and private parties adjacent to the existing freeway and city streets to construct the freeway improvements. Now an approximately 44,540 square-foot improved commercial property located at 14980 Goldenwest Avenue, in the City of Westminster, Assessor Parcel Numbers 096-522-02 and 096-522-04, is recommended to be sold as surplus land by the Orange County Transportation Authority. Staff is seeking approval to sell the vacant land as surplus land under the Surplus Land Act (Government Code Section 54220 et seq.).

**Recommendations**

- A Direct staff to sell the surplus land located within the Interstate 405 Improvement Project between State Route 73 and Interstate 605 for public use.
- B. Authorize the Chief Executive Officer to negotiate and execute the necessary documents to complete the sale of the surplus land for the offer price of \$4,500,000.

**Background**

The acquisition of public and private properties is often required to implement transportation projects even though extensive efforts are made during the planning and design process to avoid or minimize the impacts to public and private properties. Design-build (DB) Cooperative Agreement No. C-4-1847 between the Orange County Transportation Authority (OCTA) and the California

Department of Transportation (Caltrans) was approved by the Board of Directors (Board) on June 30, 2015, and defined the roles and responsibilities of OCTA and Caltrans for final design, construction, and right-of-way (ROW) acquisition for the Interstate 405 Improvement Project between State Route 73 and Interstate 605 (Project). Pursuant to the DB cooperative agreement, OCTA is the lead implementing agency for final design, construction, and ROW acquisition for the Project. This also includes the responsibility for OCTA to be the lead agency in the need to dispose of any surplus land.

The approved design for the Project required the acquisition of an improved commercial property located adjacent to the Project to accommodate bridge improvements and construction of the Bolsa Avenue off-ramp. Construction of the freeway and bridge improvements are now complete and therefore the property, as acquired, is no longer needed by the Project, resulting in the creation of surplus land (Attachment A). OCTA staff recommends the Board authorize the Chief Executive Officer to execute the necessary documents to complete the sale of the surplus land located at 14980 Goldenwest Avenue, in the City of Westminster, Assessor Parcel Numbers 096-522-02 and 096-522-04 (Attachment B).

### ***Discussion***

The Project required the replacement of the Goldenwest bridge and the Bolsa Avenue bridge with limited access to the property during construction. As a result, businesses could not operate; therefore, on February 26, 2018, the Board authorized the acquisition of the property. The subject property is a 44,540 square-foot parcel improved with an existing retail building containing 15,190 square feet of gross leasable area in two separate buildings. The property is no longer needed by the Project and is not planned to be used by OCTA. Staff has analyzed the potential uses for the subject property and determined that it is not necessary for any highway-related purposes or other OCTA uses.

The Surplus Land Act (SLA) defines “surplus land” as “land owned in fee simple by a local agency for which the governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency’s use.” Under the SLA, an “agency’s use” includes, but is not limited to, land that is being used or is planned to be used pursuant to a written plan adopted by the local agency’s governing board (Government Code Section 54221). The SLA requires OCTA to send notices of availability of surplus land to local public entities and housing sponsors and engage in good-faith negotiations with any parties that, within 60 days, express interest to purchase or lease the land for purposes specified in the SLA. On October 9, 2023, the Board formally declared the property as surplus land pursuant to Government Code Section 54221 and directed staff to seek and negotiate with potential buyers interested in the purchase of the surplus land. Per the SLA, OCTA staff mailed

notices of availability on November 6, 7, and 8, 2023, respectively. OCTA received one written letter expressing interest in purchasing the surplus land. OCTA attempted to make contact and open good-faith negotiations; however, OCTA has not received any response. Thereafter, as further required by the SLA, OCTA provided information regarding the proposed sale to the California Department of Housing and Community Development (HCD), including the mandatory affordable housing restrictions to be recorded on the property. On April 2, 2024, HCD determined that OCTA met all the requirements under the SLA (Attachment C); therefore, OCTA can proceed with the proposed disposition of the land.

Sale of the subject property is being conducted in accordance with the SLA, OCTA's Real Property Policies and Procedures, and Caltrans guidelines. The property was appraised by a qualified appraiser on December 11, 2023, with a value of \$4,650,000. OCTA used the services of its consultant, CBRE, Inc., for commercial brokerage services, to facilitate the sale of the surplus land. CBRE, Inc., was in contact with a number of potential buyers and conducted negotiations to recommend a qualified buyer to acquire the surplus land. On June 14, 2024, CBRE, Inc., received a Letter of Intent (Attachment D) from a potential buyer to purchase the surplus land for the value of \$4,500,000. The Letter of Intent outlines the general terms and conditions upon negotiating a definitive Purchase and Sale Agreement. The potential buyer shall have 30 days from the execution of the Purchase and Sale Agreement to conduct due diligence followed by 15 days to close escrow. The potential buyer has agreed to pay the closing costs for this transaction, less CBRE, Inc., commission, which shall be paid by OCTA through an escrow. Per Agreement No. C-0-2160 between OCTA and CBRE, Inc., the commission rate by OCTA is agreed at four percent for the first \$3,000,000 of the purchase price, or \$120,000, and three percent for the remainder of the purchase price, or \$45,000, for a total commission value of \$165,000.

#### **Fiscal Impact**

Proceeds from the surplus land sale will be returned to the local Measure M2 fund.

#### **Summary**

Staff recommends the Board of Directors direct staff to sell the surplus land located within the Interstate 405 Improvement Project between State Route 73 and Interstate 605 and authorize the Chief Executive Officer to negotiate and execute a purchase and sale agreement with the potential buyer for the sale price of \$4,500,000.

***Attachments***

- A. Photo Aerial Exhibit
- B. Assessor Parcel Numbers 096-522-02 and 096-522-04
- C. Letter from Laura Nunn, Senior Manager, Department of Housing and Community Development, to Cassie Trapesonian, Woodruff & Smart, APC, dated April 2, 2024, re: Written Comments Regarding the Orange County Transportation Authority's Surplus Land Disposition Documentation for 14980 Goldenwest Street, Westminster (APNs 096-522-02 and 096-522-04) Declared Surplus by the Minutes of the Board of Directors Meeting Dated October 9, 2023
- D. Letter from Peter N. Andrich, Senior Vice President, CBRE, Inc., to John Pedicini, JP Development, dated June 13, 2024, re: Letter of Intent – Counter Proposal, OCTA Surplus Land – 14970-14990 Goldenwest Street, Westminster, CA 92683

**Prepared by:**



Joe Gallardo  
Manager, Real Property  
(714) 560-5546

**Approved by:**



James G. Beil, P.E.  
Executive Director, Capital Programs  
(714) 560-5646

# Photo Aerial Exhibit



Not to Scale,  
For Presentation Purposes Only

# PSOMAS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

EXHIBIT 'A1'  
LEGAL DESCRIPTION

Caltrans Parcel No. 103161-10

Excess Lands

APN 096-522-02 & 04

In the City of Westminster, County of Orange, State of California, being a portion of  
Parcels 1 and 2 as described in the Grant Deed recorded December 30, 1978, in Book  
12015, Page 1203 of Official Records of the County of Orange:

Excepting therefrom the following described parcel:

Caltrans Parcel No. 103161-7

**Beginning** at the centerline intersection of Goldenwest Street and Bolsa Avenue, said  
intersection also being the southwest corner of Section 11, Township 5 South,  
Range 11 West, Rancho Las Bolsa, as shown on Sheet 24 of Record of Survey  
No. 2015-1144, filed in Book 311, Pages 1 through 30 of Records of Survey, records of  
the County of Orange; thence South 89°32'39" East 358.84 feet along the centerline of  
said Bolsa Avenue; thence leaving said centerline North 00°27'21" East 56.00 feet to the  
southerly line of Parcel 1 as described in the Grant Deed recorded December 30, 1978, in  
Book 12015, Page 1203 of Official Records of the County of Orange and the **True Point  
of Beginning**; thence leaving said southerly line of said Parcel 1 North 05°33'45" West  
7.59 feet; thence North 05°53'26" West 49.62 feet to the easterly line of said Parcel 1;  
thence along said easterly line South 44°02'42" East 18.38 feet to the southeasterly  
corner of the land described in Director's Deed recorded March 25, 1970, in Book 9246,  
Page 905, of Official Records of said County; thence continuing along said easterly line  
South 44°43'05" East 62.06 feet to the southeasterly corner of said Parcel 1; thence along  
the southerly line of said Parcel 1 North 89°32'39" West  
50.62 feet to the **True Point of Beginning**.



