



Committee Members Present

Shawn Nelson, Chairman
Michael Hennessey, Vice Chairman
Laurie Davies
Barbara Delgleize
Al Murray
Tim Shaw
Gregory T. Winterbottom

Staff Present

Darrell E. Johnson, Chief Executive Officer
Ken Phipps, Deputy Chief Executive Officer
Laurena Weinert, Clerk of the Board
Sara Meisenheimer, Deputy Clerk of the Board
James Donich, General Counsel
OCTA Staff and Members of the General Public

Committee Members Absent

None

Call to Order

The September 20, 2018 regular meeting of the Legislative and Communications Committee was called to order by Committee Chairman Nelson at 9:05 a.m.

Pledge of Allegiance

Director Davies led in the Pledge of Allegiance.

1. Public Comments

No public comments were received.

Special Calendar

2. Sacramento Advocate Presentation

Lance Larson, Executive Director of Government Relations, introduced Sacramento Advocate, Moira Topp, who reported on the following:

- The Legislature adjourned on August 31st at midnight and the Governor has until September 30th to review the bills received.
- There were 2,300 bills introduced this year, the Governor has signed 900 of them, vetoed 42, and 600 still need to be deliberated.
- Recap on bills this year:
 - Assembly Bill (AB) 327 – Bill died in the Appropriations hearing.
 - Toll Evasion Bill – Died.
 - AB 3124 – Gives the Orange County Transportation Authority (OCTA) more flexibility with bike racks on articulated buses.
 - AB 3201 – Provides more structure to the California Air Resources Board (ARB) regulations for bus purchases. This bill was not successful.



2. (Continued)

- Senate Bill (SB) 1119 – Reforms and streamlines the Low Carbon Transit Operations Program. This bill is pending before the Governor.
- SB 502 – Allows Metrolink to use Construction Management/General Contract authority which was amended on the floor. OCTA worked with Metrolink and its sister agencies.
- AB 382 – Related to the Transportation Corridor Agencies which could come back.
- SB 1466 and Senate Constitutional Amendment 20 - Companion measures related to online sales tax issues that were not successful.
- The Assembly includes:
 - 55 Democrats
 - 25 Republicans
 - Three open seats
- The Senate includes:
 - 26 Democrats
 - 14 Republicans
 - One open seat
- Most of 2019 will probably be spent adapting to the new Governor.
- Number of court decisions that will have some ramifications.
- The budget for next year will be already be put together by the Governor's team and the new Governor will have input on the May revisions.
- SB 1 and Proposition 6 in the transportation field are of high focus for next year on whether they pass or fail.

Consent Calendar (Items 3 and 4)

3. Approval of Minutes

A motion was made by Director Murray, seconded by Director Davies, and declared passed by those present, to approve the minutes of the Legislative and Communications Committee meeting of August 16, 2018.

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

A motion was made by Director Murray, seconded by Director Davies, and declared passed by those present, to review and approve the updated Orange County Transportation Authority's 2018 Limited English Proficiency Plan.

Regular Calendar

5. State Legislative Status Report

Lance Larson, Executive Director of External Affairs provided opening comments and introduced Kristin Essner, Manager of State and Federal Relations, who reported on the following:

- An overview of SB 502, reasons for OCTA's oppose unless amended position, and how the bill was eventually amended.
- After the author accepted OCTA's amendments, OCTA's position changed to a support position.
- SB 502 would give OCTA and other county transportation commissions construction manager/general contractor authority for any Metrolink projects.
- Federal government is seeking to remove the Clean Air Act waiver for the State of California to enforce its own clean air vehicle standards.

