



# **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

Orange County Transportation Authority  
Headquarters  
Conference Room 07  
550 South Main Street  
Orange, California

**Thursday, October 15, 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.

### **Guidance for Public Access to the Board of Directors/Committee Meeting**

On March 12, 2020 and March 18, 2020, Governor Gavin Newsom enacted Executive Orders N-25-20 and N-29-20 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public to promote social distancing due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19).

In accordance with Executive Order N-29-20, and in order to ensure the safety of the Orange County Transportation Authority (OCTA) Board of Directors (Board) and staff and for the purposes of limiting the risk of COVID-19, in-person public participation at public meetings of the OCTA will not be allowed during the time period covered by the above-referenced Executive Orders.

Instead, members of the public can listen to AUDIO live streaming of the Board and Committee meetings by clicking the below link:

<http://www.octa.net/About-OCTA/Who-We-Are/Board-of-Directors/Live-and-Archived-Audio/>



## **Guidance for Public Access to the Board of Directors/Committee Meeting (Continued)**

Public comments may be submitted for the upcoming Board and Committee meetings by emailing them to [boardofdirectors@octa.net](mailto:boardofdirectors@octa.net).

If you wish to comment on a specific agenda Item, please identify the Item number in your email. All public comments that are timely received will be part of the public record and distributed to the Board. Public comments will be made available to the public upon request.

In order to ensure that staff has the ability to provide comments to the Board Members in a timely manner, please submit your public comments **30 minutes prior to the start time of the Board and Committee meeting date.**

### **Call to Order**

### **Roll Call**

### **Pledge of Allegiance**

Director Davies

#### **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.

### **Consent Calendar (Items 3 and 4)**

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.

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

Approve the minutes of the Legislative and Communications Committee meeting of August 20, 2020.



**4. Agreement for Rideshare and Vanpool Marketing, Design, and Advertising Services**

Kristopher Hewkin/Maggie McJilton

**Overview**

On July 8, 2020, the Orange County Transportation Authority released a request for proposals for consultant support for rideshare and vanpool marketing, design, and advertising services. Proposals were received in accordance with Orange County Transportation Authority procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for rideshare and vanpool marketing, design, and advertising services.

**Recommendations**

- A. Approve the selection of Brown Marketing Strategies, Inc. to provide rideshare and vanpool marketing, design, and advertising services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2206 between the Orange County Transportation Authority and Brown Marketing Strategies, Inc. in the amount of \$570,000, to provide rideshare and vanpool marketing, design, and advertising services for a two-year term, with a one-year option term.

**Regular Calendar**

**5. Agreement for State Legislative Advocacy and Consulting Services**

Kristin Jacinto/Lance M. Larson

**Overview**

On June 22, 2020, the Board of Directors approved the release of a request for proposals for state legislative advocacy and consulting services to begin when the present term for these services expires on December 31, 2020. One proposal was received and evaluated 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.



**5. (Continued)**

**Recommendations**

- A. Approve the selection of Topp Strategies, LLC, as the firm to provide state legislative advocacy and consulting services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2369 between the Orange County Transportation Authority and Topp Strategies, LLC, in the amount of \$420,000, for a two-year initial term, effective January 1, 2021 to December 31, 2022, with two, two-year options, to perform state legislative advocacy and consulting services.

**6. Federal Legislative Status Report**

Dustin J. Sifford/Lance M. Larson

**Overview**

An update is provided on efforts in Congress to enact appropriations bills and additional economic stimulus legislation. An overview is provided of a hearing on transportation equity.

**Recommendation**

Receive and file as an information item.

**7. Draft 2021-22 State and Federal Legislative Platforms**

Dustin J. Sifford/Lance M. Larson

**Overview**

Initial drafts of the 2021-22 State and Federal Legislative Platforms have been prepared for consideration by the Board of Directors.

**Recommendation**

Direct staff to continue developing the initial drafts of the 2021-22 State and Federal Legislative Platforms and prepare subsequent drafts for final approval.



**8. Update on Diversity Outreach and Inclusion Efforts**

Ted P. Nguyen/Maggie McJilton

**Overview**

The Orange County Transportation Authority is continuing its effort to conduct comprehensive and meaningful outreach to Orange County's growing diverse communities. This report provides an update on the progress of the diversity and inclusion efforts as well as plans to meet the future needs of community members who are increasingly diverse.

**Recommendation**

Receive and file as an information item.

**Discussion Items**

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

**10. Committee Members' Reports**

**11. Closed Session**

There are no Closed Session items scheduled.

**12. Adjournment**

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



# **MINUTES**

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

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### **Committee Members Present**

#### **Via Teleconference:**

Laurie Davies, Chair  
Lisa A. Bartlett, Vice Chairwoman  
Barbara Delgleize  
Michael Hennessey  
Gene Hernandez

### **Staff Present**

Jennifer L. Bergener, Deputy Chief Executive Officer  
Laurena Weinert, Clerk of the Board  
Sara Meisenheimer, Deputy Clerk of the Board

### **Committee Members Absent**

Donald P. Wagner

#### **Via Teleconference:**

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

### **Call to Order**

The August 20, 2020, regular meeting of the Legislative and Communications (L&C) Committee was called to order by Committee Chair Davies at 9:11 a.m.

### **Roll Call**

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

### **Pledge of Allegiance**

Committee Chair Davies led in the Pledge of Allegiance.

#### **1. Public Comments**

No public comments were 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 Committee Vice Chairwoman Bartlett, and following a roll call vote, declared passed 5-0, to approve the minutes of the Legislative and Communications Committee meeting of July 16, 2020.



## **Regular Calendar**

### **3. State Legislative Status Report**

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

- August 25<sup>th</sup> is the last day that any bill can be amended in the state legislature.
- Today, marks the day that all bills are going to be dispensed within the appropriations committee.
- There have been several ideas proposed, related to economic stimulus, and a continued discussion on trailer bills that have not been seen in print.
- Overview of the economic stimulus plan, Senate Bill (SB) 288 and SB 1351.
- The Orange County Transportation Authority (OCTA) staff recommends to not take a position on SB 288 and SB 1351.

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

### **4. Federal Legislative Status Report**

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

- In May, the House of Representatives passed \$3.5 trillion in economic stimulus measures and there has not been an agreement on how to move forward on a potential next stimulus bill.
- In July, the Senate released legislative language that would provide approximately \$1 trillion in economic recovery incentives.
- The biggest difference between the House and Senate economic stimulus proposals are on how much to spend and how the resources are distributed.
- The House passed a package of annual appropriations bills that included the transportation funding bill.
- Since the writing of this staff report, the Senate has introduced pairing a slimmed down economic recovery package with a continuing resolution.
- The House is coming back this weekend to discuss funding for the United States Postal Service.
- Referenced Attachment A of the Staff Report.

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



## **Discussion Items**

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

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

- Michele Martinez was appointed last week by Governor Newsom to the California Transportation Commission (CTC). Ms. Martinez worked regularly with OCTA when she served on the Santa Ana City Council and the Southern California Association of Governments. She replaced Lucy Dunn, whose term expired earlier this year.
- Mr. Johnson, CEO, acknowledged Ms. Dunn's more than 10 years of service on the CTC and looks forward to working with her in her new role as President and CEO of the Orange County Business Council.
- OCTA continues to hold virtual construction outreach events to keep the community informed about projects throughout Orange County. There is more flexibility and convenience to reach people since it is easier for people to log-in from home.
- Last night, more than 50 people registered to participate in a virtual open house that provided updates on the OC Streetcar project.

### **6. Committee Members' Reports**

There were no Committee Members' Reports.

### **7. Closed Session**

There were no Closed Session items scheduled.

### **8. Adjournment**

The meeting adjourned at 9:33 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, September 17, 2020**, at the Orange County Transportation Authority Headquarters, Conference Room 07, 550 South Main Street, Orange, California.

ATTEST

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Laurie Davies  
Committee Chair

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Sahara Meisenheimer  
Deputy Clerk of the Board





**October 15, 2020**

**To:** Legislative and Communications Committee

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

**Subject:** Agreement for Rideshare and Vanpool Marketing, Design, and Advertising Services

**Overview**

On July 8, 2020, the Orange County Transportation Authority released a request for proposals for consultant support for rideshare and vanpool marketing, design, and advertising services. Proposals were received in accordance with Orange County Transportation Authority procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for rideshare and vanpool marketing, design, and advertising services.

**Recommendations**

- A. Approve the selection of Brown Marketing Strategies, Inc. to provide rideshare and vanpool marketing, design, and advertising services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2206 between the Orange County Transportation Authority and Brown Marketing Strategies, Inc. in the amount of \$570,000, to provide rideshare and vanpool marketing, design, and advertising services for a two-year term, with a one-year option term.

**Discussion**

The Orange County Transportation Authority (OCTA) provides and manages rideshare and vanpool programs to encourage businesses and commuters to utilize convenient and cost-effective transportation options. The rideshare program promotes transportation alternatives, including bus, train, vanpool, carpool, telework, and active transportation. OCTA's vanpool program is a public-private partnership that provides vanpools to commuters throughout Southern California who work in Orange County. OCTA provides marketing and outreach for the vanpool program in an effort to sustain and grow the number of vanpools and miles reported. In addition, OCTA conducts rideshare marketing

and outreach campaigns that help employers comply with the South Coast Air Quality Management District's Rule 2202 - On-Road Motor Vehicle Mitigation Options, which provides employers of 250 or more employees with a number of options to reduce mobile-source emissions generated from employee commutes to comply with federal and state Clean Air Act requirements.

OCTA's rideshare programs and services include the following:

- Perk Pass – discounted bus passes for employers
- Average Vehicle Ridership survey calculation and data analysis
- Metrolink's Corporate Pass Program – discounted passes for employers
- Guaranteed Ride Home– provides employees who rideshare the opportunity to reimburse the cost of an emergency trip home
- Vanpool Program – promotes commuting as a group in a shared vehicle
- Employer outreach to encourage rideshare program participation
- Employer marketing training workshops and network meetings
- Marketing campaigns for Rideshare Week, Bike to Work Week, and Dump the Pump Day
- Ride matching and vanpool formation services
- Rule 2202 compliance assistance

With consultant support, OCTA conducts marketing campaigns, promotions, and outreach to achieve the following goals:

- Increase awareness of OCTA's rideshare programs and services
- Stimulate use of alternative transportation modes and encourage telework programs
- Grow ridesharing participation by commuters and employers
- Expand the vanpool program participation

To assist with the development and implementation of these strategies, OCTA requires consultant support to provide various marketing services to conduct marketing campaigns and promotions. Services include:

- Integrated strategic marketing plan development and campaign development
- Email, social media, and mobile marketing
- Digital and traditional media planning, buying, and optimization
- Diversity marketing and translation services
- Print and digital creative development, including website development, video production, and photography

- Market research
- Production and printing services

Historically, OCTA has held separate contracts for rideshare and vanpool marketing services; however, it was determined that the programs would be better served by having one consultant manage the marketing efforts since both programs have similar objectives. Furthermore, it was determined that these marketing programs would benefit from a more extended engagement as it will allow for cohesive messaging and potential cost savings from a multiyear agreement.

### ***Procurement Approach***

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

On July 8, 2020, Request for Proposals (RFP) 0-2206 was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on July 9 and 13, 2020. A pre-proposal conference was held on July 14, 2020 with six attendees representing six firms. Two addenda were issued to provide a copy of the pre-proposal registration sheet and to respond to questions related to the RFP.

On July 28, 2020, six proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, Marketing and Customer Engagement, Public Outreach, as well as Planning and Analysis departments 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 | 20 percent |
| • Work Plan                         | 30 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 to emphasize the importance of the proposing firms having qualifications and past experience on similar projects. Staffing and project organization was weighted at 20 percent to ensure the knowledge, skills, and abilities needed to perform the services required in the scope of work are met. Work plan was also weighted at 30 percent as the firms needed to demonstrate a thorough understanding of the work required and the methods needed to deliver successful results for the highly-specific and niche nature of the work required. Cost and price were weighted at 20 percent to ensure the services would be provided at competitive rates.

On August 11, 2020, the evaluation committee reviewed and discussed the six proposals received based on the evaluation criteria, and two firms were shortlisted and interviewed. The two firms are listed in alphabetical order as follows:

Firms and Location:

Brown Marketing Strategies, Inc. (BMS)  
San Diego, California

Celtis Ventures, Inc. (Celtis)  
Redondo Beach, California

The interviews with the two short-listed firms were conducted on August 18, 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 qualifications and respond to evaluation committee questions. Questions were asked relative to the qualifications and experience of the proposed project team's key personnel, innovative ideas for rideshare and vanpool marketing, and the firm's approach to the work plan considering the continuously changing physical and social landscape as a result of the coronavirus (COVID-19) pandemic.

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

Based on the evaluation of written proposals and interviews, staff recommends BMS as the firm to provide rideshare and vanpool marketing, design, and advertising services. The following is a summary of the proposal evaluation results.

#### **Qualifications of the Firm**

BMS is a Disadvantaged Business Enterprise firm founded in 2007 with nine full-time staff members and two part-time staff members. The firm has demonstrated direct relevant experience and capabilities in all aspects of the services requested. The firm has provided similar services collaborating on rideshare week with other transit agencies such as Rapid San Diego, media buying and placement for new routes for Metropolitan Transit System, promoting customer retention programs and initiatives for North County Transit District, and worked with San Diego Association of Governments (SANDAG) for iCommute rideshare and vanpool services, as well as media buying and creative implementation for both the County of San Diego COVID-19 campaign and Orange County Health Care Agency.

Celtis was established in 2012 and employs 16 full-time staff and two part-time staff members. The firm has experience working with many transportation agencies and specifically provided marketing services for rideshare and vanpool campaigns for the Ventura County Transportation Commission (VCTC), the Livermore Amador Valley Transit Authority and the Riverside County Transportation Commission, which resulted in increased participation for all three agencies. The firm also promoted a ridership campaign for OCTA's OC Bus, which helped to increase ridership and system redesign for OC Bus. In addition, the firm has also created vanpool programs for the City of Los Angeles and the State of Texas.

#### **Staffing and Project Organization**

BMS' proposed creative director/account manager and other key personnel are all qualified and demonstrate knowledge of the program requirements. The proposed project staff for the firm demonstrated familiarity essential to the scope of work demonstrating expertise in marketing, advertising, and design skills and have worked for the firm ranging from two to 12 years. The creative director brings almost 30 years of experience in the advertising field and creative strategy and is currently the project manager for the SANDAG vanpool and rideshare project. The art director has over ten years' experience in project management and creative strategy. During the interview, the team was responsive and offered proficiency and insight with every response.

Celtis proposed a team with experience and qualified backgrounds suitable to performing the requirements of the scope of work. Celtis' proposed creative director/account manager has 20 years marketing and outreach experience and is the current project manager for VCTC's comprehensive communications. The art director has more than 15 years of experience in graphic design. The project team members discussed their approach and strategies, as well as responded to the evaluation committee's questions during the interview.

#### **Work Plan**

The work plan proposed by BMS conformed to the scope of work identified in the RFP and outlined the activities that would be undertaken in completing the services. The firm, through their proposal, also demonstrated their ability to provide the proper tools and mechanisms to see the process from beginning to end and provided details of the firms' approach to providing a strategic marketing plan development for campaigns. The firm demonstrated details on how they have achieved ridership growth with agencies like SANDAG and identified how transit markets need to identify and attract a diverse customer base of prospective commuters through the use of social media tactics and display events. The firm recommended new ideas like the employer recognition program that praises Orange County employers for their efforts in encouraging their employees to make alternative commute choices. During the interview, the firm provided information, which demonstrated they are looking at ways to anticipate disruptions associated with COVID-19 using virtual outreach and webinars with virtual ambassadors and also discussed ways to make the rideshare and vanpool program more exciting and desirable.

The work plan proposed by Celtis was complete and comprehensive addressing the requirements of the scope of work and the firm demonstrated understanding of rideshare and vanpool programs. Celtis recommends OCTA take advantage of available technology and become more digital in rideshare marketing. The firm stressed the importance of strategic planning for each project and provided ideas to mitigate the impacts of COVID-19, such as virtual training sessions where people can have access to Orange County rideshare information regarding safety guidelines. The firm was not specific in responses to certain interview questions.

#### **Cost and Price**

Pricing scores were based on a formula which assigned the highest score to the firm with the lowest average hourly rate and scored the other proposals' average hourly rates based on their relation to the lowest average hourly rate. BMS'

proposed average hourly rate was lower than Celtis and was competitive based on proposed rates with other firms.

#### **Procurement Summary**

Based on the evaluation of the written proposal, the firm's qualifications, and the information obtained from the interviews, the evaluation committee recommends the selection of BMS as the top-ranked firm to provide rideshare and vanpool marketing, design, and advertising services. BMS delivered a thorough and comprehensive proposal and an interview that was responsive to requirements of the RFP.

#### **Fiscal Impact**

The project is included in OCTA's Fiscal Year 2020-21 budget. The program is funded with Congestion Mitigation and Air Quality grant funds in External Affairs Division Account No. 1841-7519-A2237-L75.

#### **Summary**

Staff is recommending the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2206 between the Orange County Transportation Authority and Brown Marketing Strategies, Inc., in the amount of \$570,000, for a two-year term, with a one-year option term for the Orange County Transportation Authority's rideshare and vanpool marketing, design, and advertising services.

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***Attachments***

- A. Review of Proposals, RFP 0-2206 Rideshare and Vanpool Marketing, Design, and Advertising Services
- B. Proposal Evaluation Criteria Matrix (Short-Listed Firms), RFP 0-2206 Rideshare and Vanpool Marketing, Design, and Advertising Services
- C. Contract History for the Past Two Years, RFP 0-2206 Rideshare and Vanpool Marketing, Design, and Advertising Services

**Prepared by:**



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Kristopher Hewkin  
Marketing Specialist, Senior  
Marketing  
714-560-5331

**Approved by:**



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



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Pia Veasapen  
Interim Director, Contracts  
Administration and Materials  
Management  
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**Review of Proposals**  
**RFP 0-2206 Rideshare and Vanpool Marketing, Design and Advertising Services**  
Presented to the Legislation and Communications Committee on October 15, 2020  
**Six proposals were received, Two firms were interviewed, One firm is being recommended**

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Average Hourly Rate
1	86	Brown Marketing Strategies, Inc. San Diego, California	Continental Interpretation Services Infrastructure Productions, LLC Repromagic Pixel Imaging Media Outfront Media Discount Mugs Alibaba Cycling Print Place	Over 13 years in business. The firm demonstrated how they have achieved ridership growth with other agencies. Demonstrated familiarity managing all aspects of the required services. Rideshare Week and carpool campaign experience. Scope of work tailored to Orange County Transportation Authority needs and bringing in knowledge of similar agencies. Experience providing services to other transit agencies such as Rapid San Diego, San Diego Metropolitan Transit System, North County Transit District, and San Diego Association of Governments for iCommute. Creative director brings almost 30 years' experience in the advertising field and creative strategy. Responded to interview questions.	\$120
2	80	Celtis Ventures, Inc. Redondo Beach, California	Young Communications Group Nakatomi and Associates Bumpercar, Inc. Trend Offset Printing Dual Graphics	Over eight years in business. The firm demonstrated how they have achieved ridership growth with agencies. Although detailed, the work plan was not easy to follow. The firm's proposed creative/director/account manager has 20 years marketing experience. The firm has experience working with many transportation agencies and specifically provided marketing services for rideshare and vanpool campaigns for Ventura County Transportation Authority. Responded to interview questions.	\$129

Contracts Administration and Materials Management (1)	Qualifications of the Firm	30 percent
Marketing and Customer Engagement (2)	Staff and Project Organization	20 percent
Planning and Analysis (1)	Work Plan	30 percent
Public Outreach (1)	Cost and Price	20 percent

**PROPOSAL EVALUATION CRITERIA MATRIX (Short-Listed Firms)**

**RFP 0-2206 RIDESHARE AND VANPOOL MARKETING, DESIGN, AND ADVERTISING SERVICES**

Brown Marketing Strategies, Inc.						Weights	Overall Score
Evaluator Number	1	2	3	4	5		
Qualifications of Firm	4.0	4.5	4.5	4.5	4.0	6	26
Staffing/Project Organization	4.0	4.0	4.5	4.5	4.5	4	17
Work Plan	4.5	4.5	4.5	4.5	4.5	6	27
Cost and Price	3.9	3.9	3.9	3.9	3.9	4	16
Overall Score	82.6	85.6	87.6	87.6	84.6		86
Celtis Ventures, Inc.						Weights	Overall Score
Evaluator Number	1	2	3	4	5		
Qualifications of Firm	4.5	4.5	4.0	4.5	4.5	6	26
Staffing/Project Organization	4.0	4.5	4.0	3.5	4.0	4	16
Work Plan	3.5	4.0	4.0	4.0	3.5	6	23
Cost and Price	3.7	3.7	3.7	3.7	3.7	4	15
Overall Score	78.8	83.8	78.8	79.8	78.8		80

Range of Score for Non-Short Listed firms is 55 to 77

# CONTRACT HISTORY FOR THE PAST TWO YEARS

## RFP 0-2206 Rideshare and Vanpool Marketing, Design, and Advertising Services

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
<b>Brown Marketing Strategies, Inc.</b>						
Contract Type: None						
Subconsultants:						
None						
<b>Sub Total</b>						<b>\$0.00</b>
<b>Celtis Ventures, Inc.</b>						
Contract Type: Firm-Fixed	C-8-1539	Outreach Services for Orange County Transportation	March 1, 2018	June 30, 2019		\$ 200,000
Subconsultants:		Authority's Rideshare Programs				
None						
Contract Type: Firm-Fixed	C-8-1586	Bus Ridership Marketing Services	June 1, 2018	June 30, 2020		\$ 245,000
Subconsultants:						
None						
<b>Sub Total</b>						<b>\$445,000.00</b>



**October 15, 2020**

**To:** Legislative and Communications Committee

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

**Subject:** Agreement for State Legislative Advocacy and Consulting Services

### **Overview**

On June 22, 2020, the Board of Directors approved the release of a request for proposals for state legislative advocacy and consulting services to begin when the present term for these services expires on December 31, 2020. One proposal was received and evaluated 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 Topp Strategies, LLC, as the firm to provide state legislative advocacy and consulting services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2369 between the Orange County Transportation Authority and Topp Strategies, LLC, in the amount of \$420,000, for a two-year initial term, effective January 1, 2021 to December 31, 2022, with two, two-year options, to perform state legislative advocacy and consulting services.