# PSOMAS

1 Also excepting therefrom the following described parcel:

2  
3 **Caltrans Parcel No. 103161-8**

4 **Beginning** at the centerline intersection of Goldenwest Street and Bolsa Avenue, said  
5 intersection also being the southwest corner of Section 11, Township 5 South,  
6 Range 11 West, Rancho Las Bolsas, as shown on Sheet 24 of Record of Survey  
7 No. 2015-1144, filed in Book 311, Pages 1 through 30 of Records of Survey, records of  
8 County of Orange; thence South 89°32'39" East 97.45 feet along the centerline of said  
9 Bolsa Avenue; thence leaving said centerline North 0°27'21" East 41.60 feet to the  
10 southerly line of Parcel 2 as described in the Grant Deed recorded December 30, 1978 in  
11 Book 12015, Page 1203 of Official Records of said County, and the **True Point of**  
12 **Beginning**; thence leaving said southerly line of said Parcel 2 North 00°27'30" West  
13 10.31 feet; thence North 43°52'11" West 6.83 feet; thence North 89°01'33" East  
14 23.40 feet; thence South 86°12'52" East 94.53 feet to said southerly line; thence along  
15 said southerly line South 85°14'48" West 113.30 feet to the **True Point of Beginning**.

16  
17 The above-described parcel exception is made for the purpose of a freeway and the  
18 GRANTOR hereby releases and relinquishes to the GRANTEE any and all abutter's  
19 rights including access rights, appurtenant to GRANTOR's remaining property, in and to  
20 the freeway.

21  
22 Containing 44,540 square feet (1.022 acres, more or less).

23  
24 The distances shown herein are grid distances. Ground distances may be obtained by  
25 dividing grid distances by the combination factor of 0.99997837.

26  
27 See Exhibit 'A2' attached hereto and made apart hereof.

# PSOMAS



- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31

Prepared under the direction of

*Peter Fitzpatrick*

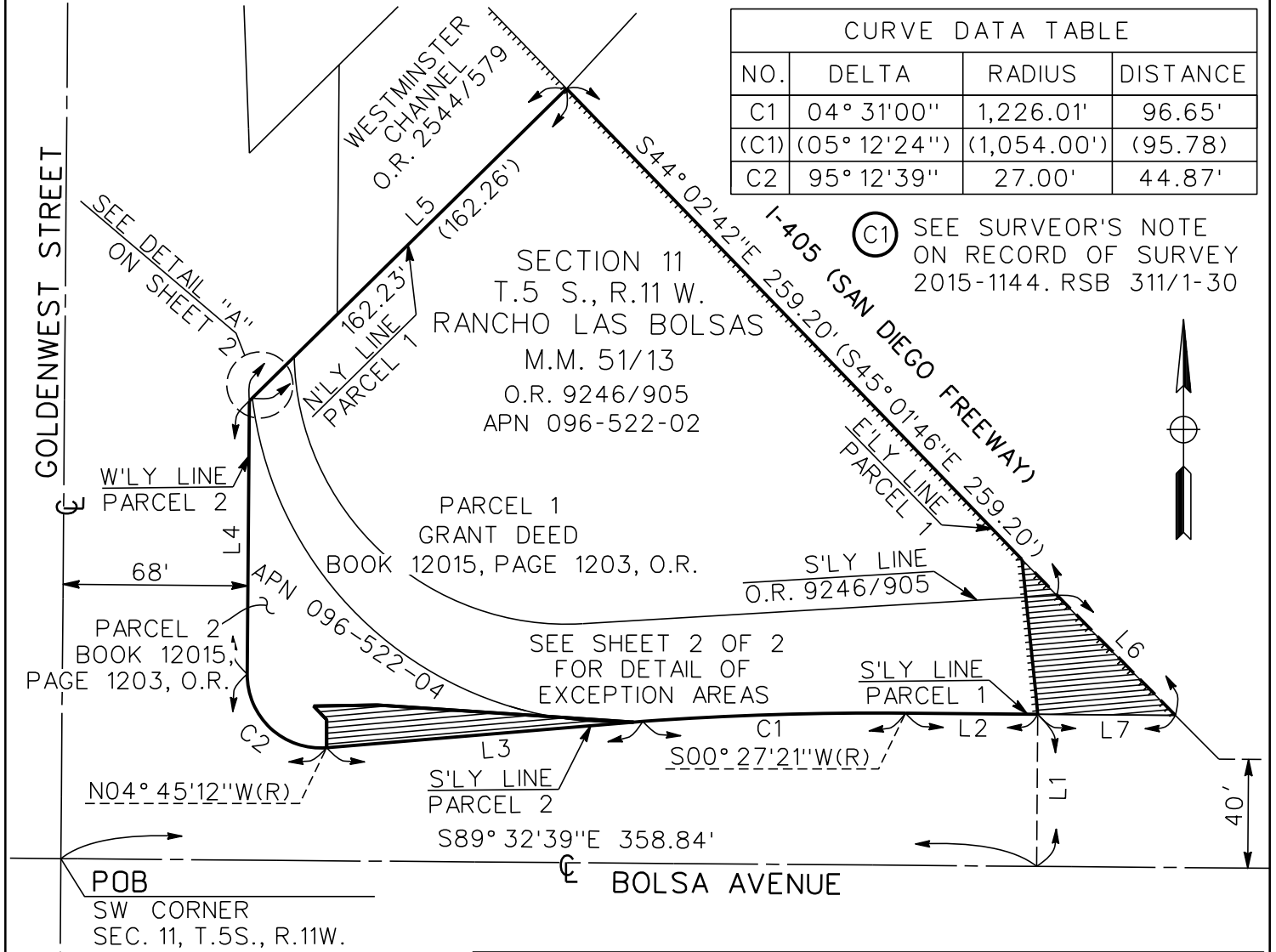
June 20, 2024

Peter J. Fitzpatrick, PLS 6777

Date

# EXHIBIT A2

PARCEL #	TITLE	AREA	APN
103161-10	EXCESS LANDS	44,540 SF	096-522-02 & 04



NO.	DELTA	RADIUS	DISTANCE
C1	04° 31'00"	1,226.01'	96.65'
(C1)	(05° 12'24")	(1,054.00')	(95.78)
C2	95° 12'39"	27.00'	44.87'

(C1) SEE SURVEOR'S NOTE  
ON RECORD OF SURVEY  
2015-1144. RSB 311/1-30

NO.	BEARING	RECORD BEARING	DIST	RECORD DIST
L1	N00° 27'21"E	NA	56.00'	NA
L2	N89° 32'39"W	(N89° 32'45"W)	48.67'	NA
L3	S85° 14'48"W	(S85° 14'51"W)	116.65'	(116.65')
L4	N00° 27'27"E	(N00° 27'30"E)	100.38'	(100.38')
L5	N45° 27'27"E	(N45° 27'30"E)	163.70'	(163.74' CALC)
L6	S44° 43'05"E	(S44° 42'09"E)	62.06'	(61.24')
L7	N89° 32'39"W	(N89° 32'45"W)	50.62'	NA

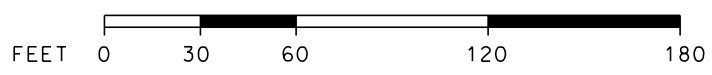
TPOB	True Point of Beginning
POB	Point of Beginning
	Title to State
	Access Prohibited
	Superseded Right of Way
	Easement Line
	Exception Area
( )	Record Data per Grant Deed Recorded December 30, 1978 in Book 12015, Page 1203, O.R.

**NOTES**

The distances shown herein are grid distances. Ground distances may be obtained by dividing grid distances by the combination factor of 0.99997837.

