



REVISED AGENDA

Executive Committee Meeting

Committee Members

Steve Jones, Chairman
Andrew Do, Vice Chairman
Laurie Davies
Michael Hennessey
Mark A. Murphy
Tim Shaw

Orange County Transportation Authority
Headquarters
Conference Room 07
550 South Main Street
Orange, California
Monday, April 6, 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 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 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 Committee meeting by clicking the below link:

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



REVISED AGENDA

Executive Committee Meeting

Guidance for Public Access to the Board of Directors Committee Meeting (continued)

Public comments may be submitted for the upcoming Committee meeting by emailing them to boardofdirectors@octa.net.

If you wish to comment on a specific agenda Item please identify the Item number in your email. General public comments will be addressed during the general public comment item on the agenda and read into the record. In order to ensure that staff has the ability to provide comments to the Committee Members in a timely manner, **please submit your public comments by 8:30 a.m. on April 6, 2020.**



Call to Order

Roll Call

Pledge of Allegiance

Chairman Jones

1. Public Comments

Special Calendar

There are no Special Calendar matters.

Consent Calendar (Items 2 and 3)

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

2. Approval of Minutes

Approval of the minutes of the Executive Committee meeting of February 3, 2020.

3. Signatory to the Orange County Operational Area Agreement

Katrina Faulkner/Jennifer L. Bergener

Overview

The Orange County Operational Area Agreement, initially approved in 1995 in response to the requirements by the State of California's Standardized Emergency Management System, provides a framework for Orange County jurisdictions to coordinate emergency management activities before, during and after a disaster. The Orange County Transportation Authority became a signatory to this agreement in 1996. Since that time, best practices and processes have changed, and the original agreement has been updated and is presented for Board of Directors' consideration.

Recommendation

Authorize the Chief Executive Officer to execute the signatory agreement allowing Orange County Transportation Authority to participate in the Orange County Operational Area Agreement.



Regular Calendar

4. Coronavirus (COVID-19) Update

Joel Zlotnik/Darrell E. Johnson

Overview

The Orange County Transportation Authority has been preparing for and is responding to the public health emergency caused by the coronavirus pandemic and closely monitoring the related transportation implications. Following directions issued by Governor Gavin Newsom and County public health officials, the Orange County Transportation Authority has implemented its Emergency Operations Plan and taken steps to ensure the health and safety of the public and Orange County Transportation Authority employees. An overview and update on these efforts are presented.

Recommendation

Receive and file as an information item.

Discussion Items

5. Cyber Security Annual Update

Michael Cardoza/Andrew Oftelie

The annual cyber security update to the committee will include updates for the cyber security training objectives as identified in the 2020 Chief Executive Office Action Plan.

6. Chief Executive Officer's Report

7. Committee Members' Reports

8. Closed Session

There are no Closed Sessions scheduled.

9. Adjournment

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Monday, May 4, 2020**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.



MINUTES

Executive Committee Meeting

Committee Members Present

Steve Jones, Chairman
Andrew Do, Vice Chairman
Michael Hennessey
Mark A. Murphy
Tim Shaw

Staff Present

Darrell E. Johnson, Chief Executive Officer
Kenneth Phipps, Deputy Chief Executive Officer
Laurena Weinert, Clerk of the Board
Gina Ramirez, Deputy Clerk of the Board
Cassie Trapesonian, Assistant General Counsel
OCTA Staff and Members of the General Public

Committee Members Absent

Laurie Davies

Call to Order

The February 3, 2020 regular meeting of the Executive Committee was called to order by Vice Chairman Do at 9:02 a.m.

Pledge of Allegiance

Director Hennessey led in the Pledge of Allegiance.

1. Public Comments

There were no public comments.

Special Calendar

2. Committee Meeting 2020 Schedule

Vice Chairman Do led a discussion regarding the 2020 meeting schedule for the Executive Committee as noted in Attachment A of the agenda packet.

Darrell E. Johnson, Chief Executive Officer (CEO), reported that the proposed 2020 Executive Committee meetings would meet on the first Monday of each month at 9:00 a.m. Mr. Johnson also reported that due to the Labor Day Holiday in September, as an option, to meet on Thursday, September 3rd.

A motion was made by Director Hennessey, seconded by Vice Chairman Do, and declared passed by those present, to approve the 2020 Executive Committee meeting dates and time schedule.

Chairman Jones was not present to vote on this item.



