



# **AGENDA**

## ***Legislative and Communications Committee Meeting***

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### **Committee Members**

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

Orange County Transportation Authority  
Headquarters  
550 South Main Street  
Board Room – Conf. Room 07  
Orange, California

**Thursday, February 20, 2020 at 9:00 a.m.**

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

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.

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

### **Call to Order**

### **Pledge of Allegiance**

Director Delgleize

### **1. Public Comments**

### **Special Calendar**

### **2. Conference Call with State Legislative Advocate Moira Topp** Moira Topp/Lance M. Larson

An update of legislative items in Sacramento will be provided.



**3. Committee Meeting 2020 Schedule**

Committee Chair Laurie Davies

**Overview**

Committee Chair Davies will lead a discussion regarding the 2020 meeting schedule for the Legislative and Communications Committee. The proposed 2020 dates and time for this Committee is provided in Attachment A.

**Recommendation**

Approve the 2020 Legislative and Communications Committee meetings calendar.

**4. Roles and Responsibilities of the Legislative and Communications Committee**

Darrell E. Johnson

**Overview**

Roles and Responsibilities for the Legislative and Communications Committee are reviewed periodically for any appropriate changes or additions. These roles are presented in Attachment A for discussion.

**Recommendation**

Approve the 2020 Legislative and Communications Roles and Responsibilities.

**Consent Calendar (Items 5 and 6)**

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.

**5. Approval of Minutes - January 16, 2020**

Approve the minutes of the Legislative and Communications Committee meeting of January 16, 2020.

**6. Approval of Minutes - November 21, 2019**

Approve the minutes of the Legislative and Communications Committee meeting of November 21, 2019.



## **Regular Calendar**

### **7. State Legislative Status Report**

Kristin Jacinto/Lance M. Larson

#### **Overview**

An update is provided on legislation being proposed to offer free transit fares for youth and seniors. Policy principles are recommended for adoption to inform staff engagement on these proposals. An overview is provided of a legislative hearing on regional transportation solutions.

#### **Recommendation**

Approve a set of principles that should be considered for any legislation which seeks to require or facilitate programs to provide free transit fares for youth or seniors.

### **8. Federal Legislative Status Report**

Dustin J. Sifford/Lance M. Larson

#### **Overview**

Principles are proposed in preparation for surface transportation reauthorization discussions. Updates are provided on the reauthorization process, an effort to support federal grant awards to Orange County, and a hearing on rail grade crossing safety.

#### **Recommendation**

Adopt the proposed Principles for Surface Transportation Reauthorization Legislation and direct staff to take necessary and appropriate actions in furtherance of these goals in Washington, D.C.



**9. Agreement for Public Communications and Community Outreach Consultant Services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605**

Chris Boucly/Maggie McJilton

**Overview**

On October 28, 2019, the Board of Directors approved the release of a request for proposals for continued public outreach consulting services during the construction phase of the Interstate 405 Improvement Project between State Route 73 and Interstate 605. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for these services.

**Recommendations**

- A. Approve the selection of Kleinfelder Construction Services, Inc., as the firm to provide public outreach consulting services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1571 between the Orange County Transportation Authority and Kleinfelder Construction Services, Inc., in the amount of \$3,326,544, for a four-year term, effective May 1, 2020, through April 30, 2024, with an option term of up to 24 months, to provide public outreach consulting services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605.

**Discussion Items**

**10. Chief Executive Officer's Report**

**11. Committee Members' Reports**

**12. Closed Session**

There are no Closed Session items scheduled.

**13. Adjournment**

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, March 19, 2020**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.





# ORANGE COUNTY TRANSPORTATION AUTHORITY

## 2020 Legislative & Communications Committee Meetings

**DRAFT**  
02.20.20

JANUARY						
SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
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FEBRUARY						
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MARCH						
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APRIL						
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MAY						
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JUNE						
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JULY						
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AUGUST						
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SEPTEMBER						
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OCTOBER						
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NOVEMBER						
SUN	MON	TUE	WED	THU	FRI	SAT
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DECEMBER						
SUN	MON	TUE	WED	THU	FRI	SAT
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OCTA, OCTD, OCLTA, and OCSAFE regular Board meeting  
9:00 a.m., OCTA Headquarters  
550 South Main Street, Board Room - Conf. Room 07-08, Orange CA

L & C  
9:00 a.m.

OCTA Holidays

**2020 OCTA Proposed Committee Meeting Calendar  
Legislative and Communications Committee**

<b>Month</b>	<b>2020 Proposed Changes - Comparison with 2019 Calendar</b>
January	No change
February	No change
March	No change
April	No change
May	No change
June	No change
July	No change
August	No change
September	No change
October	No change
November	No change
December	No change

**Proposed  
Roles and Responsibilities  
of the Board Committees for 2020  
(02.20.20)**

**Legislative and Communications Committee**

- Recommends to the Board of Directors multi-level strategy and action plans for advancing priorities of OCTA at local, state, and federal levels of government;
- Reviews and makes recommendations to the Board of Directors for the annual legislative platforms and positions for legislative proposals;
- In coordination with the Chairman of the Board of Directors, advocates and testifies at the state and federal level on issues of importance to OCTA;
- Establishes relationships with legislative delegations at the state and federal levels;
- Makes recommendations to Board of Directors on use and procurement of professional services and contractors to support planning and delivery of OCTA projects, programs, and services;
- Interviews and recommends to the Board of Directors consultants to serve as legislative advocates in Sacramento and Washington, D.C.;
- Makes recommendations regarding annual state and federal funding requests;
- Provides guidance with public communication program goals, plans, and messages, and ensures they cultivate two-way communications with diverse communities, and are in compliance with Title VI and Environmental Justice requirements;
- Reviews and provides feedback on public communications, media relations, and community relations programs in support of OCTA initiatives;
- Reviews and provides feedback on marketing and customer engagement programs that are designed to create awareness or promote usage of OCTA transportation services and programs; and
- Monitors public and customer feedback, as well as communications program results and recommend course corrections as appropriate.



**Committee Members Present**

Laurie Davies, Chair  
Michael Hennessey  
Tim Shaw

**Committee Members Absent**

Lisa A. Bartlett, Vice Chairwoman  
Barbara Delgleize  
Gene Hernandez  
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

**Call to Order**

The January 16, 2020 regular meeting of the Legislative and Communications (L&C) Committee was called to order by Committee Chair Davies at 9:12 a.m.

**Pledge of Allegiance**

Director Hennessey led in the Pledge of Allegiance.

**1. Public Comments**

Craig Durfey, Garden Grove resident, provided comments about bringing safe routes to schools, the importance of green space and health in our community, and asked the Orange County Transportation Authority (OCTA) for a letter of support for a memorial dog park. Mr. Durfey asked for support of the military since his family served in the military.

**Special Calendar**

**2. Conference Call with State Legislative Advocate Moira Topp**

Moira Topp, Sacramento Advocate, reported on the following:

- The month of January is especially busy since new bills are introduced, and members can continue leftover bills from last year by the end of January.
- This the second year of a two-year session.
- February 21, 2020 is the deadline for all new bills to be introduced.
- The Governor released his \$222.2 billion budget last Friday and the expenditure plan is a 2.3 percent increase from last year.
- The Governor's priorities in the budget included: housing and homelessness, emergency response due to the wild fires, healthcare affordability, and climate resilience.

### **2. (Continued)**

- In terms of transportation, it is a status quo budget.
- The Governor is proposing \$1 billion to be used towards the Climate Catalyst Fund which could also be used towards transit purchases.
- There is a growing link between homelessness and transportation. An example is the California Department of Transportation and the litter abatement program.
- Two-year bills being heard this month are:
  - Senate Bill (SB) 732; and
  - SB 50.
- Assembly Bill 1350 is being introduced this year by Assemblywoman Gonzalez to require transit agencies to provide youth transit passes.

A discussion ensued regarding SB 50 and the possibility of getting additional amendments along the way.

### **Consent Calendar (Item 3)**

#### **3. Approval of Minutes**

Due to lack of quorum, the minutes of November 21, 2019, will return to the February 20, 2020 Legislative and Communications Committee meeting for consideration.

### **Regular Calendar**

#### **4. State Legislative Status Report**

Kristin Jacinto, Manager of State and Federal Relations, provided opening comments, introduced Alexis Leicht, Associate Government Relations Representative, and reported on the following:

- Overview of the California High-Speed Rail (CHSR) Project and the Governor focusing on the Central Valley segment of the project.
- Concerns among legislature members in Sacramento and transportation agencies across the state on whether the CHSR investment would also be made in the other rail segments.
- The federal government stated they would begin retracting funding because the CHSR project was not meeting its original intent.
- The Assembly Transportation Committee held an oversight hearing last November to review the CHSR investment in the Central Valley segment and whether there are opportunities to invest more in rail improvements throughout the state.

#### **4. (Continued)**

- Metrolink was asked to submit information to the Assembly Transportation Committee and California High-Speed Rail Authority (CHSRA) on what investments that could be made to benefit future high-speed rail on the Metrolink system.
- The CHSRA embarked on analysis to compare investment opportunities to other parts of the state.
- Assembly Member Daly has written correspondence to request more funding to be directed to the Anaheim to Burbank segment.
- The Los Angeles County Metropolitan Transportation Authority has been discussing the impacts of the 2028 Olympics and where funding could be used for rail improvements.

A discussion ensued regarding:

- A summary of Proposition 1A, the demarcations in Federal Railroad Administration safety procedures about trains going above 25 miles per hour and 125 miles per hour, and grade separations.
- Funding from high-speed rail could benefit grade separations between Anaheim to the Los Angeles Union Station.
- A reference to Attachment D in the Staff Report.
- The CHSRA wants to go forward with the Central Valley segment without any plans of future funds.
- Part of the conversations that some legislators have is questioning where the funding has been committed to already and how Proposition 1A can be used state-wide.
- Director Hennessey requested that OCTA take the position to not use the funds towards the environmental work and instead, divert the funds to other rail projects.
- Darrell E. Johnson, Chief Executive Officer (CEO), provided comments on southern California not being successful with High-Speed Rail, how OCTA can figure out how to get investment in the southern California rail system, and the definition of “book ends” in the urban areas of Anaheim, Los Angeles, and Burbank (within Proposition 1A).

Due to lack of quorum, no action was taken on this item, and it was moved to the Board of Directors meeting on January 27, 2020, without a committee recommendation.

## **5. Federal Legislative Status Report**

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

- Two funding bills were enacted:
  - A month-long continuing resolution which repealed \$7.6 billion rescission of transportation funding that was authorized by the Fixing America's Surface Transportation Act.
  - A yearlong transportation funding bill was signed at the end of December and the funding package includes resources for transportation programs.
- The funding bills include tax provisions like the Alternative Fuel Excise Tax Credit.

A discussion ensued regarding:

- The "US Debt clock" website and its financial statistics such as:
  - \$23 trillion is the national debt.
  - The country has spent \$4.5 trillion.
  - The deficit in a year is \$1 trillion
  - The economy is at 3.5 percent.
  - The Dow Jones Industrial Average.
- The national debt is not a tier one issue; however, OCTA is monitoring.
- California does not have a problem getting revenue; however, the state has a problem spending it.

No action was taken on this receive and file information item.

## **Discussion Items**

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

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

- On Saturday, January 25<sup>th</sup> at 10:00 a.m., OCTA will be hosting an equestrian ride at the Trabuco Rose Preserve in Trabuco Canyon to give the horse-riding community an opportunity to explore the open space. Horses are not provided.
- On Friday, January 31<sup>st</sup> at 10:30 a.m., OCTA will host an event at the Santa Ana base to celebrate the beginning of a zero-emissions bus fleet and the completion of the hydrogen fueling station.
- On Saturday, February 1<sup>st</sup> at 8:00 a.m. at the Irvine Metrolink Station, OCTA will be hosting the annual Lunar New Year event. The event encourages people to take the train to Los Angeles (LA) for LA's 121<sup>st</sup> Golden Dragon Parade. The train leaves at 9:28 a.m.



**7. Committee Members' Reports**

There were no Committee Members' Reports.

**8. Closed Session**

There were no Closed Session items scheduled.

**9. Adjournment**

The meeting adjourned at 9:53 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, February 20, 2020**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.

ATTEST

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Laurie Davies  
Committee Chair

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Sahara Meisenheimer  
Deputy Clerk of the Board





**Committee Members Present**

Laurie Davies, Chair  
Lisa A. Bartlett, Vice Chairwoman  
Michael Hennessey  
Gene Hernandez  
Tim Shaw

**Staff Present**

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

**Committee Members Absent**

Barbara Delgleize  
Gregory T. Winterbottom

**Call to Order**

The November 21, 2019 regular meeting of the Legislative and Communications (L&C) Committee was called to order by Committee Chair Davies at 9:02 a.m.

**Pledge of Allegiance**

Director Hennessey led in the Pledge of Allegiance.

**1. Public Comments**

There were no public comments received.

**Special Calendar**

There were no Special Calendar matters.

**Consent Calendar (Item 2)**

**2. Approval of Minutes**

A motion was made by Director Hennessey, seconded by Director Hernandez, and declared passed by those present, to approve the minutes of the L&C Committee meeting of October 17, 2019.



## **Regular Calendar**

### **3. Status Report of State Legislation Enacted in 2019**

Lance Larson, Executive Director of External Affairs, provided opening comments and introduced Kristin Jacinto, Manager of State and Federal Relations, who introduced Alexis Leicht, the new Associate Government Relations Representative. Ms. Jacinto reported on the following:

- An update on all the bills that the Orange County Transportation Authority (OCTA) took a position on this legislative session.
- The Governor had a similar veto percentage of 16.5 percent to what Governor Brown did in his last year of office.
- Senate Bill (SB) 277 was vetoed by the Governor.
- Overview of the following bills that were signed into law and OCTA supported: Assembly Bill (AB) 147, AB 252, and a sales tax exemption for zero emission buses.
- Two-year bills that continue to move forward are: SB 664 and SB 526.
- Ms. Jacinto noted that an error was found on page seven, paragraph five of the Staff Report. OCTA has an oppose position on SB 732.

A discussion ensued regarding how critical SB 732 is because the South Coast Air Quality Management District (SCAQMD) is looking into creating a district for sales tax and how OCTA needs continue to monitor the bill. Mr. Larson, Executive Director of External Affairs, provided comments on the Board Members of the SCAQMD and assured that OCTA will do a lot of outreach.

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

### **4. Orange County Transportation Authority 2019-20 State and Federal Legislative Platforms**

Lance Larson, Executive Director of External Affairs, provided opening comments and introduced Dustin Sifford, Senior Government Relations Representative, who reported on the following:

- This is the second version of the State and Federal Legislative Platforms and one of the biggest changes was to adjust the sponsor bill section.
- The toll operation bill, SB 664, will remain as a sponsor bill and the Active Transportation Program sponsor bill language will be removed.
- In the State Legislative Platform, it is recommended that language is added due to the Governor's recent Executive Order and the Safe Affordable Fuel-Efficient Vehicle Rule.

#### **4. (Continued)**

- In the Federal Legislative Platform, two minor changes are being recommended: to revise the language on the implementation of positive train control and broaden the provision on grade separations.

