



Orange County Transportation Authority

Legislative and Communications Committee Agenda

Thursday, October 19, 2023 at 9:00 a.m.

Board Room, 550 South Main Street, Orange, California

Committee Members

Brian Goodell, Chairman
Donald P. Wagner, Vice Chairman
Jose Diaz
Jon Dumitru
Katrina Foley
Gene Hernandez
Fred Jung

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 or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

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. Please complete a speaker's card and submit it to the Clerk of the Board or notify the Clerk of the Board the item number on which you wish to speak. Speakers will be recognized by the Chairman at the time the agenda item is to be considered. Comments shall be limited to three minutes.

Written Comment

Written public comments may also be submitted by emailing them to 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.

LEGISLATIVE AND COMMUNICATIONS COMMITTEE MEETING AGENDA

Call to Order

Pledge of Allegiance

Director Diaz

Closed Session

There are no Closed Session items scheduled.

Special Calendar

1. Conference Call with State Legislative Advocate Moira Topp

Moira Topp/Lance M. Larson

Overview

An update of legislative items in Sacramento will be provided.

Consent Calendar (Items 2 and 3)

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

2. Approval of Minutes

Clerk of the Board

Recommendation

Approve the minutes of the August 17, 2023 Legislative and Communications Committee Meeting.

Attachments:

[Minutes](#)

3. Update to Orange County Transportation Authority Limited English Proficiency Plan

Christina Perez/Maggie McJilton

Overview

The Orange County Transportation Authority is federally mandated through the Department of Transportation to maintain and update a Limited English Proficiency Plan, which guides the Orange County Transportation Authority's efforts to provide meaningful access to programs, services, and activities for individuals who have limited proficiency in English. Staff has updated the 2023 Limited English Proficiency Plan for consideration by the Board of Directors.

Recommendation

Review and approve Orange County Transportation Authority's updated 2023 Limited English Proficiency Plan.

Attachments:

[Staff Report](#)

[Attachment A](#)

LEGISLATIVE AND COMMUNICATIONS COMMITTEE MEETING AGENDA

Regular Calendar

4. Federal Legislative Status Report

Alexis Leicht/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. An update is provided on the fiscal year 2024 appropriations process, which includes the passage of a continuing resolution to maintain existing funding levels. Information related to leadership changes in both the House of Representatives and the Senate and a summary of a recent committee oversight hearing for programs in the Infrastructure Investments and Jobs Act are also provided.

Recommendation

Receive and file as an information item.

Attachments:

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

5. Draft Revisions to the Orange County Transportation Authority's 2023-24 State and Federal Legislative Platforms

Alexis Leicht/Lance M. Larson

Overview

Halfway through each legislative session, staff conducts a review of the Orange County Transportation Authority's Legislative Platforms to ensure relevant issues that are anticipated to be of discussion for the upcoming year are included and up to date. Initial draft revisions to the Orange County Transportation Authority's 2023-24 State and Federal Legislative Platforms have been prepared for consideration by the Orange County Transportation Authority Board of Directors. Before a final draft is considered for adoption, these drafts will be revised as a result of feedback from the Orange County Transportation Authority Board of Directors, as well as further internal staff input.

Recommendation

Direct staff to integrate the recommended revisions to the 2023-24 Orange County Transportation Authority State and Federal Legislative Platforms and seek further feedback from the Orange County Transportation Authority Board of Directors and internal staff, with subsequent drafts being brought forward for final consideration and adoption later this year.

Attachments:

LEGISLATIVE AND COMMUNICATIONS COMMITTEE MEETING AGENDA

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

6. Diversity Outreach Update

Ted P. Nguyen/Maggie McJilton

Overview

The Orange County Transportation Authority continues its effort to conduct comprehensive and meaningful outreach to Orange County's growing diverse communities. This report provides an annual update on the progress of the diversity outreach efforts that are part of the Chief Executive Officer Action Plan to meet the needs of diverse community members.

Recommendation

Receive and file as an information item.

Attachments:

[Staff Report](#)

[Presentation](#)

Discussion Items

7. Public Comments

8. Chief Executive Officer's Report

9. Committee Members' Reports

10. Adjournment

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

9:00 a.m. on Thursday, November 16, 2023

OCTA Headquarters

Board Room

550 South Main Street

Orange, California



Committee Members Present

Brian Goodell, Chair
Donald P. Wagner, Vice Chair
Jose Diaz
Jon Dumitru
Katrina Foley
Gene Hernandez
Fred Jung

Staff Present

Darrell E. Johnson, Chief Executive Officer
Gina Ramirez, Clerk of the Board Specialist, Principal
Sahara Meisenheimer, Clerk of the Board Specialist
Andrea West, Interim Clerk of the Board
James Donich, General Counsel
OCTA Staff

Committee Members Absent

None

Call to Order

The August 17, 2023, regular Legislative and Communications Committee meeting was called to order by Committee Chairman Goodell at 9:02 a.m.

Closed Session

There were no Closed Session items scheduled.

Special Calendar

1. Conference Call with State Legislative Advocate Moira Topp

Moira Topp, State Legislative Advocate, provided an update on this item.

No action was taken on this item.

Consent Calendar (Items 2 and 3)

2. Approval of Minutes

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to approve the July 20, 2023, minutes of the Legislative and Communications Committee meeting.



3. Amendment to Agreement for Public Outreach Services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605

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

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-9-1571 between the Orange County Transportation Authority and Kleinfelder Construction Services, Inc., to increase funding for the initial term of the agreement in the amount of \$585,000, to continue providing public outreach services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605.

- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-9-1571 between the Orange County Transportation Authority and Kleinfelder Construction Services, Inc., to exercise six months of the option term of the agreement effective May 1, 2024, through October 31, 2024, in the amount of \$115,000. This amendment will increase the maximum obligation of the agreement to a total contract value of \$4,026,544.

Regular Calendar

4. State Legislative Status Report

Lance Larson, Executive Director of Government Relations, provided opening comments and introduced Kristin Jacinto, Program Manager, who provided an update.

A motion was made by Director Foley, seconded by Director Jung, and declared passed by those present to adopt a SUPPORT position on SB 677 (Blakespear, D-Encinitas), which would add climate considerations as part of the Los Angeles - San Diego - San Luis Obispo Rail Corridor annual business plan.

5. Federal Legislative Status Report

Lance Larson, Executive Director of Government Relations, provided opening comments and introduced Alexis Leicht, Government Relations Representative, and Kristin Jacinto, Program Manager, who provided an update.

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



6. Agreement for Transit Advertising Revenue Program

Jennifer O' Connor, Principal Marketing Specialist, provided a presentation on this item.

Director Wagner requested a follow-up on Director Diaz's concerns to do further outreach on the vendors to submit bids.

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

- A. Approve the selection of Vector Media as the firm to provide transit advertising revenue program services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-2222 between the Orange County Transportation Authority and Vector Media, with a minimum guaranteed revenue to the Orange County Transportation Authority of \$10,203,675, or 62.5 percent of net revenue share, whichever is greater, for an initial three-year term effective December 1, 2023 to November 30, 2026, plus two, two-year option terms.

Discussion Items

7. Public Comments

There were no public comments received.

8. Chief Executive Officer's Report

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

- Testified with Director Foley at the Senate Subcommittee for the LOSSAN Rail hearings.
- Testified at the California Transportation Commission hearing.

9. Committee Members' Reports

There were no Committee Members' Reports.



10. Adjournment

The meeting adjourned at 9:55 a.m.

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

9:00 a.m. on August 17, 2023

OCTA Headquarters
550 South Main Street
Orange, California

ATTEST

Gina Ramirez
Clerk of the Board Specialist, Principal



October 19, 2023

To: Legislative and Communications Committee
Darrell E. Johnson

From: Darrell E. Johnson, Chief Executive Officer

Subject: Update to Orange County Transportation Authority Limited English Proficiency Plan

Overview

The Orange County Transportation Authority is federally mandated through the Department of Transportation to maintain and update a Limited English Proficiency Plan, which guides the Orange County Transportation Authority's efforts to provide meaningful access to programs, services, and activities for individuals who have limited proficiency in English. Staff has updated the 2023 Limited English Proficiency Plan for consideration by the Board of Directors.

Recommendation

Review and approve Orange County Transportation Authority's updated 2023 Limited English Proficiency Plan.

Background

On August 11, 2000, President William J. Clinton signed into law Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (LEP). The law directed each federal agency, including the Department of Transportation (DOT), to examine the services it provides and implement a system by which those services could be accessed by people with LEP.

Under Title VI, the DOT was directed to publish guidance on how agencies that receive federal funding should fulfill the requirements of the law. The Orange County Transportation Authority (OCTA), and all recipients of federal financial assistance, must take reasonable steps to ensure people with LEP have meaningful access to programs, services, and activities. An individual is considered to have LEP if they have a limited ability to read, write, speak, or understand English.

The DOT provides step-by-step instruction for conducting a needs assessment based on a four-factor framework in the DOT's LEP Guidance Handbook. The DOT suggests that after conducting the four-factor analysis, transit agencies will be in a better position to implement a cost-effective mix of language assistance measures and target resources appropriately.

The DOT guidance directs public agencies to examine the following when conducting an analysis to identify LEP needs:

- Factor 1: The number and proportion of LEP persons served or likely to be encountered in the eligible service population;
- Factor 2: The frequency with which LEP individuals come into contact with programs, activities, and services;
- Factor 3: The importance of programs, activities, and services to LEP persons;
- Factor 4: The resources available to the agency and the cost.

OCTA's LEP Plan was last updated in 2018, utilizing DOT guidance to conduct an LEP needs assessment. The 2023 LEP Plan update utilized the same guidance to determine any necessary changes. The 2023 updated LEP Plan used data from the United States Census Bureau, 2021 American Community Survey, various County of Orange statistics, as well as OCTA internal resources.

OCTA is required to provide free translation services of vital written documents to individuals with LEP in accordance with the Federal Transit Administration's (FTA) Title VI Circular 4702.1B. LEP populations that are required to be served are defined as five percent of Orange County's population or 1,000 speakers, whichever is less. As part of the update to OCTA's LEP Plan, a review of previously identified vital written documents was conducted and revised to align with documents defined as vital in the circular.

OCTA is required to submit an updated LEP Plan approved by the Board of Directors (Board) to the FTA with the 2024 Title VI triennial report on or before October 1, 2024.

Discussion

The 2023 LEP Plan has been updated consistent with federal requirements. The analysis performed to update the LEP Plan affirmed that transportation on

OCTA's fixed-route bus system was the most important OCTA service, program, or activity for the LEP population. As part of the updated LEP Plan, effective October 2023, OCTA is offering:

- Language assistance training for all newly hired Coach Operator trainees;
- Language interpretation support and assistance in approximately 160 different languages upon request via OCTA's Customer Information Center language line;
- Route and schedule information available for translation in 18 languages on the www.octa.net website;
- Updated Geographic Information System maps of Orange County identifying LEP language population for Arabic, Chinese, Korean, Persian, Vietnamese, and Spanish speakers.

Upon approval of the 2023 LEP Plan by the Board, the plan will be fully implemented and made available on the OCTA website and distributed to all OCTA sub-recipients as a resource guide.

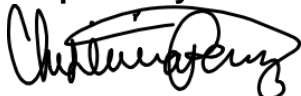
Summary

Staff is requesting the Board of Directors review and approve the Orange County Transportation Authority's updated 2023 Limited English Proficiency Plan, thereby confirming compliance with federally mandated requirements as the recipient of federal financial assistance related to individuals with limited English proficiency.

Attachment

- A. Orange County Transportation Authority Limited English Proficiency Plan

Prepared by:



Christina Perez
Title VI Civil Rights Coordinator
714-560-5876

Approved by:



Maggie McJilton
Executive Director, People and Community
Engagement
Federal Compliance Officer
714-560-5824

**Orange County Transportation Authority
Limited English Proficiency Plan**

**Prepared for the Federal Transit Administration
In accordance with Circular 4702.1B
Executive Order 13166**

Board of Directors Approved: October 23, 2023



Updated October 2023

ORANGE COUNTY TRANSPORTATION AUTHORITY
Limited English Proficiency Plan
Language Assistance Plan
October 2023

The *Orange County Transportation Authority (OCTA) Limited English Proficiency Plan (LEP) and Language Assistance Plan* has been prepared to address OCTA's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency. As defined in Executive Order 13166, individuals who have a limited ability to read, write, speak, or understand English are limited English proficient or "LEP." Under Executive Order 13166, OCTA is federally mandated to take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of its programs and activities to individuals who identify as LEP. OCTA utilized the United States (U.S.) Department of Transportation's (DOT) LEP Guidance Handbook and performed a Four Factor Analysis to develop the OCTA LEP Plan.

The DOT maintains that public transit agencies can retain LEP ridership even after they become proficient in English if his/her experience with public transportation is positive. Additionally, the Federal Transit Administration (FTA) has determined that conducting an LEP needs assessment based on a Four Factor Analysis ensures that a transit agency can know and understand the LEP population in its service area and be in a better position to implement a cost-effective mix of language assistance measures that target resources appropriately.

Four Factor Analysis

The DOT Four Factor Analysis provides guidance to transit agencies receiving federal financial assistance in taking reasonable steps to ensure meaningful access to all its services, programs, and activities utilized by LEP persons. The DOT guidance states transit agencies will provide written translation of vital documents for each eligible LEP language group that meets the Department of Justice (DOJ) Safe Harbor provision of five percent of the population or 1,000 persons, whichever is less, identified as a LEP speaker within the service area. Examples of vital documents include notice of rights, complaint procedures and forms, and Americans with Disabilities Act (ADA) paratransit eligibility forms and information. Such practices will be considered strong evidence of compliance with the recipient's written translation obligations for the Safe Harbor provision.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by an OCTA service, program, or activity;

Factor 2: The frequency with which LEP individuals come in contact with the program, service, or activity;

Factor 3: The nature and importance of OCTA services, programs, or activities provided to LEP individuals;

Factor 4: The resources available to OCTA and the costs.

FACTOR ONE - The number or proportion of LEP persons eligible to be served or likely to be encountered by an OCTA service, program, or activity.

OCTA defines an LEP person as those individuals limited by the ability to speak English less than "very well" as reported by the U.S Census Bureau. The following tables were utilized to determine the number of LEP persons eligible to be served, or likely to be encountered, by an OCTA service, program, or activity.

External Data Sources - U.S. Census Bureau

Table 1 represents the racial breakdown of Orange County according to the U.S Census Bureau, 2021 American Community Survey (ACS). The results shown are a combination of the Demographic and Housing Estimates (DP05) and Hispanic or Latino Origin by Race (B03002). Responses for Hispanic or Latino ethnicity were recategorized by race to better align with existing survey results.

Table 1: Orange County Racial Breakdown

Race / Ethnicity	Population Estimate ¹	Population Percentages
White	1,191,185	37.6%
Hispanic or Latino (of any race)	1,080,593	34.1%
Asian	693,396	21.9%
Two or more races	125,736	4.0%
Black or African American	52,572	1.7%
Some other race	13,003	0.4%
Native Hawaiian and Other Pacific Islander	7,709	0.2%
American Indian and Alaska Native	3,615	0.1%
Total	3,167,809	100.0%

¹ DP05 ACS Demographic and Housing Estimates / B03002 Hispanic or Latino Origin by Race
Source: U.S. Census Bureau, 2021 ACS One-Year Estimate [Latest Estimate Available]

Table 2 represents the number of LEP speakers by language in Orange County who meet the Department of Justice (DOJ) Safe Harbor provision of "every 1,000 speakers or five percent of the population whichever is less."

Table 2: Orange County Number of LEP Speakers for DOJ Safe Harbor Provision

Language Spoken at Home	Population Estimate	Speaks English less than "Very Well"	
		Count	%
Speak only English	1,622,013	-	-
Spanish	735,651	266,568	8.90%
Vietnamese	185,368	114,547	3.82%
Chinese (incl. Mandarin, Cantonese)	96,610	47,396	1.58%
Korean	75,904	41,185	1.38%
Tagalog (incl. Filipino)	46,988	12,706	0.42%

Language Spoken at Home	Population Estimate	Speaks English less than "Very Well"	
		Count	%
Persian (incl. Farsi, Dari)	32,087	10,171	0.34%
Arabic	31,976	10,021	0.33%
Japanese	14,419	6,082	0.20%
Hindi	12,605	1,446	0.05%
Other Indo-European languages	11,799	3,711	0.12%
Russian	10,726	4,159	0.14%
Ilocano, Samoan, Hawaiian, or other Austronesian languages	10,234	3,577	0.12%
Gujarati	8,968	2,771	0.09%
Urdu	8,782	1,581	0.05%
German	7,775	1,070	0.04%
Thai, Lao, or other Tai-Kadai languages	7,033	4,230	0.14%
Portuguese	5,638	1,660	0.06%
Khmer	5,214	2,539	0.08%
Other languages of Asia	4,046	1,628	0.05%
Ukrainian or other Slavic languages	3,971	1,291	0.04%
Punjabi	3,837	1,456	0.05%
French (incl. Cajun)	9,926	846	0.03%
Telugu	5,079	598	0.02%
Italian	4,913	733	0.02%
Nepali, Marathi, or other Indic languages	3,967	408	0.01%
Hebrew	3,402	668	0.02%
Yiddish, Pennsylvania Dutch or other West Germanic languages	3,117	205	0.01%
Tamil	2,933	136	0.00%
Polish	2,843	527	0.02%
Amharic, Somali, or other Afro-Asiatic languages	2,365	751	0.03%
Swahili or other languages of Central, Eastern, and Southern Africa	2,184	922	0.03%
Armenian	2,178	694	0.02%
Malayalam, Kannada, or other Dravidian languages	1,912	47	0.00%
Other and unspecified languages	1,854	438	0.01%
Greek	1,581	118	0.00%
Bengali	1,447	272	0.01%
Yoruba, Twi, Igbo, or other languages of Western Africa	1,148	158	0.01%
Hmong	1,096	358	0.01%
Serbo-Croatian	742	179	0.01%
Haitian	410	27	0.00%
Other Native languages of North America	312	-	0.00%
Navajo	-	-	0.00%

1 B16001 Language spoken at home by ability to speak English for the population 5 years and over.
Source: U.S. Census Bureau, 2021 ACS 1-Year Estimates

Based on the 2021 ACS One-Year Estimates, Spanish is the only language that meets the DOJ Safe Harbor threshold of five percent of the population that speaks English less than "very well". An additional 20 languages meet the 1,000 speaker threshold criteria of the LEP population that speaks English less than "very well" in Orange County. Some of the ACS language results also include groups of languages that collectively include more than 1,000 speakers in Orange County. The 20 languages identified as the 1,000 LEP speaker threshold are as follows (in order of frequency): Vietnamese, Chinese, Korean, Tagalog, Persian, Arabic, Japanese, Hindi, other Indo-European languages, Russian, Ilocano/Samoan/Hawaiian/or other Austronesian languages, Gujarati, Urdu, German, Thai/Lao/or other Tai-Kadai languages, Portuguese, Khmer, other languages of Asia, Ukrainian or other Slavic languages, and Punjabi.

Table 3 represents a five-year comparison of the English learners by number and percentage with reference to the primary language spoken by English learners in Orange County public schools.

Table 3: Orange County Public School Enrollment/Percentage of LEP Learners by Language

Languages of English Learners by Number and Percentage					
Language	2017-18	2018-19	2019-20	2020-21	2021-22
All Other	7,807	7,567	7,388	6,293	6,665
	1.6%	1.6%	1.6%	1.4%	1.5%
Arabic	2,314	2,207	2,153	1,944	2,038
	0.5%	0.5%	0.5%	0.4%	0.5%
Korean	2,961	2,987	2,934	2,414	2,652
	0.6%	0.6%	0.6%	0.5%	0.6%
Mandarin (Putonghua)	3,141	3,179	3,172	2,458	2,498
	0.6%	0.7%	0.7%	0.5%	0.6%
Spanish	88,623	81,124	78,291	71,855	74,195
	18.2%	16.9%	16.5%	15.7%	16.5%
Vietnamese	9,092	8,377	8,203	7,801	7,871
	1.9%	1.7%	1.7%	1.7%	1.8%
Total Languages of English Learners	113,938	105,441	102,141	92,765	95,919

Source: "Languages of English Learners" from <http://www.ed-data.org/county/Orange>. A total of 2,555,951 California public school students (English Learners and Fluent English Proficient) speak a language other than English in their homes. This number represents about 42.8 percent of the state's public-school enrollment. This table displays the number of students speaking each of the top five non-English languages in Orange County, California. The percentages in the table refer to the percent of all students in the County who speak each language. The "All Other" category encompasses all languages spoken that are not included in a grade-by-grade list of the more than 65 languages reported by California schools.

Table 4 represents the languages and vital documents the County of Orange translates for the County's Health Care Agency's Medi-Cal Mental Health Services program. Various vital documents are translated in Arabic, Chinese, Farsi, Korean, Spanish and Vietnamese, which aligns with the top six language support requests OCTA receives as can be seen in **Table 5**.

Table 4: County of Orange Medi-Cal Translated Vital Documents Available by Language

Title	Arabic	Chinese	English	Farsi	Korean	Spanish	Vietnamese
Advance Health Care Directives (F346-705)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Grievance or Appeal Form (F346-706)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Grievance & Appeal Process Posters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Grievance Fact Sheet MHP	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Authorization to Use and Disclose Protected Health Information (F346-531B)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Consent to Record (F346-474)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mental Health Plan Intake/Advisement Checklist (F346-753)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Psychiatric Medication Consent (F346-7921)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Informed Consent for Services - General (F346-301)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Informed Consent for Telehealth and Telephonic Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Telehealth Email Acknowledgement Form	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Notice of Adverse Benefit Determination-Delivery System	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Notice of Adverse Benefit Determination- Modification Notice	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Notice of Adverse Benefit Determination- Termination Notice	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
NOABD Beneficiary Non--Discrimination Notice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Notice of Adverse Benefit Determination- Your Rights Notice	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Language tagline	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AQIS Continuity of Care Request Form	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Voter Registration Act (NVRA) Preference Forms	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
National Voter Registration FAQs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source: <https://www.ochealthinfo.com/about-hca/behavioral-health-services/mental-health-information/bhs-medi-cal-provider-information>

Internal Data Source

During the period of March 1, 2018, through March 31, 2023, the OCTA Customer Information Center (a phone call center handling customer information and customer relations calls) received 457 requests for language interpretation and assistance in a language other than English. OCTA provides interpretation support using a “Language Line” that provides support upon request. The cumulative requests for assistance in each language were as follows:

Table 5: Language Line Support Requests

Language	Number of Requests
Arabic	11
Cantonese	2
Egyptian Arabic	10
Farsi (Persian)	18
Filipino	1
Gujarati	1
Hindi	8
Japanese	2
Korean	22
Mandarin	57
Persian	2
Pohnpeian	1
Romanian	2
Russian	5
Spanish	1
Tagalog	1
Taiwanese	1
Vietnamese	312
Total	457

Note that OCTA's Customer Information Center is regularly staffed with English and Spanish speakers, resulting in a low report of Spanish language line requests. From July 2021 to March 2023, OCTA received more than 49,000 Spanish language calls, representing approximately 11 percent of calls to the Customer Information Center. On an annual basis, approximately 28,000 calls for customer information or customer relations are handled by Spanish speaking Customer Information Center staff in addition to any interpretation support requested using "Language Line" resources.

Factor One Summary

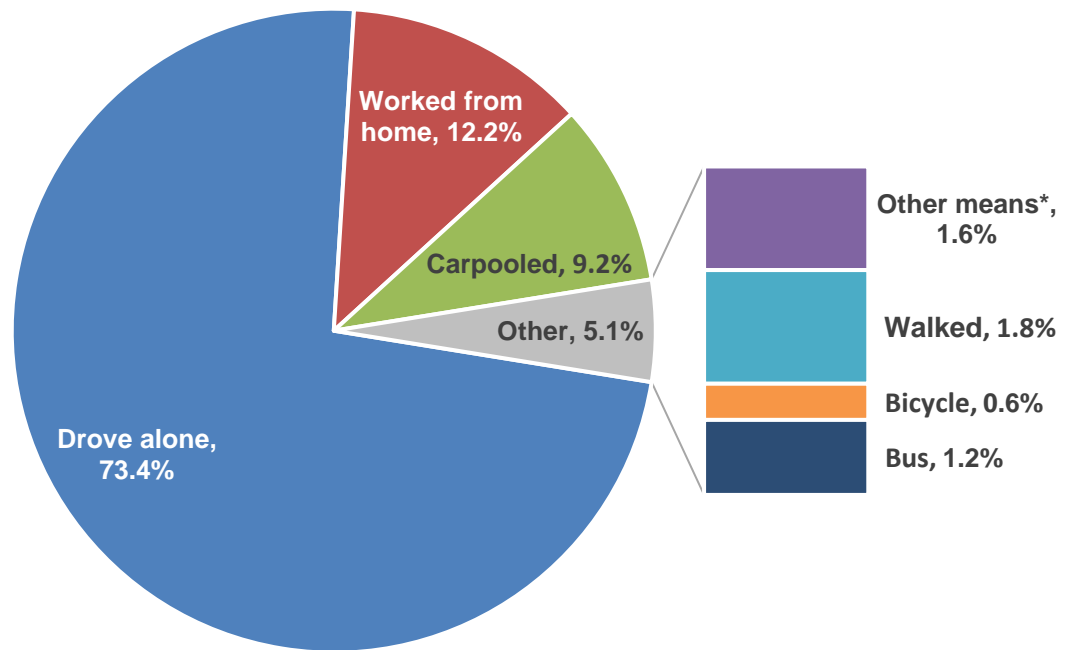
- As of the 2021 American Community Survey, the overall population of Orange County has decreased by 0.57 percent from 2018.
- There are 20 languages that do not meet the required threshold of five percent of the population but have more than 1,000 LEP individuals, and therefore meet the Safe Harbor threshold in Orange County.
- Since the 2018 LEP report, five additional languages have been added based on the 1,000 LEP provision. Those additional languages include other Indo-European languages, Urdu, Portuguese, other languages of Asia, Ukrainian or other Slavic languages.
- French is the only language that was previously included under the DOJ Safe Harbor provision, but no longer meets the required threshold of five percent of the population or the 1,000 LEP speaker provision in Orange County.
- The overall number of LEP student enrollments for the past five years has declined in Orange County, including the top five non-English languages.
- The County of Orange has identified vital document translation in Arabic, Farsi, Chinese, Korean, Spanish, and Vietnamese for the County's Medi-Cal mental health services.
- The most common language request other than English, based on Customer Information Center calls, was Spanish. The language with the highest request for verbal interpretation services at OCTA was Vietnamese.

FACTOR TWO - The frequency with which LEP individuals come in contact with the program, service, or activity.

Chart 1 depicts the means of transportation to work for those 16 years of age and over in Orange County. Approximately 48 percent of Orange County's overall population is included in this working age estimate.

Chart 1: Workers 16 Years of Age and Over in Orange County by Means of Transportation to Work

Means of Transportation to Work in Orange County, CA



*"Other means" category on graph includes other means selection, along with responses of 0.2% or less, including: rail; long-distance train or commuter rail; light rail, streetcar or trolley; ferryboat; motorcycle; and taxicab.