MINUTES

Executive Committee Meeting

3. Roles and Responsibilities of the Executive Committee

Darrell E. Johnson, CEO, reported that at the beginning of the calendar year, staff brings forward the Roles and Responsibilities for each committee. Mr. Johnson highlighted the proposed changes as noted in Attachment A of the agenda packet for this item.

Vice Chairman Do provided comments as to why he appreciated the addition of the last bullet to the Roles and Responsibilities of the Executive Committee

Director M. Murphy concurred with Vice Chairman Do and provided comments.

A motion was made by Director M. Murphy, seconded by Director Shaw, and declared passed by those present, to approve the 2020 Executive Committee Roles and Responsibilities.

Chairman Jones was not present to vote on this item.

Consent Calendar (Item 4)

4. Approval of Minutes

A motion was made by Director Shaw, seconded by Director M. Murphy, and declared passed by those present, to approve the minutes of the Executive Committee meeting of November 4, 2019.

Regular Calendar

5. Second Quarter Fiscal Year 2019-20 Capital Action Plan and Performance Metrics Report

James G. Beil, Executive Director of Capital Programs, provided a report for this item and highlighted Attachment B of the Staff Report.

A discussion ensued regarding the following:

- Potential delays to the State Route (SR) 55 widening project from the Interstate 5 to SR-91 due to the national Safer Affordable Fuel-Efficient Vehicles (SAFEV) Rule which revoked California's Clean Air Act pre-emption waiver, effective November 26, 2019.



MINUTES

Executive Committee Meeting

5. (Continued)

- The Orange County Transportation Authority (OCTA) is working with the California Department of Transportation (Caltrans) and Federal Highway Administration about the SAFEV Rule.
- OCTA also is working the Southern California Association of Governments region to inventory projects that will be impacted by the SAFEV Rule.
- The Trump Administration's good faith environmental streamlining process was to help the automotive industry by lowering the national environmental standards, and the reason for the SAFEV Rule.
- By April 2020, Director Wagner's request for a SR-55 widening project presentation to address his questions will be included in a status report coming forward to the Regional Planning and Highways Committee and Board of Directors (Board).
- The Placentia Metrolink Station shared use agreement was highlighted.
- Director Shaw stated that the City of Placentia's downtown plans are significant to the Placentia Metrolink Station being completed, and he supports the station project.

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

Discussion Items

6. Chief Executive Officer's Report

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

Hydrogen Event:

- Last Friday, OCTA hosted a very successful event at the Santa Ana Base to celebrate OCTA's zero-emission bus fleet and completion of the hydrogen fueling station.
- Chairman Jones and Directors Pulido, Shaw, and Sidhu, as well as Congressman Cisneros were thanked for joining the event.

Lunar New Year Event:

- Last Saturday, OCTA hosted its annual Lunar New Year event that was very well attended by approximately 150 attendees.
- Director Wagner was thanked for participating at that event.

Mr. Johnson introduced and welcomed Donna DeMartino the new Managing Director of the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency.



MINUTES

Executive Committee Meeting

7. Committee Members' Report

Director Hennessey commented on a prior Board meeting's robust discussion with Caltrans regarding toll lanes in Orange County. Director Hennessey stated the Board did not agree to toll Measure M funded freeway projects, as well as provided other comments. Director Hennessey requested a Board discussion about Measure M freeway program and toll lanes.

Darrell E. Johnson, CEO, clarified that as part of the 2018 Long-Range Transportation Plan, the Board assumed to review toll pricing due to the high-occupancy vehicle lanes degradation. Mr. Johnson provided additional comments, referenced the January 31, 2020 letter to Caltrans and that a copy was provided to the Board, as well as stated coming forward, by summer 2020, will be potential toll options and related policies for the Board's consideration.

8. Closed Session

There were no Closed Session items scheduled.

9. Adjournment

The Executive Committee meeting adjourned at 9:29 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Monday, March 2, 2020**, at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07, Orange, California.

ATTEST


Laurena Weinert
Clerk of the Board

Steve Jones
Chairman



April 6, 2020

To: Executive Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Signatory to the Orange County Operational Area Agreement

Overview

The Orange County Operational Area Agreement, initially approved in 1995 in response to the requirements by the State of California's Standardized Emergency Management System, provides a framework for Orange County jurisdictions to coordinate emergency management activities before, during and after a disaster. The Orange County Transportation Authority became a signatory to this agreement in 1996. Since that time, best practices and processes have changed, and the original agreement has been updated and is presented for Board of Directors' consideration.