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

- A. Adopt the revised 2019-20 State and Federal Legislative Platforms.
- B. Direct staff to distribute the adopted platforms to elected officials, advisory committees, local governments, affected agencies, the business community, and other interested parties.

#### **5. Performance Evaluation of Federal Legislative Advocate, Potomac Partners, DC**

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

- This is the first year OCTA staff is evaluating the services provided by Potomac Partners, DC (PPDC).
- Since 2003, OCTA has contracted with PPDC for federal legislative advocacy services.
- The annual performance rating for PPDC is “very good” based on responsiveness, advancing OCTA’s positions and policies, and assisting in building cooperative relationships with members of Congress and the Administration.
- PPDC worked very hard on achieving the following:
  - Streamlining the Transportation Infrastructure Finance and Innovation Act (TIFIA) process;
  - Continuing to work on cleaning up the language for the use of revenues from aviation fuel;
  - Obtaining support for grant applications; and
  - Consistently scheduling OCTA into meetings with new delegation members.
- Next year, PPDC will work closely on making decisions related to surface transportation reauthorization.
- In regards to streamlining the TIFIA language, OCTA received support from Senators Cornyn and Feinstein and the delegation in Orange County led by Representative Rouda.

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

### **6. Performance Evaluation of State Legislative Advocate, Platinum Advisors, LLC**

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

- Background on the firm Platinum Advisors, LLC (Platinum) which includes the services of Moira Topp, who serves as the lead legislative advocate for OCTA.
- The annual performance rating for Platinum is rated excellent based on efforts.
- Highlights on SB 664, AB 147, AB 252, and SB 277.
- Platinum and Ms. Topp represented OCTA on SB 526, a two-year bill which provided changes to the SB 375 greenhouse gas emission reduction process for transportation agencies.
- Ms. Topp was able to establish new relationships with the delegation and most recently arranged the new Secretary of Transportation to meet with OCTA staff.
- Next year, it is anticipated that several bills related to how agencies operate their toll systems, enforce them, and give out penalties will be implemented. SB 664 will also continue to be a priority for OCTA.

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

## **Discussion Items**

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

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

- An update was given on the continuing resolution in Washington, D.C. The federal appropriations process is still ongoing. However, the House voted to pass a continuing resolution to fund the government for all the agencies and departments through December 20, 2019.
- This weekend crews will be installing the pre-cast concrete girders for the Bolsa Chica bridge for the Interstate 405 (I-405) Improvement Project. Closures will be from 11:00 p.m. to 7:00 a.m. on:
  - Friday, November 22<sup>nd</sup> at the Bolsa Chica Road, the southbound I-405, and the southbound Bolsa Chica on-ramp and; on
  - Saturday, November 23<sup>rd</sup> at Bolsa Chica Road, the northbound I-405, the southbound Bolsa Chica on-ramp, and the eastbound California State Route 22 off-ramp to Garden Grove Boulevard.
  - The public will be notified through all OCTA regular channels.

### **7. (Continued)**

- A closure for the Interstate 5 (I-5) Central Project will include the 17<sup>th</sup> Street off-ramp from the northbound I-5 for approximately 55 hours for paving and striping activities. This closure is scheduled on Friday, November 22<sup>nd</sup> at 10:00 p.m. through Monday, November 25<sup>th</sup> at 6:00 a.m. to realign the ramp with the newly constructed roadway. The public will be notified through all OCTA regular channels.
- OCTA's Connect Orange County-Los Angeles Transit Study is currently underway. This week, OCTA began its public outreach to transit riders traveling between Orange and Los Angeles counties. In the next couple of weeks, survey teams will visit key bus stops and locations to gather rider feedback.
- This is the final Legislative and Communications Committee of the year and everyone was thanked for their hard work and for tackling tough issues this year.
- Mr. Johnson, CEO, wished everyone a safe and Happy Thanksgiving holiday and stated that OCTA's administrative offices will be closed next Thursday, November 28<sup>th</sup> and Friday, November 29<sup>th</sup> for the holiday.

### **8. Committee Members' Reports**

Director Hernandez asked if there have been any complaints on the project shutdowns. Mr. Johnson, CEO, commented that there have been complaints, and OCTA tracks about 150 comments per month for the I-405 Improvement Project which is extremely low. He added that different OCTA channels of communication to the public is helpful.

Director Shaw asked if people are using the Waze application to avoid the construction. Mr. Johnson, CEO, confirmed that OCTA does have a partnership with Waze on the I-405 Improvement Project to populate specific detours. He added that Apple and Google maps do show more real time information and data.



**9. Closed Session**

There were no Closed Session items scheduled.

**10. Adjournment**

The meeting adjourned at 9:33 a.m.

The **9:00 a.m. Thursday, December 19, 2019**, meeting of the Legislative and Communications Committee was cancelled.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, January 16, 2020**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room – Conference Room 07, Orange, California.

ATTEST

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Laurie Davies  
Committee Chair

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Gina Ramirez  
Deputy Clerk of the Board



**February 20, 2020**

**To:** Legislative and Communications Committee

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

**Subject:** State Legislative Status Report

*Jennette Rhyne for*

### **Overview**

An update is provided on legislation being proposed to offer free transit fares for youth and seniors. Policy principles are recommended for adoption to inform staff engagement on these proposals. An overview is provided of a legislative hearing on regional transportation solutions.

### **Recommendation**

Approve a set of principles that should be considered for any legislation which seeks to require or facilitate programs to provide free transit fares for youth or seniors.

### **Discussion**

#### **Free Transit Fare Legislation**

Two bills have been introduced this legislative session which mandate that transit agencies provide free fares to certain groups of individuals in order to maintain eligibility for state transit funding provided through the State Transit Assistance program, Transportation Development Program (TDA), and the Low Carbon Transit Operations Program (LCTOP). The first of the bills, AB 1350 (Gonzalez, D-San Diego), requires transit agencies to offer free fares to all persons 18 and under. A copy of the bill is included as Attachment A. Currently the bill is pending in the Senate, awaiting committee assignment. The second bill, AB 2012 (Chu, D-Milpitas), requires transit agencies to offer free fares to all persons over the age of 65. A copy of the bill is included as Attachment B.

AB 2012 is currently pending in the Assembly, awaiting committee assignment. In the case of both bills, transit agencies would be authorized to count the use of a free pass for these purposes as full fare when calculating farebox recovery



pursuant to TDA requirements, helping to prevent any disruption in funding due to an inability to meet those requirements.

Over the last few years, several bills have been proposed in the Legislature seeking to incentivize or mandate the creation of lower or free fares for youth and other groups, with the goal of generating increased ridership on transit systems and helping to meet environmental goals. Most of these efforts have focused on passes specifically for low-income individuals, and similar to AB 1350 and AB 2012, did not identify a funding source. Because of the associated challenges with the lack of identified funding, insufficient funding, or duplication of existing programs, these efforts were not successful. However, AB 1350 and AB 2012 take unique approaches in making the free fare programs broader, tying the implementation to funding eligibility and removing any implications for farebox recovery requirements. When AB 1350 was heard in the Assembly Transportation Committee, the author pledged to work to find funding to help with implementation, specifically identifying cap-and-trade funds as an option.

The Orange County Transportation Authority (OCTA) has proactively sought to implement programs that reduce transit fares for both youth and seniors, as seen by the use of LCTOP funding to incentivize the development of college pass programs, and the use of voter approved Measure M2 dollars to reduce fares for seniors. Many of these efforts had the same goals as AB 1350 and AB 2012 – to encourage ridership and provide more affordable transportation options to those groups. In both situations, ridership increases have been observed. In addition, as part of OC 360° efforts, OCTA has explored the possibility of additional free or reduced fare programs and promotions. Funding and removal of certain regulatory constraints, such as farebox recovery requirements under TDA, would need to be identified to allow for such.

It is expected that additional legislation will be introduced this session seeking to implement free fare programs for similar groups already identified by AB 1350 and AB 2012, potentially in addition to others. Through its membership in the California Transit Association (CTA), OCTA staff has already engaged in conversations about how these proposals could be implemented in a manner that does not disrupt service or create issues with funding eligibility. Attachment C includes principles, which could inform these discussions going forward. These principles identify key barriers that would prevent implementation of these types of policies and recommendations for amendments to help transit agencies be supportive of these bills. While funding is the largest roadblock, with OCTA estimating it would cost about \$5 million just to offer free fares for persons 18 and under, additional issues identified by the principles include:



- Delayed implementation to allow transit agencies to have required public hearings, coordinate appropriate outreach, and develop corresponding fare media changes,
- Consideration of a phased-in approach, with associated reporting, to analyze actual ridership generated by the use of free fares to ensure the policy is achieving its intended result,
- Protections to ensure compliance with federal law, including prohibitions on offering services solely to transport students to schools, Title VI restrictions, and ridership reporting requirements to receive federal funding,
- Safety measures to allow transit agencies to remove passes from those individuals that violate the law or repeatedly disregard that transit agency's code of conduct.

Simultaneous to these efforts, CTA is also doing research on overall costs and logistical issues transit agencies would need resolved to implement these policies, which could include factors beyond those identified by OCTA. It is also expected that a conversation will continue this year about overall reforms to the TDA and farebox recovery requirements. It is currently unclear how the free transit pass discussion will interact with or change those longstanding reform proposals.

If adopted by OCTA's Board of Directors (Board), OCTA will use principles to engage with the authors of the two bills that have been introduced thus far on this subject, in coordination with CTA. As the bills are further developed, OCTA staff will again report back to the Board, with recommendations for a position on pending legislation, if needed.

#### State Legislative Hearing on Regional Transportation Solutions

On January 31, 2020, the Assembly Select Committee on Regional Transportation Solutions held a hearing in Ontario to discuss interregional connectivity and developing and connecting sustainable communities. As Chair of the committee, Assembly Member Holden (D-Pasadena) opened the conversation by indicating there must be bold steps taken in the transportation sector to reduce greenhouse gas (GHG) emissions, noting specifically the need to extend the Gold Line to the Ontario Airport.

Other panelists, including Alan Wapner, representing the Ontario International Airport Authority (OIAA), further detailed the importance of planning for this infrastructure today because the airport is growing significantly. The San Bernardino County Transportation Authority (SBCTA) stated they do not oppose the Gold Line extension; however, they mentioned they are soon bringing an alternative analysis to their board of directors regarding a variety of potential ways of connecting transit systems to the airport, anticipating

construction of a chosen alternative could begin in 2027. Legislators, including Assembly Members Rodriguez and Gomez-Reyes, and Senator Leyva, all emphasized that there be a collaboration between jurisdictions in the region to ensure any project providing that connectivity is timely and successful.

Prior to the hearing, Assembly Member Holden introduced AB 2011, which would establish a construction authority within San Bernardino County consisting of various cities connecting to the airport, OIAA, SBCTA, and the Los Angeles Metropolitan Transportation Authority. SBCTA's board of directors chair released a statement prior to this hearing, noting disappointment at the introduction of the bill, concerns that the establishment of construction authority would increase costs, and desire and willingness to collaborate on potential solutions. OCTA is monitoring these conversations to ensure that local transportation authority priorities and taxpayer intent in passing transportation sales tax measures are protected.

Other highlights from the committee include conversations about the nexus between housing and transportation, improvements needed in active transportation, and zero-emission passenger rail technology pioneered by SBCTA. The latter portion of the committee spoke largely to better connecting vulnerable populations to the transit systems, such as disadvantaged communities, students, and seniors, to improve ridership and reduce GHG emissions. Suggested proposals include free transit passes for ages 18 and under, students, and those over the age of 65.

### ***Summary***

An update is provided on legislation impacting transit fares, with principles recommended for adoption to engage in these discussions. An overview of a legislative hearing on regional transportation is provided.

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**Attachments**

- A. Assembly Bill No. 1350, Introduced by Assembly Member Gonzalez
- B. Assembly Bill No. 2012, Introduced by Assembly Member Chu
- C. Orange County Transportation Authority Principles for Transit Fare Program Legislation
- D. Orange County Transportation Authority Legislative Matrix

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AMENDED IN ASSEMBLY JANUARY 15, 2020

AMENDED IN ASSEMBLY JANUARY 6, 2020

AMENDED IN ASSEMBLY MARCH 26, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1350**

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**Introduced by Assembly Member Gonzalez**  
*(Coauthors: Assembly Members Chu, Gipson, and Nazarian)*

February 22, 2019

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An act to add Chapter 2 (commencing with Section 99100) to Part 11 of Division 10 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1350, as amended, Gonzalez. Free youth transit passes: eligibility for state funding.

Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes.

This bill would require transit agencies to offer free youth transit passes to persons ~~under~~ 18 years of age *and under* in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program. The bill would also require a free youth transit pass to count as a full price fare for purposes of calculating the ratio of fare revenues to operating costs.

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



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

1     SECTION 1. The Legislature finds and declares all of the  
2 following:

3     (a) Global climate change poses a serious threat to the economic  
4 well-being, public health, natural resources, and the environment  
5 of California.

6     (b) Greenhouse gas emissions that have been exacerbated by  
7 human activity play a central role in accelerating adverse climate  
8 change outcomes.

9     (c) California laws and regulations for reducing greenhouse gas  
10 emissions address one of the most important issues of our time,  
11 and increasing the use of public transportation is a vital component  
12 in reducing greenhouse gas emissions by 80 percent by the year  
13 2050.

14     (d) In addition to contributing to California's climate goals,  
15 public transportation systems provide an essential public service  
16 to all of the people of the state, including elderly, disabled, youth,  
17 and citizens of limited means. Providing programs that develop  
18 ridership and adoption of public transit help contribute to achieving  
19 established statewide climate goals.

20     (e) Student transit pass programs have been shown to increase  
21 overall transit ridership and fill empty seats on trains and buses,  
22 resulting in reduced costs per rider and improved service because  
23 of higher demand.

24     (f) Targeting student transit pass programs to middle school,  
25 high school, college, and university students can promote the  
26 development of lifelong transit riders and further bolster the  
27 capacity and reliability of transit systems.

28     (g) Transit pass programs in this state and across the country  
29 have resulted in significant increases in transit ridership and have  
30 made it easier and cheaper for students to get to schools and jobs.

31     (h) Student transit pass programs can help the state reduce  
32 greenhouse gas emissions, vehicle miles traveled, petroleum use,  
33 air pollution, and improve overall community health.

34     (i) Student transit pass programs can lower pollution around  
35 elementary schools, thereby improving student health.

36     (j) Schools are often a major generator of traffic in cities, and  
37 student transit pass programs can help reduce the traffic and  
38 parking problems in neighborhoods around schools.

1 (k) Student transit pass programs can reduce the need for  
2 colleges to use campus land for expensive parking structures when  
3 this land and money could be better used for educational purposes.

4 (l) Student transit pass programs have decreased the necessity  
5 of, and costs associated with, driving to and from school, thereby  
6 reducing the overall cost of school attendance and the parental  
7 burdens on working families.

8 (m) A University of California at Los Angeles study of 35  
9 college and university student transit pass programs across the  
10 United States in 2001 showed ridership increases of 71 to 200  
11 percent after the implementation of these programs.