B08006 Means of transportation to work
Source: U.S. Census Bureau, 2021 ACS Five-Year Estimates

Means of transportation to work:

- Drove alone: 1,147,600 (73.4 percent)
- Carpooled: 143,999 (9.2 percent)
- Worked from home: 191,060 (12.2 percent)
- Walked: 27,616 (1.8 percent)
- **Bus: 18,224 (1.2 percent)**
- Bicycle: 8,790 (0.6 percent)
- Taxicab, motorcycle, or other means: 20,218 (1.3 percent)
- Subway or elevated rail: 1,003 (0.1 percent)
- Long-distance train or commuter rail: 3,544 (0.2 percent)
- Light rail, streetcar or trolley: 264 (< 0.1 percent)
- Ferryboat: 136 (< 0.1 percent)

An estimated 1.2 percent of Orange County workers commute using the bus. This is a decrease from the 1.7 percent reported in the 2018 LEP. Note that this work criteria may exclude other trip purposes, including travel to school. OCTA has established a low-cost community college bus pass program in place since August 2017. In August 2021, OCTA introduced a free youth pass for children ages six to 18, available by parental request.

Note that analysis in this section uses five-year estimates from the 2021 ACS in order to use the geographic details (Zip Code Tabulation Area level data) only available in this dataset. Review of the more recent one-year 2021 ACS showed significant increases in the percentage of individuals

working from home. The “worked from home” selection increased significantly in 2021 from previously reported figures in 2019, from 6.4 percent of responses in 2019 to 22 percent of responses in 2021. This increase in the work-from-home response, likely due to post-pandemic impacts, has decreased the effective percentages of other responses.

Table 5 shows the U.S. Census Bureau's 2021 ACS Five-Year Population Estimates for Orange County and Means of Transportation to Work by Public Transit (Bus). Overall, for the County, approximately 18,224 individuals are estimated to take the bus to work as a means of transportation based on ACS estimates.

The table also identifies the estimated number of LEP individuals who speak English less than "very well" for Orange County. A detailed table by source language and Orange County ZIP code is provided in Appendix 1.

To generate an estimate of the number of LEP individuals using the bus for transportation to work, the reported LEP population count for each ZCTA was multiplied by percentage of the overall population using the bus. Based on this estimate, approximately 16 percent of the individuals that take the bus to work are Spanish speakers that speak English “less than very well.” An additional five percent of riders are Vietnamese speakers that speak English “less than very well.” Overall, it is estimated that approximately 4,393 LEP riders use the bus.

Table 5: U.S. Census Bureau, 2021 ACS 5-Year Estimate for Orange County Population, Means of Transportation to Work by Bus and LEP Population

	2021 Population [1]	Means of Transportation to Work by Bus [2]	Number of LEP Population [3]	Potential Number of LEP Riders
Orange County, California	3,167,809	18,224	557,104	4,393

[1] B01001 Source: U.S. Census Bureau, 2021 ACS 5-Year Population Estimate: Sex by Age for Orange County, CA
 [2] B08006 Source: U.S. Census Bureau, 2021 ACS 5-Year Estimates: Sex of Workers by Means of Transportation to Work (Public transportation (excluding taxicab): Bus)
 [3] C16001 Source: U.S. Census Bureau, 2021 ACS 5-Year Population Estimates: Language Spoken at Home, Who Speak English "Less than Very Well"

2020 Transportation Needs Assessment (TNA) Rider Survey Results

The 2020 TNA Rider Survey was the most recent customer survey conducted by OCTA to assess the transportation needs of all residents, gaps in service, barriers to transit use, and feedback on transit and active transportation. The survey instrument was produced in seven languages: Arabic, Chinese (Mandarin), English, Farsi, Korean, Spanish, and Vietnamese. Due to the impact of the coronavirus (COVID-19), 6,941 valid responses were collected, which translates to 58 percent of the original sample target.

The TNA survey effort included both onboard intercept surveys of OC Bus riders, as well as more general community outreach surveys. Community outreach efforts included ethnic and cultural events within Orange County, including the Tet Festival, Black History Month, and other events.

Initially, the onboard intercept survey target was 12,000 surveys, with collection starting in late January 2020. Unfortunately, the survey collection efforts had to be paused in March 2020 due to the COVID-19 pandemic. However, the survey results collected still reflect a wide-spread surveying effort across the OC Bus system and are indicative of the overall population. The results shown reflect the more than 6,900 responses collected from OC Bus riders.

Table 6 represents the percentage of respondents by ethnicity who use OCTA buses instead of other means of transportation according to the 2020 TNA Survey.

Table 6: Ethnicity of Survey Respondents General Purpose Bus Usage

Ethnicity	Hispanic/Latino	White	Asian	Decline to state	Black/African American	Vietnamese	Native American/ Alaska Native	Native Hawaiian/ Pacific Islander	Other	Filipino	Middle Eastern/ North African	Chinese	Korean	Indian	Japanese
No driver license	27%	27%	28%	21%	24%	31%	25%	26%	23%	27%	30%	19%	26%	24%	44%
I can't drive	28%	14%	20%	25%	18%	19%	24%	20%	11%	27%	15%	19%	23%	22%	22%
Can't afford to purchase or maintain a personal vehicle	12%	16%	8%	10%	16%	9%	12%	12%	15%	9%	13%	5%	6%	5%	0%
I save money by riding the bus	8%	12%	16%	9%	12%	15%	11%	13%	11%	23%	9%	16%	17%	17%	10%
My personal vehicle isn't working properly	4%	6%	2%	5%	7%	2%	4%	8%	6%	1%	1%	4%	6%	0%	2%
High gas prices	4%	4%	5%	5%	5%	3%	3%	2%	6%	1%	5%	12%	6%	2%	2%
Prefer not to drive	3%	5%	4%	5%	3%	6%	1%	3%	3%	3%	9%	5%	4%	0%	5%
Avoid traffic congestion	3%	4%	5%	6%	5%	4%	4%	7%	5%	5%	8%	4%	6%	5%	2%
Enjoy riding the bus	4%	2%	3%	4%	3%	4%	4%	4%	6%	2%	4%	2%	2%	5%	0%
Better for the environment	3%	4%	2%	3%	2%	3%	4%	4%	1%	1%	1%	2%	0%	7%	0%
Other	2%	3%	3%	2%	3%	1%	3%	3%	8%	0%	1%	5%	2%	7%	10%
No Response	1%	1%	2%	5%	1%	2%	1%	0%	2%	0%	1%	2%	0%	2%	0%
Better use of time	1%	1%	2%	2%	2%	1%	3%	0%	3%	0%	4%	5%	0%	2%	2%
Total Response Count by Column	3,881	1,285	758	731	412	162	136	112	110	88	80	57	47	41	41

2020 Transportations Needs Assessment Survey – Moore & Associates

Future survey efforts are planned, but due to COVID-19 related impacts, the 2020 TNA survey is the most representative transit-rider focused survey effort available.

- The survey suggests "high usage" riders. Nearly 75 percent of respondents indicated they typically ride OC Bus four to seven days per week. This suggests a high level of transit usage and customer satisfaction.
- The most frequent trip purpose was a work commute (42.6 percent), followed by either college (15 percent) or kindergarten to grade 12 school (12.4 percent).
- A total of 51 percent of survey participants reported greater use of OC Bus service in 2020 versus the year prior. An additional 36 percent indicated that they maintained the same level/frequency of usage. This suggests a dedicated customer base as well as transit service which is meeting customer travel needs.
- Nearly 50 percent of respondents indicated either "no driver's license" or "I can't drive" as the reason for using OC Bus. An additional 12 percent indicated they use the bus because they can't afford to purchase or maintain a personal vehicle. Cost was also a factor for some, with ten percent stating they save money by riding the bus and an additional four percent citing high gas prices as the main reason why they choose to ride the bus.

- Customers noted that they preferred to get information about OC Bus using Google Maps (32.4 percent), the OCTA website (24.6 percent) and the OC Bus mobile app (23.8 percent).

2014 Customer Satisfaction Survey Results

Due to the lack of comprehensive survey results from the 2020 Transportation Needs Assessment, results from the last complete customer satisfaction survey - in 2014 - will be used solely for comparison purposes. The 2014 Customer Satisfaction Survey was conducted to measure general bus usage. Respondents were very frequent users of OCTA bus service, with 82 percent using the bus four to seven days per week and another 15 percent using the bus one to three days per week. Respondents who were less frequent riders (less than four days per week) were more widely spread across the employment spectrum and included homemakers, students, and disabled residents. Respondents in the survey appeared to be long-term riders of OCTA buses with 62 percent having been riders for at least four years.

The dominant reasons why respondents indicated they ride OCTA's fixed-route bus service instead of another means of transportation centered on their inability to use a personal vehicle (car), either because it is too expensive to purchase and/or maintain a car (45 percent), they do not have a license/can't drive (19 percent), or their current vehicle is not working properly (nine percent). Cost was also a factor for some, with nine percent stating they save money by riding the bus and an additional five percent citing high gas prices as the main reason why they choose to ride the bus.

Table 7 represents the percentage of respondents by income and ethnicity who use OCTA buses instead of other means of transportation according to the 2014 Bus Customer Satisfaction Survey.

Table 7: Income/Ethnicity of Survey Respondents General Purpose Bus Usage

	Household Income (QD1 2)						Ethnicity (QD9)					
	Less than \$10K	\$10K to \$19K	\$20K to \$29K	\$30K to \$49K	\$50K to \$64K	\$65K or more	Cauc / White	Latino / Hispanic	Af Amer / Black	Amer Indian	Asian American	Other / Mixed
Can't afford to purchase, maintain a car	56%	46%	39%	32%	27%	26%	45%	46%	37%	34%	43%	33%
No driver's license, can't drive	18%	16%	24%	21%	18%	20%	18%	21%	15%	14%	21%	14%
I save money by riding the bus	5%	10%	7%	14%	20%	17%	9%	8%	11%	18%	12%	13%
My car isn't working properly	6%	9%	9%	13%	7%	9%	8%	7%	17%	6%	5%	14%
Prefer not to drive	3%	4%	5%	7%	7%	6%	5%	5%	4%	4%	4%	6%
High gas prices	3%	5%	8%	5%	9%	4%	5%	4%	7%	7%	4%	4%
Other reason	5%	4%	3%	3%	4%	7%	4%	4%	4%	6%	3%	7%
Enjoy riding the bus	3%	2%	2%	2%	3%	3%	2%	3%	3%	0%	3%	1%
Better for environment, air quality	1%	2%	1%	2%	3%	5%	2%	1%	1%	3%	3%	3%
Avoid traffic congestion	1%	1%	1%	1%	1%	2%	1%	1%	0%	2%	1%	5%
Better use of time	0%	1%	1%	0%	1%	1%	1%	0%	0%	5%	1%	0%

2014 Fixed-Route Bus Service Customer Satisfaction Survey – True North Research

Factor Two Summary

- Approximately 1.2 percent of Orange County's working age population uses a public transportation bus as a means of transportation to work.
- Approximately 18,224 individuals take the bus to work as a means of transportation. Of those individuals, about 4,393, or 24 percent, are estimated as individuals who speak English less than "very well" who can come in contact with OCTA fixed-route services.
- Of the approximate 24 percent of potential LEP passengers utilizing bus for means of transportation to work, approximately 16 percent speak Spanish, one percent speak Korean, one percent speak Chinese, five percent speak Vietnamese, 0.3 percent speak Arabic, and 2.1 percent speak other languages.

- The majority of survey respondents were identified as frequent riders using OC Bus from four to seven days a week for at least the last four years.
- Based on the 2020 TNA Rider Survey, nearly 50 percent of respondents indicated either "no driver's license" or "I can't drive" as the reason for using OC Bus.

FACTOR THREE

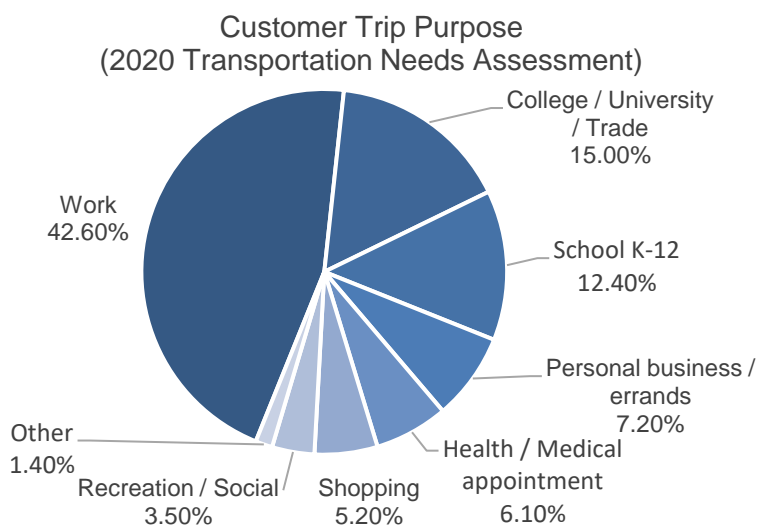
Factor 3: The nature or importance of OCTA services, programs, or activities provided to LEP individuals.

OCTA is the premier fixed-route bus system of Orange County, which currently operates 50 routes throughout the County (the number of active routes has been reduced by COVID-19-related impacts as of the update of this report). OCTA's fixed-route bus system is an integral part of the regional transportation system. OCTA delivers efficient transportation programs that reduce traffic congestion and improve mobility. As the premier provider of urban public transportation in the County of Orange, OCTA also provides an important paratransit program in addition to bus service between Metrolink stations, and connecting routes to Los Angeles, Riverside, and San Diego transit agencies.

2020 TNA Rider Survey Results

The 2020 TNA Rider Survey results indicated that the most frequent reason (42.6 percent) riders were taking the bus at the time he/she was being interviewed were riding for work-related purposes. Other purposes included going to college (15 percent), shopping (5.2 percent), running personal errands (7.2 percent), traveling to/from a health or medical appointment (6.1 percent), going to school (12.4 percent), attending a recreation/social event (3.5 percent), and other purposes (1.4 percent).

Chart 2: Survey Respondents General Purpose for Bus Usage



2014 Customer Satisfaction Survey Results

The 2014 Customer Satisfaction Survey results indicated that the most frequent reason (53 percent) riders were taking the bus at the time he/she was being interviewed were riding for work-related purposes. Other purposes included going to college (13 percent), shopping

(eight percent), running personal errands (eight percent), traveling to/from a health or medical appointment (seven percent), going to school (five percent), attending a recreation/social event (five percent), and other purposes (two percent).

Chart 3: Survey Respondents General Purpose for Bus Usage

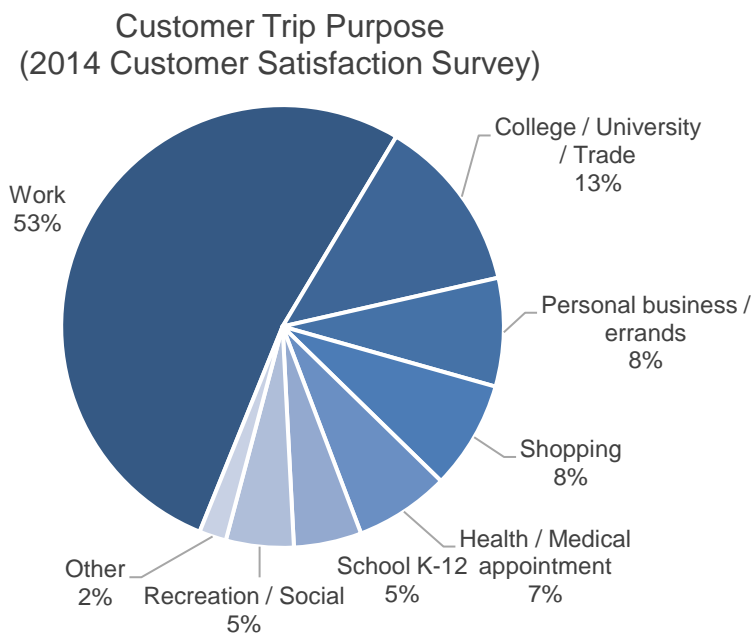
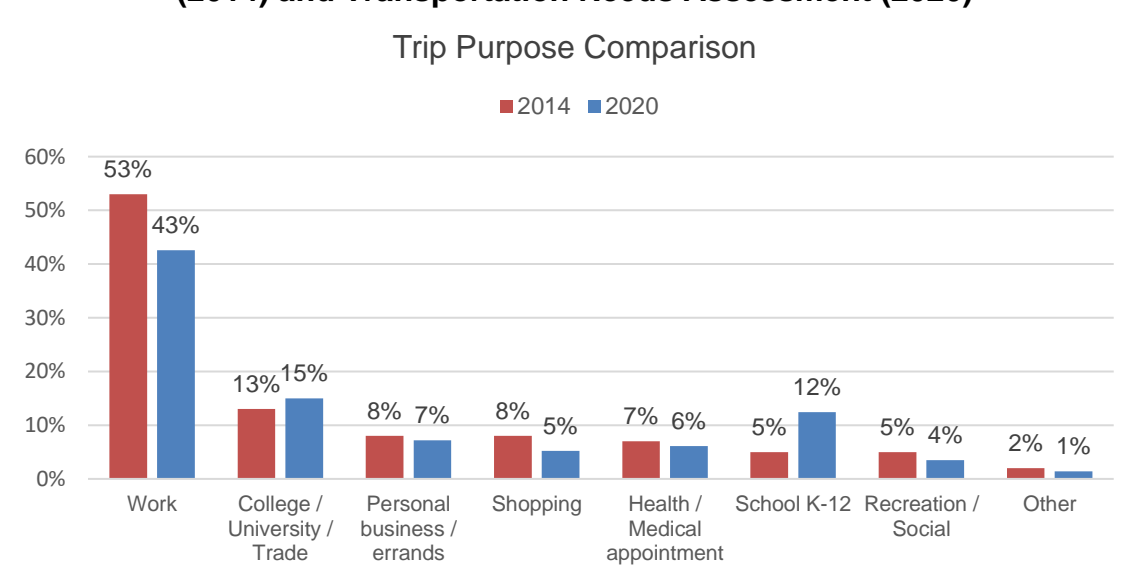


Table 8: Comparison of Trip Purpose Responses from Customer Satisfaction Survey (2014) and Transportation Needs Assessment (2020)



Factor Three Summary

- As the premier provider of public transportation in Orange County, members of the public rely on the fixed-route bus service as a means of transportation to work.

- Based on both the 2014 customer satisfaction and 2020 TNA surveys, the most common trip purposes were work/commute and school related. These two reasons coincide with the “frequency of use” data.

FACTOR FOUR

Factor 4: The resources available to OCTA and the costs.

2020 Transportation Needs Assessment Rider Survey Results

Despite the survey being available in seven languages, 78 percent were completed in English and 20 percent in Spanish. Of the other five language options, 1.6 percent were completed in Vietnamese. In terms of household languages, the top three languages spoken at home were English (73 percent), Spanish (52 percent) and Vietnamese (four percent).

With respect to rider preferred information access, the top three sources identified were OCTA website (25 percent), Bus Book (11 percent), and text message (ten percent). Respondents indicated some use of a mobile app, 32 percent utilize Google Maps, while 24 percent utilize OCTA’s mobile app and 16 percent Transit app.

According to the 2014 Customer Satisfaction Survey, approximately 79 percent of the passengers surveyed prefer to receive fixed-route bus information in English. The second highest language was Spanish at 18 percent.

Table 9 identifies by the language riders prefer to receive fixed-route bus information in.

Table 9: Language Preferred to Receive Bus Information

In what language would you prefer to receive bus information? <i>Check one.</i>		
1	English	79%
2	Spanish	18%
3	Vietnamese	1%
4	Chinese/Mandarin/Cantonese	1%
5	Korean	<1%
6	Tagalog	<1%
7	Farsi	<1%
8	Other	<1%

2014 Fixed-Route Bus Service Customer Satisfaction Survey – True North Research

The 2014 Customer Satisfaction Survey rated the OCTA Bus Book as the most effective source for information about OCTA bus service (68 percent very or somewhat effective). While the Bus Book is no longer printed, it is now available for free online, consistent with the 2020 TNA preferred online options. Other preferred methods based on the previous 2014 Customer Satisfaction Survey included Text4Next (56 percent), information at bus stops (56 percent), eBusbook from OCTA’s website (56 percent), the Telephone Customer Information Center (52 percent), OCTA mobile website (51 percent), and the Trip Planner on OCTA’s website (51 percent).

Table 10 identifies by ethnicity the effectiveness for each source of fixed-route information.

Table 10: Percentage Effectiveness of Information Sources by Ethnicity

	Ethnicity (QD9)					
	Caucasian / White	Latino / Hispanic	Af Amer / Black	Amer Indian	Asian American	Other / Mixed
Printed Bus Books	50%	53%	54%	47%	43%	51%
Text4Next	35%	47%	42%	42%	28%	44%
eBusbook from OCTA's website	33%	39%	43%	33%	34%	46%
Information at Bus Stops	31%	41%	35%	32%	31%	40%
OCTA mobile site	30%	38%	33%	27%	30%	38%
Telephone Customer Information Center	33%	36%	39%	25%	22%	41%
Trip Planner from OCTA's website	32%	35%	34%	34%	26%	33%
Google Transit website	28%	34%	33%	35%	30%	42%
Advertising inside buses	21%	32%	28%	30%	17%	33%
On-bus Rider Alert flyers	21%	31%	26%	27%	19%	27%
Email/Rider Alerts	21%	30%	25%	25%	17%	23%
Special Promotional Service Brochure on bus	20%	30%	26%	29%	15%	30%
Advertising on outside of bus	21%	28%	25%	33%	17%	32%
Social Media - Facebook and/or Twitter	18%	28%	23%	26%	15%	26%
511 (phone)	18%	26%	21%	25%	13%	29%
Go511.com website	17%	23%	19%	23%	12%	28%

2014 Fixed-Route Bus Service Customer Satisfaction Survey – True North Research

Factor Four Summary

- Approximately 80 percent of survey respondents prefer to receive fixed-route bus information in English.
- As of 2020, the most preferred method of receiving fixed-route bus information was the OCTA website.

Four-Factor Analysis Conclusion

- As of the 2021 American Community Survey, the overall population of Orange County has decreased by 0.57 percent from 2018.
- The French language no longer meets the required threshold of five percent of the population or the 1,000 LEP speaker provision in Orange County.
- The overall number of LEP student enrollments for the past five years has declined in Orange County, including the top five non-English languages.
- Approximately 1.2 percent of Orange County's population over age 16 uses a public transportation bus to travel to work.
- Approximately 18,224 individuals take the bus to work as a means of transportation. Of those individuals, about 4,393 or 24 percent are estimated as individuals who speak English less than "very well" who can come in contact with OCTA fixed-route services.
- Apart from work, OCTA passengers also use the fixed-route bus service by means of transportation to public school or secondary education, errands, social/recreational activities, and doctor's appointments.
- Customer Satisfaction Survey respondents indicated the preferred language to receive information is English.
- Vital documents provided by the County of Orange Medi-Cal Mental Health services are translated into six languages that reflect the six highest language translation requests OCTA has received in the last three years.

Available Resources

OCTA has procured a qualified, professional language translation service to ensure that OCTA information is available in other languages. Information is available in Spanish regarding services, programs, and activities, including surveys, bus routes and fares, other information online, onboard buses, as well as in the Administrative Office buildings and OCTA Store. OCTA's eBusBook contains translations in both Spanish and Vietnamese. Information for major service and fare changes, as well as public hearings will be available in Spanish and Vietnamese. Other language translations are available upon request.

OCTA's website has the capability for translating website information into different languages and currently offers 18 out of the 21 languages that meet the Safe Harbor provision: Arabic, Chinese, Farsi (Persian), German, Gujarati, Hindi, Japanese, Khmer, Korean, Portuguese, Punjabi, Russian, Spanish, Tagalog, Thai, Ukrainian, Urdu, and Vietnamese. Translation for Hawaiian languages is not available at this time, and the remaining two safe harbor languages (other Indo-European languages and other languages of Asia) are too broad to identify translations.

OCTA utilizes an Employee Language Translator Volunteer database for additional language translation services upon request. Requests for languages in which OCTA does not have volunteer translators are handled using interpretation services through the Customer Relations Language Line.

OCTA's Customer Relations Department, which manages customer comments by phone, mail, email, and in-person currently benefits from staff members who speak Spanish. The Customer Relations team also utilizes translation services provided by the Language Line for customers who speak other languages, providing OCTA with the ability to communicate with over 160 different languages. The OCTA Store, which makes available bus passes and is an informational source for the general public on transit information, is also staffed by two representatives who speak Spanish.

OCTA's Customer Information Center (CIC) is a telephone-based information service that manages customer inquiries primarily concerning bus transit trip generation. The CIC is a procured service operated by a firm which has satisfied all agency Disadvantaged Business Enterprise, Minority Business Enterprise, and Women Business Enterprise requirements. In addition to the majority bi-lingual staff (English/Spanish), the CIC also utilizes translation services provided by the Language Line as needed.

Vital documents are defined as those documents without which a person would be unable to access services. The following are vital written communications that are printed in English, Spanish, Vietnamese, Chinese, Korean, and Persian for Title VI: Title VI Protection Notification, Title VI Complaint Procedure and Form. Marketing materials for major service and fare changes and Public Hearing Notices will be available in English, Spanish, and Vietnamese. Complementary paratransit service (OC ACCESS) vital written documents such as the application form are currently available in English and Spanish. During the triennial period, the application form will have additional translations made available in Vietnamese, Chinese, Korean, and Persian. The ADA customer comment form, including OC ACCESS, is used to file complaints, appeals, general comments, etc. This form, in addition to OC ACCESS eligibility and determination information are available for translation in 18 languages on the OCTA website.

Language Assistance Implementation Plan:

Based on the four-factor analysis, OCTA has identified Spanish as the primary language assistance needs and services required to provide meaningful access to information for the LEP residents of Orange County. OCTA will review its LEP Plan on a triennial basis and incorporate LEP data gathering ventures, such as surveys, to further identify additional language area-specific needs for the top languages identified. A review of OCTA's relevant programs, activities, and services that are being offered or will be offered by OCTA as of October 2023 include:

- The Language Line will be available for customers who speak other languages, providing OCTA with the ability to communicate with over 160 different languages.
- OCTA Coach Operators that are bi-lingual and are able to assist members of the public.
- Non-bilingual Coach Operators can assist members of the public utilizing other passengers who speak another language or by providing the customer with the CIC phone number for language assistance.
- OCTA has a qualified, professional language translation service to ensure that OCTA information is accurately translated to other languages.
- OCTA will utilize the Employee Language Translator Volunteer database for additional language translation services upon request.
- "I Speak" cards are available at OCTA reception desks to assist members of the public with obtaining translation services.
- Geographic Information System (GIS) maps have been developed for six of the DOJ Safe Harbor languages to which OCTA has received the highest number of requests for language assistance within the last three years (Arabic, Chinese, Korean, Persian, Spanish, and Vietnamese). According to the Census Bureau, due to small sample counts, data tabulations are not available for all languages. Therefore, Persian (including Farsi) has been grouped into "Other Indo-European languages". (See maps included with Plan.)
- OCTA will provide marketing materials for major service and fare changes in English, Spanish, and Vietnamese. Information in other languages are available upon request.
- Route and schedule information in the eBusbook are available in English, Spanish, and Vietnamese.
- The OCTA website contains route and schedule information, which can be translated into 18 of the DOJ safe harbor languages.
- A supplemental language bus placard is on all vehicles in seven languages and pictographs to notify the beneficiaries of Title VI protection and the information to file a claim and/or receive additional translation services.
- OCTA continues to distribute surveys to actively evaluate community and language needs for future program enhancements.