Recommendation

Authorize the Chief Executive Officer to execute the signatory agreement allowing Orange County Transportation Authority to participate in the Orange County Operational Area Agreement.

Background

Under the State of California's Standardized Emergency Management System (SEMS), each county was required to establish an Operational Area (OA) and designate a lead agency for the OA. The Orange County OA Agreement, executed in 1995 fulfilled the County of Orange's obligation as the designated lead agency for the OA for emergency response within the county. The agreement consisted of local jurisdictions in Orange County and created an Emergency Operations Center with the County of Orange as the lead agency from which centralized emergency management could be performed, as required, in Title 19 California Code of Regulations Sections 2409(f)(1), (2),(3),(4),(5).

Discussion

In 2017, the OA Executive Board identified the need to update the OA Agreement to better reflect current best practices and update outdated information. Working as the lead agency for the effort, the Orange County Sheriff's Department Emergency Management Division formed a collaborative working group, which included a representative from the Orange County Transportation Authority (OCTA), to complete a comprehensive review and revision of the document. This update was completed in late 2019, and a draft was represented to the OA Executive Board in February of 2020 for approval. Final approval by the County Board of Supervisors was on March 24, 2020. Changes included both structural and content which now represent current practices. These changes included adding OCTA's Chief Executive Officer to the OA Executive Board. This newly-added seat is in line with OCTA's historical support and participation in disasters and emergencies that occur in the OA.

OCTA has historically been a very active participant agency in emergency or disaster situations by providing transportation resources and staff expertise to county and local agencies when requested. OCTA employees have trained and participated in a variety of local emergency drills, exercises, and tests of different county and local agency emergency response plans. From this perspective, the updated Orange County OA Agreement standardizes and formalizes an already existing county system of mutual response and inter-agency aid in an emergency or a disaster.

Although participation by local jurisdictions in the OA Agreement is not mandatory, failure to participate may make it difficult for the local agency to receive state and federal funding for any emergency related costs incurred during an emergency or a disaster, since the purpose of Government Code Section 8607 (e) is to standardize the response and funding process through the use of the SEMS and OA Agreement.

Summary

OCTA's continued participation in the Orange County OA Agreement will further strengthen the excellent emergency response relationship with the County of Orange and local agencies by allowing staff to efficiently utilize transportation resources and expertise within the Orange County SEMS. A coordinated working group has updated the Orange County OA, including the addition of OCTA's Chief Executive Officer to the Executive Committee. Staff is seeking Board of Directors' authorization for the Chief Executive Officer to execute the signatory agreement for the OCTA's continued participation in the Orange County OA Agreement.

Attachment

- A. Orange County Operational Area Agreement of the County of Orange and Political Subdivisions, January 2020

Prepared by:



Katrina Faulkner
Manager, Security and Emergency
Preparedness
714-560-5719

Approved by:



Jennifer L. Bergener
Chief Operating Officer, Operations/
Deputy Chief Executive Officer
714-560-5637

Orange County Operational Area Agreement



of the County of Orange
and Political Subdivisions
January 2020

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Table of Contents

I. Recitals	iv
Section One. Operational Area Establishment	1
1.1 Operational Area Established.....	1
1.2 Local Authority	1
Section Two. Operational Area Council, Executive Board and Subcommittees.....	2
2.1 Operational Area Signatory Council	2
2.2 Operational Area Executive Board	3
2.3 Orange County Emergency Management Organization	5
Section Three. Responsibilities	8
3.1 Operational Area Jurisdiction Responsibilities.....	8
3.2 County-Specific Responsibilities.....	9
Section Four. Operational Area Coordinator and Operational Area Manager.....	11
4.1 Operational Area Coordinator	11
4.2 Operational Area Manager	11
Section Five. Operational Area Response Systems.....	13
5.1 Operational Area Emergency Operations Plan	13
5.2 Operational Area Emergency Operations Center	13
Section Six. Operational Area Finance	14
6.1 Operational Area Expenses and Revenues	14
Section Seven. Operational Area Agreement Administration.....	16
7.1 Existing Agreements.....	16
7.2 Effective Date	16
7.3 Withdrawal.....	16
7.4 Indemnification	16
7.5 Counterparts	16
7.6 Interpretation.....	16
7.7 Ambiguities.....	17
7.8 Amendment.....	17

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I. Recitals

**OPERATIONAL AREA AGREEMENT
OF THE COUNTY OF ORANGE AND POLITICAL SUBDIVISIONS**

THIS AGREEMENT is entered into this _____ day of _____, 20____, which date is enumerated for purpose of reference only, by and between the County of Orange, hereinafter referred to as County, and all other Political Subdivisions within Orange County, as defined in Government Code Section 8557 (b) of the California Emergency Services Act, hereinafter referred to as Subdivisions, collectively hereafter referred to as the Parties.