12 SEC. 2. Chapter 2 (commencing with Section 99100) is added  
13 to Part 11 of Division 10 of the Public Utilities Code, to read:

14  
15 CHAPTER 2. FREE YOUTH TRANSIT PASSES  
16

17 99100. Notwithstanding any other law, a transit agency shall  
18 offer free youth transit passes to persons ~~under~~ 18 years of age  
19 *and under* in order to be eligible for state funding under the  
20 Mills-Deddeh Transit Development Act (Division 11 (commencing  
21 with Section 120000)), the State Transit Assistance Program  
22 described in subdivision (a) of Section 99312.2, or the Low Carbon  
23 Transit Operations Program created by Part 3 (commencing with  
24 Section 75230) of Division 44 of the Public Resources Code.

25 99101. A free youth transit pass provided pursuant to Section  
26 99100 shall count as a full price fare for purposes of calculating  
27 the ratio of fare revenues to operating costs.

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2012**

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**Introduced by Assembly Member Chu  
(Coauthor: Assembly Member Nazarian)**

January 28, 2020

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An act to add Chapter 2.5 (commencing with Section 99125) to Part 11 of Division 10 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2012, as introduced, Chu. Free senior transit passes: eligibility for state funding.

Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes.

This bill would require transit agencies to offer free senior transit passes to persons over 65 years of age in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, and the Low Carbon Transit Operations Program. The bill would require those free senior transit passes to count as full price fares for purposes of calculating the ratio of fare revenues to operating costs.

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

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

1     SECTION 1. Chapter 2.5 (commencing with Section 99125)  
2     is added to Part 11 of Division 10 of the Public Utilities Code, to  
3     read:

4  
5             CHAPTER 2.5. FREE SENIOR TRANSIT PASSES  
6

7     99125. Notwithstanding any other law, a transit agency shall  
8     offer free senior transit passes to persons over 65 years of age in  
9     order to be eligible for state funding under the Mills-Deddeh  
10    Transit Development Act (Division 11 (commencing with Section  
11    120000)), the State Transit Assistance Program described in  
12    subdivision (a) of Section 99312.2, and the Low Carbon Transit  
13    Operations Program created by Part 3 (commencing with Section  
14    75230) of Division 44 of the Public Resources Code.

15    99126. A free senior transit pass provided pursuant to Section  
16    99125 shall count as a full price fare for purposes of calculating  
17    the ratio of fare revenues to operating costs.

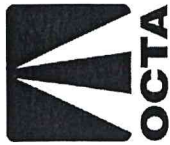


**Orange County Transportation Authority Principles for Transit Fare Program  
Legislation**

1. Implement the requirements at a date that allows sufficient time for transit agencies to comply with relevant federal requirements, including Title VI analysis and outreach and public hearings for fare changes. Time will also be needed to allow development of any necessary infrastructure and processes for transit passes and qualification requirements, and to program any needed funds to pay for the programs (assuming Principle 2 is completed). At a minimum, this may require a two-year lead time.
2. Provide a necessary source of funding to backfill the funds lost by the reduced fare revenues to prevent impacts to service levels, and to ensure the program is appropriately subsidized to prevent Title VI implications. This can take multiple forms, with priority being placed on the creation of an entirely new program to prevent funding from being siphoned away from planned transit projects:
  - a. A new, supplemental transit program, funded by cap-and-trade or other funding source, dedicated for this purpose and allocated on a formula basis consistent with State Transit Assistance (STA) and Low Carbon Transit Operations Program (LCTOP) funding. Such program should not include timing restrictions, or other limitations that create hurdles to transit agencies being able to consistently predict funding levels for this purpose or restrict geographic use.
  - b. Simultaneous to the above, allow cap-and-trade funding provided from the LCTOP to be used for these programs, without having to report greenhouse gas emission reductions, and be eligible to be used in perpetuity for this purpose (ie., no five-year limitation).
3. Consider a phased-in approach that first looks at requiring free-fares for targeted populations (K-12, 65 and older) during off-peak time periods, such as weekends and evenings. This can be done with reporting requirements to determine the policy's success at increasing ridership and analyze any inadvertent impacts to either a transit agency's financial standing or conflicts with federal requirements. If the program is successful, legislation could provide a pathway to expansion of the program with a correlating funding increase.
4. Require individuals to go to the transit agency to qualify for these services and receive a separate pass to allow them to ride the transit system. This will allow transit agencies to be able to report required ridership data to the federal government to qualify for federal funds. In addition, this will provide transit agencies with necessary data to support service levels on certain high-traveled corridors.
5. Limit required applicability to traditional fixed-route transit service, before broadening eligible services.

**Orange County Transportation Authority Principles for Transit Fare Program  
Legislation**

6. Require school districts to coordinate with transit agencies prior to removing any service levels from school bus service, and to analyze the potential to provide supplemental funding for increased public transit demand within school areas. Transit agencies shall not be required to provide service which is contrary to federal prohibitions against public transit operators operating services solely designed to transport students to school.
7. In order to allow for a safe operating environment for passengers, ensure transit agencies have the ability to revoke a transit pass from a person who has multiple infractions or violations of transit agency code of conduct.
8. Specify that nothing requires a transit agency to expand services beyond existing service as of the date of enactment or be prohibited from reducing service in the future.
9. Minimize qualification requirements to prevent an overly burdensome, costly process for transit agencies that requires the sharing of financial details.



## Orange County Transportation Authority Legislative Matrix

2020 State Legislation Session  
February 20, 2020

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>BILLS WITH POSITIONS</b>			
► AB 1402 (Petrie-Norris - D)  Active Transportation Program	Requires the California Department of Transportation to award Active Transportation Program (ATP) funds to projects and small urban and rural region distribution categories and to adopt a program of projects for those distribution categories. Provides guidelines for use of funds.	<b>INTRODUCED:</b> 02/22/2019 <b>LAST AMEND:</b> 03/26/2019 <b>LOCATION:</b> Assembly Transportation Committee  <b>STATUS:</b> 02/03/2020 <i>From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.</i>  02/03/2020 <i>In ASSEMBLY. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.</i>	SPONSOR  Support: Orange County Business Council (OCBC) (Co-Sponsor)

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► <b>AB 1568</b> <b>(McCarthy -- D)</b></p> <p>Housing Law Compliance: State Grants</p>	<p>Requires the California Department of Housing and Community Development to review any action or failure to act by a city or county that it determines is inconsistent with an adopted housing element or a specified provision of the Housing Element Law. Prohibits a city or county found to be in violation of state law from applying for a state grant, unless the eligibility of the city or county to apply is constitutionally required or the state grant funds, if awarded to the city or county, would assist in compliance.</p>	<p><b>INTRODUCED:</b> 02/22/2019 <b>LAST AMEND:</b> 04/11/2019 <b>LOCATION:</b> Assembly Appropriations Committee</p> <p><b>STATUS:</b> 02/03/2020 <i>From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.</i></p> <p>02/03/2020 <i>In ASSEMBLY: Died pursuant to Art. IV, Sec. 10(c) of the Constitution.</i></p>	<p>OPPOSE</p> <p>Support: California Apartment Association (Co-Sponsor), California Association of Realtors (Co-Sponsor)</p> <p>Opposed: Bizfed, California State Association of Counties, Marin County Council of Mayors and Councilmembers</p>
<p><b>ACA 13</b> <b>(Obernolte -- R)</b></p> <p>Local Sales Taxes: Online Sales</p>	<p>Provides that, for the purpose of distributing the revenues derived under a sales tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law, the retail sale of tangible personal property by a qualified retailer that is transacted online is instead consummated at the point of the delivery of that tangible personal property to the purchaser's address or to any other delivery address designated by the purchaser.</p>	<p><b>INTRODUCED:</b> 03/26/2019 <b>LOCATION:</b> ASSEMBLY</p> <p><b>STATUS:</b> 03/26/2019 INTRODUCED.</p>	<p>SUPPORT</p>



BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
► <b>SB 152</b> (Beall -- D) Active Transportation Program	Requires that a percentage of available ATP funds be awarded to projects selected by metropolitan planning organizations (MPO) in urban areas with populations greater than a specified amount with the available funds distributed to each MPO based on its relative share of the population, a percentage to fund projects in small urban and rural regions, and a percentage to projects competitively awarded by the commission on a statewide basis.	<b>INTRODUCED:</b> 01/22/2019 <b>LAST AMEND:</b> 04/25/2019 <b>LOCATION:</b> Senate Appropriations Committee  <b>STATUS:</b> 02/03/2020 <i>From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.</i>  02/03/2020 <i>In ASSEMBLY. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.</i>	<b>SUPPORT</b>  Support: Metropolitan Transportation Commission (sponsor), Riverside County Transportation Commission (RCTC)  Oppose (Partial List): California Bicycle Coalition, Walk Long Beach, PolicyLink
► <b>SB 526</b> (Allen -- D) Regional Transportation Plans: Greenhouse Gas Emissions	Requires the California Air Resources Board (ARB) to adopt a regulation that requires an MPO to provide any data that the ARB determines is necessary to fulfill the requirements of a specified report and to determine if the MPO is on track to meet its greenhouse gas emission reduction target deadline. Establishes an interagency working group to develop and implement a State Mobility Action Plan for Healthy Communities.	<b>INTRODUCED:</b> 2/21/2019 <b>LAST AMEND:</b> 04/30/2019 <b>LOCATION:</b> Senate Appropriations Committee  <b>STATUS:</b> 02/03/2020 <i>In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.</i>	<b>OPPOSE</b>  Support (Partial List): American Lung Association, ActiveSGV, California Bicycle Coalition, Coalition for Clean Air, Asthma Coalition of LA County  Oppose: California Association of Councils of Governments

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>SB 664 (Allen -- D)</b> Electronic Toll and Transit Fare Collection Systems	<p>Provides that a transportation agency is not prohibited from using or providing personally identifiable information for purposes of operating and managing an electronic toll collection or electronic transit fare collection system, auditing, or performing billing, collection, account maintenance, account settlement, and enforcement activities. Requires a transportation agency to limit the personally identifiable information it provides to information relevant to assist in carrying out an intended function.</p>	<p><b>INTRODUCED:</b> 02/22/2019  <b>LAST AMEND:</b> 9/10/2019  <b>LOCATION:</b> Assembly Privacy and Consumer Protection Committee</p> <p><b>STATUS:</b> 09/10/2019            In ASSEMBLY. Suspend Assembly Rule 96.</p> <p>09/10/2019            Re-referred to ASSEMBLY Committees on PRIVACY AND CONSUMER PROTECTION and JUDICIARY.</p> <p>09/10/2019            From ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION with author's amendments.</p> <p>09/10/2019            In ASSEMBLY. Read second time and amended. Re-referred to ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION.</p>	<p><b>SUPPORT</b></p> <p>Support (Partial List):            California Transit Association, Transportation Corridor Agencies, Los Angeles County Metropolitan Transportation Authority, OCBC, RCTC, Bay Area Transportation Authority, Self-Help Counties Coalition</p> <p>Oppose (Partial List):            American Civil Liberties Union of California, Consumer Attorneys of California (unless amended), Consumer Federation of California</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► <b>SB 732</b> <b>(Allen – D)</b></p> <p>South Coast Air Quality Management District</p>	<p>Authorizes the South Coast Air Quality Management District Board of Directors to impose a transactions and use tax within the boundaries of the agency.</p>	<p><b>INTRODUCED:</b> 2/22/2019 <b>LAST AMEND:</b> 01/14/2020 <b>LOCATION:</b> Senate Appropriations Committee</p> <p><b>STATUS:</b> 02/03/2020 <i>In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.</i></p>	<p>OPPOSE</p> <p>Support (Partial List): Coalition for Clean Air, Environmental Defense Fund, MoveLA</p> <p>Oppose (Partial List): San Bernardino County Transportation Authority, Orange County Taxpayers Association, California Business Roundtable</p>

## BILLS BEING MONITORED

*AB 11 (Chiu), which pertained to community redevelopment, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 40 (Ting), which pertained to zero emission vehicles, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 62 (Fong), which pertained to the state budget, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 71 (Melendez), which pertained to independent contractors, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

► CA AB 145	<b>AUTHOR:</b>	Frazier [D]
	<b>TITLE:</b>	High-Speed Rail Authority: Senate Confirmation
	<b>INTRODUCED:</b>	12/13/2018
	<b>LOCATION:</b>	Senate
	<b>SUMMARY:</b>	Provides that the members of the High-Speed Rail Authority appointed by the Governor are subject to appointment with the advice and consent of the Senate.
	<b>STATUS:</b>	
	01/17/2020	A vote was held in Assembly Floor - Pass
	<b>CATEGORY:</b>	Rail and Transit

*AB 146 (Quirk-Silva), which pertained to property leases, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 148 (Quirk-Silva), which pertained to sustainable communities, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 246 (Mathis), which pertained to property leases, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 287 (Voepel), which pertained to public employees' retirement, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*



CA AB 313	<b>AUTHOR:</b>	Frazier [D]
	<b>TITLE:</b>	Road Maintenance and Rehabilitation Account: Reports
	<b>INTRODUCED:</b>	01/30/2019
	<b>LAST AMEND:</b>	03/05/2019
	<b>LOCATION:</b>	Senate Rules Committee
	<b>SUMMARY:</b>	Requires the University of California and the California State University, on or before a specified date of each year, to each submit a report to the Transportation Agency and specified legislative committees detailing its expenditures of those moneys for that fiscal year, including, but not limited to, research activities and administration.
	<b>STATUS:</b>	
	05/29/2019	To SENATE Committee on RULES.
	<b>CATEGORY:</b>	Funding

*AB 322 (Gallagher), which pertained to the Political Reform Act, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 371 (Frazier), which pertained to freight transportation, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 380 (Frazier), which pertained to transportation funds, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 421 (Waldron), which pertained to the motor vehicle fuel excise tax, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

CA AB 422	<b>AUTHOR:</b>	Frazier [D]
	<b>TITLE:</b>	High-Speed Rail: Performance Measurement Dashboards
	<b>INTRODUCED:</b>	02/07/2019
	<b>COMMITTEE:</b>	Senate Transportation Committee
	<b>SUMMARY:</b>	Requires the High-speed Rail Authority, in consultation with the independent peer review group, to develop and update quarterly a set of summary performance measurement dashboards that show ongoing performance of the project and post on its internet website full sets of the summary performance measurement dashboards.
	<b>STATUS:</b>	
	05/08/2019	To SENATE Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Audits, Records, Reports, and Litigation

*AB 490 (Salas), which pertained to environmental review requirements, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 491 (Rubio), which pertained to hydrogen, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 510 (Cooley), which pertained to recording retention requirements, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 553 (Melendez), which pertained to the High-Speed Rail, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 554 (Chen), which pertained to traffic control devices, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 626 (Melendez), which pertained to conflicts of interest, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 628 (Bonta), which pertained employment protections, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 652 (Mayes), which pertained to highway signs, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 659 (Mullin), which pertained to transportation technologies, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 676 (Frazier), which pertained to the California Transportation Commission, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 745 (Petrie-Norris), which pertained to hydrogen vehicle fuel, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 808 (Chu), which pertained to vehicles, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 821 (O'Donnell), which pertained to the Trade Corridor Enhancement Account, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

