



Committee Members Present

Via Teleconference

Lisa A. Bartlett, Chairwoman
Gene Hernandez, Vice Chairman
Mark A. Murphy
Harry Sidhu
Donald P. Wagner

Staff Present

Jennifer L. Bergener, Deputy Chief Executive Officer
Allison Cheshire, Interim Deputy Clerk of the Board
Sahara Meisenheimer, Deputy Clerk of the Board

Via Teleconference

Darrell E. Johnson, Chief Executive Officer
James Donich, General Counsel

Committee Members Absent

Barbara Delgleize
Michael Hennessey

Call to Order

The February 18, 2021 regular meeting of the Legislative and Communications (L&C) Committee was called to order by Committee Chairwoman Bartlett at 9:00 a.m.

Roll Call

The Deputy Clerk of the Board conducted an attendance Roll Call and announced there was a quorum of the L&C Committee.

Pledge of Allegiance

Committee Vice Chairman Hernandez led in the Pledge of Allegiance.

1. Public Comments

No public comments were received.

Special Calendar

2. Conference Call with State Legislative Advocate Moira Topp

Moira Topp, State Legislative Advocate, reported on the following:

- Bill introduction deadline is Friday, February 19, 2021.
 - Approximately 500 Senate and 1000 Assembly bills have been introduced so far.
- Many spot bills have been introduced for transportation.
- A cluster of bills in the climate arena have been introduced, addressing everything from automobile and truck requirements, changes to Senate Bill 375 (Chapter 728, Statutes of 2008), and sustainable communities strategy goals.



2. (Continued)

- Legislature has been engaged in budget discussions.
- Governor's budget items
 - Called on Legislature to act on immediate action items before June.
 - Golden State Stimulus Package
 - Includes \$600 for low income households.
 - Approximately \$2 billion for small business relief.
 - Reversal of cuts from the 2020 budget
- Senator Scott Wilk is the new Republican leader in the Senate

3. Committee Meeting 2021 Calendar

Darrell E. Johnson, Chief Executive Officer (CEO), presented the 2021 Committee schedule, and reported that the Committee meetings would meet on the first third Thursday of each month at 9:00 a.m.

A motion was made by Director Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 5-0, to approve the 2021 Legislative and Communications Committee meetings calendar.

4. Roles and Responsibilities of the Legislative and Communications Committee

Darrell E. Johnson, CEO, reported that the roles and responsibilities are a tool to make sure items are being agenized correctly under the jurisdiction of each committee and that there are no proposed changes this year.

A motion was made by Director Wagner, seconded by Director Hernandez, and following a roll call vote, declared passed 5-0, to approve the 2021 Legislative and Communications Committee Roles and Responsibilities.

Consent Calendar (Items 5 and 6)

5. Approval of Minutes

A motion was made by Director Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 5-0, to approve the minutes of the Legislative and Communications Committee meeting of January 21, 2021.



6. Agreement for On-Call Planning Studies Public Outreach Consultant Services

A motion was made by Director Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 5-0, to

- A. Approve the selection of Arellano Associates, LLC as the firm to provide public outreach consulting services for upcoming planning studies.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2622 between the Orange County Transportation Authority and Arellano Associates, LLC, in the amount of \$275,000 for a two-year initial term with one, one-year option term, to provide public outreach consulting services for upcoming planning studies.

Regular Calendar

7. State Legislative Status Report

Kristin Jacinto, Manager of State and Federal Relations, reported on the following:

- Proposal related to seeking increased flexibility related to the Transportation Development Act requirements, which allow transit agencies to continue to operate during the coronavirus (COVID-19) pandemic.
- The Orange County Transportation Authority (OCTA) has been working with the California Transit Association (CTA) and statewide transit partners to seek several short-term reforms including:
 - Allowing more flexibility to use state funds for operations.
 - Temporary forgiveness for failure to meet farebox recovery requirements.
- Proposed trailer bill language that would target several reform areas:
 - Temporary forgiveness from farebox recovery requirements.
 - Reform how farebox recovery is calculated.
 - Exclusion of paratransit costs from the calculation.
- CTA continues to seek flexibilities in the use of capital dollars for operations and flexibility with certain cap and trade funds.

Ms. Jacinto also commented that staff is recommending that the Board of Directors adopt a support position supporting the intent of these proposals, but also continuing to work with transit partners on further revisions. This would include refining the definitions included and to make sure that they match what transit agencies actually do.

7. (Continued)

Chairwoman Bartlett requested information on the current farebox recovery in relation to COVID-19 impacts.