W I T N E S S E T H:

WHEREAS, it is the intent of the Parties hereto to coordinate prevention, preparedness, response, recovery and mitigation efforts for the safety of persons and property from the effects of natural, human-caused, or war-caused disasters, hereinafter referred to as emergencies, as required by the California Emergency Services Act and the Standardized Emergency Management System (SEMS) Regulations, Title 19 California Code of Regulations Sections 2400 et seq.; and

WHEREAS, the purpose of an Operational Area, as defined in Government Code Section 8605 and Title 19 California Code of Regulations Sections 2403 and 2409, is to manage and coordinate information, resources, and priorities among the local governments within the geographic area of the County, and to serve as the coordination and communication link between the local government level and the regional level of the State; and to use multi-agency or inter-agency coordination to facilitate decisions for overall operational area level emergency response activities; and

WHEREAS, this Agreement is intended to provide for the continued management of the Operational Area; cooperative and mutual handling of duties and responsibilities of the Operational Area Lead Agency; coordination of the emergency functions of the Operational Area with all other public agencies, corporations, organizations, and affected private persons within the Operational Area; and the preparation and implementation of plans for the protection of persons and property within the Operational Area in the event of an emergency; and

WHEREAS, in accordance with the requirements of California laws and regulations the County previously adopted Orange County Codified Ordinances, section 3-1-5 and Resolutions 81-1104 and 95-870 and intends to adopt an updated resolution for this Agreement to support emergency management planning and coordination of all political subdivisions within the Orange County geographic area as required by State law; and

WHEREAS, Orange County Board of Supervisors Resolution 05-144 adopted the National Incident Management System (NIMS) for the Orange County Operational Area which sets many of the same objectives as the Standardized Emergency Management System;

NOW THEREFORE, the Parties hereto agree as follows:

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Section One. Operational Area Establishment

1.1 Operational Area Established

The entire geographic area of Orange County constitutes an Operational Area (OA) for the purposes of coordinating the prevention, preparedness, response, recovery and mitigation efforts for the safety of persons and property from the effects of natural, human-caused or war caused disasters, hereinafter referred to as emergencies. All local governments should cooperate in organizing an effective OA, but the OA authority and responsibility is not affected by the non-participation of any local government. The County of Orange shall be the Operational Area Lead Agency as specified in Title 19 California Code of Regulations Section 2409(d).

1.2 Local Authority

In the event of an actual or threatened emergency, each jurisdiction shall retain the authority provided for by law respecting its jurisdiction. No body created by this Agreement can bind Parties to legal or financial obligations.

Section Two. Operational Area Council, Executive Board and Subcommittees

2.1 Operational Area Signatory Council

All political subdivisions within the geographic area of Orange County, California are organized into the OA, regardless of signatory status.¹ The OA Signatory Council, hereinafter referred to as the Council, is hereby created to include the signature Parties to this Agreement. The Parties acknowledge that the Council is not a separate legal entity and that it is not their intention to form a joint powers authority.

2.1.1 Membership

By approval and execution of this Agreement, all Subdivisions in the County of Orange, including cities, school districts, community college districts, special districts, joint powers authorities, and the County, are members of the Council. Each signature party shall designate annually in writing to the Orange County Sheriff's Department Emergency Management Division, hereinafter referred to as county emergency management, one primary and one alternate representative of its governing body to serve on the Council.

2.1.2 Responsibilities

It is not the intent of this Agreement that there be regular meetings of the Council. In routine matters and day-to-day decision-making, the OA Executive Board (as described in Section 2.2) will represent the interests of the OA. However, the Council shall have authority over the major policy issues of the OA, as determined by the Executive Board, including adoption of any amendments to this Agreement or adoption of any fees to support OA coordination activities. Council members will receive information regarding major OA policy issues from the Executive Board, when necessary, for consideration at their respective governing body meetings. Furthermore, whenever a majority of the Council determine that an issue should be brought before the Council, it shall be done irrespective of whether the Executive Board has identified it as a major policy issue.