### **Discussion**

The Orange County Transportation Authority's (OCTA) state legislative advocacy consultants represent the agency's positions on legislation, policy issues, and funding priorities before the State Legislature, Administration and administrative agencies. The state legislative advocacy consultants also provide input to the OCTA legislative platform, notify staff of relevant proposed legislation, legislative activity affecting OCTA, and provide timely updates and strategy for transportation issues and events occurring in Sacramento.

Presently, OCTA's state legislative advocacy and consulting services are provided by Platinum Advisors, LLC (Platinum), with a subcontract to Topp Strategies, LLC (Topp Strategies) with Moira Topp as the lead legislative advocate for OCTA. OCTA first contracted with Platinum with Topp Strategies as a subcontractor in 2014. Moira Topp has served as OCTA's lead legislative advocate since 2007. The firm is currently paid \$17,500 per month, and their contract expires on December 31, 2020.

### ***Procurement Approach***

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

On June 22, 2020, the Board approved the release of Request for Proposals (RFP) 0-2369, which was electronically issued on CAMM NET. The project was advertised in a newspaper of general circulation on June 24, and 29, 2020. A pre-proposal conference was held virtually on July 14, 2020 and was attended by two firms. Three addenda were issued to make available the pre-proposal conference registration sheets, as well as the presentation, and for administrative notifications.

On August 14, 2020, one proposal was received from Topp Strategies. In accordance with OCTA's procurement policies and procedures, a single proposal received for a procurement over \$50,000 requires OCTA's Internal Audit Department (Internal Audit) to conduct a review to determine if there was adequate competition. Based on Internal Audit's review, there were no findings that concluded the procurement restricted competition. In addition, Contracts Administration and Materials Management (CAMM) contacted one of the firms that attended the pre-proposal conference along with all the consultants on the plan holder's list, which indicated they were interested in submitting a proposal to inquire why they did not submit proposals. The responses from the firms varied with one firm responding that representing OCTA would pose a conflict of interest based on their current client portfolio, to another firm stating it was a business decision not to submit a proposal as it is a culture in Sacramento that if a lobbying client is currently represented, most firms will pass on submitting a proposal. Another firm stated that they were not interested in proposing on the project.

An evaluation committee consisting of OCTA staff from the Executive Office, Government Relations, and CAMM departments was established to review the proposal received from Topp Strategies.

The proposal was evaluated based on the following Board-approved evaluation criteria and weightings:

• Qualifications of the Firm	25 percent
• Staffing	35 percent
• Work Plan	25 percent
• Cost and Price	15 percent

Several factors were considered in developing the four criteria weightings. Qualifications of the firm was weighted at 25 percent because it is important that the firm demonstrated it has performed these services for other similar clients and has the necessary access to the state legislators and their staff. Staffing was weighted highest at 35 percent as it is the most critical element to the success of these services. The firms needed to demonstrate that key personnel were knowledgeable of the political and economic climate and the ongoing transportation issues that face the State of California. The work plan was also weighted at 25 percent as the firms needed to demonstrate their understanding of OCTA's needs and be able to advocate on OCTA's behalf. Finally, cost and price was weighted at 15 percent as the firm must demonstrate that they can perform the services at maximum cost efficiencies to ensure that OCTA receives value for the services provided.

The evaluation committee virtually conducted an interview with Topp Strategies and their proposed subcontractor, Platinum. The interview consisted of a brief overview of the team's organization plan, as well as an opportunity to respond to the evaluation committee's questions.

The following is a brief summary of the proposal evaluation results.

#### Qualifications of Firm and Staffing

The principal and founder of Topp Strategies is Moira Topp. She has served as OCTA's primary legislative advocate since 2007. During this period of time, she has been successful in securing several important pieces of legislation for OCTA including AB 401 (Chapter 586, Statutes of 2013), which provided design-build authority for the Interstate 405 Improvement Project, SB 1119 (Chapter 606, Statutes of 2018), which allowed OCTA to use Low Carbon Transit Operations

Program funding to expand reduced fare transit pass programs for college students, and the securing of an audit by the State Auditor analyzing the impacts online sales have on the Local Transportation Fund. In addition, Moira Topp has existing relationships with all Orange County delegation members, leadership within the Legislature and the Administration, as well as administrative agencies. The proposed project team demonstrated familiarity with not only OCTA policy priorities, but also its programs and projects, which will help facilitate future conversations surrounding transportation.

Furthermore, the proposed team would continue the involvement of Platinum as a subcontractor, which will allow OCTA to continue to access representatives from that firm when needed. This arrangement reflects existing practice, where Moira Topp serves as OCTA's day-to-day contact, but representatives of Platinum are used as needed.

#### **Work Plan**

The work plan proposed by Topp Strategies demonstrated a knowledge of key policy discussions that will be taking place over the next legislative session which will directly impact OCTA. This includes how projected revenue shortfalls will be addressed not only in the state budget, but also within transportation funding programs. Many of the potential proposals are likely to be extensions of issues Topp Strategies has already worked on for OCTA in past sessions, including efforts to reprioritize the State Transportation Improvement Program and added priorities to how funding from SB 1 (Chapter 5, Statutes of 2017) is distributed. In addition, the work plan demonstrated the expectation that other policy discussions will be extended into next legislative session, including those related to toll enforcement and interoperability, expansion of free transit fares, and efforts to strengthen and/or accelerate environmental regulations related to transportation. Because Topp Strategies has worked on behalf of OCTA on each of these issues in the past and understands OCTA's positions, they would be able to immediately engage on these issues.

#### **Cost and Price**

CAMM also conducted a price review. The monthly fixed-fee in the amount of \$17,500 proposed by Topp Strategies is deemed fair and reasonable as it is below the independent cost estimate prepared by OCTA staff, and it is the same monthly fee that OCTA currently pays for these services.

### Procurement Summary

Based on the evaluation of the written proposal, the firm's qualifications, and the information obtained from the interview, the evaluation committee recommends the selection of Topp Strategies as the consultant to provide state legislative advocacy and consulting services. The Topp Strategies team demonstrated strong relevant experience and submitted a thorough and comprehensive proposal that was responsive to all requirements of the RFP.

The agreement will be a firm-fixed contract with a two-year initial term and two, two-year option terms. The amount of the initial term is \$420,000.

### Fiscal Impact

OCTA staff is not recommending any increase in the total contract amount for state legislative advocacy services above what has been authorized by the Board in the Fiscal Year (FY) 2020-21 Budget. This amount is included in the OCTA FY 2020-21 Budget, Account No. 1412-7519-A3202-KSH.

### ***Summary***

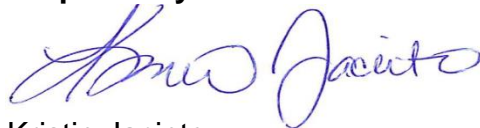
Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2369 between the Orange County Transportation Authority and Topp Strategies, LLC in the amount of \$420,000 for a two-year initial term, effective January 1, 2021 through December 31, 2022, with two, two-year option terms to provide state legislative advocacy and consulting services.



***Attachment***

None.

**Prepared by:**



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**October 15, 2020**

**To:** Legislative and Communications Committee

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

**Subject:** Federal Legislative Status Report

### **Overview**

An update is provided on efforts in Congress to enact appropriations bills and additional economic stimulus legislation. An overview is provided of a hearing on transportation equity.

### **Recommendation**

Receive and file as an information item.

### **Discussion**

#### Update on Annual Transportation Funding

As previously reported, Congress has not reached agreement on the enactment of annual funding bills, long-term surface transportation legislation, or the next phase of coronavirus (COVID-19) economic relief legislation. With the approaching expiration of the Fixing America's Surface Transportation (FAST) Act on September 30, 2020, and the start of the new fiscal year, Congress had to work to pass legislation providing a short-term extension of both annual appropriations and surface transportation authorization. Without a legislative solution by that date, not only would there be a partial government shutdown, but federal transportation programs would be at risk.

On September 22, 2020, the House of Representatives passed, by a vote of 359 to 57, a continuing resolution that included a one-year extension of surface transportation programs. The continuing resolution provided funding for government operations through December 11, 2020. The surface transportation extension, through September 31, 2021, authorized transportation programs largely at FAST Act levels, without accounting for any of the stimulus funding provided by the Coronavirus Aid, Relief, and Economic Security (CARES) Act earlier this year. On September 30, 2020, the Senate passed the House's

short-term funding bill, with the one-year FAST Act extension, by a vote of 84 to 10. The President signed the bill in short order, averting any potentially harmful consequences of failing to extend these critical federal functions.

Orange County Transportation Agency (OCTA) legislative staff and advocates worked with stakeholder organizations to advocate for an extension that would benefit Orange County. The American Association of State Highway and Transportation Officials, the American Public Transit Association, and a broad swath of transportation stakeholders submitted correspondence, included as Attachment A, outlining the need for Congress to extend surface transportation programs and provide additional funding to combat COVID-19, specifically \$37 billion for state departments of transportation and \$32 billion for public transit agencies. The California Transit Association (CTA) sent a similar letter, included as Attachment B, advocating for a continuing resolution, a one-year extension of surface transportation programs, and additional funding for transit agencies to combat COVID-19. The CTA letter supported the industrywide letter's call for \$32 billion in transit funding, emphasizing the need to direct \$3.1 billion to transit agencies in the State of California.

The continuing resolution also directed the transfer of \$13.6 billion into the Highway Trust Fund (HTF) to cover the cost of federal transportation programs for the upcoming fiscal year. In addition, the bill contains a minor adjustment to formula disbursements due to a statutory provision meant to ensure that every state receive adequate funding from the HTF. This provision prevents states from becoming a "donor" to the HTF by requiring that each state's HTF funding be at least 95 percent of the revenues that the state contributes into the HTF. This provision was invoked because the states of Colorado and Texas fell below the 95 percent threshold. Every other state will receive a 0.625 percent reduction to its formula apportionment this year, resulting in an estimated \$25 million reduction to the State of California's \$4 billion apportionment. Staff is conducting an in-depth analysis of these federal formula distributions to effectively advocate for the interests of Orange County and the region when Congress begins its work, in earnest, on a long-term reauthorization bill. Staff will continue to provide updates on any changes to the formula distribution, additional continuing resolutions, the consideration of funding bills, or any related issues as necessary.

#### Update on COVID-19 Relief Efforts

Unfortunately, differences between House and Senate leaders have been detrimental to progress on a potential next round of COVID-19 stimulus. As the Senate was passing the continuing resolution, House leaders announced plans to consider a \$2.2 trillion economic stimulus bill. This proposal was an amended, pared-down version of the Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act the House passed in May, which staff previously

detailed for the Board of Directors' (Board) June meeting of the Legislative and Communications Committee. The amended HEROES Act would provide over \$400 billion in dedicated funding for state and local governments, \$120 billion in financial assistance for restaurants, and the \$32 billion for transit agencies requested by CTA and the transportation industry as discussed above. The bill would also provide \$2.4 billion in funding for Amtrak. Unlike the previous version of the HEROES Act, the amended version does not include any supplemental highway funding. The amended HEROES Act instead provides over \$40 billion for airports and the airline industry, a significant increase compared to the previous version of the bill.

The \$32 billion of transit funding would provide \$18.5 billion directly to agencies receiving Federal Transit Administration (FTA) funding through the FTA 5307 Urbanized Area Formula Grants and FTA 5337 State of Good Repair grants. In addition, the bill would provide an additional \$10 billion in FTA 5307 funding via a competitive selection process. The FTA 5307 and 5337 funding would be provided on a modified distribution system, taking into account funding from the CARES Act so that no agency can receive more than their 2018 operating expenses combined, in a manner that makes it difficult to accurately estimate how much funding may flow to Orange County. The amended HEROES Act would provide more than \$2.5 billion in supplemental funding for the Capital Investment Grants (CIG) program, specifically for CIG projects with funding allocated in federal fiscal years 2019 and 2020, to increase the project's federal share.

At the writing of this staff report, news reports indicated the amended HEROES Act stood very little chance of being signed into law in its current form. On October 1, 2020, the House passed the bill by a vote of 214 to 207, with negotiations ongoing on a potential compromise measure. Reports also indicated that Senate leaders did not want to provide more than \$1.5 trillion in any stimulus effort, whereas House leaders indicated an unwillingness to provide less than \$2.2 trillion in economic assistance. Staff will continue to monitor the ongoing stimulus discussions, advocate for stimulus policies that benefit OCTA, and provide updates on a next round of economic stimulus, or on any bill relevant to the agency, to the Board as necessary.

#### Summary of Hearing on Transportation Equity

On September 23, 2020, the House Transportation and Infrastructure Committee held a hearing entitled "Driving Equity: The United States Department of Transportation's Disadvantaged Business Enterprise Program." At the hearing, the discussion was focused on the ways in which the Disadvantaged Business Enterprise (DBE) program can be improved. Chair DeFazio (D-OR) noted that the hearing was the first discussion of the DBE program in 11 years. There was bipartisan consensus for continued commitment

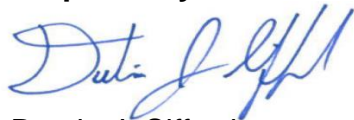
to this program because it is an effective way to ensure that minority- and women-owned businesses have full and fair access to transportation contracts. One theme in the hearing was the importance of this program now, especially because minority-owned businesses have been disproportionately affected by the COVID-19 pandemic. Suggestions from the witnesses included improvements to the personal net worth calculation, consistent program certification, and state transportation department waivers to exclude certain groups of people when they determine that group has reached some level of parity. Panelists stated that the DBE program's greatest benefit is not just financial, instead emphasizing the relationships that were created because of its assistance with future contracts.

**Summary**

An update is provided efforts to ensure that federal transportation funding continues to benefit Orange County, as well as a summary of a hearing on transportation equity.

**Attachments**

- A. Letter from Transportation Stakeholders to Congressional Leaders, dated September 9, 2020
- B. Letter from California Transit Association to Congressional Leaders, dated September 22, 2020
- C. Potomac Partners DC, Monthly Legislative Report – August 2020
- D. Potomac Partners DC, Monthly Legislative Report – September 2020

**Prepared by:**

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**Approved by:**

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

September 9, 2020

The Honorable Mitch McConnell  
Majority Leader  
U.S. Senate  
Washington, D.C. 20510

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Charles Schumer  
Democratic Leader  
U.S. Senate  
Washington, D.C. 20515

The Honorable Kevin McCarthy  
Republican Leader  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Majority Leader McConnell, Speaker Pelosi, Democratic Leader Schumer, and Republican Leader McCarthy:

The current surface transportation law—the Fixing America’s Surface Transportation Act—expires in 21 days. Therefore, the undersigned 88 organizations urge you to pass legislation to the President before September 30 that includes:

1. A turn-key, one-year extension of the current surface transportation law with increased investment levels;
2. Emergency federal funding for state departments of transportation and public transit agencies—\$37 billion and \$32 billion, respectively; and
3. Provisions to ensure solvency of the Highway Trust Fund for the duration of the extension at a minimum.

Public agencies continue to face COVID-19 pandemic-induced revenue declines. As a result, state and local entities already delayed or cancelled \$8 billion in surface transportation projects, with more on the horizon absent any clear sign of support from the federal government. Failure to approve a one-year extension with increased funding for the purpose of stability would only exacerbate this dire situation.

Passing legislation that includes the aforementioned priorities would enable critical improvements that increase the safety and efficiency of the surface transportation system. This timely action by Congress would tangibly enhance the quality of life for all Americans and jumpstart America’s economic recovery.

Thank you for your leadership in addressing these critical issues. We look forward to working with you to approve such legislation before September 30.

Sincerely,

American Association of State Highway & Transportation Officials  
American Road & Transportation Builders Association  
Associated General Contractors of America  
U.S. Chamber of Commerce  
Association of Equipment Manufacturers  
National Retail Federation

American Public Transportation Association  
International Union of Operating Engineers  
Laborers' International Union of North America  
Transportation Trades Department, AFL-CIO  
National Association of Manufacturers  
American Highway Users Alliance  
Retail Industry Leaders Association  
North America's Building Trades Unions  
American Society of Civil Engineers  
Associated Builders and Contractors  
National Association of Counties  
American Council of Engineering Companies  
American Concrete Pavement Association  
National Stone, Sand & Gravel Association  
American Concrete Pipe Association  
American Traffic Safety Services Association  
National Asphalt Pavement Association  
Portland Cement Association  
The Surety & Fidelity Association of America  
Sheet Metal and Air Conditioning Contractors National Association (SMACNA)  
American Subcontractors Association  
Building America's Future  
Associated Equipment Distributors  
American Iron and Steel Institute  
American Institute of Steel Construction  
National Steel Bridge Alliance  
Auto Care Association  
National Ready Mixed Concrete Association  
National Association of Surety Bond Producers  
American Public Works Association  
Geospatial Equipment & Technology Institute (GETI)  
National Society of Professional Surveyors (NSPS)  
Subsurface Utility Engineering (SUE) Association  
U.S. Geospatial Executives Organization (U.S. GEO)  
Intelligent Transportation Society of America  
Owner-Operator Independent Drivers Association  
National Safety Council  
League of American Bicyclists  
Safe Routes Partnership  
The Design-Build Institute of America  
Commercial Vehicle Safety Alliance  
United Brotherhood of Carpenters  
Governors Highway Safety Association

Association for the Improvement of American Infrastructure  
Community Transportation Association of America  
International Association of Iron Workers  
Transport Workers Union of America  
International Bridge, Tunnel and Turnpike Association  
Institute of Transportation Engineers  
Interlocking Concrete Pavement Institute (ICPI)  
Railway Supply Institute  
National Utility Contractors Association  
FP<sup>2</sup> (formerly Foundation for Pavement Preservation)  
National Tour Association  
United States Tour Operators Association  
American Association of Port Authorities  
Institute of Makers of Explosives  
National Electrical Contractors Association  
Industrial Minerals Association – North America  
Construction & Demolition Recycling Association  
National Association of County Engineers  
The Association of Union Constructors (TAUC)  
American Concrete Pumping Association  
Precast/Prestressed Concrete Institute  
Steel Manufacturers Association  
Concrete Reinforcing Steel Institute  
Foodservice Equipment Distributors Association  
National Parking Association  
National Waste and Recycling Association  
North American Association of Food Equipment Manufacturers (NAFEM)  
Motor and Equipment Manufacturers Association  
National Mining Association  
Lubricant Manufacturers Association  
Associated Wire Rope Fabricators  
National Association of Trailer Manufacturers  
Metals Service Center Institute  
Corn Refiners Association  
Amalgamated Transit Union  
International Brotherhood of Electrical Workers  
American Foundry Society  
Women Construction Owners and Executives  
NORA, An Association of Responsible Recyclers

cc: All Members of Congress





Connecting us.

September 22, 2020

The Honorable Nancy Pelosi  
Speaker of the House  
United States House of Representatives  
H-232, U.S. Capitol  
Washington, DC 20515

The Honorable Mitch McConnell  
Majority Leader  
United States Senate  
S-230, U.S. Capitol  
Washington, DC 20510

The Honorable Kevin McCarthy  
Minority Leader  
United States House of Representatives  
H-204, U.S. Capitol  
Washington, DC 20515

The Honorable Charles E. Schumer  
Minority Leader  
United States Senate  
S-221, U.S. Capitol  
Washington, DC 20510

Dear Speaker Pelosi, Leader McConnell, Leader McCarthy, Leader Schumer:

On behalf of the member agencies in the California Transit Association and the millions of Californians who continue to rely on public transportation right now, I thank you again for providing emergency funding for public transit agencies in the Coronavirus Aid, Resources, and Economic Security (CARES) Act.

As you know well, since the passage of that critical funding bill, public transit agencies nationwide have continued to face COVID-19 pandemic-induced revenue declines that threaten their short- and long-term solvency. To remain viable, transit agencies require additional emergency federal funding and a clear commitment to reauthorization and long-term funding of core federal funding programs. This will prevent significant and permanent reductions in transit services that will adversely impact communities throughout the state and which are becoming all too likely at transit agencies operating in rural, suburban and urban contexts.

We, therefore, join transportation stakeholders from across the country in urging you to pass legislation before September 30 to provide:

1) A one-year extension of the Fixing America's Surface Transportation Act that includes increased investment levels, funding to restore solvency to the Highway Trust Fund, and a suspension of the Rostenkowski test;

2) \$32 billion in emergency funding for the nation's public transit agencies, inclusive of no less than \$3.1 billion for California's transit agencies; and,

3) A continuing resolution to fund surface transportation programs through December 2020.

With your leadership to pass legislation that addresses these priorities, California's public transit agencies will be able to continue to provide critical transportation options to the millions of healthcare, public safety, grocery store, and restaurant workers classified as essential workers during the COVID-19 pandemic. Please also consider that reliable – and additional – funding to ensure transit agencies can continue to provide safe and accessible service is critical to a balanced economic recovery, to our quality of life and to achieving our state's ambitious environmental goals.

Again, without this critical funding, transit agencies will have to take steps to further curtail service, delay critical capital projects and halt procurements that will result in lasting impacts to communities across California, but also to manufacturers and part suppliers nationwide.

If you have any questions about this request, please contact me at 323-594-6342. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Michael Pimentel". The signature is written in a cursive, flowing style.

Michael Pimentel  
Deputy Executive Director

cc: Congressional Delegation, State of California  
The Honorable Gavin Newsom, Governor, State of California  
Senate Appropriations Committee  
House Appropriations Committee  
Senate Finance Committee  
House Ways & Means Committee  
Senate Banking, Housing and Urban Affairs Committee  
House Transportation and Infrastructure Committee



## Monthly Legislative Report – August 2020

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### August Advocacy Meetings

**Congressman Harley Rouda (D-CA)** – During this August recess, we have been following-up with Congressman Rouda's senior staff on several occasions to discuss OCTA requests and amendment proposals for the next Surface Transportation Reauthorization and the Infrastructure Bill that could be considered again in the House early next year. We also discussed any potential for progress with the Senate EPW and Senate Banking before the end of the year. We discussed the timeline for negotiations with the Senate and the White House for an extension of the FAST Act and what else that may entail, including whether there would be opportunities for policy inclusions regarding the TIFIA program.