OCTA will actively and regularly contact the community organizations that serve LEP persons to identify any additional information or activities that might better improve OCTA's services to assure non-discriminatory service to LEP persons. The following is a list of community organizations that have been contacted or will be contacted to assist in gathering information about services most frequently sought by the LEP population:

- Small-Business Diversity Network
- Asian Business Association of Orange County
- Vietnamese Chamber of Commerce of Orange County
- Korean Resource Center

- Orange County Hispanic Chamber of Commerce
- Regional Center of Orange County
- Iranian-American Chamber of Commerce of Orange County
- Black Chamber of Commerce of Orange County
- Latino Health Access
- Abrazar Inc.
- CalOptima
- Council of Aging Southern California

Training Staff

Coach Operators have the most frequent contact with LEP persons through daily interaction with passengers during fixed-route hours of operations. Customer Service Representatives and the General Services staff also have frequent contact with LEP persons, either in person at the OCTA administrative offices or by telephone.

All newly hired Coach Operators receive Title VI training on the final day of a six-week training program. Title VI training topics include:

- Understanding Title VI responsibilities;
- The language assistance services offered by OCTA;
- Specific procedures to be followed when encountering a LEP person;
- Assisting passengers/members of the public in obtaining Title VI information, and how to obtain complaint procedure information and translation services.

OCTA Customer Relations and OCTA Store team members also have frequent contact with LEP members of the public. Title VI training was provided for both groups during the triennial period.

CONCLUSION

The LEP Plan is designed to be flexible and to be reviewed as an ongoing process. As such, it is important to consider whether new documents and services need to be made accessible for LEP persons and also to monitor changes in demographics and types of services in those demographics. When changes occur, the LEP Plan will be updated as appropriate, but no less than every three years.

OCTA will post the LEP Plan on its website at www.OCTA.net. Copies of the LEP plan will be provided to any person or agency requesting a copy. LEP persons may obtain copies/translations of the LEP plan upon request.

Any questions or comments regarding this Plan should be directed to:

Maggie McJilton
Executive Director, People and Community
Engagement
Federal Compliance Officer
Orange County Transportation Authority
550 South Main Street Orange, CA 92863-1584
Phone: 714-560-5824
Fax: 714-560-5727
E-mail address: mmcjilton@octa.net

Christina Perez
Title VI Civil Rights Coordinator
Orange County Transportation Authority
550 South Main Street Orange, CA 92863- 1584
Phone: 714-560-5876
Fax: 714-560-5849
E-mail address: cperez@octa.net

2021 ACS 5-Year Population Estimates: Population Estimates: Sex by Age
 2021 ACS 5-Year Estimates: Means of Transportation to Work (Public transportation (excluding taxicab): Bus)
 2021 ACS 5-Year Estimates: Language Spoken at Home, Who Speak English "Less than Very Well"

City	Zip Code (ZCTA)	2021 Population [1]	Means of Transportation to Work by Bus [2]	Spanish			Korean			Chinese			Vietnamese			Arabic		
				Speaks English "Less Than Very Well"	Number of LEP Population [3]	Potential Number of LEP Bus to Work	Speaks English "Less Than Very Well"	Number of LEP Population [3]	Potential Number of LEP Bus to Work	Speaks English "Less Than Very Well"	Number of LEP Population [3]	Potential Number of LEP Bus to Work	Speaks English "Less Than Very Well"	Number of LEP Population [3]	Potential Number of LEP Bus to Work	Speaks English "Less Than Very Well"	Number of LEP Population [3]	Potential Number of LEP Bus to Work
Buena Park	90620	47,104	0.4%	6.6%	3,103	11	2.8%	1,320	5	1.4%	656	2	0.8%	374	1	0.3%	144	1
Buena Park	90621	36,385	0.6%	10.6%	3,854	23	8.7%	3,182	19	0.6%	229	1	0.6%	209	1	0.0%	7	0
La Palma	90623	15,703	0.2%	2.2%	340	1	4.8%	753	1	2.5%	385	1	1.4%	220	0	0.3%	53	0
Cypress	90630	50,543	0.2%	2.8%	1,398	2	6.0%	3,036	5	1.8%	901	1	1.1%	576	1	0.1%	54	0
La Habra	90631	69,601	0.7%	11.8%	8,210	58	2.6%	1,811	13	1.0%	687	5	0.1%	59	0	0.2%	108	1
Stanton	90680	30,500	1.0%	14.9%	4,551	43	0.9%	261	2	0.5%	167	2	10.2%	3,114	30	0.8%	229	2
Los Alamitos	90720	23,660	0.3%	2.1%	487	1	0.7%	169	0	0.4%	90	0	0.5%	111	0	0.0%	-	-
Seal Beach	90740	24,721	0.4%	1.6%	401	1	3.0%	742	3	0.7%	182	1	0.2%	49	0	0.5%	120	0
Sunset Beach	90742	470	0.0%	0.0%	-	-	0.0%	-	-	0.0%	-	-	0.0%	-	-	0.0%	-	-
Surfside	90743	487	0.0%	0.0%	-	-	0.0%	-	-	4.3%	21	-	0.0%	-	-	0.0%	-	-
Irvine	92602	27,425	0.0%	1.3%	350	-	3.2%	881	-	5.6%	1,536	-	1.3%	344	-	0.6%	155	-
Irvine	92603	19,128	0.0%	0.3%	55	-	2.9%	556	-	5.0%	948	-	1.5%	285	-	0.1%	18	-
Irvine	92604	29,983	0.1%	2.1%	630	1	2.7%	807	1	4.9%	1,475	1	0.8%	253	0	0.3%	79	0
Irvine	92606	25,126	0.3%	0.6%	151	0	2.5%	636	2	3.9%	971	3	1.3%	335	1	0.6%	142	0
Foothill Ranch	92610	12,524	0.2%	1.1%	134	0	0.5%	61	0	1.3%	165	0	1.1%	136	0	0.0%	-	-
Irvine	92612	34,640	0.6%	1.3%	438	3	1.3%	449	3	7.2%	2,485	15	0.4%	143	1	0.3%	91	1
Irvine	92614	29,307	0.4%	0.7%	195	1	1.7%	493	2	3.2%	925	3	0.8%	244	1	0.4%	122	0
Irvine	92618	54,368	0.0%	1.1%	587	0	3.2%	1,724	0	6.8%	3,704	0	0.7%	358	0	1.0%	544	0
Irvine	92620	60,344	0.0%	0.5%	318	-	3.7%	2,249	-	7.9%	4,775	-	0.6%	378	-	0.1%	72	-
Capistrano Beach	92624	6,398	0.4%	3.9%	250	1	0.0%	1	0	0.0%	-	-	0.0%	-	-	0.0%	-	-
Corona Del Mar	92625	13,102	0.0%	0.4%	55	-	0.0%	-	-	2.0%	268	-	0.2%	24	-	0.0%	-	-
Costa Mesa	92626	50,389	1.0%	5.9%	2,977	31	0.2%	103	1	0.7%	349	4	1.8%	903	9	0.1%	72	1
Costa Mesa	92627	62,575	0.7%	12.7%	7,930	56	0.1%	35	0	0.2%	97	1	0.3%	175	0	0.0%	-	-
Dana Point	92629	26,929	0.5%	2.1%	553	3	0.1%	23	0	0.0%	8	0	0.1%	18	0	0.2%	44	0
Lake Forest	92630	66,621	0.7%	6.0%	4,000	29	0.4%	259	2	1.6%	1,097	8	0.7%	494	4	0.3%	221	2
Huntington Beach	92646	55,939	0.2%	1.2%	696	1	0.1%	53	0	0.7%	415	1	1.8%	1,017	2	0.0%	-	-
Huntington Beach	92647	60,592	0.3%	3.8%	2,305	7	0.3%	194	1	0.6%	371	1	2.9%	1,731	5	0.4%	233	1
Huntington Beach	92648	45,612	0.1%	1.9%	859	1	0.1%	56	0	1.2%	539	1	1.6%	724	1	0.2%	98	0
Huntington Beach	92649	36,130	0.2%	0.9%	314	1	0.1%	44	0	0.5%	169	0	1.0%	350	1	0.0%	-	-
Laguna Beach	92651	24,042	0.3%	1.2%	289	1	0.1%	24	0	0.1%	30	0	0.0%	11	0	0.7%	169	0
Laguna Hills	92653	30,183	0.4%	5.4%	1,631	6	0.5%	163	1	1.0%	309	1	1.9%	587	2	0.3%	101	0
Midway City	92655	8,440	0.3%	10.6%	891	2	0.4%	31	0	0.9%	77	0	26.2%	2,212	6	0.3%	26	0
Aliso Viejo	92656	53,169	0.3%	2.7%	1,438	4	0.5%	258	1	1.0%	524	1	0.5%	271	1	0.2%	109	0
Newport Coast	92657	9,342	0.0%	0.0%	-	-	1.2%	110	-	2.7%	252	-	1.1%	104	-	0.0%	-	-
Newport Beach	92660	36,100	0.0%	1.4%	496	-	0.3%	100	-	1.1%	409	-	0.0%	-	-	0.1%	37	-
Newport Beach	92661	3,279	0.0%	0.2%	8	-	0.0%	-	-	0.0%	-	-	0.0%	-	-	0.0%	-	-
Newport Beach	92662	2,471	0.0%	0.2%	5	-	0.0%	-	-	0.0%	-	-	0.0%	-	-	0.0%	-	-
Newport Beach	92663	21,523	0.4%	1.5%	328	1	0.0%	6	0	0.4%	83	0	0.1%	27	0	0.0%	-	-
San Clemente	92672	38,872	0.3%	3.3%	1,276	4	0.2%	64	0	0.2%	88	0	0.0%	3	0	0.1%	46	0
San Clemente	92673	30,972	0.0%	1.1%	340	0	0.0%	4	0	0.0%	-	-	0.1%	21	0	0.0%	-	-
San Juan Capistrano	92675	35,319	1.1%	11.5%	4,065	43	0.1%	28	0	0.1%	39	0	0.1%	43	0	0.0%	-	-
Silverado	92676	1,988	0.0%	1.7%	34	-	0.0%	-	-	0.3%	5	-	0.0%	-	-	0.0%	-	-
Laguna Niguel	92677	64,608	0.0%	3.5%	2,286	0	0.2%	134	0	1.1%	726	0	0.2%	157	0	0.1%	73	0
Trabuco Canyon	92678	638	0.0%	1.1%	7	-	0.0%	-	-	0.6%	4	-	0.0%	-	-	0.0%	-	-
Trabuco Canyon	92679	31,406	0.0%	0.8%	266	-	0.5%	147	-	1.0%	324	-	0.1%	28	-	0.1%	18	-
Westminster	92683	91,267	0.5%	6.3%	5,708	27	0.3%	302	1	1.0%	931	4	25.3%	23,046	110	0.4%	379	2
Rancho Santa Margarita	92688	44,386	0.0%	3.3%	1,472	1	0.2%	79	0	0.5%	203	0	0.2%	83	0	0.2%	77	0
Mission Viejo	92691	48,437	0.2%	4.3%	2,091	5	0.7%	317	1	0.6%	295	1	0.9%	413	1	0.1%	40	0
Mission Viejo	92692	46,240	0.0%	3.0%	1,377	1	0.0%	-	-	1.3%	600	0	2.3%	1,066	0	0.4%	174	0
Ladera Ranch	92694	34,879	0.0%	0.6%	197	0	0.3%	120	0	0.9%	301	0	0.1%	34	0	0.0%	15	0
Santa Ana	92701	49,008	1.8%	34.7%	17,003	308	0.1%	30	1	0.2%	108	2	0.4%	189	3	0.0%	-	-
Santa Ana	92703	64,387	1.7%	31.7%	20,406	354	0.1%	53	1	0.5%	294	5	8.3%	5,325	92	0.0%	-	-
Santa Ana	92704	79,641	1.7%	23.7%	18,861	329	0.1%	68	1	0.3%	226	4	7.6%	6,024	105	0.0%	28	0
Santa Ana	92705	47,851	0.3%	13.0%	6,217	21	0.5%	235	1	0.6%	270	1	0.6%	306	1	0.0%	7	0
Santa Ana	92706	36,694	1.1%	24.8%	9,117	100	0.6%	202	2	0.4%	162	2	2.8%	1,026	11	0.0%	8	0
Santa Ana	92707	60,478	1.9%	26.5%	16,034	298	0.1%	59	1	0.3%	198	4	1.4%	828	15	0.1%	40	1
Fountain Valley	92708	57,139	0.1%	2.0%	1,133	1	0.6%	343	0	1.4%	788	1	10.8%	6,183	6	0.9%	518	0
Tustin	92780	54,840	0.5%	14.3%	7,832	42	0.5%	257	1	1.0%	537	3	1.0%	527	3	0.2%	105	1
Tustin	92782	30,123	0.2%	2.7%	807	1	2.7%	812	1	3.4%	1,031	2	0.7%	215	0	0.0%	9	0
Anaheim	92801	65,662	1.4%	18.8%	12,357	174	1.6%	1,056	15	0.6%	362	5	2.7%	1,760	25	1.0%	649	9
Anaheim	92802	42,911	1.4%	22.0%	9,440	134	0.6%	258	4	0.3%	130	2	3.2%	1,362	19	0.3%	133	2
Anaheim	92804	86,503	1.0%	11.7%	10,125	106	0.7%	602	6	0.8%	732	8	6.9%	5,989	63	0.9%	789	8
Anaheim	92805	73,736	1.2%	23.7%	17,441	216	0.5%	397	5	0.6%	465	6	1.4%	1,020	13	0.4%	273	3

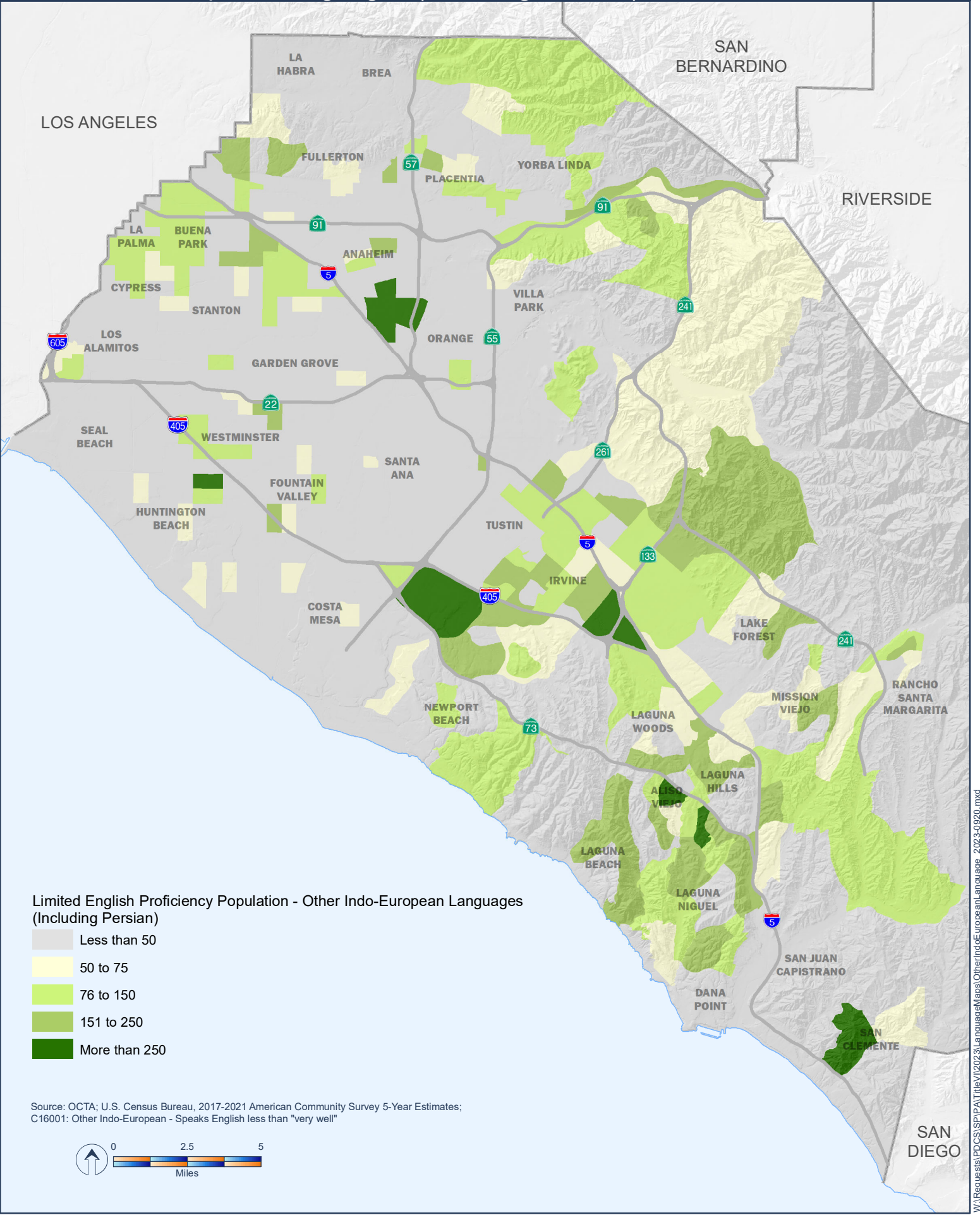
City	Zip Code (ZCTA)	2021 Population [1]	Means of Transportation to Work by Bus [2]	Spanish			Korean			Chinese			Vietnamese			Arabic		
				Speaks English "Less Than Very Well"	Number of LEP Population [3]	Potential Number of LEP Bus to Work	Speaks English "Less Than Very Well"	Number of LEP Population [3]	Potential Number of LEP Bus to Work	Speaks English "Less Than Very Well"	Number of LEP Population [3]	Potential Number of LEP Bus to Work	Speaks English "Less Than Very Well"	Number of LEP Population [3]	Potential Number of LEP Bus to Work	Speaks English "Less Than Very Well"	Number of LEP Population [3]	Potential Number of LEP Bus to Work
Anaheim	92806	40,009	1.1%	15.0%	6,019	64	0.2%	88	1	0.8%	319	3	1.7%	664	7	0.7%	264	3
Anaheim	92807	36,110	0.2%	3.9%	1,413	2	0.5%	179	0	0.7%	253	0	0.7%	265	0	0.3%	108	0
Anaheim	92808	21,496	0.3%	1.5%	315	1	0.6%	119	0	1.1%	227	1	0.8%	175	0	0.5%	100	0
Brea	92821	41,286	0.1%	4.2%	1,752	2	3.8%	1,562	2	1.4%	585	1	0.1%	53	0	0.1%	35	0
Brea	92823	5,626	0.0%	0.0%	-	-	6.1%	344	-	4.7%	266	-	0.9%	49	-	0.0%	-	-
Fullerton	92831	36,859	0.4%	6.9%	2,525	11	1.4%	514	2	1.3%	472	2	0.7%	256	1	0.3%	127	1
Fullerton	92832	25,720	1.6%	13.5%	3,477	55	1.8%	471	7	0.1%	25	0	1.1%	280	4	0.0%	-	-
Fullerton	92833	53,188	0.7%	8.3%	4,423	29	9.8%	5,203	34	1.2%	647	4	0.5%	267	2	0.1%	64	0
Fullerton	92835	26,917	0.0%	2.5%	686	-	3.1%	824	-	2.0%	527	-	0.3%	72	-	1.0%	258	-
Garden Grove	92840	53,681	0.8%	10.9%	5,877	44	1.1%	594	4	0.9%	487	4	14.6%	7,843	59	0.3%	172	1
Garden Grove	92841	34,650	0.8%	9.2%	3,176	26	2.4%	832	7	0.9%	298	2	21.0%	7,272	61	0.2%	63	1
Garden Grove	92843	48,413	0.8%	15.3%	7,403	62	0.5%	226	2	0.6%	294	2	23.6%	11,444	96	0.1%	40	0
Garden Grove	92844	22,601	0.7%	7.4%	1,672	11	3.7%	839	6	1.1%	248	2	25.8%	5,821	39	0.2%	47	0
Garden Grove	92845	15,240	0.0%	1.0%	150	-	0.3%	41	-	1.3%	201	-	1.9%	286	-	0.3%	49	-
Villa Park	92861	5,864	0.1%	0.8%	48	0	0.3%	16	0	0.4%	25	0	1.0%	56	0	0.0%	-	-
Orange	92865	21,384	0.7%	7.5%	1,604	11	0.2%	50	0	1.4%	293	2	0.8%	167	1	0.1%	19	0
Orange	92866	14,966	1.4%	4.9%	734	10	0.1%	8	0	0.3%	42	1	0.3%	43	1	0.1%	15	0
Orange	92867	44,232	0.3%	9.0%	3,975	13	0.4%	187	1	0.8%	356	1	0.7%	295	1	0.3%	114	0
Orange	92868	27,233	0.8%	11.3%	3,090	24	1.4%	370	3	0.7%	198	2	1.4%	392	3	0.1%	15	0
Orange	92869	36,174	0.1%	9.0%	3,266	4	0.6%	233	0	1.2%	422	0	1.7%	623	1	0.2%	66	0
Placentia	92870	53,126	0.5%	6.6%	3,486	16	1.2%	647	3	1.4%	736	3	0.8%	431	2	0.1%	44	0
Yorba Linda	92886	50,764	0.1%	1.8%	901	1	1.5%	743	0	2.5%	1,246	1	0.4%	223	0	0.2%	81	0
Yorba Linda	92887	20,395	0.2%	2.0%	407	1	0.3%	66	0	3.1%	630	1	1.0%	212	0	0.4%	83	0
Total		3,158,774	0.57%	8.6%	272,518	2,840	1.3%	40,313	177	1.4%	42,915	137	3.4%	108,673	817	0.3%	8,193	46

LEP Population Estimate	557,104
Number of Population Takes the Bus to Work	18,066
Potential Number of LEP Riders	4,393

Estimated % Overall Transit Riders per LEP Language Population	16%	1%	1%	5%	0.3%

[1] B01001 Source: U.S. Census Bureau, 2021 ACS 5-Year Population Estimates: Sex by Age
 [2] B08006 Source: U.S. Census Bureau, 2021 ACS 5-Year Estimates: Sex of Workers by Means of Transportation to Work (Public transportation (excluding taxicab): Bus)
 [3] C16001 Source: U.S. Census Bureau, 2021 ACS 5-Year Population Estimates: Language Spoken at Home, Who Speak English "Less than Very Well"
 All Other Languages include French, Haitian, or Cajun; German or other West Germanic languages; Russian, Polish, or other Slavic languages; Other Indo-European languages; Tagalog; Other Asian and Pacific Island languages; Other and unspecified languages

Limited English Proficiency Population - Other Indo-European Languages (Including Persian)



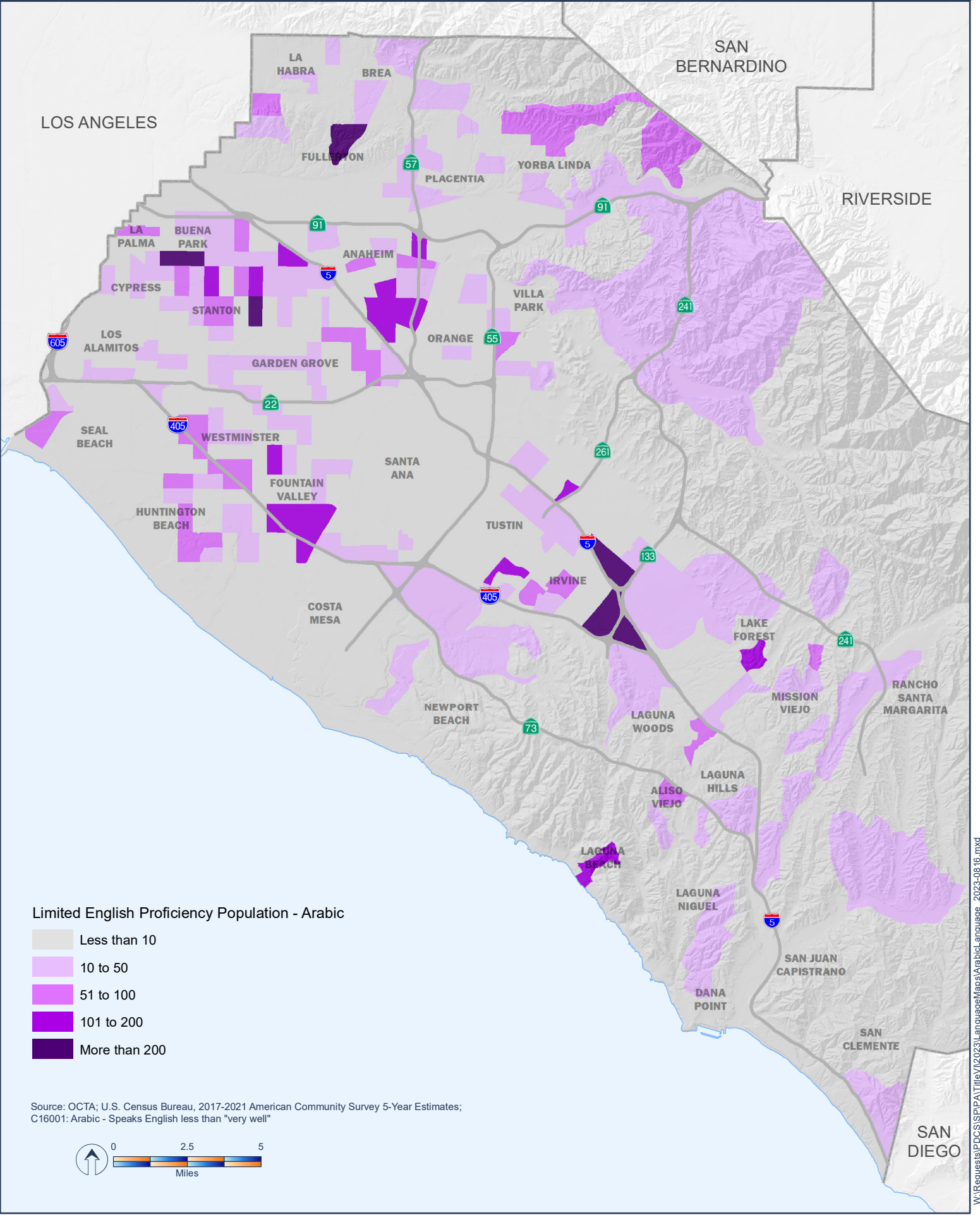
Limited English Proficiency Population - Other Indo-European Languages (Including Persian)

- Less than 50
- 50 to 75
- 76 to 150
- 151 to 250
- More than 250

Source: OCTA; U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates; C16001: Other Indo-European - Speaks English less than "very well"