CA AB 839	<b>AUTHOR:</b>	Mullin [D]
	<b>TITLE:</b>	Climate Adaption: Strategy
	<b>INTRODUCED:</b>	02/20/2019
	<b>LAST AMEND:</b>	06/26/2019
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Requires the Secretary of the Natural Resources Agency to review the Safeguarding California Plan, the state's climate adaptation strategy, and develop a strategic resiliency framework. Requires updates to the plan to include a review of the progress made implementing past plans and an evaluation of each lead agency's lead adaptation efforts. Creates the Resiliency through Adaption, Economic Vitality, and Equity Account for funding climate adaptation projects.
	<b>STATUS:</b>	
	08/30/2019	In SENATE Committee on APPROPRIATIONS: Held in committee.
	<b>CATEGORY:</b>	Environment

*AB 847 (Grayson), which pertained to housing development projects, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 882 (MCarty), which pertained to drug testing, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 905 (Chen), which pertained to the Highway Design Manual, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 939 (Grayson), which pertained to regulations, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 983 (Boerner Horvath), which pertained to transportation electrification, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

CA AB 1046	<b>AUTHOR:</b>	Ting [D]
	<b>TITLE:</b>	Air Quality Improvement Program: Clean Vehicles
	<b>INTRODUCED:</b>	02/21/2019
	<b>LAST AMEND:</b>	08/13/2019
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Requires the State Air Resources Board to develop a plan to provide for the funding of the Clean Vehicle Rebate Project. Requires the state board to provide to the Director of Finance a rebate structure designed to support the deployment of 5,000,000 zero-emission vehicles in the state by December 2030.
	<b>STATUS:</b>	
	08/30/2019	In SENATE Committee on APPROPRIATIONS: Held in committee.
	<b>CATEGORY:</b>	Environment

CA AB 1112	<b>AUTHOR:</b>	Friedman [D]
	<b>TITLE:</b>	Shared Mobility Devices: Local Regulation
	<b>INTRODUCED:</b>	02/21/2019
	<b>LAST AMEND:</b>	06/19/2019
	<b>LOCATION:</b>	Senate Transportation Committee
	<b>SUMMARY:</b>	Defines a shared mobility device as a bicycle, electric bicycle, motorized scooter, electrically motorized board, or other similar personal transportation device, that is made available to the public for shared use and transportation. Requires shared mobility devices to include a single unique alphanumeric ID. Prohibits the sharing of individual trip data, except as provided by the Electronic Communications Privacy Act.
	<b>STATUS:</b>	
	06/19/2019	In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Active Transportation

CA AB 1142	<b>AUTHOR:</b>	Friedman [D]
	<b>TITLE:</b>	Regional Transportation Plans: Transportation Network
	<b>INTRODUCED:</b>	02/21/2019
	<b>LAST AMEND:</b>	08/12/2019
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Authorizes the inclusion of an indicator regarding measures of policies to increase use of existing transit in regional transportation plans. Requires, in a specified commission rulemaking relating to TNCs, any decision that the commission issues regarding data sharing to reflect the needs of governmental entities, including metropolitan planning organizations, state and local transportation agencies, and the State Air Resources Board for analyzing and planning for the impacts of TNCs.
	<b>STATUS:</b>	
	08/30/2019	In SENATE Committee on APPROPRIATIONS: Held in committee.
	<b>CATEGORY:</b>	Miscellaneous

*AB 1148 (Patterson), which pertained to the High-Speed Rail, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 1167 (Mathis), which pertained to the Greenhouse Gas Reduction Fund, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 1198 (Stone), which pertained to transit workers, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

CA AB 1226	<b>AUTHOR:</b>	Holden [D]
	<b>TITLE:</b>	State Highways: Property Leases: Assessment
	<b>INTRODUCED:</b>	02/21/2019
	<b>LAST AMEND:</b>	06/12/2019
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Requires the Department of Transportation to assess the feasibility of constructing facilities above highways built below grade in urban areas that would be made available and leased to a city, county, or other political subdivision or another state agency for affordable housing, transitional housing, emergency shelter, feeding program, or wraparound services purposes, or any combination of thereof.
	<b>STATUS:</b>	
	08/30/2019	In SENATE Committee on APPROPRIATIONS: Held in committee.
	<b>CATEGORY:</b>	Planning

*AB 1241 (Quirk-Silva), which pertained to the state budget, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 1262 (O'Donnell), which pertained to the Sustainable Freight Action Plan, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 1273 (Brough), which pertained to local government, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 1277 (Obernolte), which pertained to transportation projects, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 1284 (Carillo), which pertained to carbon neutrality, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

CA AB 1286	<b>AUTHOR:</b>	Muratsuchi [D]
	<b>TITLE:</b>	Shared Mobility Devices: Agreements
	<b>INTRODUCED:</b>	02/21/2019
	<b>LAST AMEND:</b>	06/06/2019
	<b>LOCATION:</b>	Senate Judiciary Committee
	<b>SUMMARY:</b>	Requires a shared mobility service provider to enter into an agreement with, or obtain a permit from, the city or county with jurisdiction over the area of use. Requires the provider to maintain a specified amount of commercial general liability insurance. Prohibits the provider from including specified provisions in a user agreement before distributing a shared mobility device within that jurisdiction. Defines shared mobility device.
	<b>STATUS:</b>	
	06/25/2019	In SENATE Committee on JUDICIARY: Not heard.
	<b>CATEGORY:</b>	Public Works

► CA AB 1350	<b>AUTHOR:</b>	Gonzalez [D]
	<b>TITLE:</b>	Free Youth Transit Passes: State Funding
	<b>INTRODUCED:</b>	02/22/2019
	<b>LAST AMEND:</b>	01/15/2020
	<b>LOCATION:</b>	Senate
	<b>SUMMARY:</b>	Requires transit agencies to offer free youth transit passes to persons under a certain age in order to be eligible for state funding under the Mills Deddeh Transit Development Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program. Requires a free youth transit pass to count as a full price fare for purposes of calculating the ratio of fare revenues to operating costs.
	<b>STATUS:</b>	
	01/27/2020	A vote was held in Assembly Floor - Pass
	<b>CATEGORY:</b>	Rail and Transit

*AB 1397 (Burke), which pertained to tax credits, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 1411 (Gomez-Reyes), which pertained to sustainable freight, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*AB 1430 (Garcia, E), which pertained to public investment opportunities, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

CA AB 1457	<b>AUTHOR:</b>	Gomez Reyes [D]
	<b>TITLE:</b>	Omnitrans Transit District
	<b>INTRODUCED:</b>	02/22/2019
	<b>LAST AMEND:</b>	05/24/2019
	<b>LOCATION:</b>	Senate Governance and Finance Committee
	<b>SUMMARY:</b>	Creates Omnitrans Transit District in the County of San Bernardino. Provides that the jurisdiction of the district would initially include the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa and specified portions of the unincorporated areas of the County of San Bernardino.
	<b>STATUS:</b>	
	06/25/2019	From SENATE Committee on TRANSPORTATION: Do pass to Committee on GOVERNANCE AND FINANCE. (11-0)
	<b>CATEGORY:</b>	Rail and Transit

CA AB 1580	<b>AUTHOR:</b>	Levine [D]
	<b>TITLE:</b>	Major Infrastructure Construction Projects
	<b>INTRODUCED:</b>	02/22/2019
	<b>LAST AMEND:</b>	07/01/2019
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Requires a state agency undertaking a publicly funded transportation infrastructure construction project that is estimated to cost a specified amount or more to form an oversight committee, as provided, and to develop and use risk management plans throughout the course of the project, and to take specified actions relating to managing risks.
	<b>STATUS:</b>	08/30/2019 In SENATE Committee on APPROPRIATIONS: Held in committee.
	<b>CATEGORY:</b>	Audits, Records, Reports, and Litigation

*AB 1717 (Friedman), which pertained to transit-oriented affordable housing, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

CA AB 1770	<b>AUTHOR:</b>	Frazier [D]
	<b>TITLE:</b>	Tire Recycling Program: Rubberized Pavement
	<b>INTRODUCED:</b>	02/22/2019
	<b>LOCATION:</b>	Senate Environmental Quality Committee
	<b>SUMMARY:</b>	Extends the operation of the Rubberized Pavement Market Development Act to June 30, 2024.
	<b>STATUS:</b>	06/06/2019 To SENATE Committee on ENVIRONMENTAL QUALITY.
	<b>CATEGORY:</b>	Environment

*AB 1785 (Boerner-Horvath), which pertained to railroad owners, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

► CA AB 1839	<b>AUTHOR:</b>	Bonta [D]
	<b>TITLE:</b>	Climate Change: California Green New Deal
	<b>INTRODUCED:</b>	01/06/2020
	<b>LOCATION:</b>	Assembly
	<b>SUMMARY:</b>	Creates the California Green New Deal Council with a specified membership appointed by the Governor. Requires the California Green New Deal Council to submit a specified report the Legislature no later than a specified date.
	<b>STATUS:</b>	01/06/2020 Introduced
	<b>CATEGORY:</b>	Miscellaneous

► CA AB 1845	<p><b>AUTHOR:</b> Rivas, L [D]</p> <p><b>TITLE:</b> Homelessness: Office to End Homelessness</p> <p><b>INTRODUCED:</b> 01/06/2020</p> <p><b>LOCATION:</b> Assembly Housing and Community Development Committee</p> <p><b>SUMMARY:</b> Creates, within the Governor's office, the Governor's Office to End Homelessness, which would be administered by the Secretary on Housing Insecurity and Homelessness appointed by the Governor; requires that the office serve the Governor as the lead entity for ending homelessness in California and tasks the office with coordinating the various federal, state, and local departments and agencies that provide housing and services to individuals experiencing homelessness.</p> <p><b>STATUS:</b> 01/17/2020 To ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT.</p> <p><b>CATEGORY:</b> Homelessness</p>
► CA AB 1848	<p><b>AUTHOR:</b> Lackey [R]</p> <p><b>TITLE:</b> High-Speed Rail: Metrolink Commuter Rail System</p> <p><b>INTRODUCED:</b> 01/06/2020</p> <p><b>LOCATION:</b> Assembly Transportation Committee</p> <p><b>SUMMARY:</b> Appropriates a specified amount of revenues from the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the Southern California Regional Rail Authority to fund improvements to the Metrolink commuter rail system; requires those improvements to support blended operation with high-speed trainsets upon completion of specified phases of the high-speed rail system.</p> <p><b>STATUS:</b> 01/17/2020 To ASSEMBLY Committee on TRANSPORTATION.</p> <p><b>CATEGORY:</b> Rail and Transit</p>
► CA AB 1908	<p><b>AUTHOR:</b> Chen [R]</p> <p><b>TITLE:</b> Transportation: Homeless Encampment and Litter Program</p> <p><b>INTRODUCED:</b> 01/08/2020</p> <p><b>LOCATION:</b> Introduced</p> <p><b>SUMMARY:</b> Requires the Department of Transportation, within its maintenance program, to establish a Homeless Encampment and Litter Program to provide timely abatement and cleanup of homeless encampments on Department property and expedited and coordinated access to housing and supportive services. Requires the Department to coordinate with homeless service provider agencies and to establish homeless adult and family multidisciplinary personnel teams.</p> <p><b>STATUS:</b> 01/08/2020 Introduced</p> <p><b>CATEGORY:</b> Homelessness</p>



► CA AB 1934	<b>AUTHOR:</b> Voepel [R] <b>TITLE:</b> Planning and Zoning: Affordable Housing <b>INTRODUCED:</b> 01/15/2020 <b>LOCATION:</b> Assembly Housing and Community Development Committee <b>SUMMARY:</b> <i>Authorizes a development proponent to submit an application for a development to be subject to a streamlined, ministerial approval process provided that development meet specified objective planning standards, including that the development provide housing for persons and families of low or moderate income.</i> <b>STATUS:</b> 01/23/2020 To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and LOCAL GOVERNMENT. <b>CATEGORY:</b> Planning
► CA AB 1939	<b>AUTHOR:</b> Gonzalez [D] <b>TITLE:</b> Pedicabs: Electric Bicycles <b>INTRODUCED:</b> 01/16/2020 <b>LOCATION:</b> Assembly Transportation Committee <b>SUMMARY:</b> <i>Expands the definition of a pedicab to include electric bicycles.</i> <b>STATUS:</b> 01/23/2020 To ASSEMBLY Committee on TRANSPORTATION. <b>CATEGORY:</b> Active Transportation
► CA AB 1964	<b>AUTHOR:</b> Frazier [D] <b>TITLE:</b> Autonomous Vehicles <b>INTRODUCED:</b> 01/21/2020 <b>LOCATION:</b> Assembly Transportation Committee <b>SUMMARY:</b> <i>Expands the definition of the term autonomous vehicle to also include a remotely operated vehicle, defined as a specified type of vehicle that is capable of being operated by a driver or operator that is not inside of the vehicle. Specifies that a vehicle is not an autonomous vehicle if it is equipped with a collision avoidance system that is not capable of driving the vehicle without the active control or monitoring of a human operator that is seated in the vehicle.</i> <b>STATUS:</b> 01/30/2020 To ASSEMBLY Committees on TRANSPORTATION and COMMUNICATIONS AND CONVEYANCE. <b>CATEGORY:</b> Miscellaneous
► CA AB 1991	<b>AUTHOR:</b> Friedman [D] <b>TITLE:</b> Transit and Intercity Rail Capital Program: Tramway <b>INTRODUCED:</b> 01/27/2020 <b>LOCATION:</b> Assembly <b>SUMMARY:</b> <i>Expands the purpose of the Transit and Intercity Rail Capital Program to authorize funding for passenger tramway transit systems.</i> <b>STATUS:</b> 01/27/2020 Introduced <b>CATEGORY:</b> Rail and Transit

► CA AB 1992	<p><b>AUTHOR:</b> Friedman [D]</p> <p><b>TITLE:</b> Transportation: Asset Management Plan: Infrastructure</p> <p><b>INTRODUCED:</b> 01/27/2020</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b></p> <p><i>States the intent of the Legislature to enact legislation that would establish a new program to fund climate change adaptation planning for transportation impacts, data collection, modeling, and training. Requires the Department of Transportation, in consultation with the Transportation Commission, to update the asset management plan, and for the update to also address the forecasted transportation infrastructure impacts of climate change.</i></p> <p><b>STATUS:</b></p> <p>01/27/2020 Introduced</p> <p><b>CATEGORY:</b> Planning</p>
► CA AB 2011	<p><b>AUTHOR:</b> Holden [D]</p> <p><b>TITLE:</b> West San Bernardino County Rail Construction Authority</p> <p><b>INTRODUCED:</b> 01/28/2020</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b></p> <p><i>Creates the West San Bernardino County Rail Construction Authority for purposes of awarding and overseeing all design and construction contracts for completion of an extension of the Metro Gold Line light rail project from the City of Montclair to the Ontario International Airport. Prescribes the powers and duties of the Authority.</i></p> <p><b>STATUS:</b></p> <p>01/28/2020 Introduced</p> <p><b>CATEGORY:</b> Rail and Transit</p>
► CA AB 2012	<p><b>AUTHOR:</b> Chu [D]</p> <p><b>TITLE:</b> Free Senior Transit Passes: Eligibility for Funding</p> <p><b>INTRODUCED:</b> 01/28/2020</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b></p> <p><i>Requires transit agencies to offer free senior transit passes to persons over a certain age in order to be eligible for state funding under the Mills Deddeh Transit Development Act, the State Transit Assistance Program, and the Low Carbon Transit Operations Program. Requires those free senior transit passes to count as full price fares for purposes of calculating the ratio of fare revenues to operating costs.</i></p> <p><b>STATUS:</b></p> <p>01/28/2020 Introduced</p> <p><b>CATEGORY:</b> Rail and Transit</p>
► CA AB 2028	<p><b>AUTHOR:</b> Aguiar-Curry [D]</p> <p><b>TITLE:</b> State Agencies: Meetings</p> <p><b>INTRODUCED:</b> 01/30/2020</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b></p> <p><i>Requires that the notice of meeting of a state body, except for closed sessions, include all writings or materials provided for the noticed meeting to a member of the state body by staff of a state agency, board, or commission, or another member of the state body, that are in connection with a matter subject to discussion or consideration at the meeting. Requires these writings and materials to be made available on the internet at least 10 days in advance of the meeting.</i></p> <p><b>STATUS:</b></p> <p>01/30/2020 Introduced</p> <p><b>CATEGORY:</b> Miscellaneous</p>