2.1.3 Representatives Meeting

The representatives of the Council may meet as necessary as determined by the Executive Board or as requested by a majority of the members of the Council. Should it be necessary for the Council to meet, each member of the Council shall be entitled to one vote. The representatives present shall, by majority vote, select a Chair Pro Tem for that meeting from among the representatives present. A majority of all Council member representatives shall constitute a quorum for the transaction of business relating to the OA. Unless otherwise provided herein, a vote of the majority of those present and qualified to vote shall be sufficient for the adoption of any motion, resolution, or order and to take any other action deemed appropriate to further the

¹ Title 19 California Code of Regulations Section 2409

objectives of the OA. Voting will be conducted in accordance with Robert's Rules of Order. All meetings will be noticed and conducted in accordance with the Brown Act.

2.2 Operational Area Executive Board

2.2.1 Membership

The Council shall have an OA Executive Board, hereinafter referred to as the Executive Board, consisting of sixteen voting members. The Executive Board includes representatives from the County Board of Supervisors, public safety agencies and Mutual Aid Coordinators, key County departments, and OA jurisdictions. Individuals will only serve as a voting member in one role for any single meeting and for purposes of determining quorum.

Executive Board Members

1. The Chair of the Orange County Board of Supervisors
2. The County Executive Officer
3. The OA Law Enforcement Mutual Aid Coordinator, the Orange County Sheriff
4. The OA Fire & Rescue Mutual Aid Coordinator, as selected by the Orange County Fire Chiefs Association
5. The OA Public Works Mutual Aid Coordinator, the Orange County Public Works Director
6. The OA Health Care Mutual Aid Coordinator, the Orange County Health Care Agency Director
7. The OA Water/Wastewater Mutual Aid Coordinator
8. The Orange County Social Services Agency Director
9. A representative selected jointly from the Orange County City Managers Association
10. A representative from the Orange County Chiefs of Police and Sheriff's Association
11. A representative from the Orange County Fire Chiefs Association
12. A representative from the Orange County City Engineers and Public Works Directors Association
13. A representative from Independent Special Districts of Orange County
14. The Orange County Superintendent of Schools, representing Orange County K-12 School Districts
15. A representative selected jointly from Orange County Community College Districts
16. The Orange County Transportation Authority Chief Executive Officer

Terms, Alternates and Voting

Executive Board members subject to being "selected," which are enumerated above as numbers 4, 9-13 and 15, shall be appointed by their respective agency, jurisdiction or organizations annually and shall serve at the discretion of their organization for one year. Each jurisdiction, agency or organization shall also designate three alternate representatives. Individuals appointed to the Executive Board can be the same or different than those identified in Section 2.1.1 as a

member jurisdiction's Council primary or alternate representative. In no circumstances shall one individual occupy more than one Executive Board position or count as more than one member for purposes of determining quorum.

Each Executive Board member, or alternate in the absence of the voting member for whom he/she is the designated alternate, shall be entitled to one vote. A majority of the Executive Board (9 members) shall constitute a quorum for the transaction of business relating to the OA. Unless otherwise provided herein, a vote of the majority of those present and qualified to vote shall be sufficient for the adoption of any motion, resolution or order and to take any other action deemed appropriate to achieve the objectives of the OA. Voting will be conducted in accordance with Robert's Rules of Order. The OA Executive Board is a Brown Act meeting and is noticed and conducted as such.

Operational Area Executive Board Chair and Vice-Chair

The Chair and Vice Chair shall be elected annually by the Executive Board. In the absence of both the Chair and the Vice Chair, the members of the Executive Board present shall, by majority vote, select one of the members present to act as Chair Pro Tem.

Meetings

The Executive Board shall meet quarterly or as designated by the Executive Board Chair.

2.2.2 Responsibilities

The Executive Board shall have oversight of the actions of the OA Manager (as described in Section 4.2) in the daily operations and administration of the OA. The Executive Board's oversight authority shall include directing the development, establishment, and implementation of the policies of the OA, and keeping the Council informed of its actions. The Executive Board shall determine which major policy issues of the OA require Council approval and shall seek such approval.

Policy and Operational Area Emergency Operations Plan

The Executive Board will establish OA policy, review and approve the OA Emergency Operations Plan (EOP) and Annexes, and maintain these documents as required by SEMS and NIMS.

Mutual Aid Plans and Agreements

The Executive Board shall review proposals of emergency mutual aid plans and agreements and make recommendations on endorsement of such proposals to governing boards of Subdivisions.

Laws, Rules, Legislation and Regulation

The Executive Board shall review and may recommend for action or adoption by Subdivisions, emergency and mutual aid plans, agreements, ordinances, resolutions, and any rules and regulations necessary to implement such plans and agreements. The Executive Board may also

study, review, and make recommendations on State and Federal legislation and policy as appropriate, and on matters referred to the Executive Board in writing by Council members.