Limited English Proficiency Population - Arabic



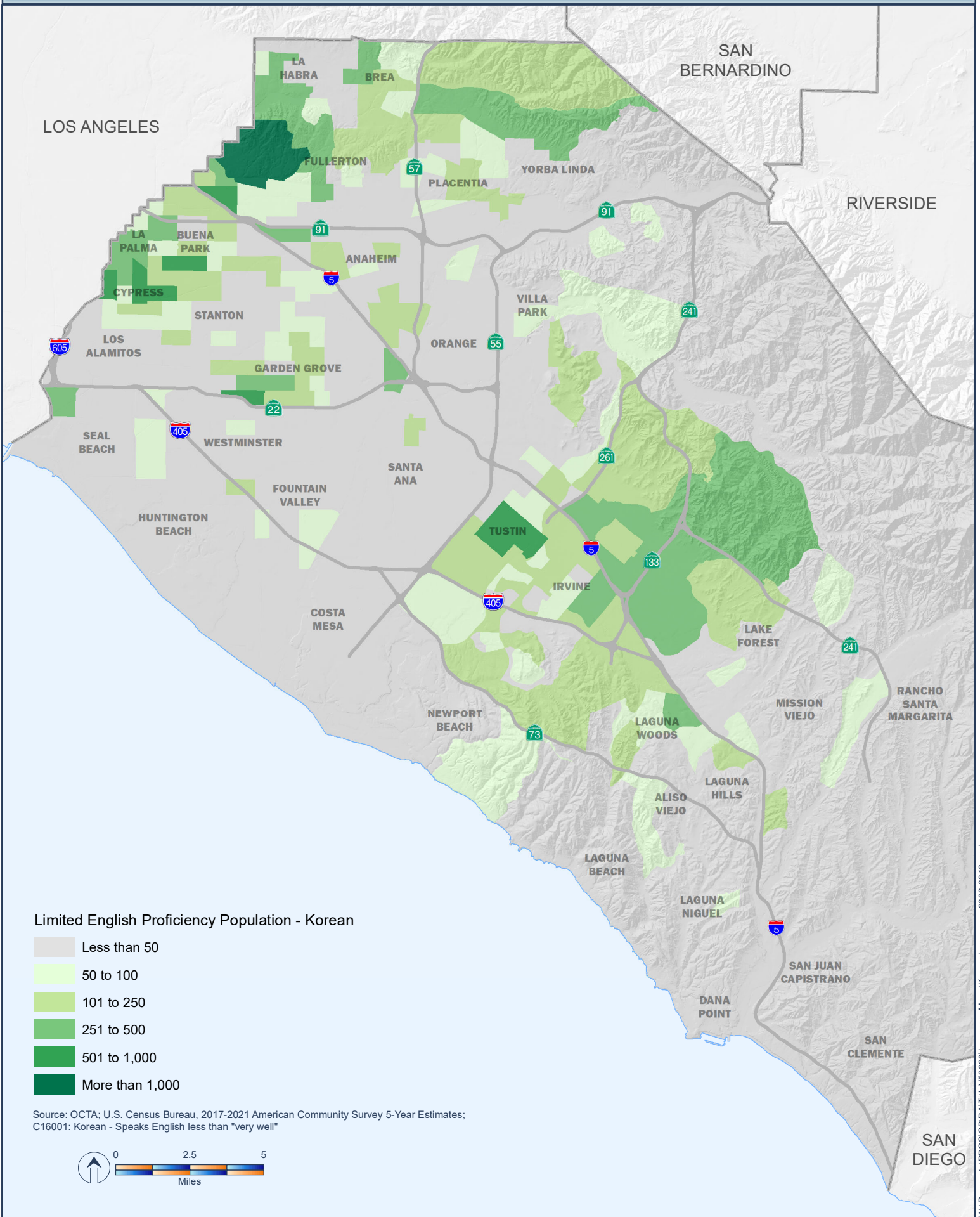
Limited English Proficiency Population - Arabic

- Less than 10
- 10 to 50
- 51 to 100
- 101 to 200
- More than 200

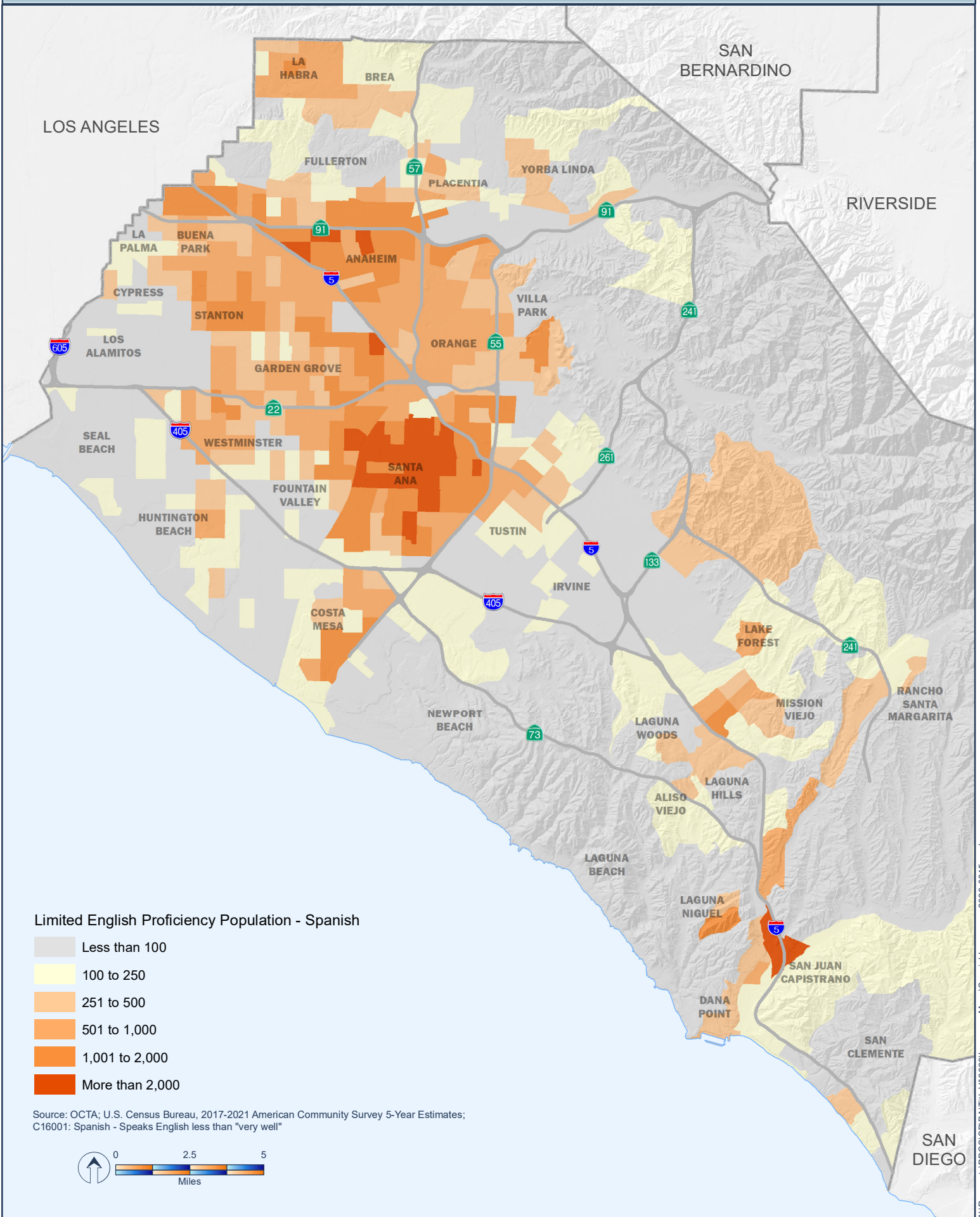
Source: OCTA; U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates; C16001: Arabic - Speaks English less than "very well"



Limited English Proficiency Population - Korean



Limited English Proficiency Population - Spanish



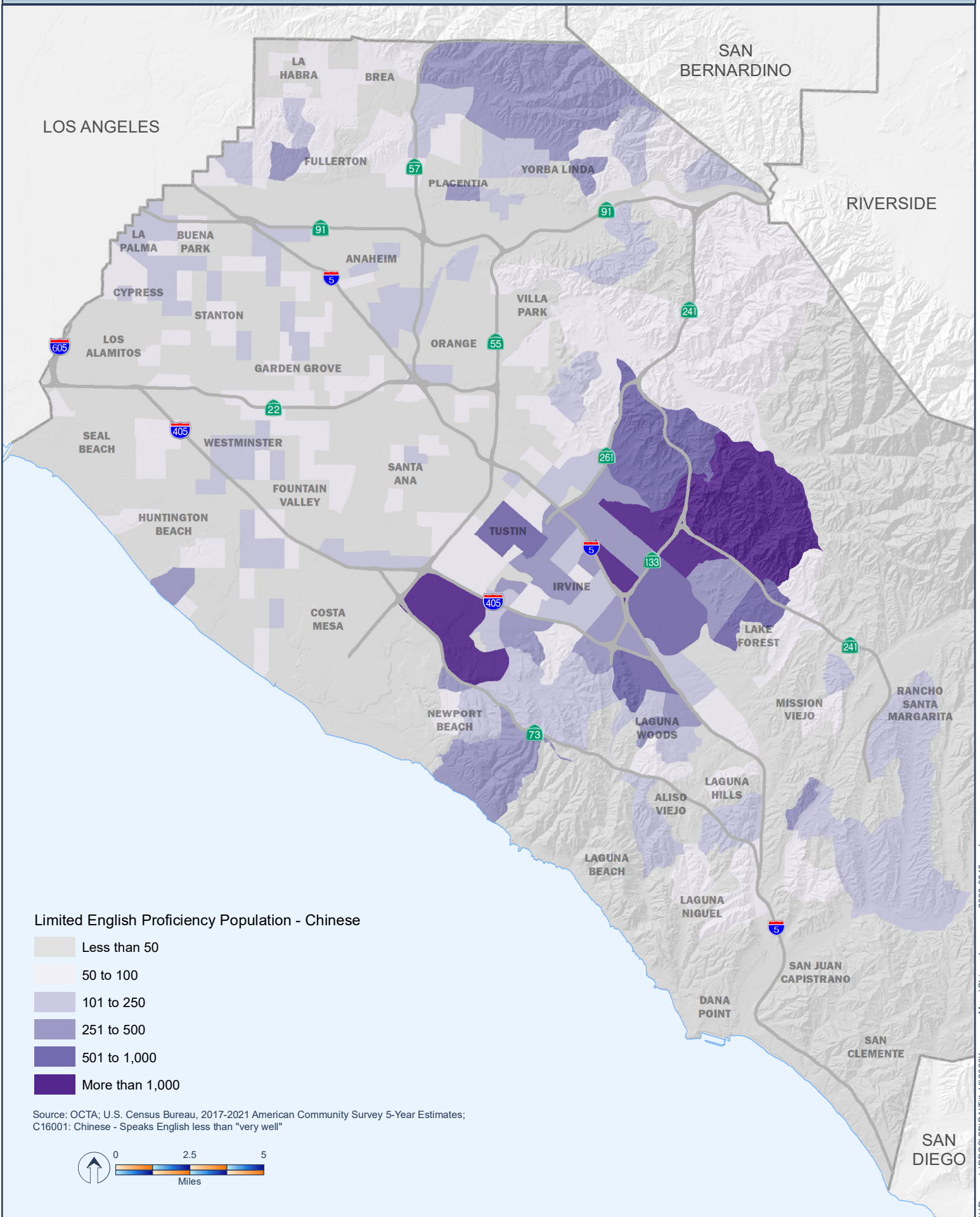
Limited English Proficiency Population - Spanish

- Less than 100
- 100 to 250
- 251 to 500
- 501 to 1,000
- 1,001 to 2,000
- More than 2,000

Source: OCTA; U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates; C16001: Spanish - Speaks English less than "very well"



Limited English Proficiency Population - Chinese



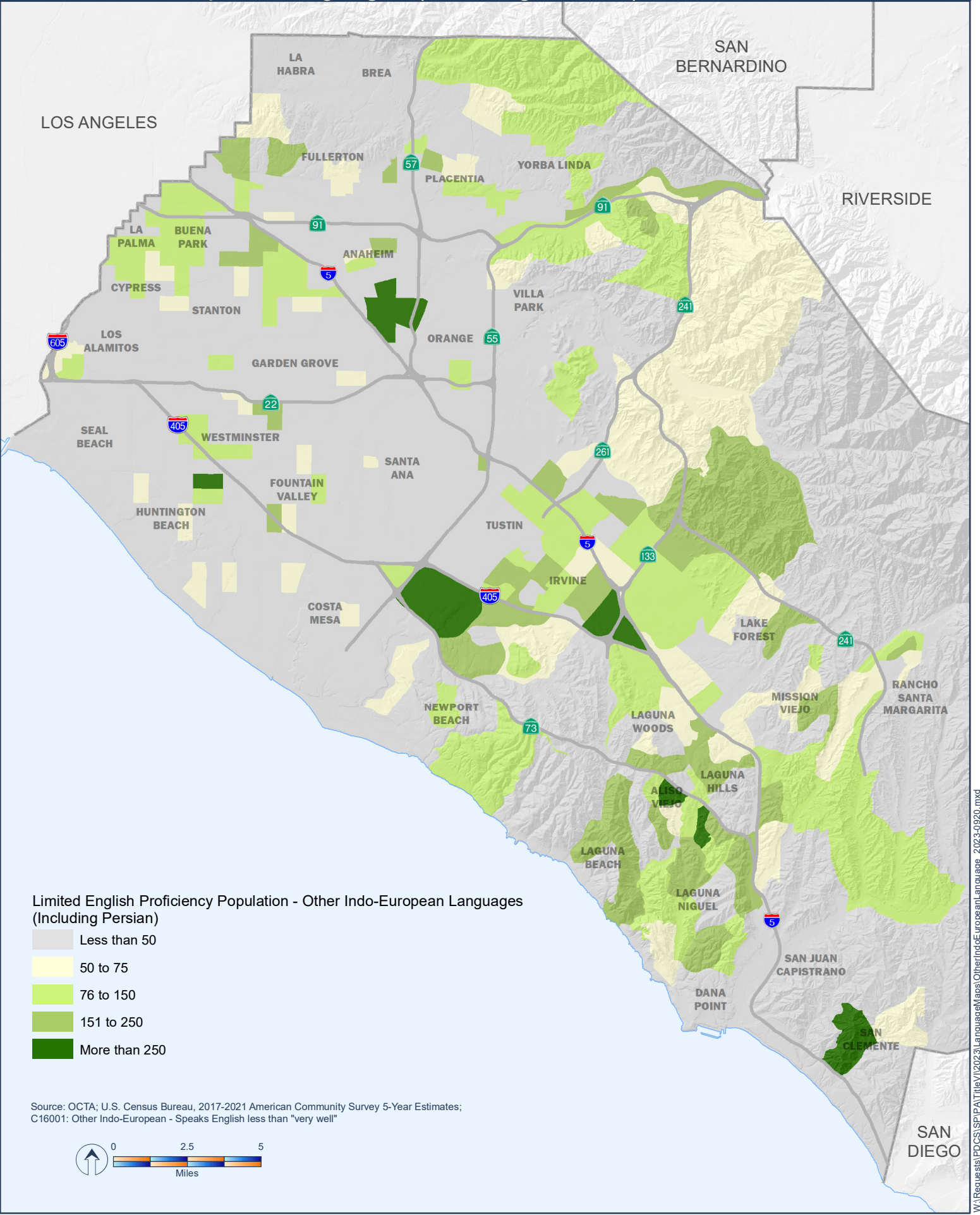
Limited English Proficiency Population - Chinese

- Less than 50
- 50 to 100
- 101 to 250
- 251 to 500
- 501 to 1,000
- More than 1,000

Source: OCTA; U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates; C16001: Chinese - Speaks English less than "very well"



Limited English Proficiency Population - Other Indo-European Languages (Including Persian)



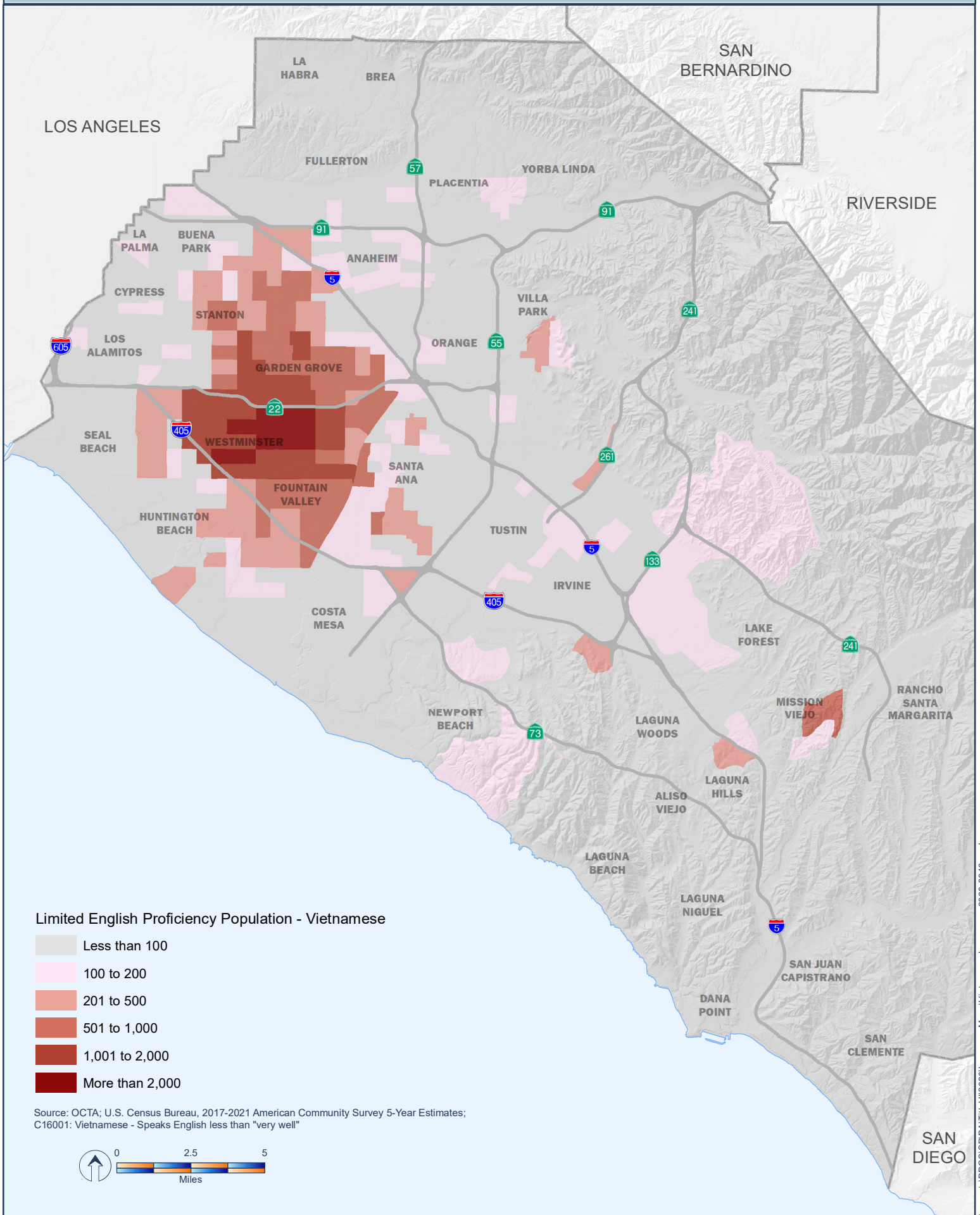
Limited English Proficiency Population - Other Indo-European Languages (Including Persian)

- Less than 50
- 50 to 75
- 76 to 150
- 151 to 250
- More than 250

Source: OCTA; U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates; C16001: Other Indo-European - Speaks English less than "very well"



Limited English Proficiency Population - Vietnamese





October 19, 2023

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 E. Johnson", is written over the "From:" line of the memo.

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. An update is provided on the fiscal year 2024 appropriations process, which includes the passage of a continuing resolution to maintain existing funding levels. Information related to leadership changes in both the House of Representatives and the Senate and a summary of a recent committee oversight hearing for programs in the Infrastructure Investments and Jobs Act are also provided.

Recommendation

Receive and file as an information item.

Discussion

Congress Passes a Continuing Resolution for Fiscal Year 2024 Funding

On September 30, 2023, Congress passed, and the President signed, a continuing resolution extending government funding through November 17, 2023. The bipartisan bill passed the House of Representatives with a vote of 335-91 with seven abstentions, and in the Senate with a vote of 88-9 with two abstentions. With government funding set to lapse on October 1, 2023, the passage of the continuing resolution maintains current funding levels for a prorated period, avoiding a shutdown of federal government operations. It is expected that negotiations will be ongoing to pass a full funding bill for fiscal year (FY) 2024. There were no earmarks included in the continuing resolution. It should also be noted that Congress is operating under a unique circumstance this year given a provision that was included in the Debt Ceiling agreement. This provision stipulates that if Congress cannot agree on any or all of the annual FY 2024 appropriations bills this year, and any agencies are still

operating on continuing resolutions as of January 1, 2024, then the spending cap for 2024 for that respective side of government will be reduced to 99 percent of its 2023 level. Then, if any of the 12 appropriations bills are still not enacted by April 30, 2024, whichever continuing resolution that is in effect at that time will be subject to further reductions across the board of one percent. Therefore, more pressure has been placed on Congress to ensure an appropriations bill is enacted by the end of this year.

In addition to maintaining current funding levels, the continuing resolution also extends the Federal Aviation Administration (FAA) authorization through December 31, 2023, which was also set to expire on September 30, 2023. Allowing this authorization to lapse would have cost the FAA \$54 million each day. Typically, the FAA uses these funds to pay for safety improvements at airports, among other things. The dual lapses also would have forced the furlough of tens of thousands of employees at the Department of Transportation. Additionally, the bill includes \$16 billion in emergency disaster relief assistance. The continuing resolution, however, did not include several of President Biden's requests, including flexibility for student loan servicing and additional funding for Ukraine.

Summary of House Transportation & Infrastructure Committee Hearing

On September 20, 2023, the House Transportation & Infrastructure Committee held a hearing entitled, "Oversight of the Department of Transportation's Policies and Programs," with testimony from the United States Department of Transportation (USDOT) Secretary, Pete Buttigieg. Chairman Sam Graves (R-MO) opened the hearing by reiterating his focus on ensuring that the Infrastructure Investments and Jobs Act (IIJA) is implemented efficiently and effectively, noting that there have been concerns raised with the pace of its implementation. He also indicated that several of the grant programs depart from congressional intent and, instead, contain guidance that reflects the Administration's priorities. In Secretary Buttigieg's testimony, he urged Congress to prevent a government shutdown and pass legislation that would address freight rail safety, noting that the USDOT is working to finalize a rule that will set minimum crew size requirements, conduct inspections on routes traveled by high-hazard trains, and invest in rail infrastructure.

Of note from member questions, Representative Salud Carbajal (D-CA), commented on the Office of Management and Budget's recent finalization of guidance pertaining to the Build America, Buy America Act, which was included in the IIJA. He encouraged the USDOT to ensure this guidance is clear for state departments of transportation to prevent delays and confusion in project delivery. Additionally, Representative Dusty Johnson (R-SD) inquired how the USDOT is implementing the permitting reform and other revisions that were made to the National Environmental Policy Act as provided in the Debt Limit

agreement enacted earlier this year. Secretary Buttigieg stated that they are identifying opportunities to adopt other agencies' categorical exclusions, similar to what was implemented as part of the Department of Energy's categorical exclusion for electric vehicle charging stations in order to help expedite and streamline projects.

Update on Congressional Leadership

On October 3, 2023, the House of Representatives (House) voted to vacate Representative Kevin McCarthy (R-CA) from his role as Speaker of the House by a 216-210 vote. Such action to remove a current speaker has not occurred since 1910. A speaker vacancy will delay House proceedings, including negotiations related to passing a FY 2024 appropriations bill. Representative Patrick McHenry (R-NC) was assigned the duty of Speaker pro tempore and will oversee the speaker election process with limited additional responsibilities per House rules relating to continuity of Congress. As of the writing of this staff report, Representative Steve Scalise (R-LA), Representative Jim Jordan (R-OH), and Representative Kevin Hern (R-OK) have publicly announced their intention to run for Speaker of the House. Staff will verbally provide any updates as they become available.

Additionally, with the passing of Senator Dianne Feinstein, California Governor Gavin Newsom appointed Laphonza Butler as her replacement. She was sworn into office on October 3, 2023, and will fulfill the remainder of Senator Feinstein's term until January 2025. Butler previously served as President of EMILY's List.

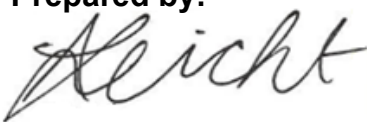
Summary

Information is provided on the fiscal year 2024 appropriations process. A summary is given for a committee hearing pertaining to the Infrastructure Investment and Jobs Act. A congressional leadership update is provided.

Attachments

- A. Potomac Partners DC, Monthly Legislative Report – August 2023
- B. Potomac Partners DC, Monthly Legislative Report – September 2023

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Monthly Legislative Report – August

August Advocacy Meetings

Office of Congressman Mike Levin (D-CA) – We followed up with Congressman Levin’s legislative director to discuss next steps for the Coastal Rail Corridor Relocation Study Community Project Funding (CPF) request included in the Transportation Housing and Urban Development (THUD) appropriations bill.

Office of Congresswoman Katie Porter (D-CA) – We met with Congresswoman’s staff to discuss a potential transit bill that is being discussed to help fund operating expenses for transit agencies. We also discussed support for additional passenger rail funding and expanded passenger rail eligibility for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) program.

Office of Congresswoman Young Kim (R-CA) – We followed up on our July meeting with Congresswoman Kim’s staff to discuss the OC Loop project. We also discussed the timeline for a possible Continuing Resolution (CR) and the impacts of the potential spending cut on Infrastructure Investment and Jobs Act (IIJA) discretionary funding and U.S. Department of Transportation (DOT) grant programs.

Office of Congressman Lou Correa (D-CA) – We met with Congressman Correa’s staff to discuss the Fiscal Year 2024 (FY24) appropriations bills and OCTA’s transit-related CPF request. We also followed up on the Congressman’s draft legislation, the “Business Uninterrupted Monetary Program Act of 2023” that would require certain grant recipients of transit and highway transportation projects to establish and contribute to a business uninterrupted monetary program fund.

Office of Congresswoman Grace Napolitano (D-CA) – We followed up with Congresswoman Napolitano’s staff to discuss next steps on the aviation fuel tax issue in the Federal Aviation Administration (FAA) Reauthorization and the timeline for a final bill. Congresswoman Napolitano’s amendment was not ruled in order during the House Rules Committee markup and could not be offered on the House floor in July, but the Congresswoman’s staff members are working with Senator Padilla’s office to include a similar provision in the Senate bill.

Office of Congressman Troy Nehls (R-TX) – We followed up with Congressman Nehls’ staff on the possibility of new rail safety legislation this year. We also discussed expanded CRISI eligibility for intercity passenger rail in the THUD Appropriations bill that is currently pending in the House.

Office of Congressman Sam Graves (R-MO) – We met with House Transportation & Infrastructure Committee Chairman Sam Graves’ senior staff on the timeline for negotiations with the Senate on the FAA reauthorization and the potential for an extension of the current FAA authorization if no bill is enacted before the end of the fiscal year. We also discussed timing of the next Water Resources Development Act (WRDA) and potential provisions that could expedite reviews for transportation project development, right-of-way acquisition, and construction activities.

Office of Congressman Tom Cole (R-OK) – We followed up with Chairman Tom Cole’s legislative director on CPF requests in the THUD Appropriations bill.