CA ACA 2	<b>AUTHOR:</b> Nazarian [D] <b>TITLE:</b> State Tax Agency <b>INTRODUCED:</b> 12/03/2018 <b>LOCATION:</b> Assembly Revenue and Taxation Committee <b>SUMMARY:</b> Abolishes the State Board of Equalization and instead requires the Legislature to create a state tax agency by statute for purposes of carrying out those powers, duties and responsibilities previously vested in the State Board of Equalization. Authorizes the Legislature to vest all powers, duties, and responsibilities in a single state tax agency or separately in multiple state tax agencies. <b>STATUS:</b> 05/24/2019 To ASSEMBLY Committee on REVENUE AND TAXATION. <b>CATEGORY:</b> Miscellaneous
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CA SB 25	<b>AUTHOR:</b> Caballero [D] <b>TITLE:</b> CEQA: Projects Funded by Qualified Opportunity Zones <b>INTRODUCED:</b> 12/03/2018 <b>ENACTED:</b> 04/30/2019 <b>LOCATION:</b> Assembly Natural Resources Committee <b>SUMMARY:</b> Requires the Judicial Council to adopt rules of court applicable to an action or proceeding brought to attack, review, set aside, void, or annul the certification or adoption of an environmental review document. <b>STATUS:</b> 07/08/2019 In ASSEMBLY Committee on NATURAL RESOURCES: Heard, remains in Committee. <b>CATEGORY:</b> Environment
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CA SB 43	<b>AUTHOR:</b> Allen [D] <b>TITLE:</b> Carbon Intensity and Pricing: Retail Products <b>INTRODUCED:</b> 12/03/2018 <b>LAST AMEND:</b> 07/01/2019 <b>LOCATION:</b> Assembly Revenue and Taxation Committee <b>SUMMARY:</b> Requires the state board, no later than January 1, 2022, to submit a report to the Legislature on the findings from a study, as specified, to determine the feasibility and practicality of assessing the carbon intensity of all retail products subject to the tax imposed pursuant to the Sales and Use Tax Law, so that the total carbon equivalent emissions associated with such retail products can be quantified. <b>STATUS:</b> 07/08/2019 In ASSEMBLY Committee on REVENUE AND TAXATION: Failed passage. 07/08/2019 In ASSEMBLY Committee on REVENUE AND TAXATION: Reconsideration granted. <b>CATEGORY:</b> Funding
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*SB 50 (Wiener), which pertained to planning, failed passage and is now dead. Therefore, the bill has been removed from the matrix.*

CA SB 59	<b>AUTHOR:</b>	Allen [D]
	<b>TITLE:</b>	Automated Vehicle Technology: Statewide Policy
	<b>INTRODUCED:</b>	12/19/2018
	<b>LAST AMEND:</b>	07/03/2019
	<b>LOCATION:</b>	Assembly Appropriations Committee
	<b>SUMMARY:</b>	Requires the chair of the commission to establish an advisory committee, the California Council on the Future of Transportation, to provide the Governor and the Legislature with recommendations for changes in state policy to ensure that California continues to be the world leader in autonomous, driverless, and connected vehicle technology.
	<b>STATUS:</b>	
	08/30/2019	In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
	<b>CATEGORY:</b>	Miscellaneous

CA SB 146	<b>AUTHOR:</b>	Beall [D]
	<b>TITLE:</b>	Peninsula Rail Transit District
	<b>INTRODUCED:</b>	01/18/2019
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Repeals provisions relating to the Peninsula Rail Transit District.
	<b>STATUS:</b>	
	05/02/2019	To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Rail and Transit

CA SB 147	<b>AUTHOR:</b>	Beall [D]
	<b>TITLE:</b>	High-Speed Rail Authority
	<b>INTRODUCED:</b>	01/18/2019
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Authorizes the High-Speed Rail Authority to keep the public informed through activities, including, but not limited to, community outreach events, public information workshops, and newsletters posted on the authority's internet website.
	<b>STATUS:</b>	
	05/02/2019	To ASSEMBLY Committee on TRANSPORTATION.
	<b>CATEGORY:</b>	Audits, Records, Reports, and Litigation

*SB 162 (Galgiani), which pertained to bonds, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

CA SB 168	<b>AUTHOR:</b>	Wieckowski [D]
	<b>TITLE:</b>	Climate Change: Chief Climate Resilience Officer
	<b>INTRODUCED:</b>	01/28/2019
	<b>LAST AMEND:</b>	06/27/2019
	<b>COMMITTEE:</b>	Assembly Appropriations Committee
	<b>SUMMARY:</b>	Establishes the Chief Officer of Climate Adaptation and Resilience in the Office of Planning and Research to serve as the statewide lead for planning and coordination of climate adaptation policy and implementation and would specify the duties of the chief officer.
	<b>STATUS:</b>	
	08/30/2019	In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
	<b>CATEGORY:</b>	Planning

*SB 319 (Moorlach), which pertained to the state highway system, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

CA SB 336	<b>AUTHOR:</b>	Dodd [D]
	<b>TITLE:</b>	Transportation: Fully-Automated Transit Vehicles
	<b>INTRODUCED:</b>	02/19/2019
	<b>LAST AMEND:</b>	04/29/2019
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Requires a transit operator, as defined, to ensure each of its fully-automated transit vehicles, as defined, is staffed by at least one of its employees, who has had specified training, while the vehicle is in service. Requires a transit operator that deploys a fully-automated transit vehicle to report the results of that deployment.
	<b>STATUS:</b>	
	05/24/2019	To ASSEMBLY Committees on TRANSPORTATION and COMMUNICATIONS AND CONVEYANCE.
	<b>CATEGORY:</b>	Rail and Transit

*SB 340 (Stone), which pertained to the High-Speed Rail, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

CA SB 405	<b>AUTHOR:</b>	Archuleta [D]
	<b>TITLE:</b>	Reclaimed Asphalt Pavement: County of Los Angeles
	<b>INTRODUCED:</b>	02/20/2019
	<b>LAST AMEND:</b>	07/01/2019
	<b>LOCATION:</b>	Assembly Inactive File
	<b>SUMMARY:</b>	Authorizes the Department of Public Works of the County of Los Angeles to create a pilot project to demonstrate the viability of paving streets, roads and highways with hot mix asphalts composed as specified. Requires the pilot project to be conducted on streets, roads, and highways in the county and would require specific project sites in the county to be determined by the appropriate and usual process of the county.
	<b>STATUS:</b>	
	07/11/2019	In ASSEMBLY. To Inactive File.
	<b>CATEGORY:</b>	Audits, Records, Reports, and Litigation

*SB 447 (Moorlach), which pertained to local government, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*SB 517 (Archuleta), which pertained to privacy, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

*SB 615 (Hueso), which pertained to public records, failed to meet committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.*

CA SB 662	<b>AUTHOR:</b> Archuleta [D] <b>TITLE:</b> Green Electrolytic Hydrogen <b>INTRODUCED:</b> 02/22/2019 <b>LAST AMEND:</b> 04/30/2019 <b>LOCATION:</b> Assembly Utilities and Energy Committee <b>SUMMARY:</b> Requires the Public Utilities Commission and Energy Commission to take into account opportunities to increase grid responsive production of green electrolytic hydrogen for use in the transportation sector. Includes use of green electrolytic hydrogen as an alternative transportation fuel as another potential form of energy storage. <b>STATUS:</b> 06/13/2019 To ASSEMBLY Committee on UTILITIES AND ENERGY AND TRANSPORTATION. <b>CATEGORY:</b> Environment
► CA SB 757	<b>AUTHOR:</b> Allen [D] <b>TITLE:</b> State Highways: Relinquishment <b>INTRODUCED:</b> 02/22/2019 <b>LAST AMEND:</b> 01/23/2020 <b>LOCATION:</b> Assembly <b>SUMMARY:</b> Deletes the requirement that certain portions to be relinquished be deleted from the state highway system by legislative enactment, except to a specified segment of Route 710. Requires the Department of Transportation to biennially make a specified report to the Transportation Commission on which state highway routes or segments primarily serve regional travel and do not primarily facilitate interregional movement of people and goods. <b>STATUS:</b> 01/29/2020 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. 01/29/2020 A vote was held in Senate Floor - Pass <b>CATEGORY:</b> Miscellaneous
► CA SB 795	<b>AUTHOR:</b> Beall [D] <b>TITLE:</b> Affordable Housing and Community Development Investment <b>INTRODUCED:</b> 01/06/2020 <b>LOCATION:</b> Senate Governance and Finance Committee <b>SUMMARY:</b> Establishes the Affordable Housing and Community Development Investment Program administered by the Affordable Housing and Community Development Investment Committee; authorizes a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority, transit village development district or a combination of entities to apply to participate in the program. <b>STATUS:</b> 01/16/2020 To SENATE Committees on GOVERNANCE AND FINANCE, HOUSING, and EDUCATION. <b>CATEGORY:</b> Planning

► CA SB 895	<div data-bbox="431 197 1487 338"> <p><b>AUTHOR:</b> Archuleta [D]</p> <p><b>TITLE:</b> Energy: Zero-Emission Fuel, Infrastructure</p> <p><b>INTRODUCED:</b> 01/28/2020</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b></p> </div> <div data-bbox="431 348 1487 468"> <p><i>Requires the State Energy Resources Conservation and Development Commission, within the limits of available funds, to provide technical assistance and support for the development of zero-emission fuels, zero-emission fueling infrastructure, and zero-emission fuel transportation technologies.</i></p> </div> <div data-bbox="431 472 1487 550"> <p><b>STATUS:</b></p> <p>01/28/2020 Introduced</p> <p><b>CATEGORY:</b> Miscellaneous</p> </div>
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**February 20, 2020**

**To:** Legislative and Communications Committee

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

*Handwritten signature: Kenneth D. Johnson for*

**Subject:** Federal Legislative Status Report

### **Overview**

Principles are proposed in preparation for surface transportation reauthorization discussions. Updates are provided on the reauthorization process, an effort to support federal grant awards to Orange County, and a hearing on rail grade crossing safety.

### **Recommendation**

Adopt the proposed Principles for Surface Transportation Reauthorization Legislation and direct staff to take necessary and appropriate actions in furtherance of these goals in Washington, D.C.

### **Discussion**

#### **Surface Transportation Reauthorization Legislation Proposals**

The Fixing America's Surface Transportation (FAST) Act, the current surface transportation legislation authorizing federal highway, transit, and rail programs, will expire on September 30, 2020. Before that date, Congress must reauthorize transportation programs and adjust revenues into the Highway Trust Fund to avoid disrupting the delivery of federally-funded transportation programs. As a result, committees in both chambers of Congress have started the process of drafting surface transportation reauthorization proposals. Last year, the Legislative and Communications Committee received an update on legislation marked up in the Senate Environment and Public Works Committee that would authorize \$287 billion over five years only for highway programs. By comparison, the FAST Act authorized \$305.5 billion in total transportation spending – for highway, transit, and rail programs – over the same timeframe.

On January 29, 2020, the majority members of the House Transportation and Infrastructure Committee unveiled a proposal to authorize \$760 billion in



infrastructure spending over five years, more than double the authorized level in the FAST Act. While the proposal would authorize highway, transit, and rail programs, it would also broaden the scope of previous surface transportation bills to include airport infrastructure, port projects, as well as water resource investments, among other programs. A breakdown of the proposal from the Transportation and Infrastructure Committee majority members is as follows:

- \$434 billion for highway and transit investments – The proposal would authorize \$319 billion for highway programs, \$105 billion for transit projects, and \$10 billion dedicated to safety projects. Language is included on fix-it-first policies, revamping existing formulas, and addressing climate change.
- \$55 billion for rail investments – The proposal would provide significant funding for intercity passenger rail and commuter rail, although there was very little detail provided on how the funding would be allocated.
- \$30 billion for airport infrastructure – The proposal would increase airport fees to finance airway investments.
- \$19.7 billion for port projects – The proposal would revamp the Harbor Maintenance Trust Fund to allow for additional funding on port projects.
- \$85.9 billion for water projects – The proposal would authorize \$10 billion for water resources investments, \$50.5 billion for clean water projects, and \$25.4 billion for drinking water.
- Other investments include:
  - \$86 billion for broadband technology;
  - \$34.3 billion for electric grid modernization;
  - \$12 billion for emergency communications projects; and
  - \$2.7 billion for Brownfield restoration.

Unfortunately, legislative language does not yet exist, making it difficult for staff to analyze exactly how the proposal's provisions could affect the Orange County Transportation Authority (OCTA). Fact sheets have been prepared, however, that indicate some beneficial aspects to the agency. These proposals discuss how forthcoming legislation would streamline the Transportation Infrastructure Finance and Innovation Act (TIFIA) program, improve the discretionary grant process, provide additional funding for zero-emission bus transit technology, test a Road User Charge system, and make reforms to the Capital Investment Grants program. While legislative language is needed to fully evaluate these policies, the inclusion of these topics is promising, and staff will work with Congress and stakeholders to refine these proposals for the benefit of OCTA.

There were also some areas of concern with the majority's proposal. The fact sheets contained language about allowing metropolitan planning organizations to administer federal funds, which could contradict programming practices in Southern California. Other areas of concern included tighter standards on congestion management, potential greenhouse gas emission measures, new

language related to climate change and resiliency, and Buy America reforms. While difficult to analyze these proposals due to the lack of detail, staff will continue to provide updates as legislative language becomes available.

The minority members of the Transportation and Infrastructure Committee expressed a willingness to work in a bipartisan manner towards surface transportation reauthorization legislation. Specifically, the minority outlined the following principles in working towards bipartisan legislation:

- Long-term Highway Trust Fund sustainability – The volatility of fuel taxes justifies developing a long-term replacement for fuel taxes, the traditional source of Highway Trust Fund revenues.
- Incorporating innovative technologies – Federal policy must better reflect the capability of technological innovation to make transportation systems more efficient, improve safety, protect the environment, and create jobs.
- Streamlined project delivery process – Improving project delivery timelines will allow state and local agencies to more quickly build projects, thereby better leveraging taxpayer dollars.
- Addressing the needs of rural communities – Investing in rural transportation systems, which account for 71 percent of America’s road lane-mileage.
- Prioritizing existing transportation programs – Fixing the core functions of the existing transportation programs to ensure the safety and efficiency of the surface transportation network.
- State flexibility – Federal policy should reflect the unique nature of each state to allow states, and their local partners, to address infrastructure needs while also respecting local control.