**Congressman Alan Lowenthal (D-CA)** – We have been in contact numerous times with Congressman Lowenthal's office to discuss next steps on Surface Transportation Reauthorization and OCTA's key requests. We followed-up on the need for new transit formula funding (i.e. 5307 and 5337) to support operations and opportunities in the upcoming stimulus package. We also discussed the outlook for an extension of the FAST Act authorizations and the CR.

**Congressman Lou Correa (D-CA)** – We have been in contact with Congressman Correa and his staff this month to follow-up on OCTA's requests for the Surface Transportation reauthorization and the need for additional formula funding. We also followed-up on support for transit funding to be included in any final stimulus spending bill(s).

**Congressman Mike Levin (D-CA)** – We continue to touch base with Congressman Levin and his senior staff to discuss the Alternative Fuel Tax Credit issue, the effects of COVID-19 on daily operations, as well as Measure M project funding. We also discussed the need to strongly support additional transit formula funds in the upcoming stimulus bill(s).

**Congressman Gil Cisneros (D-CA)** – We followed-up with senior staff in Congressman Cisneros' office to provide an update on OCTA transit services, and the need for additional funding to support COVID-19 activities. We also discussed the timeline for stimulus negotiations and support for OCTA priorities in any final legislation.

**Congressman Pete Aguilar (D-CA)** – We have been in close contact with Congressman Aguilar's senior staff this month to discuss FY21 appropriations and the timeline for negotiations with the Senate and the White House. We discussed the timeline for a possible CR and any opportunities for policy inclusions. We also discussed support for increased transit formula funding in the potential stimulus legislation.

**Senator Dianne Feinstein (D-CA)** – We have been in contact with staff in Senator Feinstein’s office this month to discuss FY21 appropriations and ongoing Senate negotiations for the THUD bill. We followed-up on our prior discussions regarding Measure M impacts from COVID-19, and the need for additional resources to include an increase in formula funding. We also discussed negotiations in the Senate, and with the House, for a new stimulus bill. We discussed opportunities for new transit funding, and the timeline for a bill in September along with the CR.

**House Transportation and Infrastructure Committee** – We have been in close contact with both Majority and Minority staff to provide ongoing updates on OCTA’s projects, discuss progress on the Surface Transportation Reauthorization, and highlight the need for additional spending flexibility authorizations. We specifically highlighted policy requests that would benefit OCTA and the region for that legislation and followed-up on the Alternative Fuel Tax Credit.

**Senate Environment and Public Works Committee** – This month we continued to touch base with various EPW staff (minority and majority) on OCTA’s Surface Transportation Reauthorization policy asks. We discussed the timeline for negotiations with the House and the outlook for a deal in September. We also specifically followed-up on our discussions regarding the need for TIFIA reforms and changes that would benefit OCTA.

**Senate Banking Committee** – We followed-up with senior staff this month to discuss progress on a Senate Surface Transportation reauthorization and the likelihood of progress on negotiations in September or the release of a transit title that may mirror what the House has already released.

### **New Stimulus Legislation Negotiations Update**

With negotiations between the White House and Congressional Democratic leadership at a standstill, Senate Republicans unveiled a draft “skinny” coronavirus relief and economic stimulus bill. The *Delivering Immediate Relief to America’s Families, Schools, and Small Businesses Act* is a streamlined version of the HEALS Act proposal previously introduced by Senate Republicans. A side-by-side comparison of transit/transportation sections of the House and Senate stimulus proposals is included at the end of this report.

The bill eliminates several provisions from the HEALS Act proposal that had been criticized by Senate Republicans, including funding for a new Federal Bureau of Investigations (FBI) building, defense procurement spending, and another round of direct \$1,200 stimulus payments to citizens, while modifying and/or expanding several programs that were more popular within the caucus. Of particular note, the scaled-down bill does not include additional relief funding to state and local governments (the House-passed HEROES Act provides nearly \$1 trillion and the White House has indicated they could accept an additional \$150 billion), which will continue to be a point of contention in negotiations.

Congressional Democrats rejected the idea of a “skinny” coronavirus relief and economic stimulus package last month. Democratic leadership has, however, agreed to come down at least \$1 trillion from the HEROES Act’s \$3.5 trillion price tag, while Senate Republicans and the White House want to keep the total cost of any future stimulus package as close to \$1 trillion as possible. The final package is may include a Continuing Resolution (CR) to fund the federal government beyond the end of the current fiscal year on September 30<sup>th</sup>. Although many do expect that CR to be introduced separately if there is no deal on another stimulus package.

Other provisions in the draft bill (which may change) include the following:

- **Unemployment Insurance (UI):** Extends the Federal Pandemic Unemployment Compensation Program established by the CARES Act that expired July 31, 2020 through December 27, 2020.
- Would decrease the weekly assistance amount from \$600 (as included in the CARES Act) to \$300. President Trump issued an Executive Order (*text available [here](#)*) on August 8<sup>th</sup> authorizing \$44 billion from the Federal Emergency Management Agency (FEMA) Disaster Relief Fund (DRF) to provide laid-off workers with unemployment insurance benefits. According to guidance published by FEMA and the Department of Labor (DOL) last week (*guidance available [here](#); fact sheet available [here](#)*), these funds will provide eligible claimants with up to \$400 per week for those qualifying weeks of unemployment between August 1, 2020 - December 27, 2020. These benefits will be administered by states that enter into a cooperative grant agreement with FEMA. Because the source of funding for this effort is the FEMA-administered Disaster Relief Fund (DRF), there will be a 75 percent federal cost share and a 25 percent state match.
- For comparison, the House-passed HEROES Act provides for a full extension of the \$600/week CARES Act unemployment insurance (UI) benefit through December 31, 2020. This week, over 115 House Democrats sent a letter pressuring House leadership to include a vote on stand-alone legislation (H.R. 7821) to extend the \$600 per week UI benefit through the duration of the COVID-19 public health crisis as well as to establish a tiered system of benefits that are tied to certain national and state unemployment rates.
- **Paycheck Protection Program:** The package would authorize \$257.7 billion for an additional round of forgivable Small Business Administration (SBA) loans, and would authorize “PPP Second Draw Loans,” that will be limited to firms with 300 or less employees (instead of the 500-employee threshold in CARES), and to businesses that can demonstrate at least a 35-percent reduction in revenue compared to before the pandemic (the HEALS Act proposal required a 50-percent reduction).

- The bill does not include the various set-asides for businesses with 10 or fewer employees and community lenders, as included in the Senate HEALS Act proposal.
- ***Liability Protections:*** As included in the HEALS Act, the bill would limit liability for personal injuries arising from alleged COVID-19 exposure at schools, colleges, nonprofits, churches, or businesses, and would establish detailed procedural requirements to prevent frivolous litigation. To be covered by this protection, entities must have made a reasonable effort to conform to public health guidelines and have not engaged in willful misconduct or gross negligence.
  - Additionally, healthcare providers (including hospitals, doctors, nurses, and nursing homes) would be protected from liability related to the provision of care for the coronavirus or services provided as a result of the coronavirus and sets a willful misconduct or gross negligence standard for coronavirus-related malpractice suits, including suits related to diagnosis, treatment, and general medical care related to COVID-19. This liability protection would be applied to claims occurring from December 1, 2019 to October 1, 2024.
  - Employers would be protected from liability under federal labor and employment laws for complying with COVID-19 related guidance, including stay-at-home orders, and for injuries related from workplace coronavirus testing.
- ***Supplemental Appropriations:***
  - \$105 billion for the Education Stabilization Fund:
    - \$70 billion for the Elementary and Secondary School Emergency Relief Fund.
    - \$29 billion would be for the Higher Education Emergency Relief (HEER) Fund.
  - \$5 billion would be for the Governors Emergency Education Relief Fund, a flexible fund for Governors to use at their discretion for K-12 or higher education needs.
  - \$29 billion for COVID-19 vaccine and drug development and distribution; and
  - \$16 billion for COVID-19 testing and contact tracing.

As a resource, the House and Senate stimulus packages being used as starting points in the negotiations are included below. A side-by-side comparison is also included at the end of this report.

House Democrat stimulus package (HEROS Act):

- H.R. 6800 – The Heroes Act [Text](#) | [Summary](#)



Senate Republican stimulus package (HEALS Act):

- Appropriations: [Text](#) | [Summary](#)
- Finance tax and health provisions: [Text](#) | [Summary](#)
- Health, Education, Labor and Pensions Committee provisions: [Summary](#)
- Small-business provisions: [Text](#) | [Summary](#) | [One Pager](#)

In the absence of a deal in Congress, President Trump signed four Executive Orders to extend and expand COVID-19 relief, included below:

1. [Student Loan Relief](#)
  - a. Directs the Education Secretary to “take action pursuant to applicable law” to effectuate waivers and modifications to economic hardship deferments of student loan payments until December 31, 2020.
2. [Assistance to Renters and Homeowners](#)
  - a. Directs HHS Secretary and CDC Director to “consider” whether temporarily halting evictions of renters for failure to pay rent is necessary to prevent spread of COVID19. Directs Treasury Secretary and HUD Secretary to identify any available funds to assist renters and homeowners struggling to pay rent or mortgages due to COVID19. Directs HUD Secretary to “take action, as appropriate and consistent with applicable law” to promote ability of renters and homeowners to avoid eviction or foreclosure. Directs FHFA Director in consultation with Treasury Secretary to review existing authorities and resources that may be used to prevent such evictions and foreclosures.
3. [Payroll Tax Deferral](#)
  - a. Directs Treasury Secretary to defer withholding and payment of employee portion of Social Security and Railroad Retirement taxes on wages paid from September 1 thru December 31, 2020. Applies only to employees earning \$4,000 biweekly (\$104,000 annual rate). The payroll tax deferral is optional for companies and organizations, but the process for opting out has not been released by the Department of Treasury as of the time of this report.
4. [Authorizing Needs Assistance Programs](#)
  - a. “Calls on” states to use funds from the \$150 billion in the CARES Act for state and local governments to partially continue the Unemployment Insurance \$600/week supplement under a complex formula of up to \$400/week with the state providing \$100 of that amount, until December 27, 2020. Directs DHS/FEMA to make available natural disaster funds for such purpose. Requires buy-in by governors.

Congress may likely take action to supersede these E.O.s in September, especially in the Democrat-controlled House or Representatives. There are still very few details on how these orders will be carried out by the Administration and the requirements set forth for local governments.

## **FY21 Appropriations Update**

House Speaker Nancy Pelosi (D-CA) and Treasury Secretary Stephen Mnuchin have reportedly been communicating during the month of August to negotiate a deal on path forward for the FY21 Appropriations bills. Before the recess, the House passed all but two spending bills in a minibus totaling \$1.3 trillion. The Senate has not passed any of the 12 appropriations bills. It is likely Congress will need to pass a Continuing Resolution that will extend past the Presidential election.

## **Treasury Secretary to Attend House Hearing on Coronavirus Response**

On Tuesday, September 1<sup>st</sup>, the House Select Subcommittee on the Coronavirus Crisis, will hold a hybrid in-person/remote hearing with Treasury Secretary Steven T. Mnuchin on the Administration's response to the country's economic crisis. The hearing will examine "the urgent need for additional economic relief for children, workers, and families and the Administration's implementation of key stimulus programs passed by Congress earlier this year." The topic of additional funding for transportation, infrastructure, and transit revenue losses may be discussed during the hearing. This will be the first time Secretary Mnuchin will testify before Congress since the onset of the Coronavirus. Secretary Mnuchin has been one of the lead negotiators for the White House regarding COVID-19 stimulus and FY21 appropriations discussions with the House. The hearing can be viewed [HERE](#).

## **US Railcar Legislation**

During the Month of August, Congressman Darin LaHood (R-IL) and Brad Schneider (D-IL) introduced legislation to incentivize private investment into the freight railcar manufacturing industry.

The Freight Rail Assistance and Investment to Launch Coronavirus-era Activity and Recovery (Freight RAILCAR) Act would provide tax credits for railcar leasing and manufacturing companies for the cost of replacing existing railcars with new more fuel-efficient railcars or refurbishing existing railcars. The bill would also offer additional tax credits for capital expenditures to modernize equipment and technology to meet environmental standards. The bill is not expected to move to the House floor before the election. However, this rail investment remains an important discussion point that could be included in future Highway bill negotiations and be expanded to include other aspects of the transit industry to include bus manufacturing.



## House and Senate Stimulus Proposals Comparison

	House (HR 6800)	Senate (S 4317, S 4318, S 4319, S 4320, S 4321, S 4322, S 4323, S 4324)
<b>Unemployment benefits</b>	<p>Renew \$600/week payment through Jan. 31, 2021, with transition rule for individuals receiving regular state benefits to continue receiving federal add-on through March 31, 2021</p> <p>Special benefits for independent contractors, freelance/"gig" workers etc. and extended 13-week duration for those exhausting regular benefits would run through those dates as well</p> <p>Funding to help states process benefits (\$925 million)</p> <p><i>Cost: \$433 billion</i></p>	<p><b>S 4318:</b> Renew federal add-on at \$200/week through Sept. 30, 2020, while states transition to 70% wage replacement, capped at \$500/week, by Oct. 5</p> <p>States that need more time can receive two-month waiver to continue flat \$200/week benefit. Program ends Dec. 31, 2020. Within 30 days, states would be required to notify recipients of return-to-work requirements</p> <p>Funding to help states upgrade systems and process benefits (\$3.15 billion)</p> <p>Increase from 50% to 75% reimbursements to nonprofits, tribes and government agencies for benefit costs</p> <p><i>Cost: ~\$113 billion</i></p>
<b>State and local government aid</b>	<p>Provide direct aid to state governments (\$500 billion), counties/municipalities (\$375 billion), tribal and territorial governments (\$20 billion each) and additional \$755 million payment to the District of Columbia (\$916 billion)</p> <p>Provide flexibility in use of prior aid funds to help make up revenue losses</p> <p>Enable U.S. territories and additional cities and counties (those with at least 50,000 residents) to issue debt backed by the Federal Reserve's Municipal Liquidity Facility; extend authorization period for municipal debt facility for a year, through Dec. 31, 2021; extend maximum maturity of debt purchased by facility from three to 10 years; and require interest rates on municipal debt purchased by facility to equal the Fed's discount window primary credit interest rate (\$30 billion)</p> <p><i>Cost: \$946 billion</i></p>	<p><b>S 4318:</b> Would provide flexibility by allowing prior round of \$150 billion (PL 116-136) to be used for additional expenses, including to backfill revenue losses</p> <p>Provides that employees working remotely for 30 days or less in a different taxing jurisdiction -- other than professional athletes, entertainers or other highly-compensated public figures -- will only be subject to state and local taxes where their permanent residence is located; 30-day limit is increased to 90 days for public health workers responding to the COVID-19 emergency</p> <p>Funds could not be used for pension/retirement expenses or replenishing "rainy day" funds</p> <p><i>Cost: not applicable</i></p>
<b>Hazard pay/essential workers</b>	Pandemic premium pay for "essential" workers (health care, grocery, transportation, first responders, etc.) of	None

	<p>\$13/hour up to \$10,000 (\$5,000 for those earning \$200,000+ annually) for work performed through 60 days after the end of declared public health emergency (\$190 billion, including \$10 billion for federal workers)</p> <p>Provide funds for care of family members of essential workers (\$850 million)</p> <p>Permanent \$500 above-the-line deduction for first responder expenses including uniforms, tuition and training fees (\$1.8 billion)</p> <p>Special \$500 above-the-line deduction for 2020 expenses incurred by COVID-19 frontline workers providing at least 1,000 hours of essential work (\$1.3 billion)</p> <p>Expand Defense Production Act authorities to purchase medical supplies</p> <p><i>Cost: \$194 billion</i></p>	
<b>Liability shield</b>	None	<p><b>S 4317:</b> Limit liability for COVID-19 exposure at school, church, nonprofit or business if entity has made reasonable effort to comply with public health guidelines and hasn't exhibited willful misconduct or gross negligence, for claims from Dec. 1, 2019, to Oct. 1, 2024</p> <p>Protect health care providers and nursing homes from liability arising out of provision of care or services related to COVID-19, except in cases of willful misconduct or gross negligence, for claims from Dec. 1, 2019, to Oct. 1, 2024</p> <p>Shield makers of ventilators and personal protective equipment from liability if products meet certain Food and Drug Administration standards</p> <p>Ensure employers are not liable under federal labor and employment laws for complying with public health requirements, including stay-at-home orders and protect employers from liability from injuries arising from workplace coronavirus testing</p> <p><i>Cost: unknown</i></p>
<b>Workplace safety</b>	Require Occupational Safety and Health Administration to develop temporary standards within seven days to protect workers at risk of COVID-19 exposure,	None

	<p>require employers to develop comprehensive infectious disease exposure control plans</p> <p>State agencies would have to develop their own temporary standards within 14 days</p> <p>Protections would cover public employees in 24 states not currently subject to OSHA standards</p> <p>Require employers to abide by OSHA recordkeeping regulations</p> <p>Employers could not retaliate against workers for publicizing lax standards or for using more protective equipment than the firm provides</p> <p>Require OSHA to develop permanent infectious disease standard within 24 months</p> <p>OSHA funding for workplace protection and enforcement activities</p> <p><i>Cost: \$100 million</i></p>	
<b>Pensions/ retirement changes</b>	<p>Relief for multiemployer pension plans (\$58 billion)</p> <p>Extend amortization for single employer pension plans (-\$17 billion)</p> <p>Other retirement provisions (\$7 billion)</p> <p><i>Cost: \$48 billion</i></p>	<p><b>S 4318:</b> Special rules for "money purchase" pension plans that only employers contribute to</p> <p><i>Cost unknown</i></p>
<b>Transportation</b>	<p>Emergency relief for transit systems (\$15.8 billion)</p> <p>Grants to state, territorial and tribal highway departments (\$15 billion)</p> <p>Funds for FAA operations (\$75 million)</p> <p>Increase unemployment and illness benefits for railroad workers (\$1 billion)</p> <p>Require Amtrak to enforce mask-wearing for passengers and crew and provide masks, gloves, wipes etc. to employees</p> <p>All Amtrak trains and stations must be cleaned and disinfected</p>	<p><b>S 4320:</b> Funding for Airport Improvement Program (\$10 billion)</p> <p>Funding for FAA operations, DOT administrative expenses essential air service program (\$151 million)</p> <p>Transportation Security Administration expenses for enhanced cleaning and technology to help avoid physical contact with travelers (\$208 million)</p> <p><i>Cost: \$10.4 billion</i></p>

	<p>Require airlines or contractors receiving financial assistance to avoid layoffs or furloughs until assistance is exhausted</p> <p>Prevent airlines receiving loans from increasing heavy maintenance work done overseas</p> <p>Require flight attendants, passengers and pilots when outside the flight deck to wear masks</p> <p>Require airlines to provide PPE and cleaning supplies to employees and clean/disinfect aircraft</p> <p>Require FAA to equip workers with masks, wipes and other protective gear</p> <p>Waive minimum operating days requirement so all 60 Maritime Security Program vessels can receive full stipends during pandemic</p> <p><i>Cost: \$31 billion</i></p>	
<b>Cybersecurity</b>	None	<p><b>S 4320:</b> Funding for Cybersecurity and Infrastructure Security Agency to defend against attacks on agencies involved in coronavirus response</p> <p><i>Cost: \$53 million</i></p>
<b>EPA</b>	<p>Funding for environmental justice grants</p> <p><i>Cost: \$50 million</i></p>	None



## Monthly Legislative Report – September 2020

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### September Advocacy Meetings

**Congressman Harley Rouda (D-CA)** – We have been in regular contact with senior staff in Congressman Rouda's office to discuss the surface transportation reauthorization and the FACT Act extension included in the CR. We also discussed funding to support transit operations during the COVID-19 crisis and the need for additional flexibilities in the use of existing formula accounts. We discussed support for additional formula funding but highlighted the complexity of the new formulas that would be used, and the new COVID-19-related costs that would not be addressed. We also discussed a provision in the HEROES Act 2.0 that would provide extra funding for CIG projects receiving allocations in 2019 and 2020, and opportunities for other projects to be eligible for that funding with report language or clarifications in the bill text.

**Congressman Alan Lowenthal (D-CA)** – We have been in contact numerous times with Congressman Lowenthal's office to discuss next steps on Surface Transportation Reauthorization in November and opportunities to include OCTA priorities. We also discussed the need for new transit formula funding (i.e. 5307 and 5337) to support operations and opportunities in the upcoming stimulus package. We also discussed the additional funding for CIG projects and opportunities to include the OC Streetcar in HEROES Act 2.0. We discussed support for additional formula funding but highlighted the complexity of the new formulas that would be used, and the new COVID-19-related costs that would not be addressed.

**Congressman Lou Correa (D-CA)** – We have been in contact with Congressman Correa and his staff this month to follow-up on OCTA's requests for the Surface Transportation reauthorization and the need for additional formula funding. We also followed-up on support for transit funding for be included in any final stimulus spending bill(s). We also discussed the new funding for CIG projects. We discussed support for additional formula funding but highlighted the complexity of the new formulas that would be used, and the new COVID-19-related costs that would not be addressed.

**Congressman Mike Levin (D-CA)** – We continue to touch base with Congressman Levin and his senior staff to discuss the Alternative Fuel Tax Credit issue, the effects of COVID-19 on daily operations, as well as Measure M project funding. We also discussed the need to strongly support additional transit formula funds in the upcoming stimulus bill(s). We also discussed the additional funding for CIG projects and the fact that the OC Streetcar would not be eligible, and opportunities to include the other projects in the HEROES Act 2.0. We discussed support for additional transit formula funding but highlighted the need to account for new costs related to maintaining a safe and healthy transit system for riders and operators.

**Congressman Gil Cisneros (D-CA)** – We followed-up with senior staff in Congressman Cisneros’ office to provide an update on OCTA transit services, and the need for additional funding to support COVID-19 activities. We also discussed the timeline for stimulus negotiations and support for OCTA priorities in any final legislation. We discussed support for additional formula funding but highlighted the complexity of the new formulas that would be used, and the new COVID-19-related costs that would not be addressed.

**Congressman Pete Aguilar (D-CA)** – We have been in close contact with Congressman’s Aguilar’s senior staff this month to discuss FY21 appropriations and the timeline for negotiations with the Senate and the White House. We discussed the timeline for a possible CR and any opportunities for policy inclusions. We also discussed support for increased transit formula funding in the potential stimulus legislation. We also discussed the need to account for new costs associated with COVID-19 safety measures when looking at transit agency budgets compared to previous years.