Office of Senator Dianne Feinstein (D-CA) – We met with Senator Feinstein’s staff to discuss support for our Congressionally Directed Spending (CDS) requests and potential for including policy language in the THUD Appropriations bill that would expand CRISI eligibility.

Office of Senator Alex Padilla (D-CA) – We followed up from our July meeting with Senator Padilla’s staff to discuss the status of the CDS requests in the THUD bill and the FAA Reauthorization legislation in the Senate.

Senate Committee on Commerce, Science & Transportation – We met with professional staff on the Senate Commerce, Science & Transportation Committee to discuss the FAA Reauthorization and the timeline for a committee markup of the Senate bill.

Fiscal Year 2024 Appropriations Update

Congress will return to session in early September with only three legislative weeks before the end of the Fiscal Year with none of the 12 FY24 appropriations bills signed into law. House Speaker Kevin McCarthy (R-CA) has indicated he would support a short-term CR expiring in early December. However, negotiations between the House Republican leaders and Senate Democrat Leaders may prove difficult due to vast differences in spending priorities, topline spending levels. Additionally, House Republican efforts to repeal or defund programs authorized and funded in the *Inflation Reduction Act (IRA)* could also potentially delay a year-end compromise on the federal spending. Furthermore, the White House has issued a veto threat on some of the bills in the House, with more veto threats expected should the rest of the bills move forward to the House floor in September at the current committee-passed funding levels. Some of the current veto threats are available [HERE](#) and [HERE](#).

It has also been reported that there are ongoing discussions among Senate Leadership regarding the potential of a combined package that includes stopgap funding for the rest of 2023 and supplemental appropriations to include additional disaster relief funding.

There is a pressing need for additional disaster aid funding at the Federal Emergency Management Agency (FEMA), which is struggling to support on-going recovery efforts from recent disasters. This Senate strategy, however, may be difficult for House Speaker Kevin McCarthy to pass the bill on the House floor if the House Freedom Caucus opposes the bill that contains any supplemental funding not first considered in the House.

President Biden's Supplemental Funding Request

On August 10th, President Biden sent Congress an emergency supplemental appropriations request for an additional \$40.1 billion. The package includes \$24.1 billion for ongoing war efforts in Ukraine, with allocations of \$13.1 billion for military aid, \$8.5 billion for humanitarian and economic assistance, and funds for infrastructure programs via the World Bank. Additionally, \$12 billion is allocated for disaster relief, addressing natural disasters like flooding in Vermont and wildfires in Hawaii. Security measures at the southern border would receive \$4 billion, primarily for border management and migrant shelters, counter-fentanyl activities, and drug treatment and recovery support. As mentioned earlier, parts of this supplemental request may be considered as part of the Continuing Resolution to fund the government beyond September 30th. More information on the President's request is available [HERE](#).

House Appropriations Committee Update

Retiring Representative Chris Stewart from Utah will step down from Congress in mid-September, creating an opportunity on the coveted Appropriations Committee and triggering a competition among Republicans vying for the position. Freshmen lawmakers Lori Chavez-DeRemer (R-OR) and Nick LaLota (R-NY) are reportedly seeking the seat. The GOP Steering Committee will likely decide in early September. Rep. Chavez-DeRemer, the former mayor of Happy Valley, Oregon, won her district by a small margin and is favored by leadership. Rep. LaLota represents a Long Island district in New York and has support from state delegation members. Other contenders, including Members of the House Freedom Caucus, are also expected to enter the race. Stewart's departure also opens a spot on the Defense Appropriations Subcommittee (Chaired by Rep. Ken Calvert (R-CA), which oversees a significant portion of discretionary spending.

\$139 Million Available for the Special Transportation Circumstances Program

On August 18th, the DOT's Federal Railroad Administration (FRA) introduced a Notice of Funding Opportunity (NOFO) to allocate \$139 million through the Bipartisan Infrastructure Law for the Special Transportation Circumstances (STC) grant program. Aligned with President Biden's Investing in America agenda, the program seeks to enhance rail infrastructure in Alaska, South Dakota, and Wyoming by focusing on states without intercity passenger rail service or national rail system connectivity. The STC initiative, supported by appropriations from various rail programs, aims to upgrade avalanche safety systems, facilitate lumber transport, and implement culverts. The FRA's investment is intended to improve safety, boost supply chain efficiency, and stimulate local economies in these regions. Applications for the program are due by September 29th, 2023, with the funding covering eligible projects outlined in the Consolidated Appropriations Acts from 2017 to 2023, potentially covering up to 80 percent of total project costs. Further information about the grant application process is available [HERE](#).

\$102.3M Available for Emergency Relief to Transit Agencies Recover from Disasters

The Federal Transit Administration (FTA) announced \$102.3 million in funding to 17 transit agencies, cities, and planning councils through the “Public Transportation Emergency Relief (ER) Program.” The full list of awards ranges from \$90,000-\$30,000,000 and is available [HERE](#). FTA’s Emergency Relief Program provides assistance to public transit operators in the aftermath of a declared emergency or major disaster. More information is available [HERE](#).

FTA Opens Pilot Program for Transit-Oriented Development (TOD) Planning

On Monday, August 7th, the FTA opened the competitive grant application process for the Pilot Program for Transit-Oriented Development (TOD) Planning. TOD aims to link public transportation, land use, and housing to create communities that are connected to transit and walkable. Comprehensive planning funded through the program must examine ways to improve economic development and ridership, foster multimodal connectivity and accessibility, improve transit access for pedestrian and bicycle traffic, engage the private sector, identify infrastructure needs, and enable mixed-use development near transit stations. More information on the program is available [HERE](#) and [HERE](#).

“Solar for All” Grant Program Funding Opportunity

The Solar for All Grant Program aims to boost distributed solar investment in low-income and disadvantaged communities, enhancing clean solar energy access for low-income households across the U.S. Grantees can use funds to expand existing low-income solar initiatives or establish new nationwide Solar for All programs. This funding opportunity doesn't fund individual solar projects; instead, grantees will offer financial aid, like subsidies, to residential rooftop and community solar projects in these communities. Additionally, they'll provide technical assistance for project deployment, including workforce development and community outreach, to overcome solar implementation barriers. The program's core goals encompass cutting greenhouse gas emissions and air pollutants, extending project benefits to American communities stimulating private capital to encourage further emissions-reducing project adoption.

Eligible Entities: States; Territories; Municipal Governments; and Nonprofit entities

Total Program Funding Available: \$7 billion.

Required Cost Sharing or Match: This solicitation does not require a cost match.

Deadline for full applications: September 26, 2023, 11:59 PM EST

Advisement: EPA will not be reviewing or making determinations about an applicant’s eligibility based solely on the information provided in the Notice of Intent; EPA will determine an applicant’s eligibility based on the information provided in the full application.

Additional program information is available [HERE](#).



Monthly Legislative Report – September

September Advocacy Meetings

Office of Congresswoman Young Kim (R-CA) – We met with Congresswoman Kim’s staff to discuss our appropriations request and next steps for the appropriations process in the House.

Office of Congressman Mike Levin (D-CA) – We met with Congressman Levin’s staff to discuss the Transportation Housing and Urban Development (THUD) appropriations bill process and expectations for transportation programs funding levels. We also followed up on information regarding safety detection devices along the Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN) rail corridor.

Office of Congressman Lou Correa (D-CA) – We met with Congressman Correa’s staff to discuss safety and security funding opportunities for Orange County Transportation Authority (OCTA) in preparation for the 2028 Olympics.

Office of Congresswoman Grace Napolitano (D-CA) – We met with Congresswoman Napolitano’s staff to follow up on the aviation fuel tax issues and next steps for the FAA Reauthorization legislation.

Office of Congressman Doug LaMalfa (R-CA) – We met with Congressman LaMalfa’s staff to discuss [H.R.1435](#) - Preserving Choice in Vehicle Purchases Act, which was passed in the House of Representatives.

Office of Congressman Tom Cole (R-OK) – We met with Chairman Tom Cole to discuss the Transportation Housing and Urban Development (THUD) appropriations bill and the expectation of funding levels.

Office of Senator Alex Padilla (D-CA) – We met with Senator Padilla’s staff to discuss the Federal Aviation Administration (FAA) Reauthorization bill.

House Transportation and Infrastructure Subcommittee on Aviation Staff – We met with Subcommittee Members to discuss the FAA Reauthorization Extension included in the Continuing Resolution (CR).

Senate Commerce, Science and Transportation Committee Majority Staff – We met with Senate Commerce staff to discuss details about the FAA Extension from the CR.

Continuing Resolution (CR) Update

On the last day of Fiscal Year 2023 (FY23), Congress passed a CR to avert a government shutdown. The final CR extends government funding until November 17, 2023, and provides an extension for the Federal Aviation Administration until December 31, 2023. Ultimately,

the bill did not include funding for the border that was requested by House Republicans, nor did it include funding for Ukraine as requested by the White House. The bill passed the House [335-91](#) with 7 not voting, and in the Senate [88-9](#) with 2 not voting. Instead of recessing for the week, both chambers are in session for the first week of October to continue consideration of the FY24 appropriations bills and to elect a new Speaker of the House . The text of the CR is available [here](#).

Governor Newsom Appoints Laphonza Butler to the U.S. Senate

Following the passing of Senator Dianne Feinstein, California Governor Gavin Newsom appointed Laphonza Butler as her replacement. Feinstein's term extends until January 2025. Butler served as President of EMILY's List, an organization supporting Democratic female candidates advocating for abortion rights, which actively contributed to the 2022 election cycle. She also worked as a senior adviser to Harris's 2020 presidential campaign and has over two decades of experience in the labor movement. She was sworn into office on October 3rd.

Speaker McCarthy Ousted as Speaker

On October 2nd, Rep. Gaetz (R-FL) made a motion to remove Speaker Kevin McCarthy (R-CA) from his post. On October 3rd Speaker McCarthy was ousted from the speakership by a 216-210 vote. A speaker vacancy will stall House proceedings until a successor is chosen. Patrick McHenry (R-NC) will take over the duty of Speaker Pro-Tem and will oversee the speaker election process with limited additional responsibilities per House rules. Rep. Scalise (R-LA) and Rep. Jordan (R-OH) have announced their intention to run for House Speaker when the House reconvenes on October 10th.

Senate FAA Reauthorization Update

A long-term FAA bill was passed by the House in July, the Senate will require more time to reach a final agreement on it. The short-term FAA extension included in the CR will ensure the uninterrupted operation of all FAA programs while negotiations continue. We do still expect a House and Senate conference to finalize the FAA Reauthorization bill before the end of 2023.

Secretary Buttigieg's Transportation and Infrastructure Committee Testimony

Transportation Secretary Pete Buttigieg testified in front of the House Transportation and Infrastructure Committee on Wednesday, September 20. The hearing, titled "Oversight of the Department of Transportation's Policies and Programs," lasted over six hours.

A few relevant highlights from the hearing are as follows:

Secretary Buttigieg discussed the need for legislation related to freight rail safety, especially after the Norfolk Southern derailment in East Palestine. He called for support in

advancing legislation that ensures the safety of communities near rail lines. He highlighted the Department of Transportation's efforts, such as proposing minimum crewmember requirements for certain trains and conducting inspections on routes with high-hazard flammable trains.

Chair Graves expressed concerns about the distribution of funds under the IIJA (Infrastructure Investment and Jobs Act), highlighting issues related to oversight and the pace of distribution. He mentioned the need to remove regulatory burdens and acknowledged that \$184 billion has been distributed, but there are concerns about how that money was spent.

Ranking Member Larsen raises concerns about train accidents, noting that there have been over 500 train accidents in the past seven months. He urged the committee to take more action on this issue.

Rep. Napolitano inquired about the status of railroad grade crossing safety programs and funding. She asked how the department ensures that railroad companies, state DOTs, and local governments implement these projects quickly. Buttigieg mentioned the grade crossing elimination program and its impact on safety and convenience.

Rep. Nehls expressed concerns about a high-speed rail project in California, citing cost overruns and the potential need for an Inspector General investigation. He also called for auditing the project and exploring its financial discrepancies.

Rep. Ryan commended Buttigieg for proposing recommendations under the Rail Safety Act. He highlighted concerns about toxic spills from CSX tracks in his district, emphasizing the need to prevent incidents similar to East Palestine.

Rep. Carbajal raised the issue of PFAS usage by firefighters.

Senate Environment and Public Works (EPW) Committee hearing on Extreme Heat

On September 13th, the Senate Committee on Environment and Public Works met to discuss the impact of extreme heat and weather on transportation and community resilience. They called upon representatives from cities, the labor force, and the private sector to address the issue. With the increasing frequency of extreme weather events like heatwaves, flooding, hurricanes, and wildfires causing widespread disruptions, the focus was on protecting transportation infrastructure, which can suffer damage and disruption. Witnesses, including experts from the City of Phoenix, Laborers International Union of North America, and Jacobs Solutions, emphasized the importance of climate resilience, labor concerns, and the role of government in mitigating these challenges. The complete hearing is available [HERE](#).

Consolidated Rail Infrastructure and Safety Improvement (CRISI) Program Selections

On September 25th, the Biden administration announced \$1.4 billion in rail infrastructure funding across 35 states and the District of Columbia through the CRISI program, expanded

by the infrastructure law. Eligible projects range from grade-crossing improvements to regional rail development, including passenger and freight rail. These projects share common themes: rural investment, rail safety, sustainable transportation, and passenger rail enhancements. More information is available [HERE](#).

FEMA Transformation Bill Introduced

On September 20th, representatives Jared Moskowitz (D-FL) and Garret Graves (R-LA) jointly introduced legislation that would make the Federal Emergency Management Agency (FEMA) Director a Cabinet-level position. The proposed move aims to enhance FEMA's significance in the context of frequent national natural disasters. Representatives Moskowitz and Graves are also hoping to reform bureaucratic processes that currently impede FEMA's prompt response capabilities. A link to the bill text can be found [HERE](#).

California Delegation Sends Letter to Biden for Resources after Tropical Storm Hilary

On September 19th Representatives Ken Calvert (R-CA) and Zoe Lofgren (D-CA), along with both California Senators, united the California delegation in urging the Biden Administration to approve California's request for a major disaster declaration in the aftermath of Tropical Storm Hilary. The delegation emphasized the ongoing need for federal disaster assistance to aid residents, small businesses, and farmers affected by the storm. They urged swift action from the Biden Administration to provide essential federal resources. A link to the letter can be found [HERE](#).

Electric Vehicle Charger Reliability and Accessibility Accelerator

The Electric Vehicle Charger Reliability and Accessibility Accelerator program aims to provide funding to eligible organizations seeking to repair or replace publicly accessible electric vehicle (EV) chargers. This funding can be utilized for both publicly and privately owned charging stations. The program's primary goal is to enhance and maintain reliable EV charging infrastructure, thereby improving the nationwide availability of charging options as the automotive industry transitions toward electric vehicles. Proposed projects under this program may encompass repairing or replacing non-functional chargers, upgrading operational components of charging stations, and covering expenses directly related to the repair or replacement of malfunctioning EV charging equipment.

Eligible Entities: State Departments of Transportation and Local Governments. States and localities are encouraged to collaborate to the best extent possible to address broken and non-operational EV chargers.

Total Program Funding Available: \$100 million.

Required Cost Sharing or Match: A cost match of at least 20% is required.

Application Deadline: November 13th, 2023, at 11:59 PM EST



October 19, 2023

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Draft Revisions to the Orange County Transportation Authority's 2023-24 State and Federal Legislative Platforms

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

Overview

Halfway through each legislative session, staff conducts a review of the Orange County Transportation Authority's Legislative Platforms to ensure relevant issues that are anticipated to be of discussion for the upcoming year are included and up to date. Initial draft revisions to the Orange County Transportation Authority's 2023-24 State and Federal Legislative Platforms have been prepared for consideration by the Orange County Transportation Authority Board of Directors. Before a final draft is considered for adoption, these drafts will be revised as a result of feedback from the Orange County Transportation Authority Board of Directors, as well as further internal staff input.

Recommendation

Direct staff to integrate the recommended revisions to the 2023-24 Orange County Transportation Authority State and Federal Legislative Platforms and seek further feedback from the Orange County Transportation Authority Board of Directors and internal staff, with subsequent drafts being brought forward for final consideration and adoption later this year.

Background

At the beginning of each legislative session, the Orange County Transportation Authority (OCTA) adopts updated State and Federal Legislative Platforms to guide OCTA's advocacy activities for the duration of the upcoming legislative session. With each session covering a two-year period, revisions to the legislative platforms are presented to the Board of Directors (Board) midway through the session to reflect any significant changes since their adoption by the Board in the previous year.

Draft Revisions to the Orange County Transportation Authority's Page 2 2023-24 State and Federal Legislative Platforms

The initial drafts of mid-session revisions to the 2023-24 State and Federal Legislative Platforms are presented as Attachments A and C, respectively. The proposed changes are detailed in Attachments B and D, with the recommended revisions to the Board-adopted 2023-24 State and Federal Legislative Platforms designated by italicized and strikethrough text.

The revisions incorporate initiatives suggested by OCTA staff and issues that are anticipated to be significant in the upcoming session. Prior to bringing final drafts to the Board, OCTA staff will continue to meet internally for additional input. When developing the 2025-26 State and Federal Legislative Platforms next year, a more widespread input solicitation process will occur, with outreach to interested groups, stakeholders, and individuals to allow a more comprehensive update for the next legislative session.

2023-24 OCTA State Legislative Platform

The proposed revisions to the 2023-24 OCTA State Legislative Platform are outlined in detail below. Language was edited, amended, or removed as necessary to ensure grammatical and stylistic integrity.

- Subsection (c) of the Section entitled, “Key Policy Issues in 2023-24” has been recommended to be updated to apply broadly to the general environmental impacts occurring on the coastal rail infrastructure. As OCTA continues to engage in efforts to support adaptation and resiliency throughout the coastal rail corridor, it has become increasingly clear that this will be an all-encompassing approach to coordinate and find solutions for this critical transportation infrastructure. However, the overall intent of this principle is unchanged.
- Revisions to Subsection (e) of the Section entitled, “Key Policy Issues in 2023-24” have been recommended to reflect ongoing concerns with proposals that seek to make changes to existing local and state transportation funding programs, including SB 1 (Chapter 5, Statutes of 2017) programs as well as formula programs, such as the State Transportation Improvement Program and the Low Carbon Transit Operations Program. This has often included aligning these funding programs with principles in the Climate Action Plan for Transportation Infrastructure and Justice40, which were both introduced by Executive Order. These types of policies could rewrite the original intent of those programs and add new requirements to how a project is planned. Given this uncertainty, OCTA staff expect to be involved in further discussions in order to advocate for maintaining existing local and state transportation funding programs to ensure OCTA’s transportation projects and programs can be delivered.

Draft Revisions to the Orange County Transportation Authority's Page 3 2023-24 State and Federal Legislative Platforms

- The addition of Subsection (k) in the Section entitled, “Key Policy Issues in 2023-24” is proposed. Earlier this year, SB 125 (Chapter 54, Statutes of 2023), commonly known as the transportation trailer bill, was signed into law. This legislation creates several actions; however, for the purposes of this principle it creates the Transit Transformation Task Force (Task Force). This Task Force requires the California State Transportation Agency (CalSTA) to develop policy recommendations to grow transit ridership and improve the transit experience for all users, which could include changes to the Transportation Development Act (TDA). CalSTA, in consultation with the Task Force, is required to prepare and submit a report of findings and policy recommendations based on the Task Force’s efforts to the appropriate policy and fiscal committees of the Legislature on or before October 31, 2025. At the time of writing this staff report, the makeup of the Task Force has not been finalized; however, OCTA has requested to be included. In either scenario, OCTA staff will engage with the Task Force to help inform the recommendations being made.
- The addition of Subsection (l) in the Section entitled, “Key Policy Issues in 2023-24” is proposed. Again, with the implementation of SB 125, several new policies were added into statute impacting transit. The fiscal year 2023-24 budget included \$4 billion through the Transit Intercity Rail and Capital Program (TIRCP) to be distributed through a population-based formula and \$1.1 billion for a newly created Zero-Emission Transit Capital Program. Through both programs, OCTA is expected to receive approximately \$380 million over four years. SB 125 includes significant accountability measures for agencies to follow in order to receive this funding. CalSTA released the guidelines for these funding programs on September 29, 2024, and OCTA staff are working to ensure the money can be drawn down effectively to maximize its benefit on transit operations and capital projects throughout Orange County. OCTA staff have been significantly involved with the development of the guidelines and will continue to monitor the implementation process. Additionally, there is a potential for clean-up legislation to be introduced next year to make some statutory clarifications related to the definition of “transit operator” and other changes, as needed. OCTA should be prepared to inform those discussions.
- The addition of Subsection (m) of the Section entitled, “Key Policy Issues in 2023-24” is proposed. OCTA has been monitoring legislation that could change existing structures for transportation formula funding to redistribute the funding in a way that would prevent a local agency from delivering transportation projects and programs. For example, if this type of legislation were to be enacted, a certain percentage of all transportation funding would be dedicated only to projects that meet specified criteria.

And it should be noted that this criterion is not typically in line with the original intent of these programs. Therefore, these types of policies would provide significant uncertainty for future funding, resulting in significant project delivery delays.

- Revisions for Subsection (a) and (b) of the Section entitled, "Implementation of Environmental Policies" are included to ensure they reflect the current program guidelines. Regarding subsection (a), OCTA staff propose to simplify the principle as it pertains to local flexibility and add in the reference to the state's goals of reducing vehicle miles traveled (VMT), which has become more prevalent as it pertains to planning and implementing freeway improvement projects. As for subsection (b), the cap-and-trade program has been implemented for several years; therefore, these changes ensure that transportation projects are still prioritized for that funding.
- The addition of Subsection (i) of the Section entitled, "Implementation of Environmental Policies" is proposed. There have been several proposals to create a statewide model related to calculating VMT impacts from freeway and other multimodal projects. This principle would ensure that OCTA would continue to advocate for the inclusion of local modeling to be reflected since cities have already adopted thresholds of significance for VMT per capita and per employee in compliance for what has been included in the State Office of Planning and Research's California Environmental Quality Act guidance. Allowing a statewide model to supersede what has already been adopted could create significant delays in project planning and delivery.
- Subsection (b) of the Section entitled, "Transit Programs" has been removed and incorporated into subsection (k) under the "Key Policy Issues in 2023-24" section. OCTA will continue to monitor discussions to modify the TDA through the Task Force. However, OCTA understands that there will be no further extensions of the TDA flexibilities that were originally approved to assist agencies during the coronavirus pandemic; therefore, it is necessary to remove that portion of the language from this principle as it is no longer relevant.
- Subsection (c) of the Section entitled, "Transit Programs" has been moved to be included in subsection (l) under the "Key Policy Issues in 2023-24" section. This principle has been updated to reflect that OCTA was successful in advocating for operations to be an eligible expense within the supplemental TIRCP funding, which was provided through SB 125. OCTA's advocacy position has now shifted toward monitoring the implementation of such.

Draft Revisions to the Orange County Transportation Authority's Page 5 2023-24 State and Federal Legislative Platforms

- Subsection (f) of the Section entitled, "Roads and Highways" is proposed to be removed. OCTA was successful in securing language in SB 125 that stipulates the California Department of Transportation cannot charge self-help counties more than ten percent for administration indirect cost recovery.
- Several stylistic changes were made to the Section proposed to be entitled, "Toll & Managed Lanes" in order to update to the current industry accepted vernacular being utilized. Additional inclusionary changes were made integrating the operation of the 405 Express Lanes.
- Revisions to Subsection (c) of the Section entitled, "Toll & Managed Lanes" are proposed. These changes reflect OCTA's ongoing collaboration with the State to ensure toll facilities are operated seamlessly throughout the State Highway System.
- Revisions to Subsection (d) of the Section entitled, "Toll & Managed Lanes" are proposed. Ensuring that any new toll facilities are consistent with local long range transportation plans keeps local agencies at the table and maintains an effective, bottoms-up approach to transportation planning.
- The addition of Subsection (l) of the Section entitled, "Toll & Managed Lanes" is proposed. OCTA works diligently to ensure that proposed projects do not negatively impact the functionality of existing facilities operated and maintained by OCTA, including the Express Lanes. OCTA advocates maintaining the ability to make those local determinations in order to prevent disruption to existing facilities.
- Revisions to Subsection (f) of the Section entitled, "Rail Programs" are proposed. The changes included in this principle reflect that the In-Use Locomotive Regulation has been finalized. OCTA will continue to monitor the implementation of such, which is currently on hold due to pending litigation.
- The addition of Subsection (f) of the Section entitled, "Active Transportation" is proposed. OCTA has previously supported legislation that increases safety of electric bicycle operation since the utilization of this technology has increased. Many Orange County cities are working to find solutions to protect these riders by providing additional training and creating ordinances to limit the use. As an example, it is expected that there will be legislation next year to place age restrictions on who can operate these devices.

Draft Revisions to the Orange County Transportation Authority's Page 6 2023-24 State and Federal Legislative Platforms

Sponsor Bills

OCTA often encounters specific legislative issues requiring sponsor legislation, prompting OCTA to take the lead in developing legislative language and securing an author. Staff are currently exploring the need for any potential sponsor bills that may be useful for the remainder of the session. Staff recommends that should any need arise for a sponsor bill section, it be held until final revisions to the 2023-24 State Legislative Platform are considered later this year by the Board.

2023-24 OCTA Federal Legislative Platform

The proposed revisions to the 2023-24 OCTA Federal Legislative Platform are outlined in detail below. Language was edited, amended, or removed as necessary to ensure grammatical and stylistic integrity.

- Subsection (k) of the Section entitled, “Key Policy Issues in 2023-24” has been recommended to be updated to apply broadly to the general environmental impacts occurring on the coastal rail infrastructure. As OCTA continues to engage with alacrity in efforts to support adaptation and resiliency throughout the coastal rail corridor, it has become increasingly clear that this will be an all-encompassing approach to coordinate and find solutions for this critical transportation infrastructure. However, the overall intent of this principle is unchanged.
- Revisions to Subsection (j) of the Section entitled, “Transportation Planning and Programming” are recommended. This principle adds content from subsection (j) of the “Key Policy Issues in 2023-24” section, which is proposed to be removed. The Infrastructure Investments and Jobs Act created the Build America, Buy America Act (BABA), which expands existing Buy America requirements to include construction materials. OCTA has been heavily engaged in the developing of guidance and waivers where needed for such implementation, expressing significant concern that this expansion adds unnecessary complexity to the delivery of projects and could result in delays. As a result, there have been several waivers granted for certain types of projects and extensions of the implementation date. While there is more work to be done to monitor the continued implementation, moving the BABA principle from the “Key Policy Issues in 2023-24” Section, is requested in order to align with OCTA’s overall advocacy related to federal Buy America requirements.

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- Revisions to Subsection (e) of the Section entitled, "Transportation Security and Emergency Preparedness" are included. OCTA is often faced with implementing unfunded regulations related to security requirements. This past year, OCTA staff have been engaged with a proposal that would increase mandated employee screenings far beyond what the agency currently is capable of providing and, therefore, would need sufficient funding in order to implement the proposal for compliance.

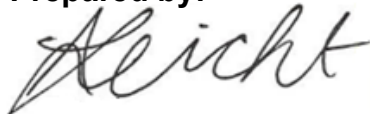
Summary

Upon approval, the mid-session revisions to the 2023-24 State and Federal Legislative Platforms will be circulated for additional review and will return to the Orange County Transportation Authority's Board of Directors later this year for final consideration and adoption.