## 103161-10

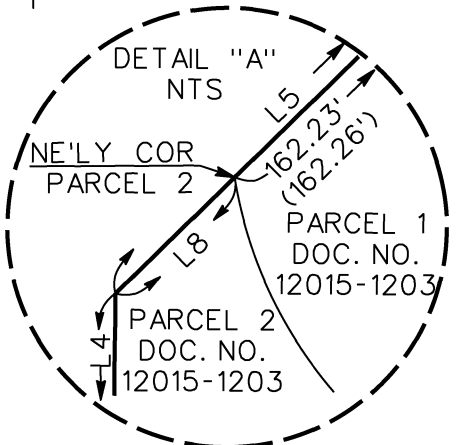
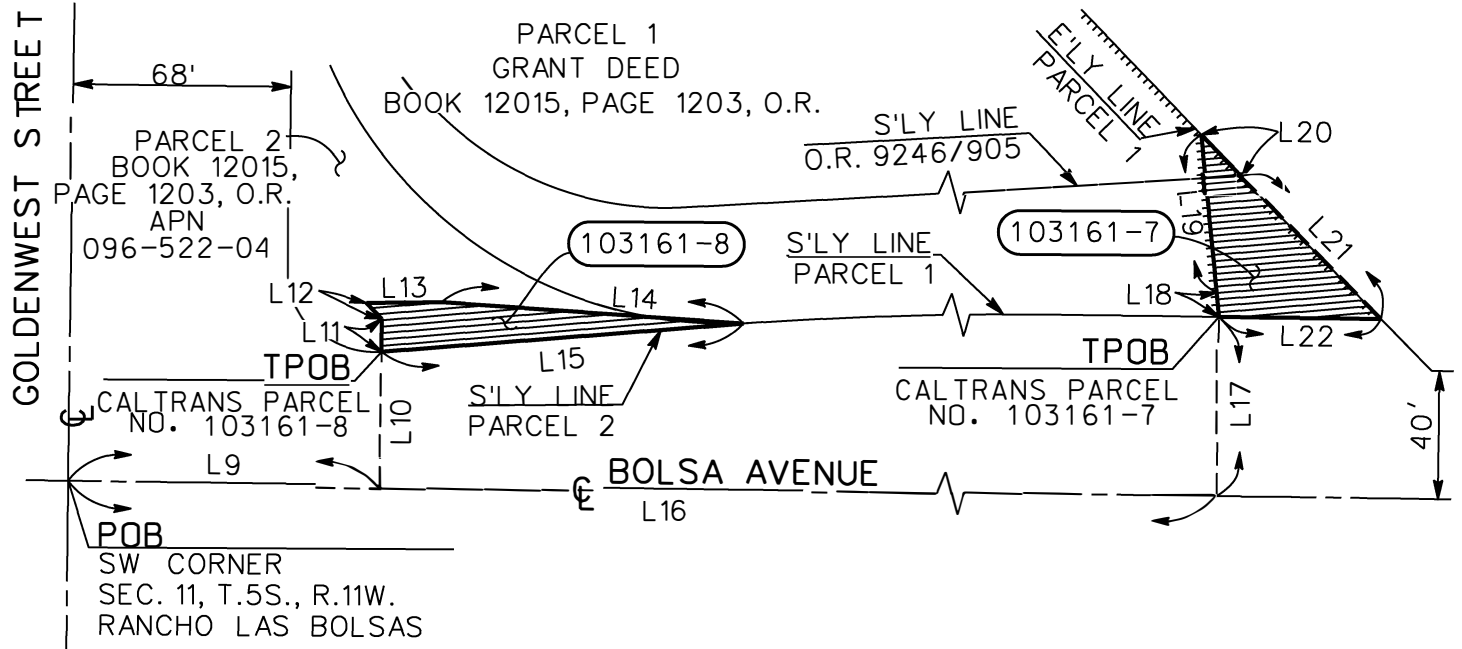
EXCESS LANDS



PREPARED BY: <b>PSOMAS</b> <small>5 Hutton Centre Dr. Suite 300 Santa Ana, California 92707 (714) 751-7373 / (714) 545-8883 (Fax)</small>	DATE: 06-19-24    REV.: XX-XX-XX    EA:    FA#:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>DISTRICT</th> <th>COUNTY</th> <th>ROUTE</th> <th>SHEET PM</th> <th>SHEET NO.</th> <th>TOTAL SHEETS</th> </tr> <tr> <td style="text-align: center;">12</td> <td style="text-align: center;">ORANGE</td> <td style="text-align: center;">405</td> <td style="text-align: center;">17.86</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> </tr> </table>	DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS	12	ORANGE	405	17.86	1	2	
DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS										
12	ORANGE	405	17.86	1	2										

# EXHIBIT A2

PARCEL #	TITLE	AREA	APN
103161-10	EXCESS LANDS	44,540 SF	096-522-02 & 04



LINE DATA TABLE		
NO.	BEARING	DISTANCE
L8	N45° 27'27"E	1.47'
(L8)	(N45° 27'30"E)	(1.48')
L9	S89° 32'39"E	97.45'
L10	N00° 27'21"E	41.60'
L11	N00° 27'30"W	10.31'
L12	N43° 52'11"W	6.83'
L13	N89° 01'33"E	23.40'
L14	S86° 12'52"E	94.53'
L15	S85° 14'48"W	113.30'
L16	S89° 32'39"E	358.84'
L17	N00° 27'21"E	56.00'
L18	N05° 33'45"W	7.59'
L19	N05° 53'26"W	49.62'
L20	S44° 02'42"E	18.38'
L21	S44° 43'05"E	62.06'
L22	N89° 32'39"W	50.62'

LEGEND	
TPOB	True Point of Beginning
POB	Point of Beginning
<span style="border: 1px solid black; border-radius: 50%; padding: 2px;"> </span>	Title to State
<span style="border-top: 1px dashed black; width: 20px; display: inline-block;"></span>	Access Prohibited
<span style="border-top: 1px dashed black; width: 20px; display: inline-block;"></span>	Superseded Right of Way
<span style="border-top: 1px solid black; width: 20px; display: inline-block;"></span>	Easement Line
<span style="border-top: 1px solid black; width: 20px; display: inline-block;"></span>	Exception Area
( )	Record Data per Grant Deed Recorded December 30, 1978 in Book 12015, Page 1203, O.R.

**NOTES**

The distances shown herein are grid distances. Ground distances may be obtained by dividing grid distances by the combination factor of 0.99997837.

103161-10

EXCESS LANDS

FEET 0 30 60 120 180

PREPARED BY: <b>PSOMAS</b> <small>5 Hutton Centre Dr., Suite 300          Santa Ana, California 92707          (714) 751-7373 / (714) 545-8883 (Fax)</small>	DATE: 06-19-24    REV.: XX-XX-XX    EA:    FA#:	DISTRICT: 12	COUNTY: ORANGE	ROUTE: 405	SHEET PM: 17.86	SHEET NO.: 2	TOTAL SHEETS: 2
--	---	--------------	----------------	------------	-----------------	--------------	-----------------

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



April 2, 2024

Cassie Trapesonian  
Woodruff & Smart, APC  
555 Anton Boulevard, Suite 1200  
Costa Mesa, CA 92626

Dear Cassie Trapesonian:

**RE: Written Comments Regarding the Orange County Transportation Authority's Surplus Land Disposition Documentation for 14980 Goldenwest Street, Westminster (APNs 096-522-02 and 096-522-04) Declared Surplus by the Minutes of the Board of Directors Meeting Dated October 9, 2023**

Thank you for submitting your surplus land documentation, on behalf of the Orange County Transit Authority (OCTA), for review by the California Department of Housing and Community Development (HCD). We received your completed documentation on March 4, 2024. This letter constitutes HCD's written comments pursuant to Government Code section 54230.5 of the Surplus Land Act (SLA), for the properties located at 14980 Goldenwest Street, Westminster (APNs 096-522-02 and 096-522-04) (Property).

According to your letter and included documents, Minutes of the Board of Directors Meeting Dated October 9, 2023 (Minutes), identifying the property as Surplus Land (CA Government Code, section 54221 (b)(2)) and that the Notices of Availability (NOA) was sent to all the required entities on November 6, 2023. During the required 60-day period, the OCTA received one interest from the Olson Company on November 6, 2023. OCTA has stated that attempts were made to contact Olson Company via telephone and email to determine interest and to enter good faith negotiations. OCTA states that they have not received any response from the Olson Company.

If the submitted documentation is complete and accurate, HCD determines that OCTA has met all the requirements under the SLA for the purposes of disposing of the surplus land for the Property.

If you have any questions or need additional technical assistance, please contact Helen Morales, Housing Policy Specialist, at [Helen.Morales@hcd.ca.gov](mailto:Helen.Morales@hcd.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "Laura Nunn".