**House Transportation, Housing and Urban Development Appropriations** – We followed-up with senior staff on the House Appropriations Committee (THUD) to discuss the CIG funding in the Heroes Act 2.0. We discuss opportunities for expansion of that funding for other projects in a revised version of the bill as negotiations continue.

**Senator Dianne Feinstein (D-CA)** – We have been in contact with staff in Senator Feinstein’s office this month to discuss FY21 appropriations and ongoing Senate negotiations for the THUD bill. We followed-up on our discussions regarding Measure M impacts from COVID-19, and the need for additional resources to include an increase in formula funding. We also discussed negotiations in the Senate, and with the House, for a new stimulus bill. We discussed opportunities for new transit funding, and the timeline for a bill in September along with the CR. We also discussed the additional funding for CIG projects and opportunities to include the OC Streetcar in HEROES Act 2.0.

**House Transportation and Infrastructure Committee** – We have been in close contact with both Majority and Minority staff to provide ongoing updates on OCTA’s projects, to discuss progress on the Surface Transportation Reauthorization, and to highlight the need for additional spending flexibility authorizations. With the Minority staff we specifically discussed the BUILDER Act, HR 8333, and ways to help expedite project delivery.

**Senate Environment and Public Works Committee** – This month we continued to touch base with various EPW staff (minority and majority) on OCTA’s Surface Transportation Reauthorization policy asks. We discussed the timeline for negotiations with the House and the outlook for a deal in September. We also specifically followed-up on our discussions regarding the need for TIFIA reforms and changes that would benefit OCTA in the Highway Bill.

**Senate Banking Committee** – We followed-up again with senior staff this month to discuss progress on a Senate Surface Transportation reauthorization and the likelihood of progress on negotiations in September or the release of a transit title that may mirror what the House has already released.

### **New Stimulus Legislation Negotiations Update**

On Monday, September 28<sup>th</sup>, House Democrats released a revised version of the HEROES Act. The new bill includes \$2.2 trillion in COVID-19 relief to states, individuals, schools, businesses, and workforce agencies. The bill still includes provisions that would make the overall package dead-on-arrival in the Senate; negotiations, however, are still ongoing between the House Speaker Nancy Pelosi and Treasury Secretary Steven Mnuchin and there seems to be a desire by both parties to reach an agreement before the House adjourns for the October recess to campaign. In her testimony to the House Rules Committee earlier this week, House Appropriations Chairwoman Nita Lowey (D-NY) said “Negotiations are continuing, and I ardently hope that we can reach a bipartisan agreement. However, if Republicans refuse to meet us halfway, we will have no choice but to once again act alone.”

On September 30<sup>th</sup>, details of a counteroffer being proposed by Secretary Mnuchin began appearing in news reports. The counteroffer (which has not been publicly released) topped out at \$1.6 trillion and would include \$250 billion for state and local governments (\$186 billion below the HEROES Act 2.0), and \$400/week in federal unemployment benefits retroactive to September 12<sup>th</sup>, lasting through January 1, 2021. Both of these offers show a desire to reach a middle ground and a planned vote on the Democratic package in the House was delayed on Wednesday as negotiations continued.

The new House Democrat version tops out at \$2.2 trillion. The 2,152-page bill includes the following highlights:

#### **Department of Transportation (DOT) DOT Operations**

- \$20.2 million to support activities to prevent, prepare for, and respond to coronavirus, including to support telework and information technology, purchase personal protective equipment, and conduct Department-wide oversight of coronavirus related funding.
- Amtrak – \$2.4 billion to support Amtrak’s ability to operate passenger rail service on Northeast Corridor (NEC), State-supported, and long-distance routes, protect Amtrak workers from furloughs, and prevent service reductions on long-distance routes. This includes \$569 million to assist States and commuter rail providers in making FAST Act required payments to Amtrak for State-supported routes and commuter rail service on the NEC.
- Transit Emergency Relief – \$32 billion, of which \$28.5 billion is for operating assistance grants that, in combination with funds provided in the CARES Act, will support up to 100 percent of transit agencies annual operating expenses, \$2.5

billion is for projects that received funding under the Capital Investment Grants program, and \$1 billion is for rural and paratransit providers.

#### **Title II - Sec. 202. Clarification of Assistance.**

- Provides assistance for activities, costs, and purchases of States, local, tribal, or territorial governments, including activities eligible under the Stafford Act but not limited to: backfill costs for first responders, increased operating costs for essential government services, costs of providing public guidance and information, costs for establishing virtual services and operating remote test sites, training provided in anticipation of, or response to, the COVID-19 pandemic, personal protective equipment for first responders, public health, public schools and **public transportation**, and medical supplies, non-congregate sheltering, food preparation and delivery to impacted communities, as well as limited funeral benefits.

#### **Title III - Sec. 301. Requirements for Owners and Operators of Equipment or Facilities Used by Passenger or Freight Transportation Employers.**

- Establishes requirements for the provision of personal protective equipment for certain passenger and freight transportation employees. Ensures that stations, facilities, and equipment are cleaned and disinfected in accordance with Centers for Disease Control and Prevention guidance. Establishes standards for the use of face masks and protective coverings by passengers and certain employees. Creates reporting requirements in the event that a passenger or freight transportation employer is unable to procure the required personal protective equipment.

#### **Assistance to Multi-State Transportation Agencies**

- \$100 million for assistance to multi-state entities that are involved in the transportation of passengers or cargo and are suffering revenue losses due to the public health emergency caused by the coronavirus.

#### **Direct Payments to Individuals**

- A second round of \$1,200 checks for individuals, in addition to \$500 for each dependent.

#### **State and Local Assistance**

- \$436 billion for State, Local, and Tribal governments.
  - \$62.65 billion for entitlement municipalities (defined as being generally over 50,000 population)
  - \$26.85 billion for non-entitlement municipalities (populations less than 50,000)
  - \$89.5 billion to Counties based on population.
- \$75 billion in new funding for COVID-19 **testing** and related measures.
- \$21 billion to states, territories, and tribes for **homeowners** struggling to afford their housing due directly or indirectly to the impacts of the pandemic by providing



direct assistance with mortgage payments, property taxes, property insurance, utilities, and other housing related costs.

- \$238 billion in **State Fiscal Relief** funding to assist state governments with the fiscal impacts from the public health emergency caused by the coronavirus, including \$755 million in CARES Act Coronavirus Relief Fund repayment for the District of Columbia.
- \$179 billion in **Local Fiscal Relief** funding to assist local governments with the fiscal impacts from the public health emergency caused by the coronavirus.
- \$3.6 billion for **Elections** grants to states for contingency planning, preparation, and resilience of elections for Federal office.
- \$1.3 billion for **FEMA** to prevent, prepare for, and respond to coronavirus.
- **Centers for Disease Control and Prevention** – \$13.7 billion to support federal, state, and local public health agencies to prevent, prepare for, and respond to the coronavirus, including:
  - \$2 billion for State, local, Territorial, and Tribal Public Health Departments;
  - \$7 billion for a COVID-19 vaccination campaign;
  - \$1 billion for an evidence-based public awareness campaign on the importance of vaccinations;
  - \$500 million for an enhanced seasonal influenza campaign;
  - \$1 billion to strengthen global public health preparedness and response capacity;
  - \$200 million for the multi-year effort to modernize public health data surveillance and analytics infrastructure; and
  - \$2 billion for grants to State, local, Tribal, or territorial health departments to purchase personal protective equipment for essential workers.

The text of revised version of the House Democrat's Heroes Act is [here](#).

A one-pager on the legislation is [here](#).

A section-by-section summary is [here](#).

Additional information on the state and local relief provisions is [here](#).

### **FY21 Appropriations Update**

On September 30th, the Senate passed H.R. 8319, a Continuing Resolution (CR) to extend government spending until December 11th, 2020, by a vote of 84-10. The House already passed the CR on September 22nd by a vote of 359-57. The President signed the bill into law shortly after midnight. The stopgap measure extends current funding levels for most federal agencies. In addition to extending federal spending, the Continuing Resolution:

- Extends the **Surface Transportation Authorization** (FAST Act) for one year, until September 30, 2021.

- Extends the **National Flood Insurance Program** through September 30, 2021.
- Prevents the Department of Defense (DOD) from beginning new multi-year activities during the period of the CR.
- Includes the same terms, conditions, authorities, and prohibitions as the FY19 CR.
- Prevents new starts and activities outside the DOD.
- Provides agencies with a daily rate for operations unless Congress allows them to spend funds more quickly.
- Prevents agencies from spending grant money too quickly.
- Reiterates that funding should be spent in the most limited manner possible.
- States that mandatory spending and appropriated entitlements should operate as normal, and in the case of a government shutdown provides an additional 30 days for after December 11<sup>th</sup>.
- Allows the Department of Agriculture to continue issuing loans for clean and reliable water systems in rural areas.
- Allows the Food and Nutrition Service to spend at a higher rate during the CR to ensure the Summer EBT program is fully operational by May 2021.
- Allows the Food and Nutrition Service to spend at a higher rate during the CR to provide supplemental USDA foods to low-income seniors, and to some low-income women, infants, and children.
- Extends the dates in the Reclamation States Emergency Drought Relief Act, ensuring the Bureau of Reclamation can provide emergency drought assistance in 17 western states.
- Allows FEMA to access the entire Disaster Relief Fund appropriations for FY21 as necessary to respond to declared disasters.
- Reduces discretionary funding for the Land and Water Conservation Fund now that those funds are mandatory appropriations.
- Allows the US Forest Service to transition certain accounts to a new budget structure as required by Congress.
- Extends funding for TANF and the Childcare Entitlement to States, allowing HHS to make first-quarter payments to States.

- Increases funding for the Veterans Electronic Health Record Modernization program for the first quarter.
- Allows the transfer of funds from the CARES Act to maintain operations of the Veterans Canteen Service.
- Provides additional spending flexibilities and extends obligation deadlines for 2017 and 2018 BUILD grant recipients.

The full text of the Continuing Resolution (H.R. 8319) can be found [HERE](#).

A section-by-section summary is [here](#)

Two states, Texas and Colorado, will receive more funding in the Continuing Resolution compared to their FHWA 2020 allotments. This is because the one-year extension of the FAST Act (H.R. 8337) requires all apportionment calculations to be run anew for fiscal year 2021. Therefore, every non-Texas, non-Colorado state's fiscal 2021 highway formula funding will be reduced by 0.625 percent, from 2020 levels, so that Texas's apportionment can be increased by 5.93 percent, and Colorado's by 0.51 percent, over 2020 levels. This is because subsection (c)(1)(B) of [23 U.S.C. §104](#) guarantees that "each State receives an aggregate apportionment equal to at least 95 percent of the estimated tax payments attributable to highway users in the State" deposited in the Highway Account in the most recent year.

### **DOT Announces \$574 Million in Emergency Relief for Road and Bridge Repairs**

On September 29<sup>th</sup>, DOT announced \$574 million in federal funding to help states repair and rebuild roads and bridges damaged from natural disasters. DOT's Emergency Relief program is administered by the Federal Highway Administration and some of the reimbursements include:

- More than \$64 million to California, including \$34 million for November 2018 wildfires.
- More than \$46 million to Nebraska for winter storms and flooding in 2019.
- More than \$27 million to Alabama for storms and flooding in 2020.
- More than \$25 million to Michigan for flooding in the central part of the state in 2020.
- More than \$22 million to Florida for Hurricane Michael in 2018.
- More than \$21 million to North Carolina for Hurricane Dorian in 2019.

A full list of reimbursements can be found [HERE](#) and [HERE](#).

## **House T&I Committee Sends Letter to US Army Corps Regarding Clean Water Protections**

On October 1<sup>st</sup>, the House T&I Committee Chairman Peter DeFazio (D-OR) and Water Resources Subcommittee Chairwoman Grace Napolitano (D-CA) sent a letter to US Army Corp of Engineers Civil Works ASA RD James. The letter (found [HERE](#)) criticizes the issuance and implementation of the Navigable Waters Protection rule. The letter, which calls the rule “unlawful”, requests a laundry list of oversight and informational items from the US Army Corps of Engineers regarding the implementation, scope, and effects of the rule on the nation’s waterways and wetlands. This is likely to be an ongoing issue before the House T&I Committee under Democratic leadership.

## **DOT Announces \$321 Million in CRISIS Grants**

On September 23<sup>rd</sup>, the Department of Transportation announced the award of \$321 million in Fiscal Year (FY) 2020 Consolidated Rail Infrastructure and Safety Improvements (CRISI) grants. Nine of the projects were selected to specifically address safety at highway-rail grade crossings, and deter illegal trespassing, which is the leading cause of rail-related deaths in America. Of these awards, 77% went to rural projects. Other major projects in this year’s grants include:

- \$31.8 million for the Wisconsin DOT to upgrade the Soo Line communication and signaling and extend sidings so that Amtrak can add an additional *Hiawatha* round-trip each day between Milwaukee and Chicago.
- \$16.9 million to Pan Am (seriously – a Class II in New England bought the old airline’s name and logo) to upgrade the track and bridges between Waterville and Mattawamkeag (in Maine) so that speeds and car weights can be increased.
- \$16.4 million so that Boca Raton, Florida can build a Brightline station and attached parking garage.
- \$15.6 million to the Michigan DOT to eliminate trespassing hotspots between Dearborn and Kalamazoo. (Reducing fatalities by reducing trespassing has been a top priority of AAR’s government relations work for the last couple of years, and it shows in the pattern of federal grants.)
- \$13.7 million to upgrade the Buckingham Branch Railroad’s line between Charlottesville and Clifton Forge, Virginia.

## **House T&I Committee Requests Improvements to DOT Disadvantaged Business Enterprise Program**

On September 23<sup>rd</sup>, the House T&I Committee held a hearing to examine U.S. Department of Transportation’s Disadvantaged Business Enterprise (DBE) program. During the hearing, Members discussed ways to improve the program, which has not seen statutory adjustments or improvements since women-owned business enterprises were added in 1987. Witnesses testified that many DBEs would be put out of business

without the program. One witness testified that the vast majority of minority-owned businesses have less than ten employees. Overall, this was a very non-partisan hearing.



**October 15, 2020**

**To:** Legislative and Communications Committee  
**From:** Darrell E. Johnson, Chief Executive Officer  
**Subject:** Draft 2021-22 State and Federal Legislative Platforms

### **Overview**

Initial drafts of the 2021-22 State and Federal Legislative Platforms have been prepared for consideration by the Board of Directors.

### **Recommendation**

Direct staff to continue developing the initial drafts of the 2021-22 State and Federal Legislative Platforms and prepare subsequent drafts for final approval.

### **Background**

At the beginning of each legislative session, the Orange County Transportation Authority (OCTA) adopts State and Federal Legislative Platforms to guide the agency's advocacy activities for the upcoming legislative sessions in Sacramento and Washington, D.C., respectively. The most recent versions of the 2019-20 State and Federal Legislative Platforms were approved by the OCTA Board of Directors (Board) on November 25, 2019. Staff has prepared initial drafts of the 2021-22 State and Federal Legislative Platforms for the Board's consideration. In preparing these drafts, staff solicited feedback and suggestions from the following groups:

- OCTA Board
- OCTA advisory groups
- OCTA division directors, department managers, and staff
- Orange County legislative delegation
- Cities, chambers of commerce, and the County of Orange
- Orange County community-based organizations and associations
- Private business and industry groups

Staff will continue to consider any additional input received by all stakeholders prior to bringing final drafts back to the Board later this year. The staff report

also details how the initial drafts reflect the impact of the coronavirus (COVID-19) pandemic.

#### Draft 2021-22 State Legislative Platform

The initial draft of the 2021-22 State Legislative Platform is outlined below and further detailed in the attachments. Attachment A is a clean version of the initial draft, and Attachment B reflects staff's recommended changes as a strikethrough version, with changes being designated by italicized and strikethrough text. Language was edited, amended, or removed as necessary to ensure accuracy and grammatical and stylistic integrity, both within the State Legislative Platform and between the State and Federal Legislative Platforms.

In order to allow the State Legislative Platform to be a better organized, more readable document, many minor edits were made to move provisions in the platform to more appropriate sections, update wording to better reflect current policy, and to eliminate duplicative principles. This includes the merging of duplicative issue areas sections, including those related to environmental policy and regulatory issues. None of these changes are intended to alter OCTA advocacy goals.

Staff is also recommending several substantive changes to the State Legislative Platform to position OCTA to inform expected legislative discussions in the upcoming legislative session. Specifically, staff is recommending reformatting of the Key Policy Issues section to focus on a streamlined list of policy priorities for the upcoming legislative session, as consistent with the Federal Legislative Platform. Many of the provisions previously under this section are now grouped with sections on related subjects. Beyond those edits substantive additions are discussed in detail below, with all changes referencing the language in Attachment B.

- Subsections (a), (b), and (c) of the section entitled, "Key Policy Issues in 2021-22," facilitate OCTA's continued response to the COVID-19 pandemic. The language is specifically intended to allow the agency to advocate for funding and policy solutions that benefit Orange County both throughout and after the COVID-19 pandemic, as well as language targeted towards improving transit ridership as pandemic recovery moves forward. All three of these subsections are verbatim of the language that is recommended to be added to the Federal Legislative Platform.
- Subsection (d) of the section entitled, "Key Policy Issues in 2021-22," would allow OCTA to engage in the increasingly important equity discussions taking place amongst policymakers, supporting efforts to be inclusive in outreach as projects and programs are developed and

delivered. This language is verbatim of the language that is recommended to be added to the Federal Legislative Platform.

- Subsection (f) of the section entitled, “Key Policy Issues in 2021-22,” related to maximizing OCTA’s share of state transportation funding, was broadened slightly to also seek a more equitable distribution within competitive grant programs.
- Subsection (i) of the section entitled, “Key Policy Issues in 2021-22,” would allow support for funding and other incentives to facilitate pilot programs to consider pursuing free- or reduced-fare pilot programs. With other transit agencies contemplating mandating free- or reduced-fares, staff is recommending language, modeled after the Board-adopted principles on this issue, that would allow OCTA to first pursue funding for a pilot program to determine if such an option merits broader adoption in Orange County.
- Subsection (j) of the section entitled, “Key Policy Issues in 2021-22,” broadens a previously included principle that encourages congestion relief programs, such as vanpooling and ridesharing, to also include incentives for teleworking. This language is verbatim of the language that is recommended for the Federal Legislative Platform.
- Subsection (k) of the section entitled, “Key Policy Issues in 2021-22,” seeks to support policies related to improved workforce development and training for transportation technologies and services, either structural or resulting from COVID-19, that might arise in these unprecedented times.

Beyond the Key Policy Issues section, substantive changes were made in the following areas:

- What were subsections (e), (f), and (g) of Section III, entitled “Fiscal Reforms and Issues,” related to matching funds for state competitive programs, federal performance measures for federal-aid highways, and the use of an interim exchange for the programming of funds, are recommended for removal. These issues are best addressed through funding guidelines and no legislative activity is anticipated related to these issues.
- Subsection (d) of Section V, entitled “Transit Programs,” combines all of the existing platform language related to the pursuit of funding for and testing of zero-emission bus technology into one, focused provision. No shift in advocacy goals is intended.



- What was subsection (e) of Section VII, entitled “Roles and Responsibilities,” related to the Orange County Taxi Administration Program is recommended for removal due to the phasing out of OCTA’s administration of the program.
- Subsection (d) of Section IX, entitled “Rail Programs,” related to Positive Train Control was broadened to ensure that OCTA’s advocacy efforts focus on its operation and maintenance, as opposed to the initial focus on equipment implementation. A similar change is recommended to the Federal Legislative Platform.
- What were subsections (f) and (g) of what was Section XII, previously entitled “Environmental Policies,” related to National Environmental Policy Act delegation for highway projects and the monitoring of the Air Quality Management Plan, are recommended for removal. The former objective was successfully enacted permanently via legislation and the latter is not related to any legislative activity.

In the final draft of the State Legislative Platform, staff may propose additional changes that are identified as staff works with stakeholders and internal departments. In addition, OCTA often encounters specific legislative issues requiring sponsor legislation, prompting OCTA to take the lead in developing legislative language and securing an author. Staff is currently exploring the need for potential sponsor opportunities and will provide an update to the Board for consideration on such possibilities.

#### Draft 2021-22 Federal Legislative Platform

The initial draft of the 2021-22 Federal Legislative Platform is outlined below and detailed in the attachments. Attachment C is a clean version of the initial draft, and Attachment D reflects staff’s recommended changes as a strikethrough version, with changes being designated by italicized and strikethrough text. Language was edited, amended, or removed as necessary to ensure accuracy and grammatical and stylistic integrity, both within the Federal Legislative Platform and between the State and Federal Legislative Platform. An overview of the recommended changes is outlined below, with all textual references to the strikethrough draft in Attachment D.

- Subsections (a), (b), and (c) of the section entitled, “Key Policy Issues in the 117<sup>th</sup> Congress,” related to advocacy for funding and policy solutions to assist in responding to the COVID-19 pandemic and in recovery, including attracting transit ridership post-pandemic, are verbatim of the language that is recommended to be added to the State Legislative Platform.

- Subsection (d) of the Section entitled, “Key Policy Issues in the 117<sup>th</sup> Congress,” related to equity is verbatim of the language that is recommended to be added to the State Legislative Platform.
- Subsection (j) of the Section entitled, “Key Policy Issues in the 117<sup>th</sup> Congress,” related to commuter benefit policies was broadened to also include incentivizing teleworking. This language is verbatim of what is proposed for inclusion in the State Legislative Platform.
- Subsection (k) of the Section entitled, “Key Policy Issues in the 117<sup>th</sup> Congress,” is language added to reflect the increased focus on tolling issues. Specifically, this language is borrowed, almost verbatim, from the State Legislative Platform’s principle on tolling interoperability, which is expected to become a highlighted topic during the 117<sup>th</sup> Congress.
- What was subsection (o) of Section II, entitled “Reauthorization Priorities,” related to OCTA’s Breaking Down Barriers Report is recommended for removal because many of the policy suggestions have been adopted. The remaining policy issues can be addressed by other provisions in the Federal Legislative Platform.
- What was subsection (f) of Section III, entitled “Implementing Federal Transportation Programs,” related to the administration of funding and evacuation routes, is recommended for removal because it is unclear that this will benefit OCTA’s funding and emergency response issues that are covered under other principles.
- Subsection (e) of Section IV, entitled “Fiscal Reforms and Issues,” related to sales tax revenues from online purchase was amended slightly to ensure that the language remains relevant in the 117<sup>th</sup> Congress. While Congress could enact legislation affecting the State of California’s implementation of the *South Dakota v. Wayfair, Inc.* Supreme Court decision, OCTA will only recommend engagement should Congress take action that might undermine or materially change state law on this issue.
- Subsections (a) and (b) in Section V, entitled “Rail Programs,” related to Positive Train Control (PTC) were streamlined. Subsection (a) was broadened to ensure that OCTA’s advocacy efforts on PTC focus on its operation and maintenance, as opposed to the initial focus on equipment implementation. A similar change is recommended to the State Legislative Platform.