That same day these proposals were released, the House Ways and Means Committee held a hearing entitled “Paving the Way for Funding and Financing Infrastructure Investments.” At the hearing, there was a discussion about the financing of infrastructure projects, specifically the need to address the long-term structural deficit facing the Highway Trust Fund. Unfortunately, the Ways and Means Committee did not provide updated cost estimates on any of the financing options discussed during the hearing, such as fuel tax increases or a potential Road User Charge system. The lack of consensus on financing mechanisms is particularly concerning because the Transportation and Infrastructure Committee’s proposal would authorize nearly twice as much as the FAST Act. Similarly, the annual budget projections published by the Congressional Budget Office did not provide additional policy details or cost estimates. Instead, the projections noted that revenues into the Highway Trust Fund continue to fall significantly short of expenditures on federal transportation programs.

Since the release of the House Transportation and Infrastructure Committee’s proposal, political leaders have started to shape the debate around potential

surface transportation legislation. The Ranking Member of the House Transportation and Infrastructure Committee, Sam Graves (R-MO), discussed the need to study a transition from fuel taxes toward some type of Road User Charge system, also known as a Vehicles Miles Traveled (VMT) fee. Ranking Member Graves highlighted a VMT study conducted by the State of Washington as a step in the right direction toward reducing the volatility of transportation revenues. In the State of the Union Address, the President briefly discussed his support for the Senate Environment and Public Works highways bill, although he did not speak in detail about what passing that bill would mean for rail or transit programs. Finally, in a hearing on an unrelated subject, both the Chair and the Ranking Member of the Senate Environment and Public Works Committee indicated that electric vehicle users should pay their fair share for using public streets and roads. While the statements were not accompanied by detailed policy proposals or cost estimates, California's electric vehicles fee used to finance additional transportation spending in SB 1 (Chapter 5, Statutes of 2017) could be a model for a federal electric vehicle financing mechanism.

In light of these developments, staff have prepared draft Principles for Surface Transportation Reauthorization, detailed in Attachment A, to guide OCTA's advocacy efforts during the reauthorization process. The principles are based largely on language in OCTA's 2019-20 Federal Legislative Platform, as well as the principles adopted by the Legislative and Communications Committee on March 15, 2018, in response to the President's proposed infrastructure package. The language has been updated to best guide OCTA's efforts during the reauthorization discussions. The principles include:

- A focus on formula funding – Prioritizing transportation programs distributed via formula funding while also respecting OCTA's unique role as a regional transportation leader.
- Innovative financing options – Expanding and improving upon innovative financing options, such as the TIFIA loan program, based on OCTA's experience with a TIFIA loan on the Interstate 405 Improvement Project.
- Funding flexibility – Avoiding new conditions or restrictions on funding that would make it harder for local agencies like OCTA, that have a history of successfully delivering transportation improvements, to build projects.
- Climate change policy certainty – There are two principles meant to provide certainty on environmental policies. The first ensures that the implementation of the Safer Affordable Fuel-Efficient Vehicles Rule does not undermine the delivery of transportation projects in California, a national leader on these issues. The second seeks to streamline the environmental review process, without undermining substantive protections, to expedite project delivery.
- Improvements to discretionary grant processes – Advocating for a fairer and more discretionary transportation grant process to allow more transportation funding to flow to Orange County.



- Funding for zero-emission bus transit technology – Maximizing the funding available to transition to zero-emission bus technology.
- A more sustainable Highway Trust Fund – Principles include seeking a modern source of Highway Trust Fund revenues, maintaining the federal commitment to transit expenditures, and ensuring that new infrastructure spending does not undermine existing programs that benefit OCTA.

Staff will prepare specific legislative proposals to carry out these principles once they are approved. Similarly, staff will continue to monitor surface transportation proposals and provide updates as necessary.

#### Prioritizing Orange County Grant Applications

On February 6, 2020, Representative Lou Correa (D-Santa Ana) wrote a letter to Secretary of Transportation Elaine L. Chao about the upcoming Infrastructure for Rebuilding America (INFRA) grants call for projects. In the letter, Representative Correa noted that the INFRA Notice of Funding Opportunity specifically says that a project in a federally-recognized Opportunity Zone will be “more competitive” than a project not in an Opportunity Zone. OCTA is expected to apply for INFRA funding for the State Route 55 Improvement Project, which runs through an Opportunity Zone in the City of Santa Ana. Staff will work with Representative Correa’s office to follow-up on the letter in hopes of improving OCTA’s chances of being awarded INFRA funding.

#### Grade Crossing Hearing

On February 5, 2020, the House Transportation and Infrastructure Committee’s Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing entitled, “Tracking Toward Zero: Improving Grade Crossing Safety and Addressing Community Concerns.” The discussion at the hearing focused on how data about rail grade crossings is reported to, and acted on, by the Federal Railroad Administration. Mark Christoffels, the Chief Engineer for the Alameda Corridor-East Project, emphasized the need to make rail grade crossings safer, especially in highly congested, urban areas like Southern California. The witnesses and Members of Congress discussed at length the need for additional funding in the reauthorization process to carry out rail grade crossing projects and increase the number of quiet zones in densely populated areas.

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**Summary**

An update is provided on the surface transportation reauthorization process, including principles to advocate for OCTA's interests in legislative proposals. There are also overviews of an effort to provide grant funding to Orange County and a hearing on rail grade crossing safety.

**Attachments**

- A. Principles for Surface Transportation Reauthorization Legislation
- B. Letter from J. Luis Correa, Member of Congress, to The Honorable Elaine L. Chao, Secretary of Transportation, dated February 6, 2020
- C. Potomac Partners DC, Monthly Legislative Report – January 2020

**Prepared by:**



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**Principles for Surface Transportation Reauthorization Legislation**

1. Prioritize the use of formula funding with sufficient flexibility to respect the unique nature of regional transportation agencies in the Southern California Association of Governments region.
2. Champion innovative approaches to project financing and delivery, specifically the streamlining of the Transportation Infrastructure Finance and Innovation Act loan program, based on the experience of agencies that have a history of utilizing these tools to modernize our nation's infrastructure.
3. Advocate for transportation programs without placing new limits or conditions on the distribution of funds in a way that would impede infrastructure improvements.
4. Ensure that air quality determinations and related policies do not constrain funding availability or undermine the delivery of transportation improvements, instead focusing on federal policies that reward how much California has achieved with state air quality and climate change policies.
5. Seek opportunities to expedite and improve the efficiency of the environmental review process, including additional funding to complete state and federal environmental quality requirements.
6. Promote a transparent, fair discretionary grant process that ensures geographic equity and is free from arbitrary limits, matching requirements, or other policies that would discourage federal funding from flowing to Orange County.
7. Support funding and policy flexibility for transit agencies that are the earliest adopters of zero-emission bus technology.
8. Ensure that funding new infrastructure programs do not replace or adversely affect the delivery of transportation funding directly allocated to the Orange County Transportation Authority.
9. Develop a fiscally-sound, innovative solution to the Highway Trust Fund's structural revenue deficit that meets our nation's long-standing transportation needs and reduces the volatility of transportation resources, such as through the testing of a Road User Charge system.
10. Continue the long-standing commitment of Highway Trust Fund revenues for transit expenditures.

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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

**HOUSE COMMITTEE ON THE JUDICIARY**

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SUBCOMMITTEE ON BORDER SECURITY,  
FACILITATION, AND OPERATIONS

SUBCOMMITTEE ON TRANSPORTATION  
AND MARITIME SECURITY  
CHAIR

February 6, 2020

The Honorable Elaine L. Chao  
Secretary of Transportation  
1200 New Jersey Avenue, Southeast  
Washington, DC 20590

Dear Secretary Chao:

I am writing to make you aware of an Opportunity Zone in my Congressional district surrounding Santa Ana, California. We have been working hard to address the poverty, homelessness, job scarcity, and a lack of investment capital in our community. As a consequence of this work, there is a unique opportunity to leverage the economic development resources of your Department. The Department of Transportation's Nationally Significant Freight and Highways Projects, also known as Infrastructure for Rebuilding America (INFRA) Grants, can provide critical federal funding to improve the flow of goods and people in Orange County, California, helping our region maintain its economic competitiveness.

Acknowledging the needs of communities such as mine, President Donald J. Trump signed Executive Order 13853 on December 12, 2018, which established the White House Opportunity and Revitalization Council to carry out the Administration's plan to target, streamline, and coordinate Federal resources to be used in Opportunity Zones and other economically distressed communities. I am pleased to see that the recent INFRA funding notice says that a project in an opportunity zone will be "more competitive than a similar project that is not located in a qualified opportunity zone." The opportunity zone in the City of Santa Ana near the intersection of Interstate 5 and State Route 55, right in the heart of Orange County has an important project proposing to add new lanes to this stretch of the freeway to reduce congestion and increase capacity. I respectfully request that this vital enhancement to our freeway system in this Opportunity Zone be given due consideration in the discretionary grant selection process.

Thank you for your commitment to improving our nation's infrastructure, and I look forward to discussing the ways in which federal funding can provide the type of leveraged federal investments that will maximize the utility of taxpayer dollars for the benefit of my constituents in Orange County.

Sincerely,

J. Luis Correa  
Member of Congress





## Monthly Legislative Report – January 2020

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### FY2020 Budget and Appropriations Recap

At the end of last years, all twelve FY20 spending bills were passed and signed into law in December. The twelve bills were bundled into two packages, often called ‘minibus’ spending packages. The first package ([H.R. 1158](#)), was called the “National Security Minibus”. The second bill ([H.R. 1865](#)) was called the “Domestic Priorities and International Assistance Appropriations Minibus”. These bills provide a significant increase in funding for both domestic and defense spending accounts, but House appropriators are tempering expectations for 2021 because the 2-year budget agreement signed in August 2019 will only allow a limited amount of increases over 2020 spending levels. Despite the nearly flat spending increases seen in the one-year comparison, FY21 appropriations are still expected to be higher than recent years.

Looking ahead, the big question is whether the House and Senate will be able to conference all twelve FY21 spending bills before the end of the fiscal year (September 31, 2020) during what is expected to be a contentious Presidential election cycle. House and Senate appropriators are optimistic that both chambers will be able to pass their individual bills on the floor of each chamber. However, it remains to be seen if Leaders will be able to finalize high-level negotiations regarding the border wall, homelessness funding, and other items before the end of September.

Once the President’s budget is released on February 10<sup>th</sup>, Congressional Appropriators and Delegation Members are expected to begin soliciting appropriations requests from stakeholders. We are staying in close contact with these Members to ensure OCTA’s requests are submitted expeditiously as the FY21 drafting process begins.

### January Advocacy Meetings

**Congresswoman Grace Napolitano (D-CA)** – We met with Congresswoman Napolitano and her senior staff again this month regarding the Surface Transportation Reauthorization drafting process and next steps for [H.R. 2939](#) to address the aviation fuel tax issues. We also discussed her legislation [H.R. 1139](#) – Transit Worker and Pedestrian Protection Act. As of this report the bill has 195 cosponsors (185 Dem | 10 Rep).

**Congressman Harley Rouda (D-CA)** – We followed-up with Congressman Rouda and his staff this month to discuss progress on a Surface Transportation Reauthorization. We discussed the possibility of new “pay-fors” like an increase in the federal gas tax, Build America Bonds, or alternative user fees being discussed in the Democratic caucus. We also discussed the infrastructure proposal released in the last week of January by House Speaker Nancy Pelosi (D-CA), and the possibility of floor consideration before the end of



the year. We also discussed the possibility of including TIFIA reforms and streamlining into any surface reauthorization or infrastructure passage marked for passage in the House.

**Senate Banking Committee** – We met with senior majority staff on the Senate Banking committee to discuss 13c provisions. We discussed the impacts on transportation authorities and ways to address these concerns legislatively. We are also planning on facilitating another meeting with OCTA staff and Committee staff in March.

**Congressman Lou Correa (D-CA)** – We met with Congressman Correa and his staff multiple times this month to discuss OCTA's INFRA grant application for SR 55 and the formal support for the project at DOT. We discussed the timeline for submitting a letter of support for the project, and beneficial factors to be highlighted in the letter. We also discussed the timeline for a Surface Transportation Reauthorization and discussions in the Democratic caucus regarding the possible return of limited earmarks.

**Congresswoman Katie Porter (D-CA)** – We met with staff in Congresswoman Porter's office this month to discuss OCTA priorities and policy requests for 2020. During our meeting we discussed the I-405 project, the benefits for streamlining the TIFIA process, and support for legislation to address the Aviation fuel tax issue. We also discussed the upcoming trip for OCTA staff.

**Congressman Mike Levin (D-CA)** – We met with Congressman Levin and his staff this month to follow-up on our discussions regarding the I-405 project. We also discussed support for new project funding opportunities at DOT in the FY21 appropriations process.

**Congressman Gil Cisneros (D-CA)** – We followed-up with Congressman Cisneros and his staff on ways to streamline TIFIA, and discussed support for OCTA funding applications at DOT. We also discussed support for OCTA's INFRA grant application.

**Congressman Pete Aguilar (D-CA)** – We met with Congressman Aguilar and his staff this month to discuss FY21 appropriations. We discussed topline spending levels and opportunities for favorable report language or funding opportunities. We also discussed the possibility that earmarks could make a return to Congress this year.

**Congressman Alan Lowenthal (D-CA)** – We followed-up with Congressman Lowenthal and his staff regarding the Surface Transportation Reauthorization and opportunities to address TIFIA reforms and some additional provision that could expedite project delivery. We discussed the likelihood that a bill will be ready before the Presidential election cycle enters begins in full after August.

**House Transportation and Infrastructure Committee** – We have been following-up with senior Majority and Minority staff on the House Transportation and Infrastructure Committee this month regarding TIFIA reform legislation in the Surface Transportation Reauthorization and other possible changes to the discretionary grant programs that are being contemplated. We continue to have discussions regarding the timeline for formal

work on the legislation, and the impacts of climate change provisions on transit agencies, including the need to oppose unfunded mandates.

**House Ways and Means** – We met with senior majority and minority staff on the House Ways and Means Committee this month to discuss Alternative Fuels tax credits and the need to maintain these credits in future tax extenders legislation.

### **House Infrastructure Proposal**

On January 29<sup>th</sup>, House Speaker Nancy Pelosi (D-CA) announced an infrastructure proposal called the “[Moving forward Framework](#)”. There are questions as to how this infrastructure proposal would be funded, with some Democratic staff saying that speaker Nancy Pelosi is hesitant to support a gas tax increase that could endanger swing-district Democrats during the elections.