Attachments

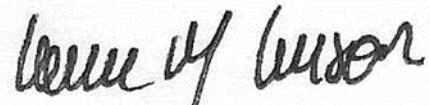
- A. Draft Revisions to Orange County Transportation Authority 2023-24 State Legislative Platform (clean copy)
- B. Draft Revisions to Orange County Transportation Authority 2023-24 State Legislative Platform (strikeout version)
- C. Draft Revisions to Orange County Transportation Authority 2023-24 Federal Legislative Platform (clean copy)
- D. Draft Revisions to Orange County Transportation Authority 2023-24 Federal Legislative Platform (strikeout version)

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**Orange County Transportation Authority 2023-24
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With over three million residents, Orange County is the third most populous county in California and the sixth most populous county in the nation. Orange County is one of the most densely populated areas in the country and is served by one of the nation's busiest transit systems. In addition, Orange County provides highway and rail corridors that facilitate the increasing level of international trade entering the Southern California ports.

The 2023-24 State Legislative Platform serves as a framework document to guide the Orange County Transportation Authority's (OCTA) legislative, regulatory, and administrative activities in the coming legislative session. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the upcoming legislative session. The later sections present guiding policy statements for other major issue areas that may arise during the session. Positions on individual items not directly in this document will be brought to the OCTA Board of Directors for formal action.

Key Policy Issues in 2023-24

A number of significant transportation issues are expected to be discussed in the 2023-24 legislative session. OCTA will focus its advocacy efforts on the following principles.

- a) Support transportation funding investments and policy flexibilities that allow OCTA to provide essential, multimodal mobility improvements and services in order to meet the mobility needs of Orange County;
- b) Encourage policies and guidance that incentivize public transit ridership;
- c) Seek support for adaptation and resiliency efforts throughout the coastal rail corridor to address the evolving and imminent impacts of the environment on critical transportation infrastructure;
- d) Support efforts to maximize OCTA's share of transportation and transit funding, especially through distribution formulas and more equitable competitive funding processes;
- e) Oppose linking, reprioritizing, or aligning local and state transportation funding with policies that could significantly hinder a local agency's ability to deliver transportation programs and projects;
- f) Support efforts to maintain the promises self-help counties have made to taxpayers in the implementation of local sales tax measures and oppose mandating specific uses of future sales tax revenues;
- g) Support workforce development and training policies that allow OCTA to hire and retain personnel ready to implement the next generation of mobility;

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- h) Oppose policies that would circumvent existing transit operator funding eligibility requirements;
- i) Support dedicated funding for transit operations, preferably through an ongoing formulaic approach;
- j) Support efforts to ensure local control is maintained in policy decisions made by local transportation agency boards in delivering, funding, and operating transportation programs and projects;
- k) Inform the State's Transit Transformation Task Force, created pursuant to SB 125 (Chapter 54, Statutes of 2023), in order to seek improvements to the Transportation Development Act and make recommendations related to transit funding, cost drivers, strategies for workforce retention, and ridership;
- l) Monitor implementation of the accountability provisions associated with the funding provided for transit capital projects and operations and inform clarifying legislation as needed;
- m) Oppose policies that change existing formula funding structures to redistribute funds in a way that would inhibit a local agency from delivering critical transportation projects and programs.

I. IMPLEMENTATION OF ENVIRONMENTAL POLICIES

In order to ensure that the State's environmental regulations and cap-and-trade program are implemented in an equitable manner, which will both help to reduce emissions and encourage the development of necessary infrastructure to serve California's growing population, OCTA will:

- a) Support efforts to ensure local flexibility in meeting the goals of the State's greenhouse gas reduction and vehicle miles traveled initiatives;
- b) Support formula-based cap-and-trade programs, including maintaining the prioritization of cap-and-trade funding for transportation projects;
- c) Support streamlined environmental review and permitting processes for transportation projects and programs to avoid potentially duplicative and unnecessary analysis, while still maintaining traditional environmental protections;
- d) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements;

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- e) Monitor the State's transition to zero-emission vehicle technology to ensure that any corresponding policies adequately address the impact to long-term transportation funding stability;
- f) Oppose lengthening the California Environmental Quality Act process in a manner that would delay mobility improvements;
- g) Oppose efforts to restrict road and highway construction by superseding existing broad-based environmental review and mitigation processes;
- h) Oppose policies that would limit lead agency discretion in the management and oversight of lands set aside for environmental mitigation purposes while promoting advance mitigation planning programs;
- i) Monitor efforts to create a statewide model related to vehicle miles traveled in order to ensure that local modeling is taken into account.

II. TRANSPORTATION FUNDING

OCTA will monitor the status of transportation funding in California, promoting the continued stability of existing programs and efforts to address future funding deficiencies to meet transportation infrastructure needs. Given that future revenues remain unpredictable, OCTA will also work to protect funding dedicated for transportation purposes, including appropriations made in the fiscal year 2023-24 Budget Act for transit operations and capital projects.

Furthermore, there have been two Executive Orders that will impact OCTA's programs and services, which will be closely monitored to ensure that transportation funds are used for their intended purposes. First, Executive Order N-79-20 requires all passenger vehicles and light trucks sold in California to be zero-emission by 2035, and the same for medium- and heavy-duty trucks by 2045. And secondly, Executive Order N-19-19, directed the California State Transportation Agency to review requirements for discretionary transportation investments to ensure consistency with state emission reduction goals. As a result, the State developed the Climate Action Plan for Transportation Infrastructure which detailed recommendations for administering state funds related to transportation in a way that helps the State reach its goals related to climate change. Key actions to continue to inform the State's goals include:

- a) Oppose unfunded mandates for transportation agencies, transit providers, and local governments in providing transportation improvements and services;
- b) Oppose cost shifts or changes in responsibility for projects funded by the State to local transportation entities;

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- c) Support efforts to treat the property tax of single-county transit districts the same as multi-county districts and correct other Educational Revenue Augmentation Fund inequities between like agencies;
- d) Support the constitutional protection of all transportation funding resources;
- e) Support protecting or expanding local decision-making in programming transportation funds;
- f) Oppose efforts to reduce local prerogative over regional program funds;
- g) Support efforts to involve county transportation commissions in the development and prioritization of State Highway Operation and Protection Program projects;
- h) Oppose redirecting or reclassifying transportation revenue sources, including earned interest, for anything other than their intended purposes;
- i) Support the implementation of federal transportation programs in an equitable manner that promotes traditional funding levels, programming roles, and local discretion in allocation decisions;
- j) Oppose policies that significantly increase costs, threatening OCTA's ability to deliver projects and provide transit service;
- k) Support removing the barriers for funding transportation projects, including allowing local agencies to advance projects with local funds when state funds are unavailable due to budgetary reasons, and allowing regions to pool federal, state, and local funds in order to limit lengthy amendment processes and streamline project delivery time;
- l) Seek to ensure OCTA's projects and programs related to the 2028 Olympic and Paralympic Games in Los Angeles are eligible for any related funding incentives and project delivery tools;
- m) Support flexibility in the application of "disadvantaged" and "low-income" communities to ensure that transportation funding flows to each region's most impacted areas, allowing OCTA to best meet the needs of its local communities.

III. FISCAL REFORMS AND ISSUES

In recent years, the Legislature and Governor have worked collaboratively during the budget process to pass funding bills in a timely manner. Given that the State continues to report lower revenues than projected, uncertainties over future funding levels remain. Therefore, OCTA will:

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- a) Monitor the study and development of alternative transportation funding proposals, including the State’s road charge pilot program and ensure that efforts are made to address concerns related to equity, privacy, and public support of such proposals;
- b) Oppose levying new and/or increase in gasoline taxes or user fees, including revenue increases on fuel consumption categorized as charges, fees, revenue enhancements, or similar classifications. Consideration of such efforts shall occur when a direct nexus is determined to exist between revenues and transportation projects, and additional revenues are to be controlled by the county transportation commission;
- c) Oppose efforts to decrease the voter threshold requirement for local tax measures for transportation purposes;
- d) Oppose increases to administrative fees charged by the California Department of Tax and Fee Administration on the collection of local sales tax measures;
- e) Support policies that ensure all users of the State’s transportation system pay their “fair share” to maintain and improve the system;
- f) Support efforts to restore equity with regards to the generation and disbursement of sales tax revenues that support the Local Transportation Fund;
- g) Support the retention of existing and future local revenue sources;
- h) Support an extension of the state sales tax exemption for the purchase of zero-emission buses.

IV. STATE TRANSPORTATION IMPROVEMENT PROGRAM

The State Transportation Improvement Program (STIP), substantially amended by SB 45 (Chapter 622, Statutes of 1997), is a programming document that establishes the funding priorities and project commitments for transportation capital improvements in California. SB 45 placed decision-making authority closest to the problem by providing project selection for 75 percent of the funding in the Regional Transportation Improvement Program (RTIP). This funding is distributed to counties based on an allocation formula. The remaining 25 percent of the funds are programmed by the California Department of Transportation (Caltrans) in the Interregional Transportation Improvement Program (ITIP). OCTA will seek to ensure that the regional focus of the program is preserved. Key provisions to be sought by OCTA include:

- a) Support maintaining the current STIP formula, which provides 75 percent of STIP funding to the locally-nominated RTIP and 25 percent to the ITIP;

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- b) Support equitable allocations of transportation funding, such as the north/south formula distribution of county shares and ITIP allocations;
- c) Support efforts to clarify that programming of current period county shares has priority over advancement of future county shares;
- d) Support a formula-based guaranteed disbursement of the ITIP;
- e) Support efforts to allow a mode-neutral STIP;
- f) Support increased flexibility for the use of STIP funds to support alternative projects, including, but not limited to, transit and goods movement improvement projects.

V. TRANSIT PROGRAMS

OCTA will continue with its focus on providing safe, reliable, and efficient transit services in Orange County. While state transit funding has recently become more stable, future demand increases due to environmental regulations and increased fuel prices may put further strain on existing resources. OCTA will make every effort to minimize additional state obligations to transit operations which lack a sufficient and secure revenue source. To that end, OCTA will focus on the following:

- a) Advocate for a continued strong state role in providing funding for transit operations rather than shifting responsibility to local transportation entities. No additional requirements should be created for operation levels beyond existing capacity, unless agreed to by that entity or otherwise appropriately funded;
- b) Support efforts to mitigate costs associated with the development, testing, purchase, and operation of zero-emission transit buses, including an alternative electricity rate structure, tax incentives, and other forms of financial assistance;
- c) Seek additional funding for paratransit operations and transit accessibility capital improvements that support persons with disabilities and senior citizens;
- d) Support efforts to encourage and incentivize the interoperability of transit and rail systems within California;
- e) Support limiting the liability of transit districts for the location of bus stops (*Bonanno v. Central Contra Costa Transit Authority*);
- f) Support the citing of transit-oriented development projects (i.e., authorize extra credit towards housing element requirements for these developments), including incentives for development;

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- g Support funding and incentives to develop free- or reduced-fare transit programs without impacting existing programs or creating unfunded mandates.

VI. ROADS AND HIGHWAYS

OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes and the use of design-build authority on the State Route 22 project and Interstate 405 (I-405) Improvement Project. OCTA will continue to seek new and innovative ways to deliver road and highway projects to the residents of Orange County and, to that end, OCTA will focus on the following:

- a) Oppose the creation of a conservancy that would inhibit the delivery of transportation projects under study or being implemented in the region;
- b) Support new and existing alternative project delivery methods, such as design-build, public-private partnership authority, construction manager/general contractor authority, and progressive design build, through expanding mode and funding eligibility while also allowing the appropriate balance of partnership between the State and local agencies;
- c) Support authorizing local agencies to advertise, award, and administer contracts for state highway projects;
- d) Oppose duplicative reporting mandates and efforts to impose additional requirements, beyond what is required in statute, on lead agencies awarding contracts using alternative project delivery mechanisms;
- e) Support streamlining of the Caltrans review process for projects, simplification of processes, and reduction of red tape, without compromising environmental safeguards;
- f) Support policies that improve signal synchronization programs in order to facilitate street signal coordination, prioritization, and preemption, as well as encouraging the use of intelligent transportation system measures;
- g) Support management and integration of express lanes to promote consistent and seamless user experience;
- h) Monitor efforts to increase fines for high-occupancy vehicle (HOV) lane violations and, if implemented, ensure fines are dedicated to enforcement purposes;
- i) Support the equitable enforcement of regulations governing transportation network companies;

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- j) Support studying the development and safe operation of autonomous vehicles and related technologies;
- k) Support preserving local discretion and flexibility in the development of the congestion management program.

VII. ROLES AND RESPONSIBILITIES

In recent years, there have been many efforts to reorganize or restructure transportation programs and local agency responsibilities. OCTA will continue to monitor policies that would significantly affect the way in which it operates, with a focus on maintaining local control and continued partnerships in order to advocate for the following principles:

- a) Support preserving the role of county transportation commissions, as consistent with existing law, in the administration of transportation programs;
- b) Oppose proposals that reduce the rights and responsibilities of county transportation commissions in planning, funding, and delivering transportation programs;
- c) Oppose policies that unnecessarily subject projects to additional reviews and project selection approvals that could adversely affect delivery timelines and processes;
- d) Support partnerships with alternative mobility providers that allow for adequate information sharing while also respecting the planning efforts of local agencies;
- e) Support efforts to increase the flexibility of funds used for motorist service programs.

VIII. TOLLED & MANAGED LANES

OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors, including both the ownership of the 91 Express Lanes, a ten-mile toll facility on State Route 91 (SR-91), extending from State Route 55 to the Orange/Riverside County line, and the 405 Express Lanes, which will operate two lanes in each direction from State Route 73 to the Interstate 605.

As transportation demands continue to increase, innovative tools must be available to ensure transportation infrastructure projects continue to be built in a reliable, prompt, and efficient manner. OCTA took advantage of one such tool by securing a \$629 million federal loan to supplement state and local funds on the I-405 Improvement Project. The loan, obtained through the Transportation Infrastructure Finance and Innovation Act (TIFIA), will save taxpayers approximately \$300 million in the decades to come.

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As the TIFIA loan and purchase of the 91 Express Lanes in 2003 illustrate, OCTA's leadership in improving mobility for Orange County residents through the use of innovative tools and approaches allow transportation agencies to stretch their dollars further than ever before. Because many agencies are discussing the increased use of managed lane facilities, there remains a need to advocate for local flexibility and input. To ensure the continued success of the 91 Express Lanes, the 405 Express lanes, and for toll policy moving forward, OCTA will:

- a) Ensure that revenues from toll facilities remain within the corridor from which they are generated, opposing efforts to divert revenues from toll facilities for state purposes;
- b) Support policies that allow OCTA, and its partners, to efficiently operate and maintain the 91 Express Lanes and the 405 Express Lanes;
- c) Support efforts to preserve local flexibility in the administration of toll lanes and encourage the State to work with OCTA on operating policies to ensure seamless system operation;
- d) Oppose the construction or operation of toll facilities that are inconsistent with local long range transportation plans;
- e) Oppose the construction or operation of toll facilities that fail to respect existing local transportation projects and funding programs;
- f) Support customer privacy rights while maintaining OCTA's ability to effectively communicate with customers and operate the 91 and 405 Express Lanes;
- g) Support the use of innovative means to enhance toll agency enforcement efforts, including ways to address toll violations due to protected plates;
- h) Support collaborative solutions to address the degradation of HOV lanes that respect local transportation funding sources and programs, have the support of the relevant regional transportation planning agency, do not redirect existing local transportation funding sources, and analyze the effect of single-occupant, low-emission vehicles, including associated federal requirements triggered by their access allowance;
- i) Support efforts to improve the interoperability of the different toll systems across the State in order to ensure fair and efficient toll operations while affirming user privacy protections;
- j) Inform discussions related to revising toll evasion penalties, toll exemptions, and other changes to enforcement strategies and mechanisms in order to maintain local control, opposing efforts that will hinder the ability to meet congestion management and financing requirements;

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- k) Support policies that protect the process prescribed in AB 194 (Chapter 687, Statutes of 2015), which authorizes regional transportation agencies to develop and operate toll facilities, and ensure it is maintained in its application on future toll facilities;
- l) Oppose policies that interfere with local determination of project impacts on the functionality of the Express Lanes operated and maintained by OCTA.

IX. RAIL PROGRAMS

Metrolink is Southern California’s commuter rail system that links residential communities to employment and activity centers. Orange County is served by three Metrolink lines: the Orange County Line, the Inland Empire-Orange County Line, and the 91/Perris Valley Line. In support of these routes, OCTA owns 48 miles of rail right-of-way in Orange County on which Metrolink operates. OCTA's rail capital budget supports improvements to the regional commuter rail system in Orange County, and under existing policy, OCTA is the primary construction lead on major capital improvements to the regional commuter rail system on its right-of-way.

In addition to Metrolink services, Orange County is also served by the state-supported Pacific Surfliner intercity passenger rail service traveling between San Luis Obispo and San Diego. The Pacific Surfliner is operated by Amtrak and managed by the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency (LOSSAN Agency). OCTA has served as the managing agency for the LOSSAN Agency since 2013 and assumed full administrative and management responsibility for the Pacific Surfliner service in June 2015 via an interagency transfer agreement with the State. OCTA continues to serve in this capacity, providing all necessary administrative support to the LOSSAN Agency.

Other rail systems could also travel through Orange County at some point in the future, including additional intercity rail service. While the status and future of these programs is uncertain, OCTA will be watchful to ensure that funding for these rail systems does not impact other transportation funding sources. Key advocacy efforts will emphasize the following:

- a) Support policies that encourage commercial, commuter-based development around passenger rail corridors that includes permanent job creation;
- b) Support efforts to create additional efficiency in rail program oversight, including consideration of possible program consolidation;
- c) Monitor and evaluate plans and progress of high-speed rail and its funding;
- d) Support efforts to provide resources for safety improvements on the rail network in Southern California, including for the implementation, operation, and maintenance of Positive Train Control safety technology;

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- e) Support studying the policies, funding options, and need for rail/highway grade separations, including any impact on existing state highway and transit funding sources;
- f) Support policies that facilitate the development and construction of needed infrastructure projects that support modernization, connectivity, and general system-wide improvements to California's rail network;
- g) Monitor the implementation of the In Use Locomotive Regulation to ensure the transition to zero-emission locomotives is technically feasible and provides adequate funding.

X. GOODS MOVEMENT

The Ports of Los Angeles and Long Beach, the nation's two busiest ports, are vital to California's economy and the surrounding region because goods are shipped to and through the surrounding counties. While the State's goods movement system is the most robust in the nation, it is continually challenged by competing goods movement systems in other states. In order to continue to compete and engage in the global marketplace, California must continue to enhance its goods movement system, while at the same time be cognizant of taking the necessary actions to mitigate any negative impacts to local communities. Key positions include:

- a) Support improvements in major trade gateways in California to facilitate the movement of intrastate, interstate, and international trade beneficial to the State's economy;
- b) Support policies that will aid in the development, approval, and construction of projects to expand goods movement capacity and reduce congestion;
- c) Ensure that control of goods movement infrastructure projects and funding retained at the local level;
- d) Seek mitigation for the impacts of goods movement on local communities;
- e) Pursue ongoing, stable sources of funding for goods movement infrastructure;
- f) Support additional funding and policy reforms to aid in expediting transportation projects to address supply chain concerns;
- g) Ensure any effort to establish a container fee program dedicates funding to projects that mitigate the impact port activity may have on local communities, informed by input from local and regional agencies.

XI. ACTIVE TRANSPORTATION

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Active transportation projects and programs, which encourage greater mobility through walking and bicycling, have grown in popularity due to the environmental, health, and cost savings benefits. Through local planning efforts such as Orange County's Regional Bikeways Planning Collaborative, the Pacific Coast Highway Corridor Study, and the development of OCTA's Commuter Bikeways Strategic Plan, OCTA continues to study, plan, and fund active transportation projects and programs as part of its mission to provide Orange County with an efficient and multi-modal transportation system. Key positions include:

- a) Support policies to increase the visibility and safety of users engaged in active transportation;
- b) Support creative use of paths, roads, flood channels, and abandoned rail lines using existing established rights-of-way to promote bicycles trails and pedestrian paths, in coordination with any local agency with jurisdiction over those properties;
- c) Support funding and programs or policies that encourage the safe operation of an integrated multimodal system, which includes the interaction between roadways, rail lines, bikeways, and pedestrian ways, and the users of those facilities;
- d) Support streamlined active transportation funding programs;
- e) Support efforts to streamline and simplify the review and approval by the California Public Utilities Commission of lease agreements between sponsors of active transportation projects and public utility companies.
- f) Support policies that seek to increase safety requirements related to the utilization of electric bicycles.

XII. ADMINISTRATION/GENERAL

General administrative issues arise every session that could impact OCTA's ability to operate efficiently. Key positions include:

- a) Oppose policies adversely affecting OCTA's ability to efficiently and effectively contract for goods and services, conduct business of the agency, and limit or transfer the risk of liability;
- b) Support efforts to provide greater protection of OCTA's computer and information security systems;
- c) Support establishing reasonable liability for non-economic damages in any action for personal injury, property damage, or wrongful death brought against a public entity based on principles of comparative fault;

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- d) Support consistent campaign contribution limits as applied to both elected and appointed bodies;
- e) Monitor proposed changes related to the Ralph M. Brown Act, and other statutes governing public meetings, including the expanded use of technology;
- f) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serve all residents of Orange County;
- g) Oppose policies that create undue burden on transportation procurement practices or restrict ability to maintain local governing board award authority.

XIII. EMPLOYMENT ISSUES

As a public agency and one of the largest employers in Orange County, OCTA balances its responsibility to the community and the taxpayers to provide safe, reliable, cost-effective service with its responsibility of being a reasonable, responsive employer. Key advocacy positions include:

- a) Oppose efforts to impose state labor laws on currently exempt public agencies;
- b) Oppose policies that circumvent the collective bargaining process;
- c) Oppose policies adversely affecting OCTA's ability to efficiently and effectively deal with labor relations, employee rights, benefits including pension benefits, Family Medical Leave Act, and working conditions, including health, safety, and ergonomic standards for the workplace;
- d) Support efforts to reform and resolve inconsistencies in the workers' compensation and unemployment insurance systems, and labor law requirements that maintain protection for employees and allow businesses to operate efficiently;
- e) Support workforce development policies that facilitate a more efficient talent acquisition process;
- f) Support policies that encourage ridesharing, teleworking, vanpool, and related congestion relief programs for Orange County commuters.

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XIV. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS

As natural and man-made disasters continue to threaten transportation systems around the world, significant improvements have been, and continue to be, carried out to enhance the safety, security, and resilience of transportation infrastructure in the United States. As Orange County's bus provider and a Metrolink partner, OCTA comprehends the importance of ensuring the safety and security of our transportation network and protecting our customers. Presently, OCTA maintains a partnership with the Orange County Sheriff's Department to provide OCTA Transit Police Services for the bus and train systems in Orange County and continues to be actively involved in a variety of state and regional preparedness exercises in support of first responders. OCTA is also currently working with its community partners on an effort to install video surveillance systems at Metrolink stations and on its fleet of buses and throughout its bus facilities. The development of a new Transit Security and Operations Center is also underway to enhance security efforts and further the resiliency of the Orange County transit system.

Heightened security awareness, an active public safety campaign, and greater surveillance efforts, all require additional financial resources. Consequently, OCTA's advocacy positions will highlight:

- a) Support state homeland security and emergency preparedness funding and grant programs to local transportation agencies to alleviate financial burden placed on local entities;
- b) Support policies that balance retention mandates of video surveillance records to reflect current reasonable technological and fiscal capabilities;
- c) Support the use of new technology to increase the safety of public transportation passengers and operators;
- d) Support policies that aim to enhance transit services and the overall safety and security of transit riders, coach operators, and on-road vehicles while avoiding undue burden on transportation agencies to implement unfunded safety measures.

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The 2023-24 State Legislative Platform serves as a framework document to guide the Orange County Transportation Authority's (OCTA) legislative, regulatory, and administrative activities in the coming legislative session. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the upcoming legislative session. The later sections present guiding policy statements for other major issue areas that may arise during the session. Positions on individual items not directly in this document will be brought to the OCTA Board of Directors for formal action.

Key Policy Issues in 2023-24

A number of significant transportation issues are expected to be discussed in the 2023-24 legislative session. OCTA will focus its advocacy efforts on the following principles.

- a) Support transportation funding investments and policy flexibilities that allow OCTA to provide essential, multimodal mobility improvements and services in order to meet the mobility needs of Orange County;
- b) Encourage policies and guidance that incentivize public transit ridership;
- c) ~~Seek funding and permit streamlining to~~ support *for* adaptation and resiliency efforts throughout the coastal rail corridor to address the evolving and imminent impacts of ~~sea level rise and erosion~~ *the environment on critical transportation infrastructure*;
- d) Support efforts to maximize OCTA's share of transportation and transit funding, especially through distribution formulas and more equitable competitive funding processes;
- e) Oppose linking, ~~or~~ reprioritizing, *or aligning* local and state transportation funding ~~to programs with programs policies that could significantly hinder a local agency's ability to deliver transportation programs and projects not primarily intended to help the State meet its transportation needs~~;
- f) Support efforts to maintain the promises self-help counties have made to taxpayers in the implementation of local sales tax measures and oppose mandating specific uses of future sales tax revenues;
- g) Support workforce development and training policies that allow OCTA to hire and retain personnel ready to implement the next generation of mobility;

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- h) Oppose policies that would circumvent existing transit operator funding eligibility requirements;
- i) Support dedicated funding for transit operations, preferably through an ongoing formulaic approach;
- j) Support efforts to ensure local control is maintained in policy decisions made by local transportation agency boards in delivering, funding, and operating transportation programs and projects.;
- k) *Inform the State's Transit Transformation Task Force, created pursuant to SB 125 (Chapter 54, Statutes of 2023), in order to seek improvements to the Transportation Development Act and make recommendations related to transit funding, cost drivers, strategies for workforce retention, and ridership;*
- l) *Monitor implementation of the accountability provisions associated with the funding provided for transit capital projects and operations and inform clarifying legislation as needed; (moved and adjusted for relevance from section V)*
- m) *Oppose policies that change existing formula funding structures to redistribute funds in a way that would inhibit a local agency from delivering critical transportation projects and programs.*

I. IMPLEMENTATION OF ENVIRONMENTAL POLICIES

In order to ensure that the State's environmental regulations and cap-and-trade program are implemented in an equitable manner, which will both help to reduce emissions and encourage the development of necessary infrastructure to serve California's growing population, OCTA will:

- a) Support efforts to ensure local flexibility in meeting the goals of the State's greenhouse gas reduction *and vehicle miles traveled* initiatives, ~~including the creation of incentive-based measures and grant programs to assist with compliance;~~
- b) Support ~~the creation of~~ formula-based cap-and-trade programs, including maintaining ~~ongoing appropriations for transit,~~ and the prioritization of cap-and-trade funding for transportation projects ~~that achieve greenhouse gas emission reduction;~~
- c) Support streamlined environmental review and permitting processes for transportation projects and programs to avoid potentially duplicative and unnecessary analysis, while still maintaining traditional environmental protections;

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- d) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements;
- e) Monitor the State's transition to zero-emission vehicle technology to ensure that any corresponding policies adequately address the impact to long-term transportation funding stability;
- f) Oppose lengthening the California Environmental Quality Act process in a manner that would delay mobility improvements;
- g) Oppose efforts to restrict road and highway construction by superseding existing broad-based environmental review and mitigation processes;
- h) Oppose policies that would limit lead agency discretion in the management and oversight of lands set aside for environmental mitigation purposes while promoting advance mitigation planning programs;
- i) *Monitor efforts to create a statewide model related to vehicle miles traveled in order to ensure that local modeling is taken into account.*

II. TRANSPORTATION FUNDING

OCTA will monitor the status of transportation funding in California, promoting the continued stability of existing programs and efforts to address future funding deficiencies to meet transportation infrastructure needs. Given that future revenues remain unpredictable, OCTA will also work to protect funding dedicated for transportation purposes, including appropriations made in the fiscal year (FY) 20223-234 Budget Act for transit *operations and* capital projects.