- Section VIII, formerly entitled “Energy Issues,” was merged with what was Section IX, formerly entitled “Environmental Policy,” to form one, more concise set of streamlined provisions that comprehensively address energy and environmental issues affecting OCTA. The only two substantive changes to Section VIII, now entitled “Environmental and Energy Issues,” are outlined as follows:
  - What were subsections (a), (b), and (d) of Section VIII, related to engaging in advocacy associations to represent OCTA interests and in reporting on energy related legislation impacting OCTA, were stricken because all three described are routine staff activities, not advocacy goals.
  - Subsections (b) and (c) of Section VIII, related to incentives for alternative fuel technology, were amended slightly to reflect the mandate in state law that transit agencies adopt zero-emission bus technology and the need to expand incentives to include fuels associated with this technology.

***Summary***


Initial drafts of the 2021-22 State and Federal Legislative Platforms are detailed for the Board’s consideration.

***Attachments***

- A. Draft 2021-22 State Legislative Platform (clean copy)
- B. Draft 2021-22 State Legislative Platform (strikethrough version)
- C. Draft 2021-22 Federal Legislative Platform (clean copy)
- D. Draft 2021-22 Federal Legislative Platform (strikethrough version)

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

The 2021-22 State Legislative Platform serves as a framework document to guide the Orange County Transportation Authority's (OCTA) legislative, regulatory, and administrative activities in the coming legislative session. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the upcoming legislative session. The later sections present guiding policy statements for other major issue areas that may arise during the session. Positions on individual items not directly in this document will be brought to the OCTA Board of Directors (Board) for formal action.

## **Key Policy Issues in 2021-22**

A number of significant transportation issues are expected to be discussed in the 2021-22 legislative session. OCTA will focus its advocacy efforts on the following principles.

- a) Support funding and policy flexibilities that allow OCTA to provide essential multimodal mobility improvements and services during the unprecedented coronavirus (COVID-19) pandemic;
- b) Encourage policies and guidance that rebuild public confidence in public transit, as well as other measures that both protect the public health and facilitate essential transit trips;
- c) Support transportation funding investments, economic stimulus measures, and other recovery efforts that will prepare OCTA to meet the changing mobility needs of Orange County after the COVID-19 pandemic subsides;
- d) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serve all residents of Orange County;
- e) Support flexibility in the application of "disadvantaged" and "low-income" communities to ensure that transportation funding flows to each region's most impacted areas, allowing OCTA to best meet the needs of its local communities;
- f) Support efforts to maximize OCTA's share of transportation and transit funding, especially through distribution formulas and more equitable competitive funding processes;
- g) Oppose efforts to link or reprioritize local and state transportation funding to programs not primarily intended to help the State meet its transportation needs;

- h) Support efforts to maintain the promises self-help counties have made to taxpayers in the implementation of local sales tax measures, specifically regarding the sequencing and delivery of transportation improvements;
- i) Support funding and incentives to develop or phase-in free- or reduced-fare transit pilot programs, that comply with all statutory and regulatory requirements, in order to encourage an increase in transit ridership;
- j) Support policies that encourage ridesharing, teleworking, vanpool and related congestion relief programs for Orange County commuters;
- k) Support workforce development and training policies that allow OCTA to hire and retain personnel ready to implement the next generation of mobility;
- l) Monitor implementation of Executive Order N-19-19, and any related legislative or regulatory efforts, to ensure that transportation funds are used for their intended purposes.

## **I. IMPLEMENTATION OF ENVIRONMENTAL POLICIES**

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

- a) Support efforts to ensure local flexibility in meeting the goals of the State's greenhouse gas reduction initiatives, including the creation of incentive-based measures and grant programs to assist with compliance;
- b) Support the creation of formula-based cap-and-trade programs, including maintaining ongoing appropriations for transit, and the prioritization of cap-and-trade funding for transportation projects that achieve greenhouse gas emission reduction;
- c) Support legislation to streamline the environmental review and permitting processes for transportation projects and programs to avoid potentially duplicative and unnecessary analysis, while still maintaining traditional environmental protections;
- d) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements;
- e) Oppose efforts to lengthen the California Environmental Quality Act process in a manner that would delay mobility improvements;

- f) Oppose legislation that restricts road construction by superseding existing broad-based environmental review and mitigation processes;
- g) Oppose legislation that would limit lead agency discretion in the management and oversight of lands set aside for environmental mitigation purposes, while encouraging policies that promote advance mitigation planning programs.

## **II. TRANSPORTATION FUNDING**

As the Legislature continues to move forward in developing solutions to close the State's structural deficit, OCTA continues to monitor the status of transportation funding in California, promoting the continued stability of existing programs and efforts to address future funding deficiencies to meet transportation infrastructure needs. As a proven method to help rebuild the economy through investments in vital transportation infrastructure projects and critical transit services, OCTA will also work to promote methods of expediting such projects to allow for such stimulus. Key actions include:

- a) Oppose unfunded mandates for transportation agencies, transit providers, and local governments in providing transportation improvements and services;
- b) Oppose cost shifts or changes in responsibility for projects funded by the State to the local transportation entities;
- c) Support legislation to treat the property tax of single-county transit districts the same as multi-county districts and correct other Educational Revenue Augmentation Fund inequities between like agencies;
- d) Support the constitutional protection of all transportation funding resources;
- e) Support legislation protecting or expanding local decision-making in programming expenditures of transportation funds;
- f) Oppose efforts to reduce local prerogative over regional program funds;
- g) Support legislation to involve county transportation commissions in the development and prioritization of State Highway Operation and Protection Program projects;
- h) Oppose efforts to redirect or reclassify transportation revenue sources, including earned interest, for anything other than their intended purposes;
- i) Support the implementation of federal transportation programs in an equitable manner that promotes traditional funding levels, programming roles, and local discretion in allocation decisions;

- j) Oppose policies that significantly increase costs, threatening OCTA's ability to deliver projects and provide transit service;
- k) Support removing the barriers for funding transportation projects, including allowing local agencies to advance projects with local funds when state funds are unavailable due to budgetary reasons, and allowing regions to pool federal, state, and local funds in order to limit lengthy amendment processes and streamline project delivery time.

### **III. FISCAL REFORMS AND ISSUES**

In recent years, the Legislature and Governor have worked collaboratively during the budget process to pass funding bills in a timely manner. Unfortunately, uncertainties over future changes remain due to a continued structural deficit and the economic consequences resulting from COVID-19. Therefore, OCTA will:

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

#### **IV. STATE TRANSPORTATION IMPROVEMENT PROGRAM**

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

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

#### **V. TRANSIT PROGRAMS**

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

- a) Advocate for a continued strong state role in providing funding for transit operations rather than shifting responsibility to local transportation entities. No additional requirements should be created for operation levels beyond existing capacity, unless agreed to by that entity or otherwise appropriately funded;
- b) Support the development of greater efficiencies within the Transportation Development Act's performance metrics while maintaining existing eligibility



parameters and realigning administrative rules and farebox recovery requirements to eliminate any unnecessary or overly burdensome mandates in order to streamline the administration of transit funding;

- c) Flexibility should be included in state transit funding sources, allowing transit operators to use the funding for both operations and capital expenditures;
- d) Support efforts to mitigate costs associated with the development, testing, purchase, and operation of zero-emission transit buses, including an alternative electricity rate structure, tax incentives, and other forms of financial assistance;
- e) Seek additional funding for paratransit operations and transit accessibility capital improvements that support persons with disabilities and senior citizens;
- f) Support legislation to encourage and incentivize the interoperability of transit and rail systems within California;
- g) Support legislation to limit the liability of transit districts for the location of bus stops (*Bonanno v. Central Contra Costa Transit Authority*);
- h) Support the citing of transit-oriented development projects (i.e., authorize extra credit towards housing element requirements for these developments), including incentives for development;
- i) Support legislation and or/regulations which aim to enhance transit services, and the overall safety and security of transit riders, coach operators, and on-road vehicles.

## **VI. ROADS AND HIGHWAYS**

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

- a) Oppose efforts to create a conservancy that would inhibit the delivery of transportation projects under study or being implemented in the region;
- b) Support efforts to expand, extend, and preserve new and existing alternative project delivery methods such as design-build, public-private partnership authority, and construction manager/general contractor authority, including expanding mode and funding eligibility, while allowing the appropriate balance of partnership between the State and local agencies;

- c) Support legislation that would authorize local agencies to advertise, award, and administer contracts for state highway projects;
- d) Oppose duplicative reporting mandates and efforts to impose additional requirements, beyond what is required in statute, on lead agencies awarding contracts using alternative project delivery mechanisms;
- e) Support streamlining of the Caltrans review process for projects, simplification of processes, and reduction of red tape, without compromising environmental safeguards;
- f) Support administrative policy changes to lower the oversight fee charged by Caltrans to ensure that project support costs are equivalent whether the project is administered by Caltrans or a local agency;
- g) Support policies that improve signal synchronization programs in order to facilitate street signal coordination, prioritization, and preemption, as well as encouraging the use of intelligent transportation system measures;
- h) Support policies that expand utilization of continuous access of high-occupancy vehicle (HOV) lanes;
- i) Monitor efforts to increase fines for HOV lane violations and, if implemented, ensure fines are dedicated to enforcement purposes;
- j) Support legislation that provides for equitable enforcement of regulations governing transportation network companies;
- k) Support efforts to study the development and safe operation of autonomous vehicles and related technologies;
- l) Oppose legislation that fails to preserve local discretion and flexibility in the development of the congestion management program.

## **VII. ROLES AND RESPONSIBILITIES**

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

- a) Support efforts to preserve the role of county transportation commissions, as consistent with existing law, in the administration of transportation programs;

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

## **VIII. 91 EXPRESS LANES/MANAGED LANES**

OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes, a ten-mile managed lane facility on State Route 91 (SR-91), extending from State Route 55 to the Orange/Riverside County line. Since its purchase in 2003, the 91 Express Lanes has provided drivers an alternative mobility option between Orange and Riverside counties, while also allowing for investment in multimodal improvements throughout the SR-91 corridor.

As transportation demands continue to increase, innovative tools must be available to ensure transportation infrastructure projects continue to be built in a reliable, prompt, and efficient manner. OCTA took advantage of one such tool by securing a \$629 million federal loan to supplement state and local funds on the I-405 Improvement Project. The loan, obtained through the Transportation Infrastructure Finance and Innovation Act (TIFIA), will save taxpayers approximately \$300 million in the decades to come. As the TIFIA loan illustrates, OCTA is committed to improving mobility for Orange County residents using the innovative tools and approaches that are allowing transportation agencies to stretch their dollars further than ever before.

Many agencies are discussing the increased use of managed lane facilities. To ensure not only the continued success of the 91 Express lanes, but also to ensure managed lane policy moving forward allows for local flexibility and input, OCTA will:

- a) Support legislation to ensure revenues from managed lane facilities remain within the corridor from which they are generated, opposing efforts to divert revenues from managed lane facilities for state purposes;
- b) Support policies that allow OCTA and the Riverside County Transportation Commission to efficiently operate and maintain the 91 Express Lanes into Riverside County;

- c) Support efforts to preserve local flexibility in the administration of toll lanes;
- d) Oppose state efforts to construct or operate managed lane facilities that are established without an adopted statewide managed lane strategy or plan;
- e) Oppose state efforts to construct or operate managed lane facilities that fail to respect existing local transportation projects and funding programs;
- f) Support customer privacy rights while maintaining OCTA's ability to effectively communicate with customers and operate the 91 Express Lanes;
- g) Support the use of innovative means to enhance toll agency enforcement efforts, including ways to address toll violations due to protected plates;
- h) Support collaborative solutions to address the degradation of HOV lanes that respect local transportation funding sources and programs, have the support of the relevant regional transportation planning agency, do not redirect existing local transportation funding sources, and analyze the effect of single-occupant, low-emission vehicles, including associated federal requirements triggered by their access allowance.
- i) Support efforts to improve the interoperability of the different toll systems across the State in order to ensure fair and efficient toll operations while affirming user privacy protections.

## **IX. RAIL PROGRAMS**

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

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

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

- a) Support legislation that encourages commercial, commuter-based development around passenger rail corridors that includes permanent job creation;
- b) Support efforts to create additional efficiency in rail program oversight, including consideration of possible program consolidation;
- c) Monitor and evaluate plans and progress of high-speed rail and its funding;
- d) Support efforts to provide resources for safety improvements on the rail network in Southern California, including for the implementation, operation, and maintenance of Positive Train Control safety technology;
- e) Support studying the policies, funding options, and need for rail/highway grade separations, including any impact on existing state highway and transit funding sources;
- f) Support policies that facilitate the development and construction of needed infrastructure projects that support modernization, connectivity, and general system-wide improvements to California's rail network.

## **X. GOODS MOVEMENT**

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

- a) Support improvements in major trade gateways in California to facilitate the movement of intrastate, interstate, and international trade beneficial to the State's economy;
- b) Support legislation that will aid in the development, approval, and construction of projects to expand goods movement capacity and reduce congestion;
- c) Ensure that control of goods movement infrastructure projects and funding retained at the local level;

- d) Seek mitigation for the impacts of goods movement on local communities;
- e) Pursue ongoing, stable sources of funding for goods movement infrastructure.

## **XI. ACTIVE TRANSPORTATION**

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

- a) Support legislation that increases the visibility and safety of users engaged in active transportation;
- b) Support creative use of paths, roads, and abandoned rail lines using existing established rights-of-way to promote bike trails and pedestrian paths;
- c) Support policies that encourage the safe interaction and operation of integrated multi-modal systems, including roadways, rail lines, bikeways, and pedestrian ways, and the users of those facilities;
- d) Support efforts to streamline active transportation funding programs;
- e) Support legislation and regulatory changes to streamline and simplify the review and approval by the California Public Utilities Commission of lease agreements between sponsors of active transportation projects and public utility companies.

## **XII. ADMINISTRATION/GENERAL**

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

- a) Oppose legislation and regulations adversely affecting OCTA's ability to efficiently and effectively contract for goods and services, conduct business of the agency, and limit or transfer the risk of liability;
- b) Support legislation to provide greater protection of OCTA's computer and information security systems;

- c) Support legislation that establishes reasonable liability for non-economic damages in any action for personal injury, property damage, or wrongful death brought against a public entity based on principles of comparative fault;
- d) Support legislation that would provide for consistency of campaign contribution limits applied to both elected and appointed bodies;
- e) Monitor the effect of Brown Act legislation on OCTA Board operations as it relates to the use of new technologies for communication with the public.

### **XIII. EMPLOYMENT ISSUES**

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

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

### **XIV. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS**

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

The development of a new Transit Security and Operations Center is also underway to enhance security efforts and further the resiliency of the Orange County transit system.

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

- a) Support state homeland security and emergency preparedness funding and grant programs to local transportation agencies to alleviate financial burden placed on local entities;
- b) Support legislation that balances retention mandates of video surveillance records to reflect current reasonable technological and fiscal capabilities;
- c) Support the use of new technology to increase the safety of public transportation passengers and operators.



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

The 20219-220 State Legislative Platform serves as a framework document to guide the Orange County Transportation Authority's (OCTA) legislative, regulatory, and administrative activities in the coming legislative session. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the upcoming legislative session. The later sections present guiding policy statements for other major issue areas that may arise during the session. Positions on individual items not directly in this document will be brought to the OCTA Board of Directors (Board) for formal action.

## **Key Policy Issues in 20219-220**

A number of significant transportation issues are expected to be discussed in the 20219-220 legislative session. *OCTA will focus its advocacy efforts on the following principles. A few of these key issues are highlighted in this section, including: Transportation Funding and the Implementation of Environmental Regulations and Cap-and-Trade.*

### **Transportation Funding**

*Securing stable transportation funding that provides long-term operational certainty continues to be one of OCTA's top priorities. It is anticipated that transportation funding will be affected by legislative and regulatory efforts requiring OCTA's close attention in the upcoming session. As such, OCTA will:*

- a) Support funding and policy flexibilities that allow OCTA to provide essential multimodal mobility improvements and services during the unprecedented coronavirus (COVID-19) pandemic;*
- b) Encourage policies and guidance that rebuild public confidence in public transit, as well as other measures that both protect the public health and facilitate essential transit trips;*
- c) Support transportation funding investments, economic stimulus measures, and other recovery efforts that will prepare OCTA to meet the changing mobility needs of Orange County after the COVID-19 pandemic subsides;*
- d) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serve all residents of Orange County;*

- e) *Support flexibility in the application of “disadvantaged” and “low-income” communities to ensure that transportation funding flows to each region’s most impacted areas, allowing OCTA to best meet the needs of its local communities; (moved from subsection (i))*
- fa) *Support efforts to maximize OCTA’s share of transportation and transit funding, especially through distribution formulas and more equitable competitive funding processes;*
- ~~b) *Advocate for a continued strong state role in providing funding for transit operations rather than shifting responsibility to local transportation entities. No additional requirements should be created for operation levels beyond existing capacity, unless agreed to by that entity or otherwise appropriately funded; (moved to Section V)*~~
- ~~c) *Oppose efforts to divert or reclassify transportation revenue sources for other purposes, such as General Fund transfers or for debt service; (moved to Section II)*~~
- gd) *Oppose efforts to link or reprioritize local and state transportation funding to programs not primarily intended to help the State meet its transportation needs;*
- h) *Support efforts to maintain the promises self-help counties have made to taxpayers in the implementation of local sales tax measures, specifically regarding the sequencing and delivery of transportation improvements; (moved from Section VII)*
- i) *Support funding and incentives to develop or phase-in free- or reduced-fare transit pilot programs, that comply with all statutory and regulatory requirements, in order to encourage an increase in transit ridership;*
- j) *Support policies that encourage ridesharing, teleworking, vanpool and related congestion relief programs for Orange County commuters;*
- k) *Support workforce development and training policies that allow OCTA to hire and retain personnel ready to implement the next generation of mobility;*
- ~~e) *Support legislation to implement the provisions of the federal reauthorization, Fixing America’s Surface Transportation Act, in an equitable manner that promotes traditional funding levels, programming roles, and local discretion in allocation decisions; (moved to Section II)*~~
- ~~f) *Support the development of greater efficiencies within the Transportation Development Act’s performance metrics while maintaining existing eligibility parameters and realigning administrative rules and farebox recovery requirements to eliminate any unnecessary or overly burdensome mandates in order to streamline the administration of transit funding; (moved to Section V)*~~

- ~~g) — Support legislation protecting or expanding local decision-making in programming expenditures of transportation funds; (moved to Section II)~~
- ~~h) — Support the retention of existing and future local revenue sources; (moved to Section III)~~
- ~~i) — Support efforts to develop alternative definitions of “disadvantaged” and “low-income” communities to ensure that transportation funding flows to each region’s most impacted areas; (moved to subsection (e))~~
- ~~j) — Support maintaining the current State Transportation Improvement Program (STIP) formula, which provides 75 percent of the STIP funding to the locally nominated Regional Transportation Improvement Program (RTIP) and 25 percent to the Interregional Transportation Improvement Program (ITIP) Program; (moved to Section IV)~~
- ~~k) — Support efforts to provide secure transit funding for capital and operating expenses;~~
- ~~l) — Flexibility should be included in any state transit funding source, allowing transit operators to use the funding for both operations and capital expenditures; (moved to Section V)~~
- ~~m) — Monitor the study and development of alternative transportation funding proposals, including the state’s road charge pilot program and ensure that efforts are made to address concerns related to equitability, privacy, and public support of such proposals; (moved to Section III)~~
- lA) Monitor implementation of Executive Order N-19-19, and any related legislative or regulatory efforts, to ensure that transportation funds are used for their intended purposes.