The document outlines a plan to spend \$760 billion over a five-year period to fund roads, transit, rail, aviation, broadband, wastewater and drinking water investment. Specifically, the proposal would provide:

- **\$434 for Highway and Transit Programs**
  - \$319 billion **Highways**:
    - States, cities, counties, transit agencies, and regional transportation organizations to maintain existing infrastructure and bring it to a state of good repair.
  - \$105 billion for **Transit**
    - Zero-Emission buses, Capital Investment Grants, Buy America streamlining, etc.
  - \$10 billion for **Safety**
- **\$55 billion for Rail**
  - Passenger Rail expansion, rail state of good repair, Amtrak modernization, grade crossings.
- **\$30 billion for Airport and Airway Infrastructure**
  - Increase the Passenger Facility Charge (PFC) cap and indexes it for inflation.
  - Create an Airport and Airway Investment program focused on modernization projects.
- **\$19.7 billion for Harbor Maintenance Trust Fund (HMTF)**
  - To enable the investment of all annually collected HMTF dollars
- **\$10 billion for Water Resource**
  - \$7 billion for construction funding to carry-out congressionally authorized and locally supported water resources development projects.



- \$3 billion for inland waterway navigation projects.
- **\$50.5 billion for Clean Water**
  - \$40 billion for Clean Water State Revolving fund
  - \$1.5 billion for State Clean Water Compliance Assistance
  - \$5.6 billion for Clean Water Act Grant Program investments
  - \$3.4 billion for regional investments (great lakes, San Francisco Bay, etc.)
- **\$2.7 billion for Brownfields restoration**
- **\$59.7 for Clean Drinking Water and Clean Energy**
  - \$22.9 billion for Drinking Water State Revolving Fund
  - \$2.5 billion for new grant program to remove PFAS from ground water
  - \$34.3 billion for clean energy programs and investments
- **\$98 billion for Broadband and Communications**

Transportation and Infrastructure Committee Chair DeFazio mentioned that we can rebuild our infrastructure in ways that are resilient for climate change, use new and more climate friendly material that will actually be more durable, build 100-year bridges, provide new transit and rail options, enhance the inland waterways, and factor in renewable fuels to airlines.

Speaker Pelosi emphasized getting people out of their cars and providing a certain quality of life; moving commerce through more surface transportation; and high-speed rail in some cases to get people out of their cars in an entrepreneurial way. Central to the framework is workforce development: housing, surface transportation, education, broadband. She said “we are going to build bigger paychecks by building bigger infrastructure in America”. “This is moving forward framework for the people.”

Upon being asked when the package is expected to go to the floor, Speaker Pelosi proclaimed, “when we are ready” and “when we have enough specificity as possible” and that “it won’t be soon”.

How the proposal will be paid for, specifically, is still not clear. The gas tax may not be a viable user fee looking ahead 50 years because of the increase in fuel efficient and electric vehicles. House Transportation and Infrastructure Committee Ranking Member Sam Graves (R-MO) has proposed a Vehicle Miles Traveled (VMT) model, but this idea is not widely popular with both parties. Another source could be the restoration of Build America Bonds, taxable municipal bonds created as part of the American Recovery and Reinvestment Act of 2009.

### **Earmarks**

House Appropriations Committee Chairwoman met with other House Democrats during the last week of January to discuss the possible resumption of Congressionally Directed Spending (earmarks) for limited infrastructure project spending. One difference, House Democrats now want to call earmarks “Community Project Funding.” However, earmarks are still banned in the Senate and Senate Appropriations Committee Chairman Richard Shelby (R-AL) told reporters that he does not think there are enough Republican caucus votes to lift the ban in the Senate.

### **Presidential Impeachment**

The House voted Wednesday, December 18<sup>th</sup>, to impeach President Donald Trump on charges of abuse of power and obstruction of Congress, making him the third president in U.S. history to be impeached by the House. The House voted 230-197 to approve the first article, abuse of power and 229-198 to approve the second article, the obstruction of Congress charge.

The Senate began their trial this month to consider whether the President should be removed from office or acquitted. At the time of this report, there are debates on whether the Senate should be able to call witnesses like former National Security Council Advisor John Bolton. Regardless, the Republican-controlled Senate is expected to acquit the President because removal from office would require two-thirds of a Senate vote.

### **INFRA Grant Funding Announced**

On January 13<sup>th</sup> the Department of Transportation’s announced the availability of over \$900 million in Infrastructure for Rebuilding America (INFRA) grants. The application period will remain open until February 25<sup>th</sup>, 2020. For large projects, the INFRA grant must be at least \$25 million and for small projects at least \$5 million. We met with Congressman Correa’s (D-CA) office to discuss an application being submitted by OCTA and discussed a Congressional letter of support for the SR 55 project, which is in an opportunity zone. Opportunity Zone projects will receive special preference at the Department of Transportation for INFRA grants. We will continue to follow-up with Congressman Correa’s office, as well as with leading Transportation and Infrastructure Committee Members to secure additional supporters in Congress.

### **Grants for Buses and Bus Facilities Program**

On January 30<sup>th</sup>, the Department of Transportation announced \$454.6 million in FY20 competitive grant funding for transit bus projects. Eligible recipients include designated recipients that operate fixed route bus service or that allocate funding to fixed route bus operators; state or local governmental entities; and federally recognized Indian tribes that operate fixed route bus service that are eligible to receive direct grants under 5307 and 5311. Eligible Activities include Capital projects to replace, rehabilitate and purchase buses, vans, and related equipment, and to construct bus-related facilities, including



technological changes or innovations to modify low or no emission vehicles or facilities. The grant notice can be found [HERE](#).

### **Opportunity Zones**

Opportunity Zones were enacted as part of the 2017 tax reform package ([Tax Cuts and Jobs Act](#)) to increase investment and improve economic recovery in distressed areas of the country. Opportunity Zones are set geographic areas within each state identified by Governors as economically distressed based on census data. The Administration is looking for ways to increase investment within Opportunity Zones and officials we have spoken to at the Department of Transportation have indicated that Opportunity Zone projects are more likely to win grant funding especially at DOT,

The aim of the Opportunity Zone program is to provide incentive for increased investment in businesses and property in distressed areas. The benefit to the Investor is the deferral or elimination of capital gains taxes in return for long term (10 years) investment in an Opportunity Zone Project.

An Opportunity Zone Fund is the investment vehicle required to realize these tax benefits. An Opportunity Zone Fund is comprised primarily of realized capital gains acquired through the sale of real estate or a business asset normally subject to capital gains tax. Funds are organized as a corporation or partnership and must hold at least 90 percent of its assets in an Opportunity Zone Project. A Qualified Opportunity Fund is an investment vehicle that is set up as either a partnership or corporation for investing in eligible property that is located in an Opportunity Zone and that utilizes the investor's gains from a prior investment for funding the Opportunity Fund. A Fund must hold at least 90% of its assets in qualifying property.

The policy enables funds to be responsive to the needs of different communities, allowing for investment in operating businesses, equipment, and real property. For example, funds can make equity investments in or purchase the stock of a company if substantially all of the company's tangible property is and remains located in an Opportunity Zone. Funds can take interests in partnerships that meet the same criteria. Funds can also invest directly in qualifying property, such as real estate or infrastructure, if the property is used in the active conduct of a business and if either the original use of the property commences with the fund or the fund substantially improves the property. Treasury has yet to release guidance on the substantial improvement test. [Source: EIG]

The U.S. Treasury is still finalizing its rules to implement this new law and guide the Opportunity Funds. Most recent US Treasury guidance regarding "Investing in Qualified Opportunity Funds" can be found [HERE](#).

The authority to implement IRC 1400Z-1 (Designation of Opportunity Zones) and 1400Z-2 (Treatment of Capital Gains from opportunity zone investments) has been delegated to the IRS. The Community Development Financial Institutions Fund (CDFI Fund) is

supporting the IRS with the Opportunity Zone nomination and designation process under IRC 1400Z-1 only.


In addition to an initial set of [proposed regulations and guidance](#) on how the Qualified Opportunity Zone (QOZ) tax benefits under IRC 1400Z-2 (including the certification of Qualified Opportunity Funds (QOFs) and eligible investments in QOZs) will be administered, Treasury and IRS have issued a [second set of proposed regulations](#) relating to gains that may be deferred as a result of a taxpayer's investment in a QOF, special rules for an investment in a QOF held by a taxpayer for at least 10 years, and updates to portions of previously proposed regulations under section 1400Z-2 to address various issues, including: the definition of “substantially all.”

- Based on nominations of eligible census tracts by the Chief Executive Officers of each State, Treasury has completed its designation of Qualified Opportunity Zones. Each State nominated the maximum number of eligible tracts, per statute, and these designations are final. The statute and legislative history of the Opportunity Zone designations, under IRC § 1400Z, do not contemplate an opportunity for additional or revised designations after the maximum number of zones allowable have been designated in a State or Territory.
- Based on IRC 1400Z-1, designations are based upon the boundaries of the tract at the time of the designation in 2018, and do not change over the period of the designation, even if the boundaries of an individual census tract are redefined in future Census releases.



**February 20, 2020**

**To:** Legislative and Communications Committee

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

**Subject:** Agreement for Public Communications and Community Outreach Consultant Services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605

### **Overview**

On October 28, 2019, the Board of Directors approved the release of a request for proposals for continued public outreach consulting services during the construction phase of the Interstate 405 Improvement Project between State Route 73 and Interstate 605. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for these services.

### **Recommendations**

- A. Approve the selection of Kleinfelder Construction Services, Inc., as the firm to provide public outreach consulting services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1571 between the Orange County Transportation Authority and Kleinfelder Construction Services, Inc., in the amount of \$3,326,544, for a four-year term, effective May 1, 2020, through April 30, 2024, with an option term of up to 24 months, to provide public outreach consulting services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605.

### **Discussion**

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation (Caltrans), is improving the Interstate 405 (I-405) between State Route 73 (SR-73) and Interstate 605 (I-605). The \$1.9 billion I-405 Improvement Project (Project) is



adding one regular lane in each direction between Euclid Street and I-605, and a second lane in each direction in the center of the freeway from SR-73 to I-605 that will combine with the existing carpool lanes to form the 405 Express Lanes. The Project includes replacing 18 bridges, widening more than a dozen structures, and building a new Express Lanes connector between SR-73 and I-405. The 16-mile Project also includes construction of 170 sound walls and retaining walls, many of which require direct coordination with residents during construction.

A consultant is currently providing public outreach services to OCTA under an agreement set to expire June 30, 2020. Given the Project scope, complexity, and relevance to the commuting public and major stakeholders, Board of Directors' (Board) approval is requested for a consultant to continue public outreach efforts during the construction phase of the Project and to keep pace with the accelerated nature of a design-build project. More than 10,000 residential and commercial parcels are located within a quarter-mile radius of the Project area, which encompasses seven cities, as well as the community of Rossmore. Thousands of residents live adjacent to I-405, and hundreds of thousands of motorists utilize the corridor each day. Extensive outreach efforts are ongoing and need to continue in order to communicate major activities such as bridge closures and demolition, road and freeway closures, and wall and roadway construction.

These consultant services will support continued development and delivery of daily communications regarding temporary construction impacts, as well as advance public information messages to help the public understand the value and benefits of investing in Orange County's transportation network. The selected consultant will continue implementation of the existing comprehensive I-405 public outreach program. The consultant will use a variety of methods and tools, including one-on-one meetings with elected officials, key stakeholders and members of the business, ethnic, and faith communities; city council and speakers bureau presentations; email newsletters; automated calls; neighborhood meetings; a mobile application; an interactive closures and detours map; and a Project website. In addition, the consultant will further develop the Project's strong social media presence, engaging numerous project stakeholders simultaneously.

### ***Procurement Approach***

The procurement was handled in accordance with OCTA's Board-approved procedures for professional and technical services. Various factors were considered in the award for professional and technical services. Award is



recommended to the firm offering the most comprehensive overall proposal considering such factors as prior experience with similar projects, staffing and project organization, work plan, as well as cost and price.

On October 28, 2019, the Board authorized the release of Request for Proposals (RFP) 9-1571, which was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on October 28 and November 4, 2019. A pre-proposal conference was held on November 6, 2019, with 11 attendees representing eight firms. Three addenda were issued to handle administrative issues related to the RFP, make available the pre-proposal conference registration sheet and presentation, as well as respond to written questions related to the RFP.

On December 3, 2019, two proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, External Affairs, and Capital Programs, as well as external representatives from the City of Westminster and Caltrans met to review all proposals received.

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

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

Several factors were considered in developing the evaluation criteria weightings. Qualifications of the firm was weighted at 30 percent as the firm had to demonstrate direct public outreach experience on large-scale, highly-complex transportation projects during construction phases. Staffing and project organization was also weighted at 30 percent as the firm had to present an experienced, well-rounded team with a blend of senior and junior level staff having adequate availability, as well as experience working on large construction projects. Work plan was weighted at 20 percent as the project team would continue implementation of the established comprehensive public outreach program for the Project. Additionally, the project team had to demonstrate an understanding of the project scope and challenges and level of effort required. Cost and price was also weighted at 20 percent to ensure the outreach program is delivered efficiently and that OCTA receives value for the services provided.

The evaluation committee utilized a best-value selection process for this RFP. The best-value determination is based on a 100-point scale. The RFP required proposing firms to submit a separate price proposal in a sealed package. In order to focus on the technical aspects of the proposals, the evaluation committee first evaluated the written proposals on technical merit based on the weighted criteria for qualifications of the firm, staffing and project organization, as well as work plan, which represented a maximum of 80 points of the total proposal score. Once the technical scores of the two proposals were determined, the sealed price proposals were then opened. The pricing score represented a maximum of 20 points of the total proposal score.

On December 18, 2019, the evaluation committee reviewed the two proposals received based only on the technical evaluation criteria. Interviews were conducted with both firms listed below in alphabetical order:

Firm and Location

Arellano Associates, LLC (Arellano)  
Chino Hills, California

Kleinfelder Construction Services, Inc. (Kleinfelder)  
Laguna Hills, California

The interviews took place on January 7, 2020, and consisted of a presentation to demonstrate the firms' understanding of OCTA's requirements. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee's questions. Questions were related to the level of effort required for this Project, managing time and resource commitments, conducting multicultural outreach, potential challenges, and handling crisis communications. In addition, each team was asked specific clarification questions related to its proposal.

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

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



#### Qualifications of the Firm

Kleinfelder was founded in 1986 and has 76 employees. The firm is headquartered in the City of San Diego with multiple locations, including an office in the City of Laguna Hills, which is the proposed location for this effort. Kleinfelder demonstrated relevant experience executing public outreach programs for complex construction projects, such as the Interstate 215/Newport Road Interchange Improvement Project with the City of Menifee, and the Major Projects Program for the San Bernardino County Transportation Authority. The firm has also provided construction outreach services to OCTA. Kleinfelder developed and implemented the I-405 public outreach program and continues to provide outreach services for the Project. Additionally, the firm provided public outreach services for six OCTA Rail Capital Projects, which include the construction of the Metrolink parking structure at the Orange Transportation Center and the accessibility improvements at the Laguna Niguel/Mission Viejo Metrolink station. The firm demonstrated an understanding of Orange County and the related transportation issues with its discussion of the Long Range Transportation Plan, Measure M, and Master Plan of Arterial Highways, as well as the impacts of the Project. Kleinfelder proposed subcontractors in various areas, including diverse communities outreach, graphic design, translation support, specialty printing, and mobile application (app) support. Most of the proposed subcontractors are currently working with Kleinfelder on the existing I-405 public outreach program.