Laura Nunn  
Senior Manager, Housing Accountability Unit  
Housing Policy Division

**June 10, 2024 Letter of Intent**



Peter N. Andrich  
Senior Vice President  
California Broker Lic. 00574352  
Idaho Broker Lic. 43922

3501 Jamboree Road, Suite 100  
Newport Beach, CA 92660-2940

CBRE, Inc.  
Investment Properties  
Broker Lic. 00409987

949.725.8622 Tel  
949.725.8545 Fax

pefer.andrich@cbre.com  
www.cbre.com

June 13, 2024

Mr. John Pedicini  
JP Development  
20051 SW Cypress Street  
Newport Beach, CA 92660

Re: Letter of Intent – Counter Proposal  
OCTA Surplus Land – 14970-14990 Goldenwest Street  
Westminster, CA 92683

Dear John:

Thank you for your interest in the Orange County Transportation Authority (OCTA) Surplus Land at 14970-14990 Goldenwest Street, Westminster, CA 92683 (the "Property"). OCTA ("Seller") has authorized CBRE to issue this Letter of Intent – Counter Proposal ("Letter") for your review and approval. Thus, the purpose of this Letter is to respond to your interest in the purchasing the Property by outlining the general terms and conditions that would be acceptable to OCTA upon entering a definitive Purchase and Sale Agreement ("PSA").

1. Seller: Orange County Transportation Authority
2. Buyer: T&G Trust or approved assignee ("Buyer")
3. Property: OCTA Surplus Land - (± 15,190SF Improvements, ± 44,540SF Land)  
14970-14990 Goldenwest Street  
Westminster, CA 92683  
APNs 096-522-02 and -04
4. Purchase Price: FOUR MILLION FIVE HUNDRED DOLLARS (\$4,500,000), all cash at close of escrow.
5. Interest Purchased: Fee simple interest in all land and improvements. Buyer is acquiring the Property "AS IS" without any representation or warranty of Seller, expressed, implied or statutory, as to the nature or condition of or title to Property or its fitness for Buyer's intended use.
6. Due Diligence Period. Buyer shall have Thirty (30) days from the execution of the PSA to conduct due diligence ("Due Diligence Period"). During the Due Diligence Period, Seller shall grant Buyer full access to the Property to conduct due diligence, which shall be solely at Buyer's expense. Due diligence items may include, but not limited to, environmental, permits,

1839804.1

zoning, geotechnical and title. Buyer shall further have the Due Diligence Period to satisfy themselves regarding "Paragraph 7 Contingencies" as outlined in Buyer's May 9, 2024, proposed Letter of Intent. During the Due Diligence Period, Buyer will have the unilateral right to approve or disapprove said items. Delivery of documents is subject to Seller's possession of, or ability to deliver said materials. Seller shall provide Buyer any surveys, environmental assessments, leases, permits, legal actions, or other property in Seller's possession regarding the Property.

7. Earnest Money Deposit: Within five days of opening escrow Buyer shall deposit ONE HUNDRED THOUSAND DOLLARS \$100,000 ("Deposit") into escrow. The Deposit shall be placed into an interest-bearing escrow account, with interest accruing for the benefit of the Buyer. The Deposit will be credited to the Purchase Price should escrow close on the Property. Upon expiration of the Due Diligence Period, Buyer's deposit shall be non-refundable.
8. Opening and Closing of Escrow: Escrow shall be opened at a title/escrow company ("Escrow Holder") selected by OCTA within three (3) days upon execution of the PSA. Buyer shall have fifteen (15) days following the end of the Due Diligence Period to close the transaction.
9. Closing Costs and Expenses: The cost of the CLTA portion of the Title Policy shall be paid by Seller. The cost of the ALTA Survey, any premium, any additional costs for the ALTA extended coverage additional to the premium for CLTA coverage, and the cost of any endorsements to the Title Policy shall be paid by Buyer. Buyer and Seller shall pay, respectively, the Escrow Holder's customary charges to buyers and sellers for document and miscellaneous charges. Buyer shall pay all other escrow fees. If, as a result of no fault of Seller or Buyer, escrow fails to close, Seller and Buyer shall share equally all of Escrow Holder's fee and charges. Each party will be responsible for its own attorney fees.
10. Dual Agency Brokerage: Peter N. Andrich, CBRE, represents both Buyer and Seller. Buyer and Seller hereby consent to said Dual Agency.
11. Sales Commission: At the close of escrow, Seller shall be responsible for the payment of the brokerage commission to CBRE as per separate agreement. Each party hereby agrees to indemnify each other against any real estate commission claimed to be due and payable in connection with the sale of the Property other than as stated herein. Seller and Buyer each represent to each other that they have dealt with no broker other than Peter N. Andrich, CBRE.
12. Purchase and Sale Agreement: Seller to provide Buyer with a draft of the PSA incorporating the terms and conditions contained herein within five business (5) days of OCTA's Board of Directors approving this Letter. This Letter shall terminate and expire upon OCTA's Board of Directors rejecting this Letter.
13. Contingency: The sale of the Property is contingent upon OCTA reserving fee title and/or an easement in favor of the California State Department of Transportation (Caltrans) and the City of Westminster as depicted on Attachment A. The area being reserved is in conjunction with the freeway improvements recently constructed as part of the I-405 Improvement Project. In addition, OCTA is required, when selling property it declares as Surplus Land under Government Code section 54221, to place restrictions on the future residential development of such property and record a Declaration of Covenants and Restrictions Deed against the Property (Attachment B).

14. Non-Binding. *This Letter is not a commitment to sell the Property nor is it a commitment to exclusively negotiate with Buyer until OCTA's Board of Directors approve this Letter. The comments contained in this Letter do not address all of the Seller's terms and conditions that may be set forth in a PSA as the intent of this letter is general in nature is only an expression of the basic conditions to be incorporated into the PSA. It should be expressly understood that OCTA's Board of Directors is the only party authorized to approve any of the terms or conditions of any proposed sale of the Property. No agreement to sell the Property will exist until the execution of a binding PSA by both parties and if necessary, further approved by OCTA's Board of Directors. This Letter does not require either party to negotiate in good faith or to proceed to the completion of a binding PSA. The parties shall not be contractually bound unless and until they enter into a formal, written PSA, which must be in form and content satisfactory to each party and to each party's legal counsel, in their sole discretion. Neither party may rely on this Letter as creating any legal obligation of any kind. Notwithstanding the foregoing, Seller and Buyer agree to use reasonable efforts to negotiate and execute a mutually acceptable PSA within fifteen (15) business days thereafter.*

Unless this Letter is executed by Buyer and delivered to OCTA, or its agent, the time for acceptance of this Letter by Buyer shall expire at 5:00 PM, five (5) days from delivery to Buyer.

Thank you again for your interest and consideration in the Property. If you have any questions regarding this Letter or require any additional information, please do not hesitate to contact me.