## ***I. IMPLEMENTATION OF ENVIRONMENTAL POLICIES Regulations and Cap-and-Trade***

~~In 2016, the state expanded upon its greenhouse reduction initiatives with the passage of SB 32 (Chapter 249, Statutes of 2016) and AB 197 (Chapter 250, Statutes of 2016), which set a new statewide emissions target of 40 percent below 1990 levels by the year 2030. In 2017, the state continued its commitment to these strategies with the passage of AB 398 (Chapter 135, Statutes of 2017), extending the market-based cap-and-trade system until January 1, 2031. The passage of AB 398 ensures the long-term stability of the cap-and-trade system. However, approximately 40 percent of annual cap-and-trade revenues are still subject to annual appropriations. As such, OCTA will advocate for as much transportation funding as possible from these revenues.~~

In order to ensure that the State's environmental regulations and cap-and-trade program are implemented in an equitable manner, which will both help to reduce emissions and encourage the development of necessary infrastructure to serve California's growing population, ~~in 2019-20~~ OCTA will:

- a) Support efforts to ensure local flexibility in meeting the goals of the State's greenhouse gas reduction initiatives, including the creation of incentive-based measures and grant programs to assist with compliance;
- b) Support *the creation of formula-based cap-and-trade programs, including maintaining on-going appropriations for transit, and the prioritization of cap-and-trade funding for transportation projects that achieve greenhouse gas emission reduction* ~~the eligibility of the transportation sector and inclusion of county transportation commissions as eligible recipients of any funding mechanism created for implementation of the State's greenhouse gas reduction initiatives, including the cap-and-trade program; (combined with subsections (d) and (g))~~
- ~~c) Support efforts to ensure the availability of proven technology and adequate funding prior to the implementation of any mandated purchase requirements for zero-emission bus technology; (combined into Section V, subsection (d))~~
- ~~d) Support the prioritization of transportation projects and programs that achieve greenhouse gas emissions reductions for cap-and-trade funding while maintaining ongoing appropriations for transit; (combined into subsection (b))~~
- ~~e) Oppose policies that significantly increase costs, threatening OCTA's ability to deliver projects and provide transit service; (moved to Section II)~~
- cf) Support legislation to streamline the environmental review and permitting processes for transportation projects and programs to avoid potentially duplicative and unnecessary analysis, while still maintaining traditional environmental protections;
- ~~g) Support the creation of formula-based funding programs under the cap-and-trade program to assist with compliance of any adopted regulations; (combined into subsection (b))~~
- ~~h) Support efforts to mitigate costs associated with the operation of zero-emission transit buses, including an alternative electricity rate structure, tax incentives, or other forms of financial assistance; (combined into Section V, subsection (d))~~
- d4) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements;-

- e) *Oppose efforts to lengthen the California Environmental Quality Act process in a manner that would delay mobility improvements; (moved from what was Section XII)*
- f) *Oppose legislation that restricts road construction by superseding existing broad-based environmental review and mitigation processes; (moved from what was Section XII)*
- g) *Oppose legislation that would limit lead agency discretion in the management and oversight of lands set aside for environmental mitigation purposes, while encouraging policies that promote advance mitigation planning programs. (moved from what was Section XII)*

### **Sponsored Legislation**

~~Each year, OCTA may consider sponsoring legislation to clarify or address various transportation policy areas that require additional attention. This session, the following major initiative will be emphasized as sponsor legislation:~~

- a) ~~Co-sponsor legislation to clarify roles and responsibilities related to toll enforcement policies to allow for interoperability between toll facilities while affirming user privacy protections. (moved to Section VIII)~~

### **~~II. I. TRANSPORTATION FUNDING STATE BUDGET~~**

~~As the Legislature continues to move forward in developing solutions to close the State's structural deficit, OCTA continues to monitor the status of transportation funding in California, promoting the continued stability of existing programs and efforts to address future funding deficiencies to meet transportation infrastructure needs. As a proven method to help rebuild the economy through investments in vital transportation infrastructure projects and critical transit services, OCTA will also work to promote methods of expediting such projects to allow for such stimulus. Key actions by OCTA will include:~~

- a) ~~Oppose unfunded mandates for transportation agencies, transit providers, and local governments in providing transportation improvements and services;~~
- b) ~~Oppose cost shifts or changes in responsibility for projects funded by the State to the local transportation entities;~~
- c) ~~Support legislation to treat the property tax of single-county transit districts the same as multi-county districts and correct other Educational Revenue Augmentation Fund inequities between like agencies;~~
- d) ~~Support the constitutional protection of all transportation funding resources;~~

- e) *Support legislation protecting or expanding local decision-making in programming expenditures of transportation funds; (moved from "Key Policy Issues in 2021-22" Section)*
- f) *Oppose efforts to reduce local prerogative over regional program funds; (moved from Section III)*
- g) *Support legislation to involve county transportation commissions in the development and prioritization of State Highway Operation and Protection Program projects; (moved from Section IV)*
- ~~e) *Seek additional funding for paratransit operations and transit accessibility capital improvements that support persons with disabilities and senior citizens; (moved to Section V)*~~
- h) *Oppose efforts to redirect or reclassify transportation revenue sources, including earned interest, for anything other than their intended purposes; (moved from "Key Policy Issues" Section)*
- i) *Support the implementation of federal transportation programs in an equitable manner that promotes traditional funding levels, programming roles, and local discretion in allocation decisions; (moved from "Key Policy Issues" Section)*
- j) *Oppose policies that significantly increase costs, threatening OCTA's ability to deliver projects and provide transit service; (moved from what was Section XII)*
- k) *Support removing the barriers for funding transportation projects, including allowing local agencies to advance projects with local funds when state funds are unavailable due to budgetary reasons, and allowing regions to pool federal, state, and local funds in order to limit lengthy amendment processes and streamline project delivery time.*

### **III. II. FISCAL REFORMS AND ISSUES**

In recent years, the Legislature and Governor have worked collaboratively during the budget process to pass funding bills in a timely manner, ~~providing some degree of certainty to the state-funded programs that OCTA relies upon.~~ Unfortunately, uncertainties over future changes remain due to a continued structural deficit and the ~~potential for an economic downturn~~ *consequences resulting from COVID-19.* Therefore, OCTA will:

- ~~a) *Oppose efforts to reduce local prerogative over regional program funds; (moved Section II)*~~

- a) *Monitor the study and development of alternative transportation funding proposals, including the State's road charge pilot program and ensure that efforts are made to address concerns related to equity, privacy, and public support of such proposals; (moved from "Key Policy Issues" Section)*
- b) Oppose levying new and/or increase in gasoline taxes or user fees, including revenue increases on fuel consumption categorized as charges, fees, revenue enhancements, or similar classifications. Consideration of such efforts shall occur when a direct nexus is determined to exist between revenues and transportation projects, and additional revenues are to be controlled by the county transportation commission;
- c) Oppose efforts to decrease the voter threshold requirement for local tax measures for transportation purposes and/or mandating specific uses of future local sales tax revenues;
- d) Oppose efforts to increase administrative fees charged by the California Department of Tax and Fee Administration on the collection of local sales tax measures;
- ~~e) Support efforts to ease or simplify local matching requirements for state and federal grants and programs;~~
- ~~f) Support legislation to protect the flexibility of the federal aid highway funds by requiring state compliance with federal highway safety requirements;~~
- ~~g) Support flexibility for obligating regional federal transportation funds through interim exchange instead of loss of the funds by the local agency;~~
- eh) Support efforts that ensure that all users of the State's transportation system pay their "fair share" to maintain and improve the system;
- hi) Support efforts to restore equity with regards to the generation and disbursement of sales tax revenues that support the Local Transportation Fund;:-
- i) *Support the retention of existing and future local revenue sources. (moved from "Key Policy Issues" Section)*

#### **IV. III. STATE TRANSPORTATION IMPROVEMENT PROGRAM STREAMLINING**

The *State Transportation Improvement Program* (STIP), substantially amended by SB 45 (Chapter 622, Statutes of 1997), is a programming document that establishes the funding priorities and project commitments for transportation capital improvements in California. SB 45 placed decision-making authority closest to the problem by providing project selection for 75 percent of the funding in the *Regional Transportation Improvement Program* (RTIP). This funding is distributed to counties based on an allocation formula.

The remaining 25 percent of the funds is programmed by the California Department of Transportation (Caltrans) in the *Interregional Transportation Improvement Program* (ITIP). ~~SB 1 is expected to promote increased stability for future STIP fund estimates.~~ OCTA will seek to ensure that the regional focus of the program is preserved. Key provisions to be sought by OCTA include:

- a) *Support maintaining the current STIP formula, which provides 75 percent of STIP funding to the locally-nominated RTIP and 25 percent to the ITIP; (moved from “Key Policy Issues” Section with updated parenthetical references)*
- ba) Support legislation that maintains equitable allocations of transportation funding, such as the north/south formula distribution of county shares and ITIP allocations;
- cb) Support legislation to clarify that programming of current period county shares has priority over advancement of future county shares;
- de) Support a formula-based guaranteed disbursement of the ITIP;
- ~~d) Support legislation to involve county transportation commissions in the development and prioritization of State Highway Operation and Protection Program projects; (moved to Section II)~~
- e) Support efforts to allow a mode-neutral STIP;
- f) Support increased flexibility for the use of STIP funds to support alternative projects, including, but not limited to, transit and goods movement improvement projects.

#### **V. IV. TRANSIT PROGRAMS**

~~In 2019-20,~~ OCTA will continue with its focus on providing safe, reliable, and efficient transit services in Orange County. While state transit funding has recently become more stable, future demand increases due to environmental regulations and increased fuel prices may put further strain on existing resources. Thus, OCTA will make every effort to minimize additional state obligations to transit operations which lack a sufficient and secure revenue source. To that end, OCTA will focus on the following:

- a) *Advocate for a continued strong state role in providing funding for transit operations rather than shifting responsibility to local transportation entities. No additional requirements should be created for operation levels beyond existing capacity, unless agreed to by that entity or otherwise appropriately funded; (moved from “Key Policy Issues” Section)*
- b) *Support the development of greater efficiencies within the Transportation Development Act’s performance metrics while maintaining existing eligibility parameters and realigning administrative rules and farebox recovery requirements*



*to eliminate any unnecessary or overly burdensome mandates in order to streamline the administration of transit funding; (moved from “Key Policy Issues” Section)*

- c) Flexibility should be included in state transit funding sources, allowing transit operators to use the funding for both operations and capital expenditures; (moved from “Key Policy Issues” Section)*
- d) Support efforts to mitigate costs associated with the development, testing, purchase, and operation of zero-emission transit buses, including an alternative electricity rate structure, tax incentives, and other forms of financial assistance; (combined with what was Section XII, subsections (c) and (d))*
- e) Seek additional funding for paratransit operations and transit accessibility capital improvements that support persons with disabilities and senior citizens; (moved from Section II)*
- fa) Support legislation to encourage and incentivize the interoperability of transit and rail systems within California;*
- gb) Support legislation to limit the liability of transit districts for the location of bus stops (Bonanno v. Central Contra Costa Transit Authority);*
- he) Support the citing of transit-oriented development projects (i.e. authorize extra credit towards housing element requirements for these developments), including incentives for development;*
- id) Support legislation and or/regulations which aim to enhance transit services, and the overall safety and security of transit riders, coach operators, and on-road vehicles.*

## **VI. ~~V~~. ROADS AND HIGHWAYS**

OCTA’s commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes and the use of design-build authority on the State Route 22 project and Interstate 405 (*I-405*) Improvement Project. OCTA will continue to seek new and innovative ways to deliver road and highway projects to the residents of Orange County and, to that end,~~in 2019-20~~, OCTA will focus on the following:

- a) Oppose efforts to create a conservancy that would inhibit the delivery of transportation projects under study or being implemented in the region;
- b) Support efforts to expand, extend, and preserve new and existing alternative project delivery methods such as design-build, public-private partnership authority, and construction manager/general contractor authority, including expanding mode

and funding eligibility, while allowing the appropriate balance of partnership between the State and local agencies;

- c) Support legislation that would authorize local agencies to advertise, award, and administer contracts for state highway projects;
- d) Oppose duplicative reporting mandates and efforts to impose additional requirements, beyond what is required in statute, on lead agencies awarding contracts using alternative project delivery mechanisms;
- e) Support streamlining of the Caltrans review process for projects, simplification of processes, and reduction of red tape, without compromising environmental safeguards;
- f) Support administrative policy changes to lower the oversight fee charged by Caltrans to ensure that project support costs are equivalent whether the project is administered by Caltrans or a local agency;
- ~~g) Support studying the policies, funding options, and need for rail/highway grade separations, including any impact on existing state highway and transit funding sources; (moved to Section IX)~~
- gh) Support policies that improve signal synchronization programs in order to facilitate street signal coordination, prioritization, and preemption, as well as encouraging the use of intelligent transportation system measures;
- hi) Support policies that expand utilization of continuous access of high-occupancy vehicle (HOV) lanes;
- ij) Monitor efforts to increase fines for HOV lane violations and, if implemented, ensure fines are dedicated to enforcement purposes;
- jk) Support legislation that provides for equitable enforcement of regulations governing transportation network companies;
- kl) Support efforts to study the development and safe operation of autonomous vehicles and related technologies;
- lm) Oppose legislation that fails to preserve local discretion and flexibility in the development of the congestion management program.

## **VII. VI. ROLES AND RESPONSIBILITIES**

In recent years, there have been many efforts to reorganize or restructure transportation programs and local agency responsibilities. In 2019-20, OCTA will continue to monitor

legislation or regulations that would significantly affect the way in which it operates, with a focus on the following principles:

- a) Support efforts to preserve the role of county transportation commissions, as consistent with existing law, in the administration of transportation programs;
- b) Oppose proposals that reduce the rights and responsibilities of county transportation commissions in planning, funding, and delivering transportation programs;
- c) Oppose efforts to unnecessarily subject projects to additional reviews and project selection approvals that could adversely affect delivery timelines and processes;
- d) Support efforts to facilitate a partnership with alternative mobility providers that allows for adequate information sharing while also respecting the planning efforts of local agencies;
- ~~e) Support efforts to improve local oversight and create operational improvements in the administration of the Orange County Taxi Administration Program;~~
- ef) Support efforts to increase the flexibility of funds used for motorist service programs.;
- ~~g) Support efforts to maintain the promises self-help counties have made to taxpayers in the implementation of local sales tax measures, specifically regarding the sequencing and delivery of transportation improvements. (moved to "Key Policy Issues" Section)~~

#### **~~VIII.~~ VII. 91 EXPRESS LANES/MANAGED LANES**

OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes, a ten-mile managed lane facility on State Route 91 (SR-91), extending from State Route 55 to the Orange/Riverside County line. Since its purchase in 2003, the 91 Express Lanes has provided drivers an alternative mobility option between Orange and Riverside counties, while also allowing for investment in multi-modal improvements throughout the ~~State Route~~ 91 corridor.

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

County residents using the innovative tools and approaches that are allowing transportation agencies to stretch their dollars further than ever before.

Many agencies are discussing the increased use of managed lane facilities. To ensure not only the continued success of the 91 Express lanes, but also to ensure managed lane policy moving forward allows for local flexibility and input, ~~in 2019-20~~, OCTA will:

- a) Support legislation to ensure revenues from managed lane facilities remain within the corridor from which they are generated, opposing efforts to divert revenues from managed lane facilities for state purposes;
- b) Support policies that allow OCTA and the Riverside County Transportation Commission to efficiently operate and maintain the 91 Express Lanes into Riverside County;
- c) Support efforts to preserve local flexibility in the administration of toll lanes;
- d) Oppose state efforts to construct or operate managed lane facilities that are established without an adopted statewide managed lane strategy or plan;
- e) Oppose state efforts to construct or operate managed lane facilities that fail to respect existing local transportation projects and funding programs;
- f) Support customer privacy rights while maintaining OCTA's ability to effectively communicate with customers and operate the 91 Express Lanes;
- g) Support the use of innovative means to enhance toll agency enforcement efforts, including ways to address toll violations due to protected plates;
- h) Support collaborative solutions to address the degradation of HOV lanes that respect local transportation funding sources and programs, have the support of the relevant regional transportation planning agency, do not redirect existing local transportation funding sources, and analyze the effect of single-occupant, low-emission vehicles, including associated federal requirements triggered by their access allowance.
- i) Support efforts to improve the interoperability of the different toll systems across the State in order to ensure fair and efficient toll operations, ~~including enforcement mechanisms, throughout California~~ while affirming user privacy protections. *(combined with language in "Sponsored Legislation" section)*

## **~~IX. VIII.~~ RAIL PROGRAMS**

Metrolink is Southern California's commuter rail system that links residential communities to employment and activity centers. Orange County is served by three Metrolink lines: the Orange County Line, the Inland Empire-Orange County Line, and the 91/Perris Valley

Line. In support of these routes, OCTA owns 48 miles of rail right-of-way in Orange County on which Metrolink operates. OCTA's rail capital budget supports improvements to the regional commuter rail system in Orange County, and under existing policy, OCTA is the primary construction lead on major capital improvements to the regional commuter rail system on its right-of-way.

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

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

- a) Support legislation that encourages commercial, commuter-based development around passenger rail corridors that includes permanent job creation;
- b) Support efforts to create additional efficiency in rail program oversight, including consideration of possible program consolidation;
- c) Monitor and evaluate plans and progress of high-speed rail and its funding;
- d) Support efforts to provide resources for safety improvements on the rail network in Southern California, including for the implementation, *operation, and maintenance* of Positive Train Control safety technology;
- e) *Support studying the policies, funding options, and need for rail/highway grade separations, including any impact on existing state highway and transit funding sources; (moved from Section VI)*
- fe) Support policies that facilitate the development and construction of needed infrastructure projects that support modernization, connectivity, and general system-wide improvements to California's rail network.

## **X. ~~IX.~~ GOODS MOVEMENT**

The Ports of Los Angeles and Long Beach, the nation's two busiest *ports in terms of container volume and value*, are vital to California's economy and the surrounding region

because goods are shipped to and through the surrounding counties. ~~Our state's goods movement-related industries account for more than \$700 billion in revenue and more than five million jobs.~~ While the State's goods movement system is the most robust in the nation, it is continually challenged by competing goods movement systems in other states. In order to continue to compete and engage in the global marketplace, California must continue to enhance its goods movement system, while at the same time be cognizant of taking the necessary actions to mitigate any negative impacts to local communities. Key positions ~~for 2019-20~~ include:

- a) Support improvements in major trade gateways in California to facilitate the movement of intrastate, interstate, and international trade beneficial to the State's economy;
- b) Support legislation that will aid in the development, approval, and construction of projects to expand goods movement capacity and reduce congestion;
- c) Ensure that control of goods movement infrastructure projects and funding retained at the local level;
- d) Seek mitigation for the impacts of goods movement on local communities;
- e) Pursue ongoing, stable sources of funding for goods movement infrastructure.

## **~~XI. X.~~ ACTIVE TRANSPORTATION**

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

- a) Support legislation that increases the visibility and safety of users engaged in active transportation;
- b) Support creative use of paths, roads, and abandoned rail lines using existing established rights-of-way to promote bike trails and pedestrian paths;
- c) Support policies that encourage the safe interaction and operation of integrated multi-modal systems, including roadways, rail lines, bikeways, and pedestrian ways, and the users of those facilities;
- d) Support efforts to streamline active transportation funding programs;

- e) Support legislation and regulatory changes to streamline and simplify the review and approval by the California Public Utilities Commission of lease agreements between sponsors of active transportation projects and public utility companies.

## **XII. ~~XI.~~ ADMINISTRATION/GENERAL**

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

- a) Oppose legislation and regulations adversely affecting OCTA's ability to efficiently and effectively contract for goods and services, conduct business of the agency, and limit or transfer the risk of liability;
- b) Support legislation to provide greater protection of OCTA's computer and information security systems;
- c) Support legislation that establishes reasonable liability for non-economic damages in any action for personal injury, property damage, or wrongful death brought against a public entity based on principles of comparative fault;
- d) Support legislation that would provide for consistency of campaign contribution limits applied to both elected and appointed bodies;
- e) Monitor the effect of Brown Act legislation on OCTA Board operations as it relates to the use of new technologies for communication with the public.

## **~~XII.~~ ENVIRONMENTAL POLICIES**

~~Changes in environmental laws can affect OCTA's ability to plan, develop, and build transit, rail, and highway projects. While OCTA has been a leading advocate for new, cleaner transit technologies and the efficient use of transportation alternatives, it also remains alert to new, conflicting, or excessive environmental statute changes.~~

~~Key positions include:~~

- a) ~~Oppose efforts to grant special interest groups or new bureaucracies control, oversight, or influence over the California Environmental Quality Act process; (moved to Section I)~~
- b) ~~Oppose legislation that restricts road construction by superseding existing broad-based environmental review and mitigation processes; (moved to Section I)~~
- c) ~~Support incentives for development, testing, and purchase of clean fuel commercial vehicles; (combined into Section V, subsection (d))~~

- d) ~~Support efforts to seek funding and flexibility for the retrofit or re-powering of transit buses and locomotives with cleaner engines to attain air quality standards; (combined into Section V, subsection (d))~~
- e) ~~Oppose legislation that would limit lead agency discretion in the management and oversight of lands set aside for environmental mitigation purposes, while encouraging policies that promote advance mitigation planning programs; (moved to Section I)~~
- f) ~~Support efforts to ensure that Caltrans can continue to review and approve transportation projects under the National Environmental Policy Act;~~
- g) ~~Monitor the development, adoption, and implementation of the Air Quality Management Plan (AQMP) to avoid cost increases and prevent any potential conflicts between AQMP implementation, the adopted Regional Transportation Plan, and OCTA's projects or programs.~~

### **XIII. EMPLOYMENT ISSUES**

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

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

### **XIV. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS**

As natural and man-made disasters continue to threaten transportation systems around the world, significant improvements have been, and continue to be, carried out to enhance the safety, security, and resilience of transportation infrastructure in the United States. As Orange County's bus provider and a Metrolink partner, OCTA comprehends the



importance of ensuring the safety and security of our transportation network and protecting our customers. Presently, OCTA maintains a partnership with the Orange County Sheriff's Department to provide OCTA Transit Police Services for the bus and train systems in Orange County and continues to be actively involved in a variety of state and regional preparedness exercises in support of first responders. OCTA is also currently working with its community partners on an effort to install video surveillance systems at Metrolink stations and on its fleet of buses and throughout its bus facilities. The development of a new Transit Security and Operations Center is also underway to enhance security efforts and further the resiliency of the Orange County transit system.

Heightened security awareness, an active public safety campaign, and greater surveillance efforts, all require additional financial resources. Consequently, in 2019-20, OCTA's advocacy positions will highlight:

- a) Support state homeland security and emergency preparedness funding and grant programs to local transportation agencies to alleviate financial burden placed on local entities;
- b) Support legislation that balances retention mandates of video surveillance records to reflect current reasonable technological and fiscal capabilities;
- c) Support the use of new technology to increase the safety of public transportation passengers and operators.

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

The 2021-22 Federal Legislative Platform serves as a framework document to guide the Orange County Transportation Authority's (OCTA) statutory, regulatory, and administrative goals and objectives in Washington, D.C. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the 117<sup>th</sup> Congress, and the later sections present guiding policy statements for the other major issues that may arise. Positions on individual items not directly addressed in this document will be brought to the OCTA Board of Directors for formal action.

### **Key Policy Issues in the 117<sup>th</sup> Congress**

A number of significant transportation issues will be discussed in the 117<sup>th</sup> Congress. OCTA will focus its advocacy efforts on the following principles:

- a) Support funding and policy flexibilities to support OCTA in providing essential multimodal mobility improvements and services during the unprecedented coronavirus (COVID-19) pandemic;
- b) Encourage policies and guidance that rebuild public confidence in public transit, as well as other measures that both protect the public health and facilitate essential transit trips;
- c) Support transportation funding investments, economic stimulus measures, and other recovery efforts that will prepare OCTA to meet the changing mobility needs of Orange County after the COVID-19 pandemic subsides;
- d) Enact and implement long-term surface transportation reauthorization legislation that provides sustainable funding levels for transportation programs in order to meet our county's critical infrastructure needs;
- d) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serves all the residents of Orange County;
- e) Seek responsible revenue solutions to fund future transportation projects without adversely affecting an agency's ability to provide services;
- f) Advocate for full funding of transportation programs without placing new limitations or conditions on the distribution of funds that would impede the delivery of infrastructure projects;

- g) Ensure that funding for any new infrastructure initiatives does not replace or adversely affect existing transportation programs;
- h) Ensure that Highway Trust Fund (HTF) revenues continue to be used for transit expenditures;
- i) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements.
- j) Support policies that encourage ridesharing, teleworking, vanpool and related congestion relief programs for Orange County commuters;
- k) Support efforts to clarify roles and responsibilities related to toll enforcement policies to allow for interoperability between toll facilities while affirming user privacy.