Arellano was established in 1994 and has 48 employees. The firm is headquartered in the City of Chino Hills with a satellite office in the City of Los Angeles. Arellano proposed multiple subcontractors to provide community outreach support, media services, specialty printing, and translation services. One of the subcontractors, TRC, is proposed to assist Arellano in leading the outreach program; however, both firms have not previously worked together. The past projects noted in the proposal highlight both Arellano's and TRC's public outreach experience with complex construction projects. Arellano's experience serving as the prime consultant includes the OC Bridges Grade Separation Program with OCTA, State Route 91 Project with Riverside County Transportation Commission (RCTC), and the 210 Freeway Public Information and Safety Program with the San Bernardino Associated Governments. TRC has provided public outreach services as a prime consultant for the Interstate 5 South County Improvements Project and the West County Connectors with OCTA. The firm was also a subcontractor for the Interstate 15 Express Lanes Design-Build Project with RCTC.

## Staffing and Project Organization

Both firms proposed project teams with construction outreach experience.

Kleinfelder proposed many of the same team members who are currently providing public outreach for the Project, such as the project manager and community liaisons. The proposed project manager has ten years of experience related to community outreach, public relations, stakeholder engagement, and campaign development, and has been with the firm for four years. The firm proposed seven community liaisons to ensure sufficient availability for this effort as an increase in outreach activities is anticipated as the Project progresses. Additionally, four of the seven community liaisons are proposed to be solely dedicated to this Project and will not be assigned to any other outreach projects. During the interview, the project team members discussed their roles and approach for continuing the I-405 public outreach program. All of the individuals present for the interview responded to the evaluation committee's questions. Their responses included examples of potential outreach tactics for this Project, as well as noted strategies used in past projects. Additionally, the project team's responses demonstrated an understanding of the demands of a design-build project and the efforts required to ensure that the information communicated is accurate and delivered in a timely manner. Furthermore, the firm emphasized that the project team is cross-trained and multi-disciplined to ensure all outreach needs are met.

Arellano proposed a project team that is led by staff from both Arellano and TRC. The proposed project manager has been with Arellano for one year and has over ten years of experience in construction relations, strategic communications, and stakeholder engagement. The proposed deputy project manager has been with TRC for nine years and has over 12 years of experience in construction outreach, message development, and community relations. The individual is proposed to direct the community liaisons, as well as to work in tandem with the project manager. However, the project manager and the deputy project manager have not previously worked together. The firm proposed seven community liaisons, which includes individuals from Arellano and TRC, to ensure availability throughout the Project. One of the community liaisons from TRC is proposed with 100 percent availability for this Project. During the interview, the project team discussed its roles and approach for continuing the outreach program. Although given opportunities to provide detailed responses, the team provided general responses to the evaluation committee's questions. In addition, responses were not provided by all team members present. While the deputy project manager's experience working on the West County Connectors project demonstrated an understanding of one segment of the project corridor and key



stakeholders, the project manager did not provide specific examples to demonstrate the same level of familiarity.

#### Work Plan

Kleinfelder presented a comprehensive work plan that addressed all the elements of the scope of work. The firm discussed its approach for continuing the I-405 public outreach program related to public engagement, diversity outreach, open houses and neighborhood meetings, one-on-one meetings with key stakeholders, construction safety awareness, and temporary construction easement wall notifications. The firm discussed various outreach activities such as rapid-response canvassing for targeted communities, assisting the design-build team with responding to and tracking project claims, updating the interactive map, and providing weekly construction alerts. Kleinfelder demonstrated an understanding of the project area and the key stakeholders affected by the Project. For example, the firm proposed conducting Speakers Bureau presentations with various community organizations, such as the Huntington Beach Chamber of Commerce, Irvine Asian American Senior Center, and Rossmore Homeowners Association. The firm also demonstrated an understanding of upcoming project activities and outreach needs as the proposed level of effort is comparable to the OCTA project manager's projections related to the construction-phase outreach program. The firm provided examples of potential issues and proposed solutions, such as managing and coordinating multiple construction activities simultaneously, maintaining consistent and reliable response times, addressing last-minute schedule changes, and preparing for and responding to emergencies. Kleinfelder also proposed enhancements, such as leveraging voice-activated artificial intelligence by using digital assistants such as Alexa or Google, engaging Facebook community groups, developing mobile app push notifications, and utilizing Waze paid advertising to keep the Project communities informed of the progress.

Arellano addressed each element of the scope of work in its work plan. The firm provided a general overview of its approach for project management, engaging stakeholder groups, and developing collateral materials. The firm did not provide examples or elaborate on its strategies to demonstrate its understanding of the project area and key stakeholders to continue the I-405 public outreach program. For example, Arellano provided a broad list of stakeholder categories, but did not identify specific organizations or entities in the Project area. Arellano's proposed level of effort, which was 40 percent less than what Kleinfelder proposed, showed a limited understanding of the required comprehensive outreach needs for upcoming design-build project activities. The firm noted potential issues and proposed solutions related to construction fatigue, sound

walls, and access to businesses and schools. Arellano proposed enhancements such as using Geographic Information System technology, 3D animation, and a 24/7 project helpline, but did not go into detail as to how those strategies would be implemented to add value to the outreach program.

#### Cost and Price

Pricing scores were based on a formula which assigned the higher score to the firm with the lower weighted average hourly rate, and scored the other proposal's weighted average hourly rate based on its relation to the lower weighted average hourly rate. Kleinfelder proposed the lower weighted average hourly rate, as well as proposed more hours to continue the comprehensive I-405 public outreach program.

#### Procurement Summary

Based on the evaluation of written proposals, the firms' qualifications, and information obtained from the interviews, as well as pricing, the evaluation committee recommends the selection of Kleinfelder as the top-ranked firm to provide public outreach consulting services for the I-405 Improvement Project between SR-73 and I-605.

#### Fiscal Impact

The project was approved in OCTA's Fiscal Year 2019-20 Budget, Capital Programs Division, Account 0017-7519-FK101-N31 and Account 0037-7519-A9510-F37, and is funded through Measure M and state and federal funds.

#### **Summary**

Staff is recommending the Board authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1571 between the Orange County Transportation Authority and Kleinfelder Construction Services, Inc., in the amount of \$3,326,544, for a four-year initial term, with an option term of up to 24 months, to provide public outreach consulting services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605.

***Attachments***

- A. Review of Proposals, RFP 9-1571 Public Outreach for Interstate 405 Improvement Project
- B. Proposal Evaluation Criteria Matrix, RFP 9-1571 Public Outreach for Interstate 405 Improvement Project
- C. Contract History for the Past Two Years, RFP 9-1571 Public Outreach for Interstate 405 Improvement Project

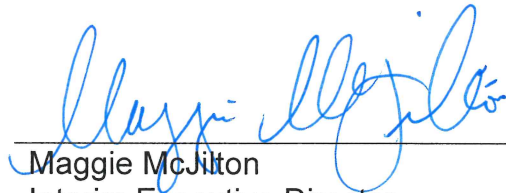
**Prepared by:**



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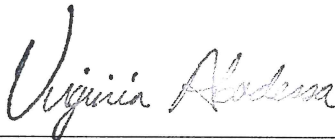
Chris Boucly  
Section Manager, Public Outreach  
External Affairs  
714-560-5326

**Approved by:**



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Maggie McJilton  
Interim Executive Director,  
External Affairs  
714-560-5824



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Virginia Abadessa  
Director, Contracts Administration and  
Materials Management  
714-560-5623

**Review of Proposals**  
**RFP 9-1571 Pubic Outreach for Interstate 405 Improvement Project**  
Presented to Legislative and Communications Committee - February 20, 2020  
**2 firms proposed, 2 firms were interviewed, 1 firm is being recommended**

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Total Estimated Project Hours	Weighted Average Hourly Rate
1	91	<b>Kleinfelder Construction Services, Inc.</b> Laguna Hills, California	MBI Media Hill International, Inc. Connect & Company, LLC Kennedy Communications, Inc. Arrow GTP Translating Services, Inc. AJ Design MSH Ventures Corp. RDS Printing Proud Digital Media Pacific Northwest Software, Inc.	Higher-ranked firm. Experience providing public outreach for complex construction projects. Providing current public outreach program. Proposed project team consists of many individuals currently working on the current public outreach program. Proposed project manager has ten years of experience and has been with the firm for four years. Proposed seven community liaisons to ensure availability, which includes four individuals solely dedicated to this effort. Proposed project team is cross-trained and multi-disciplined. Detailed approach for continuing the public outreach program. Demonstrated an understanding of the project corridor and key stakeholders. Demonstrated an understanding of the level of effort required by proposing 41,277 hours to continue outreach program. Presented approach and provided detailed responses to questions. Received positive responses from references. Proposed lower hourly rates.	41,277	\$88
2	73	<b>Arellano Associates, LLC</b> Chino Hills, California	TRC AJ Design adCREASIANc Reprodox Ubiquis	Experience providing public outreach for construction projects. Proposed to work in tandem with subcontractor, TRC, to lead the outreach program. Proposed project manager has over ten years of experience and has been with the firm for one year. Project manager and deputy project manager will work in tandem but have not worked together in the past. Proposed seven community liaisons to ensure availability with one of the individuals proposed with 100 percent availability. Provided general overview of approach to continuing the outreach program. Did not go into detail about strategies to demonstrate understanding of project area and key stakeholders. Did not demonstrate an understanding of the level of effort required by proposing 24,131 hours to continue the outreach program. Presented approach and responded to questions. Received positive responses from references. Proposed higher hourly rates.	24,131	\$108

**Evaluation Panel:**

Internal:

Contracts Administration and Materials Management (1)  
Public Outreach (2)  
Capital Programs (1)  
City of Westminster (1)  
California Department of Transportation (1)

**Proposal Criteria**

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

**Weight Factors**

30%  
30%  
20%  
20%



**PROPOSAL EVALUATION CRITERIA MATRIX**  
**RFP 9-1571 Public Outreach for Interstate 405 Improvement Project**

<b>Kleinfelder Construction Services, Inc.</b>							<b>Weights</b>	<b>Overall Score</b>
<b>Evaluator Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>		
Qualifications of Firm	4.5	4.5	4.5	4.5	4.5	5.0	6	27.5
Staffing/Project Organization	4.5	4.0	4.0	4.0	4.5	4.5	6	25.5
Work Plan	4.5	4.5	4.0	4.5	4.5	4.5	4	17.7
Cost and Price	5.0	5.0	5.0	5.0	5.0	5.0	4	20.0
<b>Overall Score</b>	<b>92.0</b>	<b>89.0</b>	<b>87.0</b>	<b>89.0</b>	<b>92.0</b>	<b>95.0</b>		<b>91</b>

<b>Arellano Associates, LLC</b>							<b>Weights</b>	<b>Overall Score</b>
<b>Evaluator Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>		
Qualifications of Firm	4.0	3.5	4.0	4.0	4.0	3.5	6	23.0
Staffing/Project Organization	3.5	3.0	3.0	3.5	3.5	3.5	6	20.0
Work Plan	3.5	3.0	3.5	3.5	3.5	3.0	4	13.3
Cost and Price	4.1	4.1	4.1	4.1	4.1	4.1	4	16.4
<b>Overall Score</b>	<b>75.4</b>	<b>67.4</b>	<b>72.4</b>	<b>75.4</b>	<b>75.4</b>	<b>70.4</b>		<b>73</b>

**CONTRACT HISTORY FOR THE PAST TWO YEARS**  
**RFP 9-1571 Public Outreach for Interstate 405 Improvement Project**

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
<b>Arellano Associates, LLC</b>						
Contract Type: Time-and-Expense	C-9-0250	Public Outreach for Grade Separation Projects	December 8, 2009	December 31, 2018	N/A	\$ 835,000
Subconsultants:						
James Klein & Associates						
Sara L. Catz						
Iron Duke Productions						
Civic Resource Group						
Contract Type: Time-and-Expense	C-3-1975	Interstate 5, Interstate 405 and State Route 55, Environmental Community Outreach	June 30, 2014	June 25, 2019	N/A	\$ 297,178
Subconsultants:						
Green Grass Communications						
CALTROP Communications						
Contract Type: Time-and-Expense	C-6-1027	Public Outreach for Transportation Planning Studies	May 23, 2016	June 30, 2019	N/A	\$ 120,000
Subconsultants:						
Next Day Flyers						
ARC Printing						
Sir Speedy						
Kirk Kushin Productions						
AIM Professional Services						
PALS for Health						
Excelsior						
Miniondas						
Voice of OC						
Eblast						
Typeform						
Poll Everywhere						
Wire2Air						
ARC Document Solutions, LLC						
Lazar Translating & Interpreting						
Metroquest						
Orange County Register						
Shutterstock, Inc.						
Contract Type: Time-and-Expense	C-8-1591	Public Outreach for Transportation Planning Studies	June 27, 2018	June 30, 2020	N/A	\$ 170,000
Subconsultants:						
Reprodox/Digital Artisan						
ARC Printing						
Next Day Flyers						
Lazar Translating & Interpreting						
Constant Contact						
Entercom/Riverside						
Poll Everywhere						
Wire2Air						
ESRI						
Metroquest						
Typeform						
emLINK International						
AIM Professional Services						
Parcel Quest						
Mailers Heaven						
ADM						
Pams National Messenger						
Contract Type: Time-and-Expense	C-9-1510	Marketing Outreach Support Services	October 16, 2019	June 30, 2021	N/A	\$ 120,000
Subconsultants: N/A						
<b>Sub Total</b>						<b>\$ 1,542,178</b>

ATTACHMENT C

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
<b>Kleinfelder Construction Services, Inc.</b>						
Contract Type: Time-and-Expense	C-6-1246	Public Outreach for Rail Capital Projects	September 28, 2016	August 31, 2018	N/A	\$ 119,000
Subconsultants:						
The Addressers						
Dean Hesketh Company, Inc.						
Lazar Translating & Interpreting						
RDS Printing & Graphics						
The Walking Man						
Contract Type: Time-and-Expense	C-2-2053	Public Outreach for I-405 Improvement Project	June 20, 2013	June 30, 2020	N/A	\$ 3,576,400
Subconsultants:						
Arrow GTP						
Cornerstone Communications						
Creative Edge Project LLC						
Gensler						
Green Grass Communications						
Kleinfelder						
MBI Media						
Media Planning & Placement, Inc.						
Network Public Affairs						
Steven Alfano Photography						
Wilson, Sparling, & Associates, Inc.						
Attila Juhas Design						
T&T Business Systems						
We The Creative						
Contract Type: Time-and-Expense	C-8-1523	Environmental Compliance Support Services	September 11, 2018	August 31, 2021	N/A	\$ 60,000
Subconsultants:						
ESCI Enviro Services, Inc.						
Global ASR Consulting, Inc.						
MugenKioku Corporation						
Contract Type: Time-and-Expense	C-5-3673	Construction Management Services for Laguna Niquel/San Juan Passing Siding	May 8, 2017	December 31, 2021	N/A	\$ 3,268,658
Subconsultants:						
AESCO, Inc.						
Chaudhary & Associates						
FCG Consultants						
Kleinfelder						
VCS Environmental						
Padilla & Associates, Inc.						
SafeworkCM						
Syrusa Engineering, Inc.						
ZT Consulting Group, Inc.						
					<b>Sub Total</b>	<b>\$ 7,024,058</b>