A discussion ensued regarding:

- Darrell E. Johnson, Chief Executive Officer (CEO), OCTA, and Art Leahy, Chief Executive Officer of Metrolink, having conversations about discrepancies in the process and the language amending SB 502, that was not shared with OCTA.
- Concerns with Metrolink not adhering to OCTA's historical process in regards to allowing sufficient time for OCTA to review the new language in SB 502.
- Committee Chairman Nelson and Director Winterbottom serve on the Board of Directors for Metrolink and stated it is their responsibility to address the Board.
- A suggestion to amend the Joint Powers Authority (JPA) that governs Metrolink to ensure any legislation that has not come to the member agencies first cannot be sponsored.
- Metrolink's actions put OCTA in an uncomfortable position to disagree on the bill in Sacramento, when OCTA should be supportive of Metrolink.
- OCTA took a much more vocal position than other member agencies but gained the support of the Los Angeles County Metropolitan Transportation Authority and Riverside County Transportation Commission.
- James Donich, General Counsel, stated that any amendment to the JPA agreement would require a unanimous agreement by the voting agencies.
- Update on AB 2886, OCTA not taking a position, and the reason for the push was due to bargaining tactics.

5. (Continued)

- Differences between the federal air quality regulations in California and other states.
- Director Murray has asked the Legislation and Communications Committee to monitor Assembly Concurrent Resolution No. 149, which will be dedicated and sponsored by the City of Tustin.

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

6. The Orange County Transportation Authority's Draft 2019-2020 State and Federal Legislative Platforms

Lance Larson, Executive Director of External Affairs provided opening comments and Kristin Essner, Manager of State and Federal Relations, reported on the following:

- The final adoption of the State and Federal Legislations Platforms will be brought to the Legislation and Communications Committee in November.
- Overview on how the drafts incorporate feedback and suggestions solicited from OCTA staff and various groups.
- Attachments A, B, and C of the Staff Report were referenced to reflect the draft changes.
- Highlights of larger changes made to the State and Federal Platforms.

A motion was made by Director Murray, seconded by Director Davies, and declared passed by those present, to direct staff to further develop the initial drafts of the Orange County Transportation Authority's 2019-20 State and Federal Legislative Platforms and prepare subsequent drafts for final approval later this year.

7. Proposed Innovative Clean Transit Regulation

Kristin Essner, Manager of State and Federal Relations, provided opening comments and presented a PowerPoint presentation as follows:

- Requirements for Transit Agencies;
- Areas of Concern; and
- Next Steps.

A discussion ensued regarding:

- Clarification on the requirement of 25 percent of buses to be zero-emission based on when the bus procurement takes place.

7. (Continued)

- Explanation on what is considered as a zero-emission bus.
- Positive and negative impacts of zero-emission buses, references to Attachments A and B of the Staff Report, and how OCTA would prefer the regulations to be based on a performance outcome rather than on a purchase requirement.
- Weight limit concerns on zero-emission buses.

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

Discussion Items

8. Chief Executive Officer's Report

Darrell E. Johnson, CEO, reported on the following:

- Staff will report back to the Legislation and Communications Committee on the results of the September 27th ARB hearing.
- Director Murray took second place in the bus driving competition at the OCTA Bus Rodeo and Jennifer Bergener, Chief Operating Officer, took first place in the Executive category.
- The Santiago Canyon College student pass program will be going into effect, and a kick-off event will be held on campus next Wednesday, September 26th, at 11:45 a.m.
- The OC Flex pilot will be launched on October 15th in Huntington Beach, and on October 20th in south Orange County. In addition, a series of outreach events will be held as follows:
 - September 21st – Staff will be at the Taste of Bella Terra in Huntington Beach from 6:00 p.m. to 9:00 p.m.
 - October 8th – The new OC Flex vehicle will be displayed at the OCTA Headquarters after the OCTA Board meeting.
- On Saturday, September 22nd, OCTA will be hosting an open house at the OCTA Headquarters parking lot to provide information about the Long-Range Transportation Plan. The open house will take place from 9:00 a.m. to 12:00 p.m.

9. Committee Members' Reports

Director Delgleize asked Ms. Topp if the Governor signed a bill that no longer requires scooter riders to wear a helmet. Ms. Topp confirmed that this is true, and it will only apply to riders over the age of 18 years old.



10. Closed Session

There were no Closed Session items scheduled.

11. Adjournment

The meeting adjourned at 10:01 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, October 18, 2018**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.

ATTEST

Shawn Nelson
Committee Chairman

Sahara Meisenheimer
Deputy Clerk of the Board