## **I. TRANSPORTATION FUNDING**

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

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

- a) Support sustainable transportation funding levels that allow OCTA to continue to improve mobility in and around Orange County;
- b) Oppose efforts to redirect, reduce, or eliminate existing transportation funding programs;
- c) Support funding for the Capital Investment Grants program to allow for an expansion of bus and rail transit projects;
- d) Ensure that federal funding is available for capital purposes to the extent not needed for direct operating costs;
- e) Support funding, with increased flexibility, for safety and security grant programs in order to protect Orange County's transportation system, including highways, transit facilities, rail lines, and related software systems;

- f) Support funding for regional and intercity passenger rail corridors in California;
- g) Support funding for the Southern California Regional Training Consortium to develop bus maintenance training information for the transit agencies throughout Southern California.

## **II. REAUTHORIZATION PRIORITIES**

The Fixing America's Surface Transportation (FAST) Act (Pub. L. No. 114-94) authorized \$305.5 billion over five years for public transportation, rail, highway, safety, research, and technology programs. The legislation preserved the federal focus on safety, kept intact the established structure of the various highway programs, and continued efforts to streamline project delivery.

The FAST Act was extended through September 30, 2021. In the 117<sup>th</sup> Congress, OCTA will focus much of its advocacy efforts on enacting long-term reauthorization legislation that allows state and local government agencies to move forward with a federal partner on critical transportation projects. As such, OCTA will advocate for the following policies:

- a) Support the greatest possible share of funding for California and OCTA, focusing on increasing formula funds;
- b) Support increased flexibility in transportation funding programs to promote greater local decision-making in the planning process;
- c) Ensure a long-term partnership with the federal government that helps OCTA address capital and operating revenue shortfalls;
- d) Support a stable source of proposed future revenues that provides adequate resources for future transportation needs;
- e) Oppose efforts to subject public transportation providers to gas tax liability or other fees that increase operating costs;
- f) Oppose unfunded federal mandates that further stretch the resources of state and local transportation agencies;
- g) Oppose policies that undermine or limit local control over land use decisions;
- h) Ensure fair suballocations of funding to account for additional costs, increased administrative responsibilities, and the potential for increased liabilities to which the agency may be subject;

- i) Support efforts to ensure that all users of the national transportation system pay their “fair share” to maintain and improve the system;
- j) Oppose limitations or other arbitrary conditions on discretionary transportation grant programs that prevent an equitable distribution of transportation resources;
- k) Support efforts to clarify roles for state and local transportation agencies, as well as for the private sector, in developing innovative approaches to improving mobility;
- l) Support additional funding flexibility to facilitate the use of alternative mobility providers;
- m) Support policies to encourage the safe development, demonstration, deployment, and operation of connected and automated vehicle technologies;
- n) Support a collaborative approach to understanding the capital infrastructure and operational needs of local and state transportation agencies, as well as those of private sector partners, in the testing and deployment of autonomous vehicles and related technologies;
- o) Oppose rescissions or other arbitrary funding cuts to transportation programs.

### **III. IMPLEMENTING FEDERAL TRANSPORTATION PROGRAMS**

In the 117<sup>th</sup> Congress, OCTA will continue to support finalizing the implementation of the FAST Act while finding ways to complement the programs and provisions authorized under federal law. During this time, OCTA will advocate for the following issues:

- a) Oppose any effort to further reduce transportation funding for OCTA or California, advocating for a fair and equitable share;
- b) Pursue continued eligibility of Congestion Mitigation Air Quality program funding for three-to-five years of operating expenses associated with any fixed-guideway or eligible bus projects;
- c) Support expanded use of alternative delivery methods for federally-funded transportation projects;
- d) Support environmental process improvements and stewardship efforts by the relevant federal agencies to expedite project delivery and accelerate the creation of jobs;

- e) Support expedited review and payments to local agencies and their contractors for project development, right-of-way acquisition, and construction activities;
- f) Support efforts to authorize, fund, and streamline the delivery of bicycle and pedestrian projects in Orange County;
- g) Advocate for policies to encourage, when possible, a “complete streets” approach to multimodal project planning in order to expedite project delivery;
- h) Encourage the Federal Highway Administration (FHWA) to utilize the Regional Transportation Plan (RTP) as a long-range planning and vision document rather than a detailed 30-year financial plan;
- i) Support shifting the approval of RTP amendments involving Transportation Control Measures from the Environmental Protection Agency back to the FHWA while allowing for an adequate consultation process;
- j) Support flexibility and increased local decision-making authority regarding the operation of high-occupancy vehicle (HOV) lanes in order to reduce or eliminate the unintended consequences resulting from Section 166 of the Federal Highway Act or any similar policy regulating degradation of HOV lanes;
- k) Encourage cooperation between state and federal partners to mitigate or eliminate any policy that requires direct actions within 180 days of realized degradation on federally-funded highways;
- l) Support streamlining of Federal Buy America requirements to increase certainty while also advocating for greater flexibility in their application.

#### **IV. FISCAL REFORMS AND ISSUES**

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

- a) Oppose legislation and regulations that would divert revenues generated by locally-approved sales taxes to programs and projects that are not included in the sales tax ordinance;
- b) Support removing barriers to the release of transportation funding, including allowing local agencies to advance projects with local funds in order to limit lengthy amendment processes that delay project delivery;

- c) Support expansion, streamlining, and further development of innovative project finance methods, including the Transportation Infrastructure Finance and Innovation Act loan program;
- d) Support fiscally sound legislation that adequately addresses the HTF's structural deficit, including initiatives to address the impact of low- and zero-emission vehicles on transportation funding;
- e) Support the equitable collection and distribution of sales tax revenue from out-of-state, online retailers (*South Dakota v. Wayfair, Inc.*);
- f) Support tax policies that reduce costs or provide additional flexibility in OCTA's financial and operational activities;
- g) Support legislation or regulations that expedite the delivery of transportation improvements or the development of business opportunities in order to create jobs and economic activity in Southern California.

## **V. RAIL PROGRAMS**

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

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

Other rail systems could also travel through Orange County at some point in the future, including additional intercity rail service. OCTA will continue to monitor the development of additional service to ensure that it does not adversely affect other transportation funding sources. Other rail policy priorities include the following:

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

## **VI. GOODS MOVEMENT**

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

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



## **VII. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS**

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

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

## **VIII. ENVIRONMENTAL AND ENERGY ISSUES**

Federal environmental policies affecting OCTA include the National Environmental Protection Act, the Clean Air Act, the Clean Water Act, and the Endangered Species Act. Therefore, legislation or regulations to further develop environmental goals and energy-efficient policies will likely have an impact on OCTA's operations. With such proposals in mind, OCTA will:

- a) Seek opportunities to expedite and improve the efficiency of the environmental process without impairing substantive environmental requirements;
- b) Seek funding to meet state and local environmental quality requirements, including requirements for zero-emission buses, alternative fueling stations, and future greenhouse gas reduction requirements;
- c) Support the continuation and expansion of tax incentives for using compressed natural gas, hydrogen, and other zero-emission transit fuels;

- d) Monitor proposals to address the environmental impacts of greenhouse gases to ensure that any new environmental requirements are accompanied by additional funding necessary to implement those requirements;
- e) Support expedited review for project development, right-of-way acquisition, and construction activities.

## **IX. REGULATORY REQUIREMENTS**

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

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

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

The 2021-22 Federal Legislative Platform serves as a framework document to guide the Orange County Transportation Authority's (OCTA) statutory, regulatory, and administrative goals and objectives in Washington, D.C. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the 117<sup>th</sup> Congress, and the later sections present guiding policy statements for the other major issues that may arise. Positions on individual items not directly addressed in this document will be brought to the OCTA Board of Directors (~~Board~~) for formal action.

## **Key Policy Issues in the 117<sup>th</sup> Congress**

A number of significant transportation issues will be discussed in the 117<sup>th</sup> Congress. OCTA will focus its advocacy efforts on the following principles:

- a) *Support funding and policy flexibilities to support OCTA in providing essential multimodal mobility improvements and services during the unprecedented coronavirus (COVID-19) pandemic;*
- b) *Encourage policies and guidance that rebuild public confidence in public transit, as well as other measures that both protect the public health and facilitate essential transit trips;*
- c) *Support transportation funding investments, economic stimulus measures, and other recovery efforts that will prepare OCTA to meet the changing mobility needs of Orange County after the COVID-19 pandemic subsides;*
- d) *Enact and implement long-term surface transportation reauthorization legislation that provides sustainable funding levels for transportation programs in order to meet our county's critical infrastructure needs;*
- e) *Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serves all the residents of Orange County;*
- f) *Seek responsible revenue solutions to fund future transportation projects without adversely affecting an agency's ability to provide services;*
- g) *Advocate for full funding of transportation programs without placing new limitations or conditions on the distribution of funds that would impede the delivery of infrastructure projects;*

- gd) Ensure that funding for any new infrastructure initiatives does not replace or adversely affect existing transportation programs;
- he) Ensure that Highway Trust Fund (*HTF*) revenues continue to be used for transit expenditures;
- fi) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements.
- j) *Support policies that encourage ridesharing, teleworking, vanpool and related congestion relief programs for Orange County commuters; (moved from what was Section XI)*
- k) *Support efforts to clarify roles and responsibilities related to toll enforcement policies to allow for interoperability between toll facilities while affirming user privacy.*

## **I. TRANSPORTATION FUNDING**

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

~~Funding limitations enacted with bipartisan support effectively prohibit funding specifically directed to individual projects, commonly called earmarks. It is expected that appropriators will continue this practice for the foreseeable future. Accordingly, this platform does not contain any earmark requests. Should Congress once again allow earmarks, OCTA staff will seek the guidance from the Legislative and Communications Committee regarding project requests.~~

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

- a) Support sustainable transportation funding levels that allow OCTA to continue to improve mobility in and around Orange County;
- b) Oppose efforts to redirect, reduce, or eliminate existing transportation funding programs;
- c) Support funding for the Capital Investment Grants program to allow for an expansion of ~~fixed-guideway bus and rail transit~~ projects;

- d) Ensure that federal funding is available for capital purposes to the extent not needed for direct operating costs;
- e) Support funding, with increased flexibility, for safety and security grant programs in order to protect Orange County's transportation system, including highways, transit facilities, rail lines, and related software systems;
- ~~f) Support policies that encourage ridesharing and related congestion relief programs for Orange County commuters;~~
- g) Support funding for regional and intercity passenger rail corridors in California;
- h) Support funding for the Southern California Regional Training Consortium to develop bus maintenance training information for the transit agencies throughout Southern California.

## II. REAUTHORIZATION PRIORITIES

The Fixing America's Surface Transportation (FAST) Act (Pub. L. No. 114-94) authorized \$305.5 billion over five years for public transportation, rail, highway, safety, research, and technology programs. ~~These funding levels provided modest increases in all major existing surface transportation programs over the life of the bill. It also added new formula and discretionary freight programs, a new discretionary bus capital program, and new funding for intercity rail.~~ The legislation also preserved the federal focus on safety, kept intact the established structure of the various highway programs, and continued efforts to streamline project delivery.

The FAST Act ~~was extended through~~ expires on September 30, 2021~~0~~. In the 117<sup>th</sup> Congress, OCTA will focus much of its advocacy efforts on enacting long-term reauthorization legislation that allows state and local government agencies to move forward with a federal partner on critical transportation projects. As such, OCTA will advocate for the following policies:

- a) Support the greatest possible share of funding for California and OCTA, focusing on increasing formula funds;
- b) Support increased flexibility in transportation funding programs to promote greater local decision-making in the planning process;
- c) Ensure a long-term partnership with the federal government that helps OCTA address capital and operating revenue shortfalls;
- d) Support a stable source of proposed future revenues that provides adequate resources for future transportation needs;

- e) Oppose efforts to subject public transportation providers to gas tax liability or other fees that increase operating costs;
- f) Oppose unfunded federal mandates that further stretch the resources of state and local transportation agencies;
- g) Oppose policies that undermine or limit local control over land use decisions;
- h) Ensure fair suballocations of funding to account for additional costs, increased administrative responsibilities, and the potential for increased liabilities to which the agency may be subject;
- i) Support efforts to ensure that all users of the national transportation system pay their “fair share” to maintain and improve the system;
- j) Oppose limitations or other arbitrary conditions on *discretionary* transportation *grant* programs that prevent an equitable distribution of transportation resources;
- k) Support efforts to clarify roles for state and local transportation agencies, as well as for the private sector, in developing innovative approaches to improving mobility;
- l) Support additional funding flexibility to facilitate the use of alternative mobility providers;
- m) Support policies to encourage the safe development, demonstration, deployment, and operation of connected and automated vehicle technologies;
- n) Support a collaborative approach to understanding the capital infrastructure and operational needs of local and state transportation agencies, as well as those of private sector partners, in the testing and deployment of autonomous vehicles and related technologies;
- ~~o) Support proposals consistent with the recommendations contained in OCTA's Breaking Down Barriers Report and subsequent Follow-on Study;~~
- op) Oppose rescissions or other arbitrary funding cuts to transportation programs.

### **III. IMPLEMENTING FEDERAL TRANSPORTATION PROGRAMS**

In the 117<sup>th</sup> Congress, OCTA will continue to support finalizing the implementation of the FAST Act while finding ways to complement the programs and provisions authorized under federal law. During this time, OCTA will advocate for the following issues:

- a) Oppose any effort to further reduce transportation funding for OCTA or California, advocating for a fair and equitable share;
- b) Pursue continued eligibility of Congestion Mitigation Air Quality (CMAQ) program funding for three-to-five years of operating expenses associated with any ~~new start~~ fixed-guideway or eligible bus projects;
- c) Support expanded use of alternative delivery methods for federally-funded transportation projects;
- d) Support environmental process improvements and stewardship efforts by the relevant federal agencies to expedite project delivery and accelerate the creation of jobs;
- e) Support expedited review and payments to local agencies and their contractors for project development, right-of-way acquisition, and construction activities;
- ~~f) Support efforts that direct state departments of transportation to consider the condition and effectiveness of local evacuation routes in high-risk areas when setting priorities for the disbursement of highway funding;~~
- ~~g)~~ Support efforts to authorize, fund, and streamline the delivery of bike and pedestrian projects in Orange County;
- ~~h)~~ Advocate for policies to encourage, when possible, a “complete streets” approach to multimodal project planning in order to expedite project delivery;
- ~~i)~~ Encourage the Federal Highway Administration (FHWA) to utilize the Regional Transportation Plan (RTP) as a long-range planning and vision document rather than a detailed 30-year financial plan;
- ~~j)~~ Support shifting the approval of RTP amendments involving Transportation Control Measures from the Environmental Protection Agency back to the FHWA while allowing for an adequate consultation process;
- ~~k)~~ Support flexibility and increased local decision-making authority regarding the operation of high-occupancy vehicle (HOV) lanes in order to reduce or eliminate the unintended consequences resulting from Section 166 of the Federal Highway Act or any similar policy regulating degradation of HOV lanes;
- ~~l)~~ Encourage cooperation between state and federal partners to mitigate or eliminate any policy that requires direct actions within 180 days of realized degradation on federally-funded highways;
- ~~m)~~ Support streamlining of Federal Buy America requirements to increase certainty while also advocating for greater flexibility in their application.

#### IV. FISCAL REFORMS AND ISSUES

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

- a) Oppose legislation and regulations that would divert revenues generated by locally-approved sales taxes to programs and projects that are not included in the sales tax ordinance;
- b) Support removing barriers to the release of transportation funding, including allowing local agencies to advance projects with local funds in order to limit lengthy amendment processes that delay project delivery;
- c) Support expansion, *streamlining*, and further development of innovative project finance methods, including the Transportation Infrastructure Finance and Innovation Act loan program;
- d) Support fiscally-sound legislation that adequately addresses the ~~Highway Trust Fund~~ *HTF*'s structural deficit, including initiatives to address the impact of low- and zero-emission vehicles on transportation funding;
- e) ~~Support Seek methods to ensure~~ the equitable collection and distribution of sales tax revenue from out-of-state, online retailers (*South Dakota v. Wayfair, Inc.*);
- f) Support tax policies that reduce costs or provide additional flexibility in OCTA's financial and operational activities;
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- a) Support funding for rail safety programs, including funding for implementation, ~~and operation, and maintenance~~ of Positive Train Control (PTC) safety technology and other safety enhancements;
- ~~b) Support ongoing PTC implementation efforts that allow for adequate consideration of technological, fiscal, and logistical challenges;~~
- ~~be)~~ Support efforts to ensure that any alternative safety technology is interoperable with, and contains the same safety benefits as, the PTC system implemented on passenger rail corridors in Southern California;
- ~~cd)~~ Support the availability of technical resources, such as wireless spectrum, to fully implement rail safety technology;
- ~~de)~~ Oppose increasing the current rail passenger liability cap of ~~\$295 million per incident~~ and work with regional partners to ensure that any changes to the cap take into account the limited resources of passenger rail providers.

## **VI. GOODS MOVEMENT**

The twin Ports of Los Angeles and Long Beach are considered “America’s Gateway” and the nation’s busiest ports, ~~handling more than \$180 billion dollars’ worth of cargo each year.~~ The maintenance and improvement of our region’s goods movement infrastructure must continue to be a national priority if our region is to remain competitive with the rest of the world and responsive to the consumer needs of ~~the nearly 18 million people living in~~ Southern California. The need for the Southern California region to remain competitive is further underscored by the expansion and modernization efforts of foreign competitors. Even though the FAST Act provided ~~\$10 billion dedicated funding~~ for goods movement projects and programs, revenue streams remain insufficient to fund the projects needed to offset the costs of moving

these goods considering the many years of underinvestment. OCTA's advocacy efforts regarding goods movement will continue to emphasize the following:

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

## **VII. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS**

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

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

## **VIII. ENVIRONMENTAL AND ENERGY ISSUES**

~~The transportation sector is one of the largest consumers of petroleum in the nation. Federal environmental policies affecting OCTA include the National Environmental Protection Act, the Clean Air Act, the Clean Water Act, and the Endangered Species Act. Therefore, legislation or regulations to further develop environmental goals and energy-efficient policies will likely have an impact on OCTA's operations. With such proposals in mind, OCTA will:~~

- ~~a) Monitor legislation and rulemakings that address new or emerging energy policies;~~
- ~~b) Encourage industry associations to comment on proposals affecting the public transportation sector;~~
- a) *Seek opportunities to expedite and improve the efficiency of the environmental process without impairing substantive environmental requirements; (moved from what was Section IX)*
- b) *Seek funding to meet state and local environmental quality requirements, including requirements for zero-emission buses, alternative fueling stations, and future greenhouse gas reduction requirements; (moved from what was Section IX)*
- c) *Support the continuation and expansion of tax incentives for using compressed natural gas, hydrogen-liquefied natural gas, and other alternative zero-emission transit fuels;*
- ~~d) Provide reports to the Board outlining any energy-related legislation introduced in the 116<sup>th</sup> Congress potentially affecting OCTA.~~
- d) *Monitor proposals to address the environmental impacts of greenhouse gases to ensure that any new environmental requirements are accompanied by additional funding necessary to implement those requirements; (moved from what was Section IX)*
- e) *Support expedited review for project development, right-of-way acquisition, and construction activities. (moved from what was Section IX)*

## **~~IX. ENVIRONMENTAL POLICY~~**

~~Federal environmental policies affecting OCTA include the National Environmental Protection Act, the Clean Air Act, the Clean Water Act, and the Endangered Species Act. With regard to these policies, OCTA will:~~

- a) ~~Seek opportunities to expedite and improve the efficiency of the environmental process without impairing substantive environmental requirements; (moved to Section X)~~
- b) ~~Seek funding to meet state and local environmental quality requirements, including anticipated requirements for zero-emission buses, alternative fueling stations, and future greenhouse gas reduction requirements; (moved to Section X)~~
- c) ~~Monitor proposals to address the environmental impacts of greenhouse gases to ensure that any new environmental requirements are accompanied by additional funding necessary to implement those requirements; (moved to Section X)~~
- d) ~~Support expedited review and payments to local agencies and their contractors for project development, right-of-way acquisition, and construction activities. (moved to Section X)~~

## **~~IX.~~ REGULATORY REQUIREMENTS**

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

- a) Oppose regulatory efforts to extend the statutory requirements of the Americans with Disabilities Act;
- b) Support expedited and improved federal reporting and monitoring requirements to ensure efficiency and usefulness of data while also eliminating redundant state and federal requirements;
- c) Oppose regulatory proposals that unreasonably subject OCTA to burdensome bureaucratic requirements or increase operational costs, making it harder to deliver projects and improve mobility in Orange County.

## **~~XI.~~ EMPLOYMENT ISSUES**

~~Federal employment laws affecting OCTA include the Fair Labor Standards Act, Family and Medical Leave Act, Occupational Safety and Health Act, and the Omnibus Transportation Employee Testing Act of 1991. OCTA's historical positions regarding labor and employment issues have included:~~

- a) ~~Support tax incentives for employer-provided transit passes, vanpool benefits, parking spaces, or other commuter benefits; (moved to "Key Policy Issues in the 117<sup>th</sup> Congress Section)~~

- d~~b~~) Oppose policies adversely affecting the agency's ability to effectively address labor relations, employee rights, benefits, and working conditions, such as health, safety, and ergonomic standards;
- e~~e~~) Oppose policies that limit state or local pension benefit reforms.



**October 15, 2020**

**To:** Legislative and Communications Committee

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

**Subject:** Update on Diversity Outreach and Inclusion Efforts

### **Overview**

The Orange County Transportation Authority is continuing its effort to conduct comprehensive and meaningful outreach to Orange County's growing diverse communities. This report provides an update on the progress of the diversity and inclusion efforts as well as plans to meet the future needs of community members who are increasingly diverse.

### **Recommendations**

Receive and file as an information item.