Sincerely,

Peter N. Andrich  
Senior Vice President

**AGREED AND ACCEPTED:**  
John Pedicini, Trustee of T&G Trust:

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: 6-14-24

**AGREED AND ACCEPTED:**  
Orange County Transportation Authority

By: \_\_\_\_\_  
James G. Beil, Executive Director, Capital Programs

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

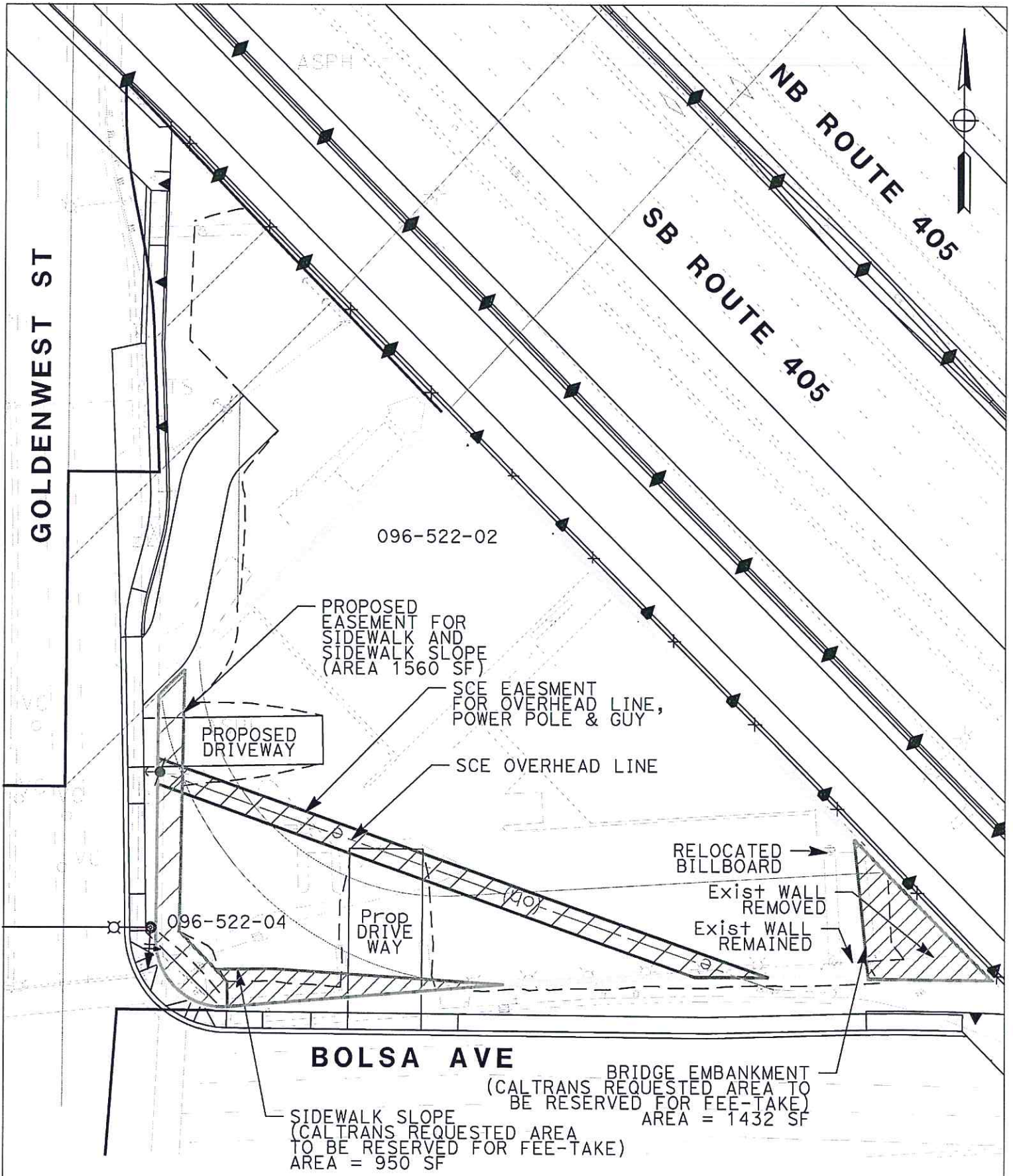
Approved as to Form:

By: \_\_\_\_\_  
James M. Denich, General Counsel

Date: 6/13/24



# ATTACHMENT "A"



- Exist PARCEL BOUNDARY
- Exist CALTRANS R/W
- ▨ PROPOSED CITY EASEMENT AFTER PROJECT IMPROVMENT
- ▨ AREA CALTRANS REQUESTED FOR FEE-TAKE
- ▨ UTILITY EASEMENT

**I-405 IMPROVEMENT PROJECT  
SURPLUS LAND  
EXHIBIT**

NO SCALE

05/22/2024

# ATTACHMENT "B"

<p><b>RECORDING REQUESTED BY</b></p> <p><b>AND WHEN RECORDED MAIL TO</b></p> <p>Orange County Transportation Authority  P.O. Box 14184  Orange, CA 92863-1584  Attention: Real Property Department</p> <p>No Fee for Recording Pursuant to Government Code Section 27383</p>	
---	--

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**DECLARATION OF COVENANTS AND RESTRICTIONS**

This Declaration of Covenants, Conditions and Restrictions ("Covenant") is made as of this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by \_\_\_\_\_ ("Declarant"), an individual, and the Orange County Transportation Authority, a public entity of the State of California ("Authority") with reference to the following facts:

A. Declarant is the owner of that certain real property (with all improvements thereon) described in Exhibit "A" attached hereto and incorporated herein ("Property").

B. The Authority is the previous owner of the Property, which was conveyed to Declarant pursuant to a Grant Deed dated \_\_\_\_\_, and recorded in the Official Records of Orange County as Instrument No. \_\_\_\_\_ (the "Grant Deed"). The Grant Deed is attached as Exhibit "B" and incorporated in this Covenant by reference.

C. Government Code section 54233 requires the Authority, when selling property it declares as Surplus Land under Government Code section 54221, to place restrictions on the future residential development of such property.

D. The Authority has determined that the Property constitutes Surplus Land pursuant to Government Code section 54221.

E. Therefore, as a condition of conveyance of the Property to Declarant, Declarant and Authority agree to the following covenants and restrictions recorded against the Property pursuant to Government Code section 54233.

**NOW, THEREFORE**, the Authority and Declarant hereby declare that the following express covenants are to be taken and construed as running with the Property, including as set forth in California Civil Code section 1460, and, except as set forth below, shall pass to and be binding upon Declarant and its successors, assigns, heirs, grantees or lessees to the Property or any part thereof, whether a change in interest occurs voluntarily or involuntarily, by operation of law or otherwise. Each and every contract, deed, lease or other instrument covering or conveying the

Property or any portion thereof shall be held conclusively to have been executed, delivered and accepted this Covenant and be subject to the covenants and restrictions contained herein regardless of whether such covenants and restrictions are set forth in such contract, deed, lease or other instruments. These covenants and restrictions shall be enforceable against any owner who violates a covenant or restriction and each successor-in-interest who continues the violation by any of the entities described in subdivisions (a) to (f), inclusive, of Section 54222.5 of the California Government Code.

**Section 1.** Declarant hereby declares that the recitals above are true and are hereby incorporated by reference.

**Section 2.** Declarant declares that if ten (10) or more residential units are developed on the Property, not less than fifteen percent (15%) of the total number of residential units developed on the parcels shall be sold or rented at affordable housing cost, as defined in Section 50052.5 of the Health and Safety Code, or affordable rent, as defined in Section 50053 of the Health and Safety Code, to lower income households, as defined in Section 50079.5 of the Health and Safety Code. Rental units shall remain affordable to, and occupied by, Lower Income Households for a period of at least fifty-five (55) years for rental housing and forty-five (45) years for ownership housing. The initial occupants of all ownership units shall be Lower Income Households, and the units shall be subject to an equity sharing agreement consistent with the provisions of Government Code section 65915(c)(2).

**Section 3.** Declarant agrees to: (a) incorporate by express reference the terms of this Covenant in any deed or other legal instrument by which it divests itself of any interest in all or a portion of the Property; and (b) describe the Covenant in, and append it to, any contract for the transfer of any property interest in the Property.

**Section 4.** In the event that any one or more of the provisions contained in this Covenant shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Covenant shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

**Section 5.** This Covenant may be executed in multiple originals, each of which is deemed to be an original, and may be signed in counterparts.

**Section 6.** Declarant and Authority shall cause this Covenant, and all amendments and supplements to it, to be recorded in the Official Records of the County of Orange, California.

IN WITNESS WHEREOF, Declarant and Authority have executed this Covenant as of the date first above written.

AUTHORITY:

DECLARANT:

Orange County Transportation Authority

By: \_\_\_\_\_  
James G. Beil, P.E.,  
Executive Director, Capital Programs

By: \_\_\_\_\_  
Name:

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

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

APPROVED AS TO FORM:

\_\_\_\_\_  
James M. Donich,  
General Counsel

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

---

---

**EXHIBIT "A"**  
**LEGAL DESCRIPTION OF PROPERTY**

---

**EXHIBIT "B"**  
**GRANT DEED**



**ACKNOWLEDGEMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA    )  
  )  
COUNTY OF ORANGE    )

On \_\_\_\_\_, 2024, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


\_\_\_\_\_  
Signature

(Seal)



COMMITTEE TRANSMITTAL

**July 22, 2024**

**To:** Members of the Board of Directors  
**From:** Andrea West, Clerk of the Board   
**Subject:** Amendment to Agreement for the Safety Education and Public Awareness Program for the OC Streetcar Project

Legislative and Communications Committee Meeting of July 18, 2024

**Present:** Directors Aitken, Dumitru, Foley, Jung, Nguyen, and Tetteimer  
**Absent:** Director Wagner

**Committee Vote**

This item was passed by the Members present.

**Committee Recommendation(s)**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Agreement No. C-2-2207 between the Orange County Transportation Authority and Katz & Associates, Inc., to exercise the option term, in the amount of \$150,000, to maintain and extend the safety education and public awareness program effective September 1, 2024, and continuing through August 31, 2026. This will increase the maximum obligation of the agreement to a total contract value of \$850,000.