Mr. Johnson, CEO, responded that OCTA is currently running and operating about 70 percent of pre-COVID-19 service and carrying about 50 percent of pre-COVID-19 riders, so the normal \$38 to \$40 million a year in farebox revenue is at less than half.

Andrew Oftelie, Chief Financial Officer (CFO), reported that the requirement in state law is that farebox recovery has to be 20 percent of the operating costs, which has been suspended for now. Recovery is approximately below ten percent, but actual numbers can be reported by the end of today's meeting.

A discussion ensued among the Committee Members and staff regarding decreased ridership, how service is being deployed, how the decreased ridership is affecting farebox recovery, and the introduction of an application to show real-time capacity on the buses.

Ms. Jacinto continued her report on the following:

- Vaccine distribution efforts such as:
 - A shift in direction;
 - Transit workers had been proposed to be included in the same tier as education workers, but focus shifted to age-based distribution;
 - Multi-agency letters sent to consider supporting transit as priority workers;
 - Essential workforce and transporting essential workforce;
 - Transit is part of the effort of vaccine distribution; and
 - Transit being critical to transporting students.

A motion was made by Director Hernandez, seconded by Director Murphy, and following a roll call vote, declared passed 5-0, to support the intent of the Governor's proposed budget trailer bill language to extend and expand regulatory relief measures related to the Transportation Development Act while continuing the work to improve the effectiveness of the proposal.

8. Federal Legislative Status Report

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

- The President proposed a \$1.9 trillion stimulus package, and the House has already drafted legislation to enact such a proposal.
 - The House bill contains \$30 billion in transit funding.
 - Unemployment benefit set to expire in March; it is expected that Congress will act by then.
 - Staff is tracking funding rumors and working with CTA and the American Public Transportation Association.
- An overview of the President's Executive Orders, including:
 - An Executive Order on COVID-19 safety in domestic travel requires face coverings on public transportation, which OCTA is working to implement.
 - Executive Orders on Buy America policies and new environmental goals, both of which staff needs more to comprehensively analyze.
- New Administration personnel:
 - Pete Buttigieg has been confirmed as Secretary of Transportation.
 - Nuria Fernandez is the Acting Federal Transit Administrator.
- Representative Michelle Steel (R-Huntington Beach) will join Representative Alan S. Lowenthal (D-Garden Grove) on the House Transportation and Infrastructure Committee.

No action was taken on this receive and file item.

Discussion Items

9. Chief Executive Officer's Report

Darrell E. Johnson, CEO, reported that he will be participating in a meeting later in the day hosted by the Self-Help Counties where the California State Transportation Agency (CalSTA) will be providing a briefing on its Climate Action Plan for Transportation Infrastructure. The plan has been underway since early 2020 and it is intended to help implement Governor Newsom's 2019 Executive Order directing CalSTA to leverage more than \$5 billion of discretionary transportation infrastructure investments to meet California's climate goals.



9. (Continued)

Additionally, Mr. Johnson, CEO, reported that his meetings are continuing with local elected officials to update them on OCTA's projects and programs and noted the following:

- Met last week with newly appointed Chair of the Senate Transportation Committee, State Senator Lena Gonzalez (D-Long Beach)
- Met yesterday Chair of the California Transportation Commission, Hilary Norton
- Scheduled to meet next week with Senator Tom Umberg (D-Santa Ana)

In response to a previous question by Committee Chairwoman Bartlett during the discussion under Item 7, Mr. Oftelie, CFO, reported that the current farebox recovery is at approximately seven percent for fixed-route service and at approximately under four percent for paratransit service. The overall farebox recovery rate is slightly under seven percent through December 2020. The numbers do not include bus advertising or property tax revenues.

Mr. Johnson, CEO, also commented that a report on the bus system, specifically the June 2021 Service Change, is scheduled for the Board of Directors meeting on Monday, February 22, 2021, and ties into the budget development next month.

10. Committee Members' Reports

There were no Committee Members' reports.

11. Closed Session

There were no Closed Session items scheduled.



12. Adjournment

The meeting adjourned at 9:47 a.m.

The next regularly scheduled meeting on this Committee will be held at **9:00 a.m. on Thursday, March 18, 2021**, at the Orange County Transportation Authority Headquarters, Conference Room 07, 550 South Main Street, Orange, California.

ATTEST

Lisa A. Bartlett
Chairwoman

Allison Cheshire
Interim Deputy Clerk of the Board