### **Background**

The Orange County Transportation Authority (OCTA) is continuing its effort to conduct comprehensive and meaningful outreach to Orange County's growing diverse communities. More than a decade ago, OCTA's diversity efforts primarily centered on working closely with ethnic business groups to conduct procurement outreach at business expos, conferences, and other events. OCTA has leveraged those strong relationships with diverse business organizations over the past few years by engaging with the business community on OCTA's other transportation programs, projects, and plans. OCTA's diversity outreach and inclusion efforts have now expanded significantly to provide public involvement opportunities with Orange County's other diverse stakeholders. These include communities of color that now make up 57 percent of Orange County's population. These demographics, combined with the fact that nearly half of Orange County's residents do not speak English at home, highlight the importance of effectively engaging with diverse audiences to effectively deliver on OCTA's mission.

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***Discussion***

The OCTA Diversity Outreach and Business Opportunities team's work to plan, execute, and evaluate diversity outreach has relied primarily on building relationships of trust with community, business, faith, social, and other organizations' leaders and members that represent Orange County's diverse communities. The communications and engagement foundation of the program has relied on personally connecting with these constituents – who are often hard to reach. Staff has made tangible progress with outreach to diverse audiences through in-person networking, information sharing, soliciting feedback, and other engagement activities. These outreach activities have relied on participating at community and business events as well as being on-site with large numbers of diverse audiences. During the past several months, OCTA's Diversity Outreach program has significantly shifted to adjust to the dramatic changes as a result of the coronavirus (COVID-19) pandemic.

**Proactive Outreach to Orange County's Ethnic Communities and Other Diverse Audiences**

For the past decade, OCTA has had a strong presence with Orange County's numerous chambers of commerce and business organizations that represent Orange County's diverse communities. OCTA's Diversity Outreach and Business Opportunities staff is integrated into many ethnic business organizations as steering committee members, board members or executive advisory members. This includes working closely with prominent business groups such as the Orange County Hispanic Chamber of Commerce, the Black Chamber of Commerce of Orange County, the Filipino American Chamber of Commerce of Orange County, the Korean American Chamber of Commerce of Orange County, and the Vietnamese American Chamber of Commerce of Orange County. Staff also works across OCTA divisions and departments to facilitate procurement opportunities with small minority- and women-owned businesses as well as to provide information about employment opportunities at OCTA and other public agency partners. Staff members participate in expos, conferences, and other business events attracting tens of thousands of participants each year and often coordinate keynote speeches, serve on panels, or play other prominent roles.

The team also staffs booths at events to share information and answers questions about OCTA's services, projects, programs, and plans. Staff has been involved with these business events and other smaller business engagement activities – totaling more than 80 opportunities – in the past fiscal year, with approximately 25 of these events conducted virtually since March 2020.

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Engagement Activities for Transportation

Staff is integrated into OCTA's largest capital projects: The Interstate 405 (I-405) Improvement Project and the OC Streetcar Project. Communications and outreach plans for both projects contain communications strategies that include Spanish and Vietnamese at a minimum with other non-English languages when necessary. Both projects' public information campaigns also include bilingual English/Spanish and bilingual English/Vietnamese information along with team members who are bilingual or trilingual to help community members, business owners, and commuters in the language they are most comfortable. Staff also provides in-language messaging that resonates with the common background, shared values, and cultural nuances of Orange County's Latinx, Vietnamese American community, and other audiences. Staff also provides assistance with Orange County's Spanish and Vietnamese news media, with placement of news stories on television, radio, and print publications for these construction projects.

Prior to the COVID-19 pandemic, OCTA conducted public outreach for transportation studies onboard specific routes to connect with OC Bus riders who may be unable to provide feedback at a formal open house. This effort has helped reach difficult-to-reach audiences by providing transit users with proposed updates to OC Bus or other transit-related changes and by obtaining their valuable opinions and suggestions. By pairing bilingual staff targeting Orange County's top two non-English speaking communities of Spanish and Vietnamese, OCTA is cost-effectively reaching constituents who otherwise may not have had that opportunity with traditional communications methods.

By riding bus routes and visiting key stops in fall 2019 and winter 2020, staff contributed to the Beach Boulevard Transportation Study and the Bristol Street Corridor Study with more than 220 OC Bus riders' comments and suggestions in English, Spanish, and Vietnamese. The majority of the survey respondents were from communities of color – Latinx, Asian Americans, and other groups.

Another example of direct community outreach is OCTA's highly visible role in celebrating cultural holidays and participating in commemorations. OCTA staff participated in Hispanic Heritage Month in September 2019, with a social media campaign and on panel discussions regarding contributions of the Latinx community in Orange County. The Latinx community (also known as Latinos or Hispanics) is the largest ethnic group, making up 34 percent of the County's population while the fastest-growing group is the Asian American community that encompasses 21 percent of the population.

OCTA also actively engaged with thousands of participants at two Tết festivals celebrating the Vietnamese Tết lunar new year over the same three-day



weekend in January 2020 at events in the cities of Costa Mesa and Fountain Valley. OCTA's booth at both locations were designed to attract attention with culturally striking graphics. An OC Streetcar video in English, Spanish, and Vietnamese played to passers-by while staff distributed packets of bilingual transportation information to thousands of participants. Also, nearly 800 community members from both Tết event locations completed transportation surveys and signed up to receive future transportation updates.

In early February 2020, OCTA participated in Black History Month and the Cultural Faire in the City of Anaheim. The booth was culturally and historically appropriate with strong visuals to attract visitors. Similar information packets highlighting transportation offerings were distributed to thousands of people during the one-day event that featured OCTA's diverse employees. More than 130 community members filled out transportation surveys during this event.

#### Multilingual COVID-19 Pandemic Response

Like other organizations, OCTA's high-touch, person-to-person contact with diverse audiences dramatically changed with the impact of the COVID-19 pandemic. In early March 2020, the team transitioned to filling an important role with the OCTA crisis communications team and quickly executed virtual outreach and communications. All communications pieces were in English, Spanish, and Vietnamese – from the website, emails, and social media to bus signs and voice messages on buses. The team provided, and continues to provide, updates and information alerts in different languages to bus riders, the 91 Express Lanes customers, and capital project stakeholders.

During the early stage of the COVID-19 pandemic, staff partnered with California State University, Fullerton's Latino Communications Institute and Northgate Markets for a Spanish-language question-and-answer session via Facebook Live. The virtual session helped answer questions from the public and transit riders about COVID-19 and mitigations to help stop its spread. Staff also participated in numerous virtual workshops and social media discussions in Spanish and Vietnamese to communicate important health and safety messages on COVID-19 to vulnerable community members and to highlight OCTA's response to help safely transport essential workers.

OCTA's Diverse Community Leaders group also continues to play an important role, especially during the COVID-19 pandemic. The group of community, business, faith, and social leaders representing diverse communities meets quarterly to learn about OCTA's transportation updates and plans. The group of influential diversity leaders then shares the updates with their respective constituents or members while also providing valuable feedback to help OCTA

enhance transportation plans and programs. The group has also been instrumental in helping OCTA distribute COVID-19 information and other transportation information. The group had a virtual meeting in July 2020, and the next virtual meeting is scheduled for October 29, 2020.

#### Qualitative Survey of Hard-to-Reach Diverse Audience

A comprehensive study targeting hard-to-reach diverse audiences, called the Transportation Needs Assessment, was halted in March due to COVID-19. In an effort to gain valuable feedback from diverse communities, staff created an informal qualitative online survey in English, Spanish, and Vietnamese to safely gauge feedback from underserved community members. Staff launched this survey to help bridge the absence of physically connecting with community members with a cost-effective way to virtually solicit feedback. From July 9 to August 31, 2020, 326 community members completed the nonscientific, brief online survey. Highlights of the online survey results include:

<b>ASKED ABOUT PRIORITIZING ISSUES TO CONSIDER WHEN PLANNING FOR TRANSPORTATION BY SELECTING TWO CHOICES</b>	<b>NUMBER OF RESPONSES</b>
REDUCING CONGESTION	153
ENHANCING SAFETY	122
IMPROVING AIR QUALITY	110
PROVIDING MORE TRAVEL OPTIONS	110
ENSURES SUSTAINABILITY	72
<b>ASKED TO SELECT UP TO THREE REASONS FOR NOT RIDING OC BUS</b>	<b>NUMBER OF RESPONSES</b>
SAFETY / COVID-19	173
PREFER TO DRIVE	120
SERVICE NOT FREQUENT ENOUGH / DOESN'T RUN EARLY OR LATE ENOUGH	112
NO STOPS NEAR DESTINATION	83
SAFETY CONCERNS	67

ASKED ABOUT IMPACT OF COVID-19 ON THE 52 RESPONDENTS WHO INDICATED THEY PRIMARILY RODE OC BUS	PERCENT OF RESPONDENTS
RIDING LESS THAN BEFORE COVID-19	60%
RIDING ABOUT THE SAME AS BEFORE COVID-19	31%
STOPPED RIDING SINCE COVID-19	5%

More than 50 percent of the survey respondents were Latinx, and 17 percent were Asian Americans. Although not a representative sample, this online survey – with more than one-third of respondents completing the survey in Spanish and Vietnamese – is one further step toward providing a greater voice for Orange County’s increasingly diverse community members.

#### Future Work with Communities of Color and Other Diverse Stakeholders

OCTA’s community-based approach to diversity outreach and inclusion is a solid foundation that will help enable staff to cultivate new relations with other groups and organizations in Orange County and Southern California. Although the COVID-19 pandemic altered the timeline for a more robust in-person engagement effort with communities of faith, especially for the I-405 Improvement Project, plans are in place to begin that effort in alternative ways. Staff is forging partnerships with other groups that represent the Latinx community, the Vietnamese American community, Korean American community, and other ethnic communities. Staff is also moving forward with outreach plans to organizations that represent the Lesbian, Gay, Bisexual, Transgender, and Queer community, faith organizations, and other community organizations.

Through this work, OCTA is well-positioned to enhance its communications with diverse communities and to ensure effective two-way communications on transportation projects, programs, and services. The team is part of two internal OCTA working groups, focusing on planning and projects and the OCTA workforce, that will help develop OCTA’s ongoing work for diversity and inclusion and identify tangible ways to continually live up to OCTA’s mission and values in serving the diverse travel needs of Orange County’s dynamic demographics.

***Summary***

OCTA's diversity outreach and inclusion efforts will continue to forge new partnerships. The work will not only include business groups that represent diversity but also provide a stronger role for collaboration with diverse community members, ensuring more opportunities for enhanced engagement with OCTA's projects, programs, and plans. OCTA's Diversity Outreach team will continue to remain flexible to address the evolving environment and work to strengthen public participation opportunities to help meet the needs of Orange County's communities of color and other diverse groups.

***Attachment***

None.

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UPDATE ON

# DIVERSITY

OUTREACH AND INCLUSION  
EFFORTS



# Beyond Business and Translations

**DIVERSITY**  
OUTREACH & INCLUSION





# Delivering for Dynamic Demographics

**DIVERSITY**  
OUTREACH & INCLUSION



**21%**

ASIAN AMERICANS

**50%**

DON'T SPEAK  
ENGLISH AT HOME

**34%**

LATINX / LATINOS

**57%**

NONWHITES  
IN ORANGE COUNTY<sub>3</sub>



# Engagement Activities for Transportation

**DIVERSITY**  
OUTREACH & INCLUSION



*¡Pregunte sobre las ofertas en los negocios que tienen la calcomanía del OC Streetcar!*

El programa **Eat Shop Play** de Orange County Transportation Authority OCTA brinda apoyo a los negocios que se ubican a lo largo de la futura ruta del OC Streetcar.

Ofrecemos asistencia de marketing para aumentar la exposición de los negocios y el tráfico peatonal durante la construcción.

Los negocios que se ubican a lo largo de la futura ruta del OC Streetcar son elegibles para registrarse para solicitar asistencia de marketing en [occta.net/ocstreetcar](http://occta.net/ocstreetcar).

Si tiene preguntas, envíe un correo electrónico a [ocstreetcar@occta.net](mailto:ocstreetcar@occta.net).

**NGƯỜI VIỆT**  
DAILY NEWS

**MINIONDAS**  
EL PORTAVOZ DE LA COMUNIDAD LATINA

**La Ranchera**  
96.7 FM

**JoongAng Ilbo**  
JoongAng Ilbo - The Korea Daily

## En Español



## Bằng Tiếng Việt





# Cultural Celebrations



**OCTA** *Commemorates*  
**HISPANIC HERITAGE**  
9/15 to 10/15 MONTH

*Commemorating*  
**OCTA** **HISPANIC HERITAGE**  
9/15 to 10/15 MONTH

*"I'm excited to commemorate Hispanic Heritage Month. Hispanics are the key to the success of both Orange County and the United States. At Santa Ana College, we're proud in our role of preparing students to become an integral part of what makes Orange County so dynamic. We look forward to working with OCTA to help deliver transportation programs for present and future generations."*

  
**Teresa Mercado-Cota**  
PUBLIC AFFAIRS  
Santa Ana College

*Commemorating*  
**OCTA** **HISPANIC HERITAGE**  
9/15 to 10/15 MONTH

*"Hispanics play an increasingly important role in contributing to the enrichment of Orange County and the nation. On behalf on the Orange County Hispanic Chamber of Commerce, we look forward to working with OCTA and other community partners to ensure the future success of Orange County."*

  
**REUBEN FRANCO**  
Chief Executive Officer  
ORANGE COUNTY HISPANIC CHAMBER OF COMMERCE





# Multilingual COVID-19 Rapid Response

**DIVERSITY**  
OUTREACH & INCLUSION

**PHẢN ỨNG**  
CORONAVIRUS  
COVID-19

**SỰ THẬT**  
REALITY

**HỢP NHẤT**  
UNION

**40%**  
Chỉ bằng ba giọt nước mắt  
có thể phủ phục và diệt diệt  
virus corona.

**Thuốc khử trùng**  
kháng vi rút  
không thể tiêu diệt virus corona  
trên bề mặt của xe buýt.

**NHỮNG GÌ**  
**CHÚNG TA CẦN LÀM**  
WHAT WE NEED TO DO

**Hãy ở nhà**  
Tất cả mọi người nên ở nhà  
trừ khi cần thiết để giảm thiểu  
tiếp xúc với virus corona.

**2 mét**  
Đảm bảo giữ khoảng cách  
ít nhất 2 mét.

**100%**  
Mọi người nên đeo khẩu trang  
để ngăn ngừa sự lây lan của virus corona.

**:20**  
Đeo khẩu trang trong suốt  
hành trình.

**RESPONDIENDO AL**  
CORONAVIRUS  
COVID-19

**HECHOS**  
REALITY

**MITOS**  
UNION

**40%**  
Solo con tres gotas de agua  
se puede vencer y destruir  
el virus corona.

**Desinfectante**  
antiviral  
no puede destruir el virus corona  
en la superficie del autobús.

**LO QUE TODOS**  
**PODEMOS HACER**  
WHAT WE ALL CAN DO

**Quedarse en casa**  
Todos deben quedarse en casa  
excepto cuando sea necesario.

**6 pies**  
Mantenga una distancia mínima  
de 6 pies.

**100%**  
Todos deben usar mascarillas  
para prevenir la propagación  
del virus corona.

**:20**  
Usar la mascarilla durante todo  
el viaje.

## MENSAJE URGENTE

**Protéjase para proteger a sus seres queridos y a la comunidad.**

- Se recomienda que los trabajadores esenciales y aquellos que realizan viajes esenciales usen coberturas de boca
- Por favor, no viaje en el autobús si está enfermo
- Practique el distanciamiento físico

6 feet  
Distancia Física

## LỜI NHẮN KHẨN CẤP

**Hãy tự bảo vệ chính bản thân để bảo vệ người thân yêu của quý vị và cộng đồng.**

- Yêu cầu những nhân viên chủ yếu và những hành khách phải dùng xe buýt phải mang khẩu trang để che mặt
- Nếu quý khách bị bệnh, xin đừng đi xe buýt
- Áp dụng giữ khoảng cách xa 2 mét

6 feet  
Khoảng Cách An Toàn

**BẮT ĐẦU THỨ 9**  
**TRỞ LẠI LÊN XE BUÝT BẰNG CỬA TRƯỚC!**

Xe buýt sẽ bắt đầu trang bị những biện pháp an toàn mới để lên xe buýt bằng cửa trước. Vui lòng lưu ý và chuẩn bị sẵn tinh thần.

**Những biện pháp an toàn mới**

- Biện pháp bảo vệ tài xế mới
- Tạm rời tay khỏi trung tâm điều khiển để phiá trước xe buýt
- Khẩu trang miễn phí (nếu quý khách cần)
- Chỉ ngồi xa hơn để giữ khoảng cách an toàn

Muốn biết thêm chi tiết, vào trang trang: [ocbus.com/covid](https://ocbus.com/covid) or 714-636-RIDE

**Đặc biệt, chúng tôi quan tâm hơn khi lau chùi những nơi thường xuyên có người sử dụng trên xe buýt.**

## JUNE SERVICE CHANGE

OC Bus continues to follow health guidance from federal, state and local agencies to keep the safety of riders and employees as the top priority, while helping stop the spread of COVID-19.

OC Bus service has been adjusted to modified Saturday service levels, with added trips on bus routes to accommodate varied distancing.

**MONDAY-SATURDAY**  
OC Bus will operate modified Saturday service on the following routes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

**WEDNESDAYS ONLY**  
OC Bus will operate weekday service on the following routes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

**THURSDAYS ONLY**  
OC Bus will operate regular Saturday service on the following routes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

## RIDE SMART. STAY SAFE.

**COVID-19 SAFETY GUIDELINES**

**HƯỚNG DẪN AN TOÀN CHO COVID-19**

**Bienvenido de nuevo a OC Bus**

# Surveying Hard-to-Reach Audiences

**DIVERSITY**  
OUTREACH & INCLUSION

## ONLINE NONSCIENTIFIC QUALITATIVE SURVEY



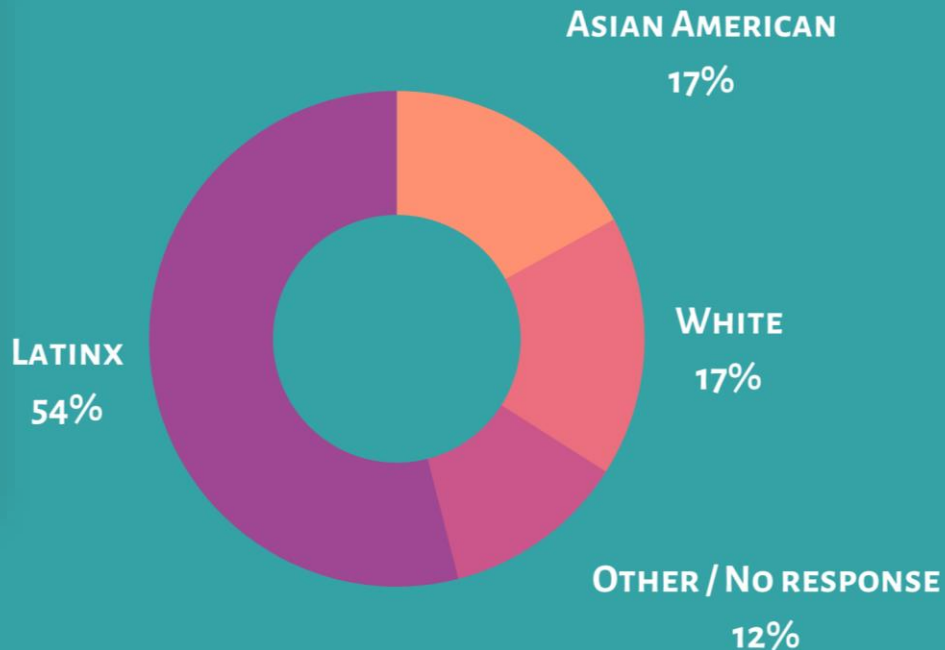
**326**

Respondents

**One-Third**

Completed Survey  
in Spanish and Vietnamese

## SURVEY RESPONDENTS BY ETHNICITY



## PRIORITIZING ISSUES FOR TRANSPORTATION BY SELECTING UP TO TWO CHOICES

REDUCING CONGESTION: 153 RESPONSES

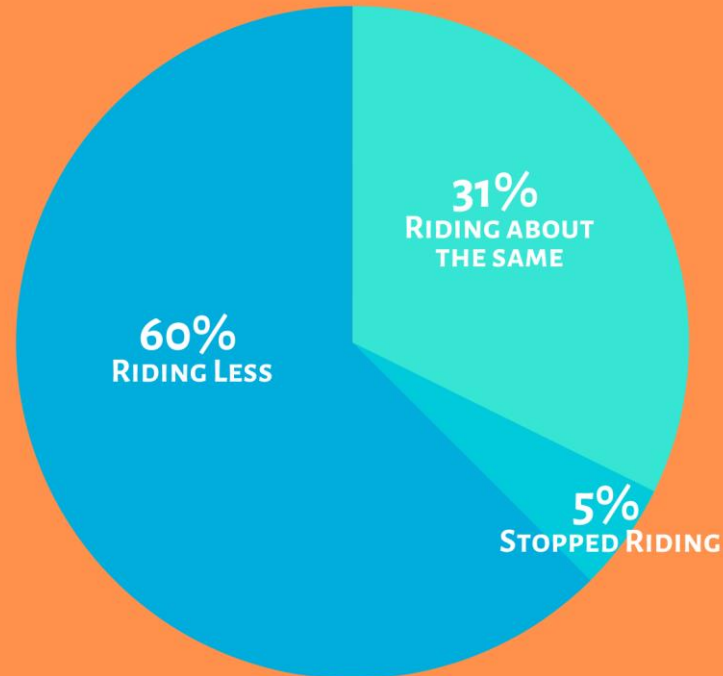
ENHANCING SAFETY: 122 RESPONSES

IMPROVING AIR QUALITY: 110 RESPONSES

MORE TRAVEL OPTIONS: 110 RESPONSES

ENSURES SUSTAINABILITY: 72 RESPONSES

## IMPACT OF COVID-19 ON 52 RESPONDENTS WHO INDICATED THEY PRIMARILY RIDE OC BUS





# Diversity Community Leaders Group

**DIVERSITY**  
OUTREACH & INCLUSION



Virtual Meeting

# Creating Future Meaningful Outcomes

**DIVERSITY**  
OUTREACH & INCLUSION