**July 18, 2024**

**To:** Legislative and Communications Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Amendment to Agreement for the Safety Education and Public Awareness Program for the OC Streetcar Project

**Overview**

On July 25, 2022, the Orange County Transportation Authority Board of Directors approved an agreement with Katz & Associates, Inc. to plan and implement a safety education and public awareness program during the pre-operation phase of the OC Streetcar project for a two-year initial term with one, two-year option term, to provide a safety awareness and public education program for the OC Streetcar project.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Agreement No. C-2-2207 between the Orange County Transportation Authority and Katz & Associates, Inc., to exercise the option term, in the amount of \$150,000, to maintain and extend the safety education and public awareness program effective September 1, 2024, and continuing through August 31, 2026. This will increase the maximum obligation of the agreement to a total contract value of \$850,000.

**Discussion**

The Orange County Transportation Authority (OCTA) is implementing a modern streetcar operating between the Santa Ana Regional Transportation Center in the City of Santa Ana and at the intersection of Harbor Boulevard and Westminster Avenue in the City of Garden Grove (Project). The Safety Education and Public Awareness Program for the OC Streetcar Project is essential to introducing a new transit service to Orange County and is consistent with OCTA's core value of safety, which will prepare the community prior to and throughout the testing phase of the Project to ensure public safety. This effort includes safety education for pedestrians, cyclists, drivers, and the public at large as the new transit option is introduced to the community.

On July 25, 2022, the OCTA Board of Directors (Board) approved an agreement with Katz & Associates, Inc. (Katz) as the firm to provide a Safety Awareness and Public Education Program for the Project. The agreement is set to expire August 31, 2024. The team has developed a range of informational collateral communication instruments and has been engaging the public and distributing these materials at community events throughout the project area. An amendment is necessary to exercise the option term and allow Katz to continue the project efforts as the range of outreach efforts will intensify and broaden throughout the rest of the year in preparation for vehicle delivery and testing.

***Procurement Approach***

The procurement was originally handled in accordance with OCTA's Board-approved procedures for professional and technical services. On July 25, 2022, the Board approved the award of the agreement with Katz to provide safety education and public awareness services for the pre-operation phase of the Project. The original agreement was awarded on a competitive basis and includes a two-year initial term with one, two-year option term to provide a safety education and public awareness program in the amount of \$700,000. This agreement has been previously amended as shown in Attachment A.

The initial term of the agreement expires August 31, 2024. The proposed Amendment No. 4 is to exercise the option term through August 31, 2026, which will allow Katz to continue providing safety education and public awareness services. The budget for this amendment is \$150,000, which is based on current and anticipated usage for safety education and public awareness services. In accordance with the current agreement, the option term rates will remain the same as was originally negotiated.

**Fiscal Impact**

The project was approved in OCTA's Fiscal Year 2024-25 Budget, People and Community Engagement Division, Public Outreach Department, Account No. 0051-TS010-7519-Z84, and is funded through federal funds.

**Summary**

Staff is recommending the Board of Directors authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Agreement No. C-2-2207 between the Orange County Transportation Authority and Katz and Associates, Inc. to exercise the option term, in the amount of \$150,000, effective September 1, 2024 through August 31, 2026, to continue providing safety education and public awareness services. This amendment will increase the maximum obligation of the agreement to a total contract value of \$850,000.

**Attachment**

- A. Katz and Associates, Inc., Agreement No. C-2-2207 Fact Sheet

**Prepared by:**



Tresa Oliveri  
Community Relations Specialist  
Principal  
714-560-5374

**Approved by:**



Maggie McJilton  
Executive Director,  
People and Community Engagement  
714-560-5824



Pia Veesapen  
Director, Contracts Administration and  
Materials Management  
714-560-5619

**Katz and Associates, Inc.  
Agreement No. C-2-2207 Fact Sheet**

1. July 25, 2022, Agreement No. C-2-2207, \$700,000, for a two-year initial term with one, two-year option term approved by the Board of Directors (Board).
  - Agreement to plan and implement a safety education and public awareness program during the pre-revenue testing phase of the OC Streetcar project.
  - Two-year initial term effective September 15, 2022 through August 31, 2024, with one, two-year option term.
2. February 1, 2023, Amendment No. 1 to Agreement No. C-2-2207, \$0.00, approved by the Contracts Administration and Materials Management Department (CAMM).
  - To revise key personnel.
3. August 24, 2023, Amendment No. 2 to Agreement No. C-2-2207, \$0.00, approved by CAMM.
  - To add additional job functions.
4. November 1, 2023, Amendment No. 3 to Agreement No. C-2-2207, \$0.00, approved by CAMM.
  - To revise key personnel.
5. July 22, 2024, Amendment No. 4 to Agreement No. C-2-2207, \$150,000, pending approval by the Board.
  - To exercise option term of the agreement effective September 1, 2024 through August 31, 2026.

Total committed to Katz and Associates, Inc., under Agreement No. C-2-2207: \$850,000.



COMMITTEE TRANSMITTAL

**July 22, 2024**

**To:** Members of the Board of Directors

**From:** Andrea West, Clerk of the Board *Andrea West*

**Subject:** OC Streetcar Project Quarterly Update

Transit Committee Meeting of July 11, 2024

**Present:** Directors Aitken, Amezcua, Do, Harper, Jung, and Klopfenstein

**Absent:** Director Sarmiento

**Committee Vote**

No action was taken on this item.

**Staff Recommendation(s)**

Receive and file as an information item.



**July 11, 2024**

**To:** Transit Committee  
**From:** Darrell E. Johnson, Chief Executive Officer  
**Subject:** OC Streetcar Project Quarterly Update

**Overview**

The Orange County Transportation Authority is implementing the OC Streetcar project, and updates are provided to the Board of Directors on a quarterly basis. This report covers OC Streetcar project activities from April 2024 through June 2024.

**Recommendation**

Receive and file as an information item.

**Background**

The Orange County Transportation Authority (OCTA), in cooperation with the cities of Santa Ana and Garden Grove, is implementing a modern streetcar running between the Santa Ana Regional Transportation Center (SARTC) in the City of Santa Ana (City) and the intersection of Harbor Boulevard and Westminster Avenue in the City of Garden Grove. The OC Streetcar project (Project) will improve transit connectivity and accessibility, increase transit options, relieve congestion, and provide benefits to the community and traveling public. The Project is being implemented as part of Measure M2 Project S – Transit Extensions to Metrolink, approved by Orange County voters in November 2006.

Construction of the 4.15-mile alignment involves complex and specialized work, including the installation of embedded track in existing streets, an overhead contact system (OCS) to supply power to the vehicles, new traffic signals and transit signal priority at intersections, stops with canopies, bridges, and a maintenance and storage facility (MSF).

The Project includes ten streetcar stops in each direction (four shared center platforms and six side platforms in each direction, for a total of 16 platforms).



Each stop includes a canopy, benches, leaning rails, trash cans, lighting, variable message signs, video cameras, a public address system, and ticket vending machines. Platforms will be 14-inches high to enable level boarding to streetcar vehicles.

The MSF can accommodate up to 15 modern streetcar vehicles, as well as all necessary administration, operations, vehicle maintenance, parts storage, and maintenance-of-way needs for the Project. The MSF will also include secured exterior vehicle storage, a wye track for turning vehicles end-for-end, a free-standing vehicle wash, employee parking, and fire department/delivery access.

On March 26, 2018, the OCTA Board of Directors (Board) awarded a contract to Siemens Industries, Inc., (Siemens) for the manufacturing and delivery of eight modern streetcar vehicles, spare parts, and special tools. On September 24, 2018, the Board awarded the construction contract for the Project to Walsh Construction Company II, LLC (Walsh). On November 30, 2018, the Federal Transit Administration (FTA) executed the Full Funding Grant Agreement (FFGA), securing \$149 million in federal New Starts discretionary funding for the Project. In February 2019, the FFGA was funded through the FTA Transit Award Management System, which was the last step necessary to begin the drawdown of federal funding. Through May 2024, \$135,073,233 has been drawn down on the FFGA. On May 22, 2020, the Board awarded a contract to Herzog Transit Services, Inc., (Herzog) to provide operations and maintenance services for an initial start-up and pre-revenue period, and a five-year revenue term.