Furthermore, there have been two Executive Orders that will impact OCTA's programs and services, which will be closely monitored to ensure that transportation funds are used for their intended purposes. First, Executive Order N-79-20 requires all passenger vehicles and light trucks sold in California to be zero-emission by 2035, and the same for medium- and heavy-duty trucks by 2045. And secondly, Executive Order N-19-19, directed the California State Transportation Agency to review requirements for discretionary transportation investments to ensure consistency with state emission reduction goals. As a result, the State developed the Climate Action Plan for Transportation Infrastructure which detailed recommendations for administering state funds related to transportation in a way that helps the State reach its goals related to climate change. Key actions to continue to inform the State's goals include:

- a) Oppose unfunded mandates for transportation agencies, transit providers, and local governments in providing transportation improvements and services;

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- b) Oppose cost shifts or changes in responsibility for projects funded by the State to the local transportation entities;
- c) Support efforts to treat the property tax of single-county transit districts the same as multi-county districts and correct other Educational Revenue Augmentation Fund inequities between like agencies;
- d) Support the constitutional protection of all transportation funding resources;
- e) Support protecting or expanding local decision-making in programming transportation funds;
- f) Oppose efforts to reduce local prerogative over regional program funds;
- g) Support efforts to involve county transportation commissions in the development and prioritization of State Highway Operation and Protection Program projects;
- h) Oppose redirecting or reclassifying transportation revenue sources, including earned interest, for anything other than their intended purposes;
- i) Support the implementation of federal transportation programs in an equitable manner that promotes traditional funding levels, programming roles, and local discretion in allocation decisions;
- j) Oppose policies that significantly increase costs, threatening OCTA's ability to deliver projects and provide transit service;
- k) Support removing the barriers for funding transportation projects, including allowing local agencies to advance projects with local funds when state funds are unavailable due to budgetary reasons, and allowing regions to pool federal, state, and local funds in order to limit lengthy amendment processes and streamline project delivery time;
- l) Seek to ensure OCTA's projects and programs related to the 2028 Olympic and Paralympic Games in Los Angeles are eligible for any related funding incentives and project delivery tools;
- m) Support flexibility in the application of "disadvantaged" and "low-income" communities to ensure that transportation funding flows to each region's most impacted areas, allowing OCTA to best meet the needs of its local communities.

III. FISCAL REFORMS AND ISSUES

In recent years, the Legislature and Governor have worked collaboratively during the budget process to pass funding bills in a timely manner. ~~While the State again enjoyed an unprecedented budget surplus in FY 2022-23~~ *Given that the State continues to report*

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lower revenues than projected, uncertainties over future funding levels remain, particularly as the state reports lower revenues than projected. Therefore, OCTA will:

- a) Monitor the study and development of alternative transportation funding proposals, including the State's road charge pilot program and ensure that efforts are made to address concerns related to equity, privacy, and public support of such proposals;
- b) Oppose levying new and/or increase in gasoline taxes or user fees, including revenue increases on fuel consumption categorized as charges, fees, revenue enhancements, or similar classifications. Consideration of such efforts shall occur when a direct nexus is determined to exist between revenues and transportation projects, and additional revenues are to be controlled by the county transportation commission;
- c) Oppose efforts to decrease the voter threshold requirement for local tax measures for transportation purposes;
- d) Oppose increases to administrative fees charged by the California Department of Tax and Fee Administration on the collection of local sales tax measures;
- e) Support policies that ensure all users of the State's transportation system pay their "fair share" to maintain and improve the system;
- f) Support efforts to restore equity with regards to the generation and disbursement of sales tax revenues that support the Local Transportation Fund;
- g) Support the retention of existing and future local revenue sources;
- h) Support an extension of the state sales tax exemption for the purchase of zero-emission buses.

IV. STATE TRANSPORTATION IMPROVEMENT PROGRAM

The State Transportation Improvement Program (STIP), substantially amended by SB 45 (Chapter 622, Statutes of 1997), is a programming document that establishes the funding priorities and project commitments for transportation capital improvements in California. SB 45 placed decision-making authority closest to the problem by providing project selection for 75 percent of the funding in the Regional Transportation Improvement Program (RTIP). This funding is distributed to counties based on an allocation formula. The remaining 25 percent of the funds ~~is~~ are programmed by the California Department of Transportation (Caltrans) in the Interregional Transportation Improvement Program (ITIP). OCTA will seek to ensure that the regional focus of the program is preserved. Key provisions to be sought by OCTA include:

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- a) Support maintaining the current STIP formula, which provides 75 percent of STIP funding to the locally-nominated RTIP and 25 percent to the ITIP;
- b) Support equitable allocations of transportation funding, such as the north/south formula distribution of county shares and ITIP allocations;
- c) Support efforts to clarify that programming of current period county shares has priority over advancement of future county shares;
- d) Support a formula-based guaranteed disbursement of the ITIP;
- e) Support efforts to allow a mode-neutral STIP;
- f) Support increased flexibility for the use of STIP funds to support alternative projects, including, but not limited to, transit and goods movement improvement projects.

V. TRANSIT PROGRAMS

OCTA will continue with its focus on providing safe, reliable, and efficient transit services in Orange County. While state transit funding has recently become more stable, future demand increases due to environmental regulations and increased fuel prices may put further strain on existing resources. Thus, OCTA will make every effort to minimize additional state obligations to transit operations which lack a sufficient and secure revenue source. To that end, OCTA will focus on the following:

- a) Advocate for a continued strong state role in providing funding for transit operations rather than shifting responsibility to local transportation entities. No additional requirements should be created for operation levels beyond existing capacity, unless agreed to by that entity or otherwise appropriately funded;
- b) ~~Support the extension and implementation of the Transportation Development Act flexibilities enacted as a result of impacts from the coronavirus pandemic while continuing to seek improvements to eligibility parameters and administrative rules to eliminate any unnecessary or overly burdensome mandates in order to streamline the administration of transit funding; [Incorporated into subsection (k) of the Key Policies in 2023-24 Section]~~
- c) ~~Flexibility should be included in state transit funding sources, allowing transit operators to use the funding for both operations and capital expenditures; (Moved to Key Policies in 2023-24 Section)~~
- b) Support efforts to mitigate costs associated with the development, testing, purchase, and operation of zero-emission transit buses, including an alternative electricity rate structure, tax incentives, and other forms of financial assistance;

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- c) Seek additional funding for paratransit operations and transit accessibility capital improvements that support persons with disabilities and senior citizens;
- d) Support efforts to encourage and incentivize the interoperability of transit and rail systems within California;
- e) Support limiting the liability of transit districts for the location of bus stops (*Bonanno v. Central Contra Costa Transit Authority*);
- f) Support the citing of transit-oriented development projects (i.e., authorize extra credit towards housing element requirements for these developments), including incentives for development;
- g) Support funding and incentives to develop free- or reduced-fare transit programs without impacting existing programs or creating unfunded mandates.

VI. ROADS AND HIGHWAYS

OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes and the use of design-build authority on the State Route 22 project and Interstate 405 (I-405) Improvement Project. OCTA will continue to seek new and innovative ways to deliver road and highway projects to the residents of Orange County and, to that end, OCTA will focus on the following:

- a) Oppose the creation of a conservancy that would inhibit the delivery of transportation projects under study or being implemented in the region;
- b) Support new and existing alternative project delivery methods, such as design-build, public-private partnership authority, construction manager/general contractor authority, and progressive design build, through expanding mode and funding eligibility while also allowing the appropriate balance of partnership between the State and local agencies;
- c) Support authorizing local agencies to advertise, award, and administer contracts for state highway projects;
- d) Oppose duplicative reporting mandates and efforts to impose additional requirements, beyond what is required in statute, on lead agencies awarding contracts using alternative project delivery mechanisms;
- e) Support streamlining of the Caltrans review process for projects, simplification of processes, and reduction of red tape, without compromising environmental safeguards;

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- ~~f) Support administrative policy changes to lower the oversight fee charged by Caltrans to ensure that project support costs are equivalent whether the project is administered by Caltrans or a local agency;~~
- f) Support policies that improve signal synchronization programs in order to facilitate street signal coordination, prioritization, and preemption, as well as encouraging the use of intelligent transportation system measures;
- g) Support management and integration of express lanes to promote consistent and seamless user experience;
- h) Monitor efforts to increase fines for high-occupancy vehicle (HOV) lane violations and, if implemented, ensure fines are dedicated to enforcement purposes;
- i) Support the equitable enforcement of regulations governing transportation network companies;
- j) Support studying the development and safe operation of autonomous vehicles and related technologies;
- k) Support preserving local discretion and flexibility in the development of the congestion management program.

VII. ROLES AND RESPONSIBILITIES

In recent years, there have been many efforts to reorganize or restructure transportation programs and local agency responsibilities. OCTA will continue to monitor policies that would significantly affect the way in which it operates, with a focus on maintaining local control and continued partnerships in order to advocate for the following principles:

- a) Support preserving the role of county transportation commissions, as consistent with existing law, in the administration of transportation programs;
- b) Oppose proposals that reduce the rights and responsibilities of county transportation commissions in planning, funding, and delivering transportation programs;
- c) Oppose policies that unnecessarily subject projects to additional reviews and project selection approvals that could adversely affect delivery timelines and processes;
- d) Support partnerships with alternative mobility providers that allow for adequate information sharing while also respecting the planning efforts of local agencies;

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- e) Support efforts to increase the flexibility of funds used for motorist service programs.

VIII. TOLLED & MANAGED LANES

OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors, including both the ownership of the 91 Express Lanes, a ten-mile ~~managed lane~~ *toll* facility on State Route 91 (SR-91), extending from State Route 55 to the Orange/Riverside County line, and the ~~future~~ I-405 Express Lanes, which will operate two lanes in each direction from State Route 73 to the Interstate 605.

As transportation demands continue to increase, innovative tools must be available to ensure transportation infrastructure projects continue to be built in a reliable, prompt, and efficient manner. OCTA took advantage of one such tool by securing a \$629 million federal loan to supplement state and local funds on the I-405 Improvement Project. The loan, obtained through the Transportation Infrastructure Finance and Innovation Act (TIFIA), will save taxpayers approximately \$300 million in the decades to come.

As the TIFIA loan and purchase of the 91 Express Lanes in 2003 illustrate, OCTA's leadership in improving mobility for Orange County residents through the use of innovative tools and approaches allow transportation agencies to stretch their dollars further than ever before. Because many agencies are discussing the increased use of managed lane facilities, there remains a need to advocate for local flexibility and input. To ensure the continued success of the 91 Express Lanes, ~~the upcoming delivery of the~~ I-405 Express lanes, and for ~~managed lane~~ *toll* policy moving forward, OCTA will:

- a) Ensure that revenues from ~~managed lane~~ *toll* facilities remain within the corridor from which they are generated, opposing efforts to divert revenues from ~~managed lane~~ *toll* facilities for state purposes;
- b) Support policies that allow OCTA, *and its partners*, and ~~the Riverside County Transportation Commission~~ to efficiently operate and maintain the 91 Express Lanes ~~into Riverside County and the 405 Express Lanes~~;
- c) Support efforts to preserve local flexibility in the administration of toll lanes *and encourage the State to work with OCTA on operating policies to ensure seamless system operation*;
- d) Oppose the construction or operation of ~~managed lane~~ *toll* facilities that are *inconsistent with local long range transportation plans established without an adopted statewide managed lane strategy or plan*;
- e) Oppose the construction or operation of ~~managed lane~~ *toll* facilities that fail to respect existing local transportation projects and funding programs;

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- f) Support customer privacy rights while maintaining OCTA's ability to effectively communicate with customers and operate the 91 Express Lanes *and 405 Express Lanes*;
- g) Support the use of innovative means to enhance toll agency enforcement efforts, including ways to address toll violations due to protected plates;
- h) Support collaborative solutions to address the degradation of HOV lanes that respect local transportation funding sources and programs, have the support of the relevant regional transportation planning agency, do not redirect existing local transportation funding sources, and analyze the effect of single-occupant, low-emission vehicles, including associated federal requirements triggered by their access allowance;
- i) Support efforts to improve the interoperability of the different toll systems across the State in order to ensure fair and efficient toll operations while affirming user privacy protections;
- j) Inform discussions related to revising toll evasion penalties, toll exemptions, and other changes to enforcement strategies and mechanisms in order to maintain local control, opposing efforts that will hinder the ability to meet congestion management and financing requirements;
- k) Support policies that protect the process prescribed in AB 194 (Chapter 687, Statutes of 2015), which authorizes regional transportation agencies to develop and operate toll facilities, and ensure it is maintained in its application on future toll facilities-;
- l) *Oppose policies that interfere with local determination of project impacts on the functionality of the Express Lanes operated and maintained by OCTA.*

IX. RAIL PROGRAMS

Metrolink is Southern California's commuter rail system that links residential communities to employment and activity centers. Orange County is served by three Metrolink lines: the Orange County Line, the Inland Empire-Orange County Line, and the 91/Perris Valley Line. In support of these routes, OCTA owns 48 miles of rail right-of-way in Orange County on which Metrolink operates. OCTA's rail capital budget supports improvements to the regional commuter rail system in Orange County, and under existing policy, OCTA is the primary construction lead on major capital improvements to the regional commuter rail system on its right-of-way.

In addition to Metrolink services, Orange County is also served by the state-supported Pacific Surfliner intercity passenger rail service traveling between San Luis Obispo and San Diego. The Pacific Surfliner is operated by Amtrak and managed by the

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Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency (LOSSAN Agency). OCTA has served as the managing agency for the LOSSAN Agency since 2013 and assumed full administrative and management responsibility for the Pacific Surfliner service in June 2015 via an interagency transfer agreement with the State. OCTA continues to serve in this capacity, providing all necessary administrative support to the LOSSAN Agency.

Other rail systems could also travel through Orange County at some point in the future, including additional intercity rail service. While the status and future of these programs is uncertain, OCTA will be watchful to ensure that funding for these rail systems does not impact other transportation funding sources. Key advocacy efforts will emphasize the following:

- a) Support policies that encourage commercial, commuter-based development around passenger rail corridors that includes permanent job creation;
- b) Support efforts to create additional efficiency in rail program oversight, including consideration of possible program consolidation;
- c) Monitor and evaluate plans and progress of high-speed rail and its funding;
- d) Support efforts to provide resources for safety improvements on the rail network in Southern California, including for the implementation, operation, and maintenance of Positive Train Control safety technology;
- e) Support studying the policies, funding options, and need for rail/highway grade separations, including any impact on existing state highway and transit funding sources;
- f) Support policies that facilitate the development and construction of needed infrastructure projects that support modernization, connectivity, and general system-wide improvements to California’s rail network;
- g) ~~Monitor policies and regulations that require~~ the implementation of *the In-Use Locomotive Regulation to ensure the transition to zero-emission locomotives to ensure is technically feasible* ~~and~~ *provides adequate funding.*

X. GOODS MOVEMENT

The Ports of Los Angeles and Long Beach, the nation’s two busiest ports, are vital to California’s economy and the surrounding region because goods are shipped to and through the surrounding counties. While the State’s goods movement system is the most robust in the nation, it is continually challenged by competing goods movement systems in other states. In order to continue to compete and engage in the global marketplace, California must continue to enhance its goods movement system, while at the same time

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be cognizant of taking the necessary actions to mitigate any negative impacts to local communities. Key positions include:

- a) Support improvements in major trade gateways in California to facilitate the movement of intrastate, interstate, and international trade beneficial to the State's economy;
- b) Support policies that will aid in the development, approval, and construction of projects to expand goods movement capacity and reduce congestion;
- c) Ensure that control of goods movement infrastructure projects and funding retained at the local level;
- d) Seek mitigation for the impacts of goods movement on local communities;
- e) Pursue ongoing, stable sources of funding for goods movement infrastructure;
- f) Support additional funding and policy reforms to aid in expediting transportation projects to address supply chain concerns;
- g) Ensure any effort to establish a container fee program dedicates funding to projects that mitigate the impact port activity may have on local communities, informed by input from local and regional agencies.

XI. ACTIVE TRANSPORTATION

Active transportation projects and programs, which encourage greater mobility through walking and bicycling, have grown in popularity due to the environmental, health, and cost savings benefits. Through local planning efforts such as Orange County's Regional Bikeways Planning Collaborative, the Pacific Coast Highway Corridor Study, and the development of OCTA's Commuter Bikeways Strategic Plan, OCTA continues to study, plan, and fund active transportation projects and programs as part of its mission to provide Orange County with an efficient and multi-modal transportation system. Key positions include:

- a) Support policies to increase the visibility and safety of users engaged in active transportation;
- b) Support creative use of paths, roads, flood channels, and abandoned rail lines using existing established rights-of-way to promote bicycles trails and pedestrian paths, in coordination with any local agency with jurisdiction over those properties;
- c) Support funding and programs or policies that encourage the safe operation of an integrated multimodal systems, which includes the interaction between roadways, rail lines, bikeways, and pedestrian ways, and the users of those facilities, ~~such as those utilizing electric bicycles;~~

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- d) Support streamlined active transportation funding programs;
- e) Support efforts to streamline and simplify the review and approval by the California Public Utilities Commission of lease agreements between sponsors of active transportation projects and public utility companies-;
- f) *Support policies that seek to increase safety requirements related to the utilization of electric bicycles.*

XII. ADMINISTRATION/GENERAL

General administrative issues arise every session that could impact OCTA's ability to operate efficiently. Key positions include:

- a) Oppose policies adversely affecting OCTA's ability to efficiently and effectively contract for goods and services, conduct business of the agency, and limit or transfer the risk of liability;
- b) Support efforts to provide greater protection of OCTA's computer and information security systems;
- c) Support establishing reasonable liability for non-economic damages in any action for personal injury, property damage, or wrongful death brought against a public entity based on principles of comparative fault;
- d) Support consistent campaign contribution limits as applied to both elected and appointed bodies;
- e) Monitor proposed changes related to the Ralph M. Brown Act, and other statutes governing public meetings, including the expanded use of technology;
- f) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serve all residents of Orange County;
- g) Oppose policies that create undue burden on transportation procurement practices or restrict ability to maintain local governing board award authority.

XIII. EMPLOYMENT ISSUES

As a public agency and one of the largest employers in Orange County, OCTA balances its responsibility to the community and the taxpayers to provide safe, reliable, cost-effective service with its responsibility of being a reasonable, responsive employer. Key advocacy positions include:

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- a) Oppose efforts to impose state labor laws on currently exempt public agencies;
- b) Oppose policies that circumvent the collective bargaining process;
- c) Oppose policies adversely affecting OCTA's ability to efficiently and effectively deal with labor relations, employee rights, benefits including pension benefits, Family Medical Leave Act, and working conditions, including health, safety, and ergonomic standards for the workplace;
- d) Support efforts to reform and resolve inconsistencies in the workers' compensation and unemployment insurance systems, and labor law requirements that maintain protection for employees and allow businesses to operate efficiently;
- e) Support workforce development policies that facilitate a more efficient talent acquisition process;
- f) Support policies that encourage ridesharing, teleworking, vanpool, and related congestion relief programs for Orange County commuters.

XIV. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS

As natural and man-made disasters continue to threaten transportation systems around the world, significant improvements have been, and continue to be, carried out to enhance the safety, security, and resilience of transportation infrastructure in the United States. As Orange County's bus provider and a Metrolink partner, OCTA comprehends the importance of ensuring the safety and security of our transportation network and protecting our customers. Presently, OCTA maintains a partnership with the Orange County Sheriff's Department to provide OCTA Transit Police Services for the bus and train systems in Orange County and continues to be actively involved in a variety of state and regional preparedness exercises in support of first responders. OCTA is also currently working with its community partners on an effort to install video surveillance systems at Metrolink stations and on its fleet of buses and throughout its bus facilities. The development of a new Transit Security and Operations Center is also underway to enhance security efforts and further the resiliency of the Orange County transit system.

Heightened security awareness, an active public safety campaign, and greater surveillance efforts, all require additional financial resources. Consequently, OCTA's advocacy positions will highlight:

- a) Support state homeland security and emergency preparedness funding and grant programs to local transportation agencies to alleviate financial burden placed on local entities;
- b) Support policies that balance retention mandates of video surveillance records to reflect current reasonable technological and fiscal capabilities;

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- c) Support the use of new technology to increase the safety of public transportation passengers and operators;
- d) Support policies that aim to enhance transit services and the overall safety and security of transit riders, coach operators, and on-road vehicles while avoiding undue burden on transportation agencies to implement unfunded safety measures.

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With over three million residents, Orange County is the third most populous county in California and the sixth most populous county in the nation. Orange County is one of the most densely populated areas in the country and is served by one of the nation's busiest transit systems. In addition, Orange County provides highway and rail corridors that facilitate the increasing level of international trade entering the Southern California ports.

The 2023-24 Federal Legislative Platform serves as a framework document to guide the Orange County Transportation Authority's (OCTA) statutory, regulatory, and administrative goals and objectives in Washington, D.C. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the 118th Congress, and the later sections present guiding policy statements for the other major issues that may arise. Positions on individual items not directly addressed in this document will be brought to the OCTA Board of Directors for formal action.

Key Policy Issues in the 118th Congress

A number of significant transportation issues will be discussed in the 118th Congress. OCTA will focus its advocacy efforts on the following principles:

- a) Support transportation funding investments and policy flexibilities that allow OCTA to provide essential, multimodal mobility improvements, and services in order to meet the mobility needs of Orange County;
- b) Request annual appropriations at least consistent with authorized funding levels and advanced appropriations provided in the Infrastructure Investment and Jobs Act (IIJA) are maintained in order to meet our county's critical infrastructure needs;
- c) Encourage policies and guidance that incentivize public transit ridership;
- d) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serves all the residents of Orange County;
- e) Seek responsible revenue solutions to fund future transportation projects without adversely affecting an agency's ability to provide services;
- f) Advocate for full funding of transportation programs without placing new limitations or conditions on the distribution of funds that would impede the delivery of infrastructure projects;
- g) Advocate for transit and transportation agencies to be eligible for transportation funding programs under the Inflation Reduction Act;

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- h) Ensure that Highway Trust Fund (HTF) revenues continue to be used for transit expenditures;
- i) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements;
- j) Seek support for adaptation and resiliency efforts throughout the coastal rail corridor to address the evolving and imminent impacts of the environment on critical transportation infrastructure;
- k) Support the authority to secure direct funding for Orange County projects;
- l) Support efforts to preserve local flexibility in the administration of toll lanes and use of toll revenues;
- m) Support efforts to ensure local control is maintained in policy decisions made by local transportation agency boards in delivering, funding, and operating transportation programs and projects.

I. TRANSPORTATION FUNDING

Current federal law does not require the appropriation of authorized HTF dollars. Therefore, the annual appropriations process will continue to play an important role in funding OCTA's programs and projects. OCTA will continue to advocate for the largest possible amount and share of appropriations funding to ensure adequate resources to meet the infrastructure needs of Orange County.

OCTA will continue to aggressively pursue discretionary funding for transportation projects within the statutory and regulatory requirements of funding programs and the current funding status of OCTA's capital program. Other funding priorities for OCTA include:

- a) Support sustainable transportation funding levels that allow OCTA to continue to improve mobility in and around Orange County;
- b) Oppose efforts to redirect, reduce, or eliminate existing transportation funding programs;
- c) Support funding for the Capital Investment Grants program to allow for an expansion of bus and rail transit projects;
- d) Ensure that federal funding is available for capital purposes to the extent not needed for direct operating costs;

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- e) Support funding, with increased flexibility, for safety and security grant programs in order to protect Orange County's transportation system, including highways, transit operations and facilities, rail lines, and related software systems;
- f) Support funding for regional and intercity passenger rail corridors in California;
- g) Support funding to develop training information programs to instruct on the use of new technology and address workforce needs at transit and transportation agencies;
- h) Seek to ensure OCTA's projects and programs related to the 2028 Olympic and Paralympic Games in Los Angeles are eligible for any related funding incentives and project delivery tools;
- i) Monitor the distribution of federal formula funding in order to ensure that existing state suballocation processes are utilized;
- j) Support funding and incentives to develop free- or reduced-fare transit programs without impacting existing programs or creating unfunded mandates.

II. IIJA IMPLEMENTATION

The IIJA (Pub. L. No. 1147-58) authorized over \$567 billion over five years for programs. With the IIJA as law, OCTA will focus much of its advocacy efforts in the 118th Congress on implementation efforts that allow state and local government agencies to move forward with a federal partner on critical transportation projects. As such, OCTA will advocate for the following policies:

- a) Support the greatest possible share of funding for California and OCTA, focusing on increasing formula funds;
- b) Support increased flexibility in transportation funding programs to promote greater local decision-making in the planning process;
- c) Ensure a long-term partnership with the federal government that helps OCTA address capital and operating revenue shortfalls;
- d) Oppose unfunded federal mandates that further reduce the resources of state and local transportation agencies;
- e) Oppose policies that undermine or limit local control over land use decisions;
- f) Ensure fair suballocations of funding to account for additional costs, increased administrative responsibilities, and the potential for increased liabilities to which the agency may be subject;

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- g) Oppose limitations or other arbitrary conditions on discretionary transportation grant programs that prevent an equitable distribution of transportation resources;
- h) Support policies to encourage the safe development, demonstration, deployment, and operation of connected and automated vehicle technologies;
- i) Oppose rescissions or other arbitrary funding cuts to transportation programs;
- j) Support policies that encourage ridesharing, teleworking, vanpool and related congestion relief programs for Orange County commuters;
- k) Oppose any effort to further reduce transportation funding for OCTA or California, advocating for a fair and equitable share.