### ***Discussion***

The following is the status of milestones completed and ongoing project activities related to construction, vehicle manufacturing, operations, and public outreach.

#### **Construction**

- Construction is approximately 86 percent complete
- The Santa Ana River and Westminster bridges are complete
- Installation of all tracks and OCS poles are complete
- Reinterment of cultural resources at the MSF is complete
- Traction power substation (TPSS) 1 and 2 are energized
- TPSS 3 and 4 were delivered and set in foundations and will be energized in the coming months
- Canopies are installed at all station platforms

The status of construction activities that are complete or ongoing this quarter include:

Pacific Electric Right-of-Way (PEROW)

- Overhead wire installation on OCS poles
- Train warning and gate systems installation at the Fairview Street, Fifth Street, and Raitt Street at-grade crossings

MSF

- Installation of underground water lines, backfill, heating, ventilation, and air conditioning, drywall, plumbing, and electrical work
- Installation of splash shield and plumbing work at the train wash
- Continued coordination with contractor to ensure significant completion of the MSF for vehicle acceptance

City Streets

- Reconstruction of sidewalks, driveways, and curb and gutter continue
- Installation of pavers and other concrete work at Sasscer Park
- Installation of signals, signage, and the electrical systems
- Placing of final pavement and striping on roadway

Vehicles

The status of vehicle activities that are complete or ongoing this quarter include:

- Final inspection for Car 8 was held on June 13, 2024
- All eight vehicles are complete and in storage at Siemens Facility
- Spare parts and special tools are in storage at the Siemens facility
- OCTA is in ongoing negotiations with Siemens regarding long-term storage estimates for the vehicles, vehicle warranty extension, and vehicle maintenance during storage. Staff anticipates returning to the Board in fall 2024 for contract amendments required for Siemens as a result of these discussions.

## Operations

The status of operations activities that are complete or ongoing this quarter include:

- Completed Rule Book internal review. The Rule Book establishes rules and instructions to govern the performance and conduct of the operations and maintenance employees in providing safe, reliable, and courteous service. It is required by the FTA and California Public Utilities Commission (CPUC) during the pre-revenue operations phase of the Project and as part of safety certification before revenue service.
- Development of start-up, testing, and revenue service documents.
- The draft Systems Integration Test (SIT) Plan was shared with the SIT Committee. The plan outlines responsibilities and the process for testing the interface between the vehicle, mainline, and MSF.
- The Rail Activation Committee met to report on the activities of the SIT Committee and Operations Working Group.
- CPUC held a risk-based inspections meeting with OCTA to review new program requirements for data driven inspections.
- Ongoing negotiations with City of Garden Grove for the operations and maintenance agreement.

## Public Outreach

The status of public outreach activities that are complete or ongoing this quarter include:

- Distributed bilingual notifications for:
  - Traction power substation activities at Civic Center Plaza and at the Santa Ana Regional Transportation Center.
  - Pedestrian handrail installation near Sixth Street and Mortimer.
  - Rolling traffic closures on Fourth Street starting at Ross Street to Mortimer Street for overhead wire installations.
- Developed bilingual postcard highlighting safety messaging about overhead wire installation along corridor.
- Reviewed and provided comments to consultant team for Safety Education and Public Awareness Campaign presentation, flyer and two brochures.
- Outreach team members staffed an information table at the City's Public Works Community Event on May 18, 2024. More than 100 attendees stopped by to take informational flyers and talk with staff.

### Cost and Schedule

In April 2023, the Board approved a revised project budget of \$579,160,000. As previously reported to the Board, OCTA continues to report to the FTA the risk-adjusted revenue service date of August 2025. While staff continues to actively manage Walsh to advance the Project, construction and legal challenges continue to present risks. As such, staff has begun an effort with the FTA to assess the remaining schedule and cost risks, and staff will update the Board regarding this effort later this year.

### Next Steps

OCTA staff will continue to work closely with Walsh to complete the MSF for vehicle delivery and testing requirements. Construction activities include the installation of hardware and overhead wires, station platforms infrastructure and canopies, continued paving work, and service connections for the remaining two-traction power substations. Negotiations will continue with Siemens regarding the long-term storage of the completed eight vehicles. The outreach team will continue to provide oversight of traffic control measures, new signal installation, and system electrification, as well as ongoing project education and safety messaging at community events.

### ***Summary***

An OC Streetcar project update covering April 2024 through June 2024 is provided for the Orange County Transportation Authority Board of Directors' review.

***Attachment***

None.

**Prepared by:**



Jeff Mills, P.E.  
Director, Capital Project Delivery  
(714) 560-5775

**Approved by:**

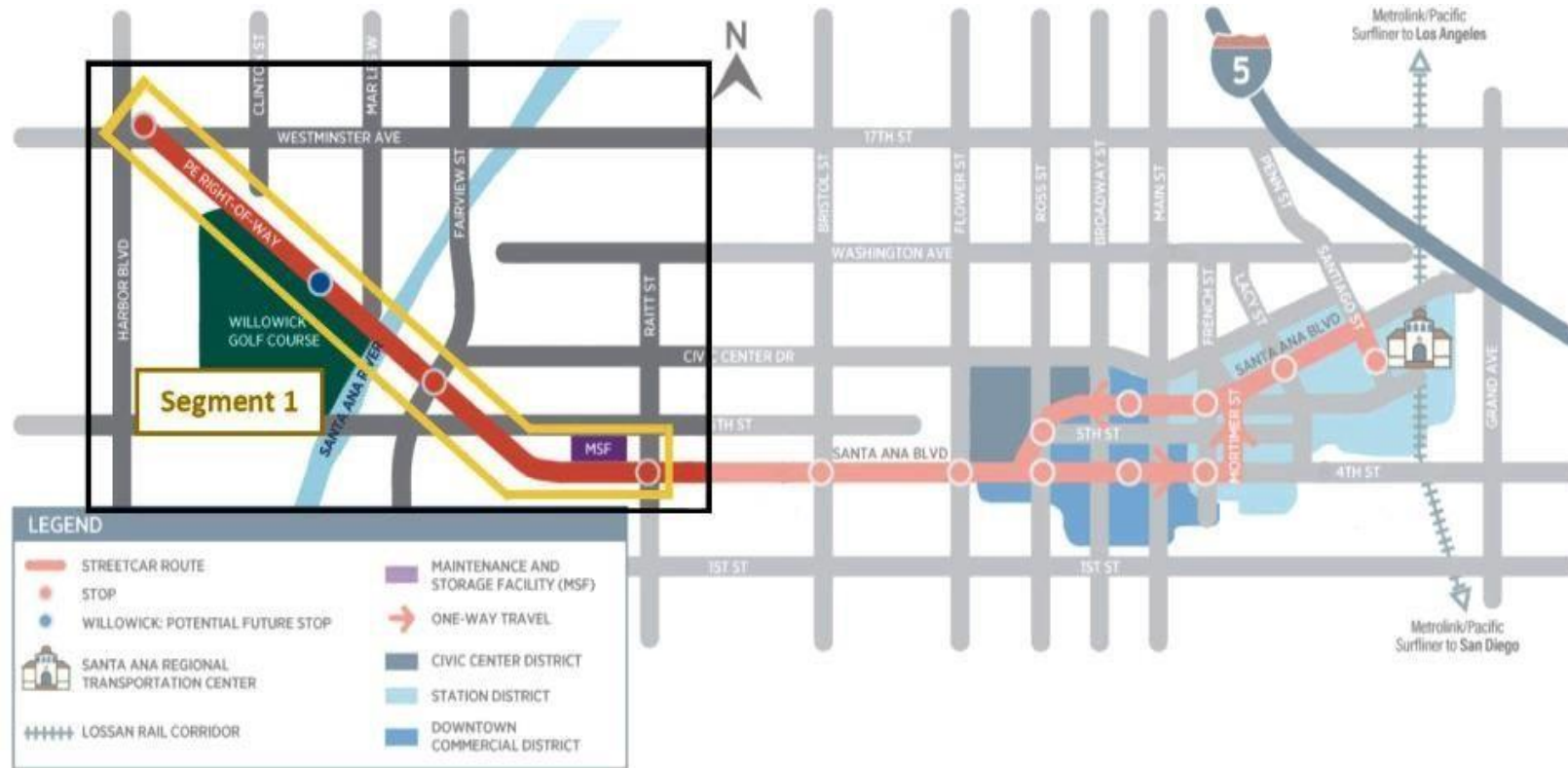


James G. Beil, P.E.  
Executive Director, Capital Programs  
(714) 560-5646



# OC Streetcar Project Quarterly Update

# Construction – Segment 1



- Pacific Electric Right-of-Way
  - Continue wire installation on overhead contact system (OCS) poles
  - Continued work on train crossing signal and gate system at Fairview Street, Fifth Street, and Raitt Street

# Segment 1 Progress



OCS Wire Installation



# Maintenance and Storage Facility (MSF)



- Key MSF activities include continuing site and building work, including new equipment, to ensure significant completion for vehicle storage, and testing.