III. TRANSPORTATION PLANNING AND PROGRAMMING

In the 118th Congress, OCTA will continue to support the implementation of the IIJA while finding ways to complement the programs and provisions authorized under federal law. During this time, OCTA will advocate for the following issues:

- a) Pursue continued eligibility of Congestion Mitigation Air Quality program funding for three-to-five years of operating expenses associated with any fixed-guideway or eligible bus projects;
- b) Support expanded use of alternative delivery methods for federally-funded transportation projects;
- c) Support environmental process improvements and stewardship efforts by the relevant federal agencies to expedite project delivery and accelerate the creation of jobs;
- d) Support expedited review and payments to local agencies and their contractors for project development, right-of-way acquisition, and construction activities;
- e) Support efforts to authorize, fund, and streamline the delivery of bicycle and pedestrian projects in Orange County;
- f) Advocate for policies to encourage, when possible, a “complete streets” approach to multimodal project planning in order to expedite project delivery;
- g) Support shifting the approval of Regional Transportation Plan amendments involving Transportation Control Measures from the Environmental Protection Agency back to the Federal Highway Administration while allowing for an adequate consultation process;

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- h) Support flexibility and increased local decision-making authority regarding the operation of high-occupancy vehicle (HOV) lanes in order to reduce or eliminate the unintended consequences resulting from Section 166 of the Federal Highway Act or any similar policy regulating degradation of HOV lanes;
- i) Encourage cooperation between local, state, and federal partners to mitigate or eliminate any policy that places burdensome requirements on operators related to degradation of facilities and performance;
- j) Support streamlining and greater flexibility of Federal Buy America requirements including increased clarification on market availability and technical feasibility of the Build America, Buy America Act requirements created in the IIJA to prevent any unintended disruption to projects and programs;
- k) Support efforts to clarify roles and responsibilities related to toll enforcement policies to allow for interoperability between toll facilities while affirming user privacy;
- l) Encourage policies on the planning, delivery, and operation of tolling projects that are aligned with the flexibility provided in California State law.

IV. FISCAL REFORMS AND ISSUES

Several legislative and regulatory proposals would have economic impacts, both positive and negative, affecting the delivery of transportation infrastructure projects that create jobs and spur further business development in Orange County. Regarding these developments, OCTA will:

- a) Oppose policies that would divert revenues generated by locally-approved sales taxes to programs and projects that are not included in the sales tax ordinance;
- b) Support removing barriers to the release of transportation funding, including allowing local agencies to advance projects with local funds in order to limit lengthy amendment processes that delay project delivery;
- c) Support expansion, streamlining, and further development of innovative project finance methods, including the Transportation Infrastructure Finance and Innovation Act loan program;
- d) Support fiscally-sound proposals to adequately address the HTF's structural deficit, including initiatives to address the impact of low- and zero-emission vehicles on transportation funding;

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- e) Support the equitable collection and distribution of sales tax revenue from out-of-state, online retailers (*South Dakota v. Wayfair, Inc.*);
- f) Support tax policies that reduce costs or provide additional flexibility in OCTA's financial and operational activities;
- g) Support policies that expedite the delivery of transportation improvements or the development of business opportunities in order to create jobs and economic activity in Southern California;
- h) Support a stable source of proposed future revenues that provides adequate resources for future transportation needs;
- i) Oppose subjecting public transportation providers to gas tax liability or other fees that increase operating costs;
- j) Support efforts to ensure that all users of the national transportation system pay their "fair share" to maintain and improve the system;
- k) Support additional funding flexibility to facilitate the use of alternative mobility providers.

V. RAIL PROGRAMS

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In addition to Metrolink services, Orange County is also served by the state-supported Pacific Surfliner intercity passenger rail service traveling between San Luis Obispo and San Diego. The Pacific Surfliner is operated by Amtrak and managed by the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency (LOSSAN Agency). OCTA has served as the managing agency for the LOSSAN Agency since 2013 and assumed full administrative and management responsibility for Pacific Surfliner service in June 2015 via an interagency transfer agreement with the State of California. OCTA continues to serve in this capacity, providing all necessary administrative support to the LOSSAN Agency.

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development of additional service to ensure that it does not adversely affect other transportation funding sources. Other rail policy priorities include the following:

- a) Support funding for rail safety programs, including funding for operation and maintenance of Positive Train Control (PTC) safety technology and other safety enhancements;
- b) Support efforts to ensure that any alternative safety technology is interoperable with, and contains the same safety benefits as, the PTC system implemented on passenger rail corridors in Southern California;
- c) Support the availability of technical resources, such as wireless spectrum, to fully implement rail safety technology;
- d) Oppose increasing the current rail passenger liability cap and work with regional partners to ensure that any changes to the cap take into account the limited resources of passenger rail providers.

VI. GOODS MOVEMENT

The twin Ports of Los Angeles and Long Beach are considered “America’s Gateway” and the nation’s busiest ports. The maintenance, improvement, and modernization of our region’s goods movement infrastructure must continue to be a national priority if our region is to remain competitive with the rest of the world and responsive to the consumer needs of Southern California. The need for the Southern California region to remain competitive is further underscored by the expansion and modernization efforts of foreign competitors. Even though the IIJA continued to provide funding for goods movement projects and programs, revenue streams remain insufficient to fund the projects needed to offset the costs of moving these goods considering the many years of underinvestment. OCTA’s advocacy efforts regarding goods movement will continue to emphasize the following:

- a) Pursue new, stable, dedicated, and secure sources of funding for goods movement infrastructure;
- b) Ensure that the benefits of newly-funded projects also take into account mitigation factors to impacted communities;
- c) Support a collaborative approach, including engaging with private sector partners, in developing and implementing the needed sustainable goods movement infrastructure programs and projects;
- d) Support regionally-significant grade separation projects that improve the flow of goods and people throughout Southern California;

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- e) Support local control of goods movement infrastructure and freight mobility projects;
- f) Support additional funding and policy reforms to aid in expediting transportation projects to address supply chain concerns;
- g) Ensure eligibility for funding and programs is available to all transportation modes that benefit regional goods movement.

VII. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS

OCTA continues cooperative efforts with neighboring transit agencies, Urban Area Security Initiative partners, state and federal Homeland Security and Emergency Preparedness grant partners, and local jurisdictions to enhance the security and resiliency of Orange County's transportation system. OCTA will pursue the following priorities to ensure that the agency's safety, security, and emergency preparedness needs are met:

- a) Support increased funding for training, increased surveillance, and emergency preparedness improvements with adequate flexibility to ensure that local agencies can effectively use the resources to ensure a more resilient transportation system;
- b) Support a funding distribution that considers all risk threats, including natural disasters, acts of terrorism, and other man-made disasters, as estimated by the Department of Homeland Security, in cooperation with state and local officials;
- c) Support programs that facilitate cooperation with security and emergency preparedness officials to refine and improve information exchange protocols, emergency preparedness systems, and regional data coordination;
- d) Support efforts to provide funding incentives and policy flexibility to facilitate programs to provide safe working conditions for coach operators and transit personnel;
- e) Support efforts to provide sufficient funding for transit agencies to implement physical security, mandated employee screenings, and cybersecurity directives while also incorporating transit agency technical expertise in developing regulatory guidelines and procedures.

VIII. ENVIRONMENTAL AND ENERGY ISSUES

Federal environmental policies affecting OCTA include the National Environmental Protection Act, the Clean Air Act, the Clean Water Act, and the Endangered Species Act. Therefore, policies to further develop environmental and energy-efficient goals

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will likely have an impact on OCTA's operations. With such proposals in mind, OCTA will:

- a) Seek opportunities to expedite and improve the efficiency of the environmental process without impairing substantive environmental requirements;
- b) Seek funding to meet state and local environmental quality requirements, including requirements for zero-emission buses, alternative fueling stations, and future greenhouse gas reduction requirements;
- c) Support the continuation and expansion of tax incentives for using compressed natural gas, hydrogen, and other zero-emission transit fuels;
- d) Monitor proposals to address the environmental impacts of greenhouse gases to ensure that any new environmental requirements are accompanied by additional funding necessary to implement those requirements;
- e) Support expedited review for project development, right-of-way acquisition, and construction activities;
- f) Ensure adequate flexibility in the application of resiliency, natural infrastructure, or other climate-related policies to the delivery of mobility improvements, as opposed to mandates that would constrain transportation resources;
- g) Monitor policies regarding zero-emission transit fuels to ensure they remain technology neutral.

IX. REGULATORY REQUIREMENTS

OCTA must also monitor several other administrative requirements, including new and expanded regulatory definitions that may affect the agency's operations. As such, OCTA will:

- a) Support expedited and improved federal reporting and monitoring requirements to ensure efficiency and usefulness of data while also eliminating redundant state and federal requirements;
- b) Oppose regulatory proposals that unreasonably subject OCTA to burdensome bureaucratic requirements or increase operational costs, making it harder to deliver projects and improve mobility in Orange County;
- c) Oppose policies adversely affecting the agency's ability to effectively address labor relations, employee rights, benefits, and working conditions, such as health, safety, and ergonomic standards;
- d) Oppose policies that limit state or local pension benefit reforms;

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- e) Support a collaborative approach to understanding the capital infrastructure and operational needs of local and state transportation agencies, as well as those of private sector partners, in the testing and deployment of autonomous vehicles and related technologies.

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With over three million residents, Orange County is the third most populous county in California and the sixth most populous county in the nation. Orange County is one of the most densely populated areas in the country and is served by one of the nation's busiest transit systems. In addition, Orange County provides highway and rail corridors that facilitate the increasing level of international trade entering the Southern California ports.

The 2023-24 Federal Legislative Platform serves as a framework document to guide the Orange County Transportation Authority's (OCTA) statutory, regulatory, and administrative goals and objectives in Washington, D.C. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the 118th Congress, and the later sections present guiding policy statements for the other major issues that may arise. Positions on individual items not directly addressed in this document will be brought to the OCTA Board of Directors for formal action.

Key Policy Issues in the 118th Congress

A number of significant transportation issues will be discussed in the 118th Congress. OCTA will focus its advocacy efforts on the following principles:

- a) Support transportation funding investments and policy flexibilities that allow OCTA to provide essential, multimodal mobility improvements and services in order to meet the mobility needs of Orange County;
- b) Request annual appropriations at least consistent with authorized funding levels and advanced appropriations provided in the Infrastructure Investment and Jobs Act (IIJA) are maintained in order to meet our county's critical infrastructure needs;
- c) Encourage policies and guidance that incentivize public transit ridership;
- d) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serves all the residents of Orange County;
- e) Seek responsible revenue solutions to fund future transportation projects without adversely affecting an agency's ability to provide services;
- f) Advocate for full funding of transportation programs without placing new limitations or conditions on the distribution of funds that would impede the delivery of infrastructure projects;
- g) Advocate for transit and transportation agencies to be eligible for transportation funding programs under the Inflation Reduction Act;

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- h) Ensure that Highway Trust Fund (HTF) revenues continue to be used for transit expenditures;
- i) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements;
- ~~j) Seek increased clarification on market availability and technical feasibility prior to the implementation of the new Build America, Buy America requirements to prevent any unintended disruption to projects and programs; *-(combined with subsection (j) under Section III)*~~
- j) Seek funding and permit streamlining to support *for* adaptation and resiliency efforts throughout the coastal rail corridor to address the evolving and imminent impacts of ~~sea level rise and erosion~~ *the environment on critical transportation infrastructure*;
- k) Support the authority to secure direct funding for Orange County projects;
- l) Support efforts to preserve local flexibility in the administration of toll lanes and use of toll revenues;
- m) Support efforts to ensure local control is maintained in policy decisions made by local transportation agency boards in delivering, funding, and operating transportation programs and projects.

I. TRANSPORTATION FUNDING

Current federal law does not require the appropriation of authorized HTF dollars. Therefore, the annual appropriations process will continue to play an important role in funding OCTA's programs and projects. OCTA will continue to advocate for the largest possible amount and share of appropriations funding to ensure adequate resources to meet the infrastructure needs of Orange County.

OCTA will continue to aggressively pursue discretionary funding for transportation projects within the statutory and regulatory requirements of funding programs and the current funding status of OCTA's capital program. Other funding priorities for OCTA include:

- a) Support sustainable transportation funding levels that allow OCTA to continue to improve mobility in and around Orange County;
- b) Oppose efforts to redirect, reduce, or eliminate existing transportation funding programs;

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- c) Support funding for the Capital Investment Grants program to allow for an expansion of bus and rail transit projects;
- d) Ensure that federal funding is available for capital purposes to the extent not needed for direct operating costs;
- e) Support funding, with increased flexibility, for safety and security grant programs in order to protect Orange County's transportation system, including highways, transit *operations and* facilities, rail lines, and related software systems;
- f) Support funding for regional and intercity passenger rail corridors in California;
- g) Support funding to develop training information programs to instruct on the use of new technology and address workforce needs at transit and transportation agencies;
- h) Seek to ensure OCTA's projects and programs related to the 2028 Olympic and Paralympic Games in Los Angeles are eligible for any related funding incentives and project delivery tools;
- i) Monitor the distribution of federal formula funding in order to ensure that existing state suballocation processes are utilized;
- j) Support funding and incentives to develop free- or reduced-fare transit programs without impacting existing programs or creating unfunded mandates.

II. IIJA IMPLEMENTATION

The IIJA (Pub. L. No. 1147-58) authorized over \$567 billion over five years for programs. With the IIJA as law, OCTA will focus much of its advocacy efforts in the 118th Congress on implementation efforts that allows state and local government agencies to move forward with a federal partner on critical transportation projects. As such, OCTA will advocate for the following policies:

- a) Support the greatest possible share of funding for California and OCTA, focusing on increasing formula funds;
- b) Support increased flexibility in transportation funding programs to promote greater local decision-making in the planning process;
- c) Ensure a long-term partnership with the federal government that helps OCTA address capital and operating revenue shortfalls;
- d) Oppose unfunded federal mandates that further reduce the resources of state and local transportation agencies;

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- e) Oppose policies that undermine or limit local control over land use decisions;
- f) Ensure fair suballocations of funding to account for additional costs, increased administrative responsibilities, and the potential for increased liabilities to which the agency may be subject;
- g) Oppose limitations or other arbitrary conditions on discretionary transportation grant programs that prevent an equitable distribution of transportation resources;
- h) Support policies to encourage the safe development, demonstration, deployment, and operation of connected and automated vehicle technologies;
- i) Oppose rescissions or other arbitrary funding cuts to transportation programs;
- j) Support policies that encourage ridesharing, teleworking, vanpool and related congestion relief programs for Orange County commuters;
- k) Oppose any effort to further reduce transportation funding for OCTA or California, advocating for a fair and equitable share.

III. TRANSPORTATION PLANNING AND PROGRAMMING

In the 118th Congress, OCTA will continue to support the implementation of the IIJA while finding ways to complement the programs and provisions authorized under federal law. During this time, OCTA will advocate for the following issues:

- a) Pursue continued eligibility of Congestion Mitigation Air Quality program funding for three-to-five years of operating expenses associated with any fixed-guideway or eligible bus projects;
- b) Support expanded use of alternative delivery methods for federally-funded transportation projects;
- c) Support environmental process improvements and stewardship efforts by the relevant federal agencies to expedite project delivery and accelerate the creation of jobs;
- d) Support expedited review and payments to local agencies and their contractors for project development, right-of-way acquisition, and construction activities;
- e) Support efforts to authorize, fund, and streamline the delivery of bicycle and pedestrian projects in Orange County;

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- f) Advocate for policies to encourage, when possible, a “complete streets” approach to multimodal project planning in order to expedite project delivery;
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- i) Encourage cooperation between local, state, and federal partners to mitigate or eliminate any policy that places burdensome requirements on operators related to degradation of facilities and performance;
- j) Support streamlining *and greater flexibility* of Federal Buy America requirements, ~~to increase certainty while also advocating for greater flexibility in their application including increased clarification on market availability and technical feasibility of the Build America, Buy America Act requirements created in the IIJA to prevent any unintended disruption to projects and programs; (combined with subsection (j) from the Key Policies Issues in 2023-24 Section)~~
- k) Support efforts to clarify roles and responsibilities related to toll enforcement policies to allow for interoperability between toll facilities while affirming user privacy;
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October 19, 2023

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Diversity Outreach Update

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

Overview

The Orange County Transportation Authority continues its effort to conduct comprehensive and meaningful outreach to Orange County's growing diverse communities. This report provides an annual update on the progress of the diversity outreach efforts that are part of the Chief Executive Officer Action Plan to meet the needs of diverse community members.

Recommendation

Receive and file as an information item.

Background

The Orange County Transportation Authority (OCTA) continues to work with community members and organizations that represent diversity in Orange County, such as ethnic groups, disadvantaged communities, and other underrepresented people. More than a decade ago, OCTA's diversity outreach work primarily centered on partnering with ethnic business groups to conduct procurement outreach at business expos, conferences, and other events.

More recently, OCTA has leveraged those strong relationships with diverse business organizations by engaging with the business community on OCTA's transportation efforts such as transit marketing programs, capital improvement projects, and planning studies. This work directly contributes to the agency's diversity outreach and inclusion efforts that have become an important part of the 2023 Board of Directors (Board) and Chief Executive Officer (CEO) Strategic Initiatives and Action Plan.

Discussion

Over the past year, OCTA Diversity Outreach staff increased the number of opportunities to engage with Orange County's diverse community members, business groups, community-based organizations, hard-to-reach audiences, seniors, and other disadvantaged groups. The amount of person-to-person outreach has grown with activities at cultural festivities, resource fairs, business events, senior centers and pop-up events at community gathering places.

These efforts to cultivate relationships of trust help increase awareness of OCTA, provide an opportunity to share information about transportation services and programs, and encourage input on planning studies and other efforts. Additionally, community engagement also helps break down barriers for historically underserved and marginalized communities so that OCTA can continue to establish and improve relationships with civic, social, business, and faith communities. Diverse stakeholders' participation and support play a pivotal role in the success of transit programs, capital projects, and planning studies for OCTA.

OCTA Diversity Outreach's Trust-Building Campaign

OCTA's Trust-Building Campaign began in spring 2021 with a goal to help cultivate relationships of trust and increase awareness of OCTA among Orange County's Spanish, Vietnamese, and other non-English speakers. The campaign was developed with input from the diverse communities and included a communications program with culturally effective messages to enhance the understanding of OCTA capital projects, transit programs, and planning studies. This was done by using language and cultural references along with ambassadors and other influencers to inform the targeted community members.

During 2023, the third year of the trust-building effort, staff participated in 164 community events, cultural festivals, and other activities to inform diverse community members and other under-served populations about OCTA. This represents a 39 percent increase over last year. Major cultural community and business events with large number of people who visited the OCTA booth included:

- More than 14,000 people at several Lunar New Year events in February
- Nearly 900 people at Black History Festival in the City of Anaheim on February 4
- More than 800 people at the Korean Cultural Festival in the City of Irvine on May 13

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- More than 11,900 people at three resource fairs in the City of Anaheim and one in the City of Costa Mesa during the summer
 - More than 6,000 people at OC Pride Festival in the City of Santa Ana on June 24
 - 1,100 people at Moon Lantern Festival in the City of Westminster on September 9
 - 1,600 people at Moon Festival in the City of Fountain Valley on October 1
 - More than 1,000 people at World Korean Business Convention in the City of Anaheim October 11 to October 14
 - More than 3,000 people at Primavera Festival, Cinco de Mayo Festival, Fiestas Patrias Festival, and other cultural commemorations with the Hispanic community

In addition to connecting with large numbers of hard-to-reach community members, staff has also engaged with seniors, communities of faith, and others in smaller settings throughout the County.

Staff solicited input for Directions 2045 Long-Range Transportation Plan, gathering more than 6,500 responses from diverse community members at the OCTA booth. Staff also distributed information about the Youth Ride Free Pass, numerous transit marketing programs, programs for seniors and people with disabilities, transit training opportunities for caregivers, the OC Streetcar Project, the Interstate 405 (I-405) Improvement Project, and other transportation programs.

During many cultural events throughout the year, staff leveraged strong relationships with the Asian American, Hispanic, and other diverse communities, specifically with the news media, cultural ambassadors/influencers, and community leaders to help increase visibility of OCTA and its transportation projects, programs, and plans. These major events served as an important way to engage with OCTA's targeted audiences by establishing a direct line of communication to gain a better understanding of what types of media these communities prefer and how they prefer to stay informed. So far this year for the Trust-Building Campaign, staff reached more than 48,300 community members and 7,900 small-business people as compared to 26,000 community members and more than 2,300 businesspeople in 2022.

Staff utilized both traditional communications and outreach tactics along with advertising in Spanish and Vietnamese on television, radio, newspapers, and social media sites to promote OCTA projects. This included earned news coverage for OCTA's Transit Equity Day, OCTA's participation in the Black History Month Parade and Unity Festival, and OCTA's booth for

mid-autumn festivities. Staff developed and placed in-language ads for the Orange County Hispanic Chamber, in Excelsior, La Ranchera, LSTV, Người Việt, and Việt Báo, to increase awareness of the Youth Ride Free Pass, consistently ensuring that images and language are both relevant and compelling to the audience.

Building and Expanding Partnerships with Other Organizations in Orange County

Staff continued to strengthen working partnerships with organizations that provided important services for Orange County's diverse and vulnerable communities, including CalOptima, the Boys and Girls Clubs of Central Orange County, Family Resource Centers, Jamboree Housing Corporation, Latino Health Access, Orange County Social Services Agency, The LGBTQ Center OC, and others.

This year, staff worked more closely with Moving Forward Psychological Institute, the Norooz Clinic Foundation, and other organizations that provide mental wellness services. This work helped generate awareness of OCTA among 1,400 community members during five outreach events on mental wellness for both caretakers and the general community. These mental health community leaders not only help OCTA provide resources and information about transportation programs, projects, and plans, but they also serve as places of community and connection — especially important to diverse and disadvantaged communities.

Staff participated in weekly meetings with many organizations — both existing partners and new partnering organizations, such as Goodwill of Orange County, Santa Ana Parks and Recreation Department, and several senior centers in central and northern Orange County with diverse constituents — to share OCTA collateral materials and digital content. Staff continues each year to identify 15 to 20 additional business, community, civic, and nonprofit organizations to foster partnerships and involve them with ongoing programs and projects as well as to seek their support with future transportation initiatives and plans.

Collaboration with Contracts Administration and Materials Management

Staff worked closely with OCTA's Contracts Administration and Materials Management (CAMM) Department to engage with disadvantaged and minority-owned businesses by attending numerous ethnic chambers' conferences, workshops, mixers, and other events to share procurement opportunities. Staff participated in 62 business events throughout Orange County, engaging with nearly 12,000 diverse business owners over the past two

years. Staff has participated in over 40 events with over 8,000 attendees collectively so far this year, representing nearly a doubled effort from the prior year.

During these events, staff shared information on OCTA's procurement process, provided hands-on help and assisted with questions in addition to informing the small business owners and their representatives about a host of different transportation updates and news.

During the past year, staff coordinated small-business workshops with the Small Business Development Center of Orange County and other business groups attended by more than 200 minority small business owners. This work generated increases in registration numbers for OCTA's online procurement portal.

Diverse Community Leaders Group

OCTA's Diverse Community Leaders Group is comprised of influential community, business, faith, and education leaders in Orange County. The diverse leaders continue to play an important and active role in providing their constituents' valuable feedback to OCTA while also sharing OCTA's transportation updates and plans with their members.

The group has been instrumental in helping to generate public input for the Transportation Demand Management Plan, the Making Better Connections Study, and the Long-Range Transportation Plan along with sharing their suggestions to enhance messaging for transit marketing programs, helping OCTA reach diverse audiences with construction updates for the OC Streetcar and I-405 projects, supporting Active Transportation initiatives, and many other programs and projects.

Summary

OCTA continues to focus on reaching diverse communities and underrepresented populations, especially with in-person events and partnerships with community-based organizations that serve disadvantaged people. OCTA continues to build and cultivate relationships based on trust and position the agency for future success to help deliver the Board and CEO initiatives of enhanced engagement with diverse, disadvantaged, and other hard-to-reach communities.

Attachment

None.

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UPDATE

on DIVERSITY
OUTREACH



DIVERSITY OUTREACH

OBJECTIVES

- Connecting with content
- Connecting with commerce
- Connecting with culture



Connecting with Content



Connecting with Content

INTERSTATE 405 IMPROVEMENT PROJECT
ĐANG THI CÔNG Ở ĐÂY

LUÔN CẬP NHẬT
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Phụ huynh người giám hộ có thể nhận được thông tin về các dự án cải thiện đường cao tốc 405 và các dự án khác. Đăng ký nhận bản tin ngay hôm nay!

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MÃNG ĐƯỜNG ĐỂ CÀU THÌM LÀ Q?

BẮT ĐẦU VÀO HÀNH TRÌNH TỚI MẮT

PROGRAMA DE TRANSPORTE PARA PERSONAS MAYORES
CREANDO SOLUCIONES DE TRANSPORTE PARA PERSONAS MAYORES

PROGRAMA DE MOVILIDAD PARA PERSONAS MAYORES
Este programa para llevar al trabajo entre las estaciones locales de ruta fija y off para viajes ACCESOS proporcionado opciones de transporte local a personas mayores en las ciudades con límites del Condado de Orange. Para obtener más información, llame al 1 (949) 485-5600.

PROGRAMA DE TRANSPORTE MEDICO (BUSES, PERSONAS MAYORES) QUE NO SON DE EMERGENCIAS
Proporciona transporte a adultos mayores que necesitan transporte de viaje contra a sus citas médicas, dentales, terapias, programas de ejercicio, pruebas y otros viajes relacionados con la salud. Para obtener más información, llame al (909) 510-2020 o (714) 485-5600.

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• Pacific Mall
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TIENDA OCTA
600 S. Main St.
Orange, CA
(Cerca de Main/Plaza Mall y CHOC Hospital)

www.OCTA.net
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8 A.M. TO 5 P.M.
LUNES TO VIERNES

Para más información en vietnamita, Ted Nguyen (714) 569-5334
español: Tito Verdugo (714) 569-5657 | Chino: Annelia Hsu (714) 569-3353

Algunos programas podrían requerir asistencia.

DIA DE LOS MUERTOS
Celebrating
DAY OF THE DEAD
ACTIVITY BOOK

OCTA ACCESS

TOGETHER, WE'LL GO FAR

DÍA DE LOS MUERTOS
HOJA INFORMATIVA

El Día de los Muertos es uno de las celebraciones culturales más importantes de México con celebraciones el 1 y 2 de noviembre.

El Día de los Muertos es una oportunidad para recordar y celebrar las vidas de los seres queridos fallecidos.

La ofrenda o altar es frecuentemente el símbolo más reconocido del Día de los Muertos. Este altar temporal es una forma significativa para que las familias honren a sus seres queridos.

Los altares tienen muchos elementos tradicionales como velas, caléndulas, fotografías, calaveras de azúcar, agua y comida.

Connecting with Community

MEANINGFUL METRICS *for* DIVERSE COMMUNITIES

JANUARY TO OCTOBER 2023

45 Large-Scale Events
51,300 Event Participants
32,267 Booth Visitors



Cinco de Mayo Festival in Anaheim



Cultural Events throughout O.C.



Resource Fairs in Anaheim



OC Pride in Santa Ana

Connecting with Commerce

MEANINGFUL METRICS *for* DIVERSE SMALL BUSINESSES



19 OPEN PROCUREMENT FLYERS



59 DIVERSITY BUSINESS EVENTS



12,300 PARTICIPANTS



3 MESSAGES FOR BUSINESSES:

- SHARE INFO. ON PROCUREMENT PROCESS
- PROVIDE HELP FOR BIDDERS
- AWARD MORE THAN \$184.9 MILLION TO DIVERSE BUSINESSES IN FISCAL YEARS 2021-2022 & 2022-2023



4 WEBINARS ON PROCUREMENT WITH 190 BUSINESS OWNERS



9 ADS FOR DIVERSE BUSINESS ORGANIZATIONS

Connecting with Culture

UPCOMING ENGAGEMENT *for* DIVERSE CULTURES

DIA DE LOS MUERTOS



NOV. 4 4TH STREET IN SANTA ANA



FEBRUARY 2024 YEAR OF THE DRAGON



FEB. 3, 2024 DOWNTOWN ANAHEIM



MARCH 2024 IRVINE