# MSF Progress

Interconnect  
conduits  
installation

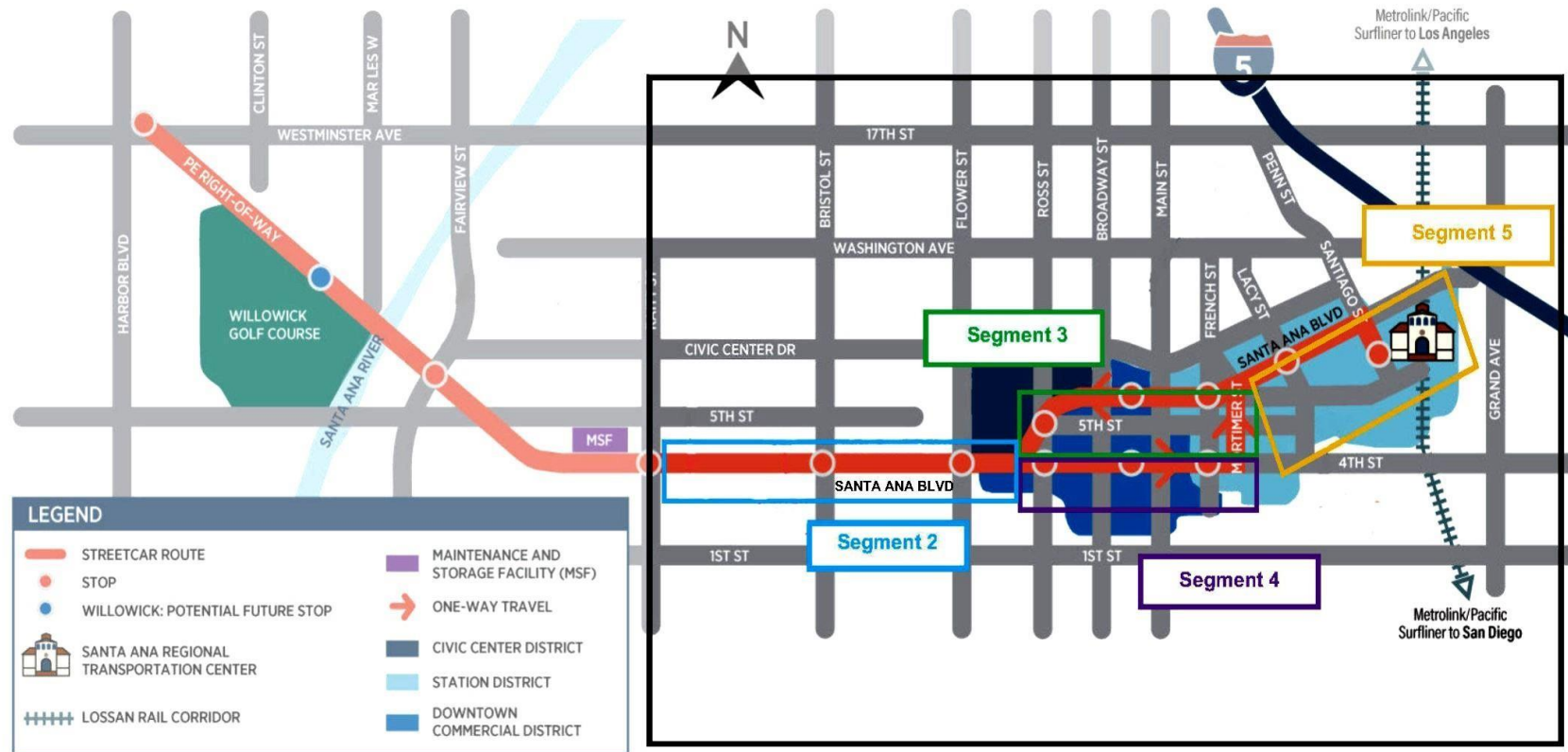


Control  
gear  
installation



Generator pad preparation

# Construction – Segments 2 through 5



- Segments 2 through 5 – Key activities include installation of OCS wire, completion of signals, signage, and the electrical systems for the streetcar and other roadway elements such as paving, sidewalk, driveways, and curb and gutter work.

# Segments 4 Progress



Installation of OCS Bracket Arms

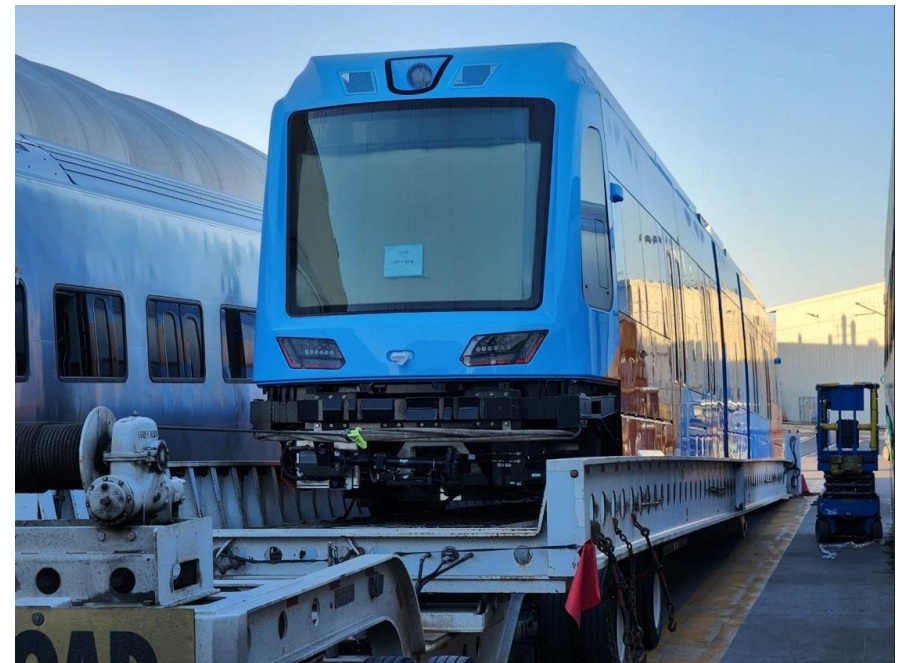
# Segment 5 Progress



Train Signal and Streetlight Work at Santa Ana Regional Transportation Center

# Vehicles

- Final inspection for Car 8 was held on June 13, 2024
- All eight vehicles are complete and in storage at Siemens facility
- Spare parts and special tools are in storage at the Siemens facility
- Negotiations with Siemens regarding long-term storage rates for the vehicles, vehicle warranty extension, and vehicle maintenance during storage are underway
- Staff anticipates returning to the Board of Directors for contract amendment required for Siemens as a result of these discussions in the fall 2024



# Pre-Revenue Operations

- Operations
  - Completed Rule Book internal review
  - Development of start-up, testing, and revenue service documents
  - Draft Systems Integration Test (SIT) Plan was shared with the SIT Committee
  - The Rail Activation Committee met to report on the activities of the SIT Committee and Operations Working Group
- California Public Utilities Commission (CPUC) Support
  - CPUC continues to be actively involved in OC Streetcar committees, including the Rail Activation Committee, Safety and Security Review Committee, and Fire Life Safety and Security Committee
  - CPUC held a risk-based inspections meeting with OCTA to review new program requirements for data driven inspections
- City Agreements
  - Finalizing negotiations for the operations and maintenance agreements with the City of Garden Grove

# Public Outreach

- Bilingual bi-weekly newsletters
- Bilingual door-to-door construction notices
- Field meetings
- Neighborhood and civic organization presentations
- Fourth Street merchant meetings
- Information tables at community events, such as City of Santa Ana's Public Works Family Event
- Parking structure banners
- Electronic billboards
- Interior and exterior bus ads
- Safety messaging
- Tours