Operational Area Executive Board Emergency Advisory Capacity

The Executive Board may be convened by the Chair or the OA Coordinator, as described in Section 4.1, to review a potential or actual emergency situation and make and receive appropriate recommendations from the OA Coordinator and Council members to facilitate a coordinated OA response.

2.2.3 Subcommittees and Working Groups

The Executive Board may establish standing and ad hoc subcommittees and working groups to complete its work and to ensure communication and coordination between all interested persons or groups. Subcommittees and working groups shall elect a Chairperson and provide appropriate staff support from their participants. The OA Manager shall provide coordination between these subcommittees and the Executive Board only.

2.3 Orange County Emergency Management Organization

There is hereby established a standing subcommittee to the Executive Board, the Orange County Emergency Management Organization, hereinafter referred to as OCEMO. OCEMO is a collaboration and coordination body tasked with developing the plans, procedures, and associated documents necessary for a robust Operational Area emergency management program. The County and all Subdivisions shall be expected to participate in OCEMO, to the maximum extent possible, with the understanding that the cooperative maintenance of the OA EOP, policies and procedures, training and exercises is necessary to ensure that the OA EOP, policies, procedures, training and exercises meet the emergency needs of the Subdivisions, County, and OA.

2.3.1 Membership

The entire OCEMO body ("Members at Large") consists of three groups of representatives involved in some capacity of an emergency management function, as defined below and in the OCEMO Bylaws.

Signatory Members

Staff members with primary emergency management responsibilities from signatory agencies to this agreement are considered Signatory Members. Each signatory jurisdiction shall identify a primary and secondary representative who shall have the right to vote on behalf of the jurisdiction. To ensure compliance with the Brown Act, no more than eight OCEMO members who are also voting members of the OA Executive Board shall be present at any OCEMO meeting.

Collaborative Members

Representatives of other government, non-profit, or private agencies that are not signatories to this agreement and are not currently represented by a Signatory or Collaborative Member, but are considered to have a significant role in OA planning, response and recovery processes are considered Collaborative Members. Collaborative members must be approved by Signatory Members and have limited voting rights as outlined in the OCEMO Bylaws.

Associate Members

Other representatives of organizations interested in participating in OCEMO activities, and who may provide input into the OA EOP, annexes, and supporting Standard Operating Procedures (SOPs) are considered Associate Members. Associate members have no voting rights.

2.3.2 Responsibilities

As a subcommittee to the Executive Board, the responsibilities of OCEMO are to meet the following objectives as they relate to disaster and emergency prevention, preparedness, response, recovery and mitigation within the OA:

Operational Area Plans, Annexes, and Standard Operating Procedures

- Participate in revisions and updates of the OA EOP and associated Annexes and SOPs developed and maintained by county emergency management staff as described in Section 3.2. Once completed, plans and the associated Annexes reviewed by OCEMO shall be forwarded to the OA Executive Board for approval.

Training and Exercises

- Coordinate training and exercises for the OA, to include after action discussions, lessons learned and professional development.

Public Education and Outreach

- Coordinate the development of public education and whole community emergency preparedness programs.

Legislation

- Review and report on legislation impacting emergency plans and programs, and propose concepts for new legislation for consideration by the Executive Board.

Other

- Other duties as assigned by the Executive Board.

2.3.3 OCEMO Leadership

The OCEMO Leadership shall consist of the OCEMO Chairperson, First Vice Chairperson and Second Vice Chairperson, elected in accord with the OCEMO Bylaws, the OA Manager and the

immediate past Chairperson. Any Signatory or Collaborative Member shall be eligible to serve as a candidate for OCEMO Chairperson, First Vice Chairperson, and Second Vice Chairperson as outlined in the OCEMO Bylaws.

2.3.4 Organization and Procedures

OCEMO will maintain and approve Bylaws. The Bylaws will define, at a minimum, OCEMO purpose, membership, leadership duties, elections, voting procedures, official meeting frequency, and the process for amending the Bylaws. The Bylaws shall in all instances be consistent with this Agreement.

OCEMO will review the Bylaws, as needed. Any amendments to the Bylaws will be approved by OCEMO Signatory Members, as detailed in the OCEMO Bylaws.

If OCEMO identifies the need for additional Subcommittees or working groups, OCEMO members participating in that subcommittee or working group shall provide staff support.

2.3.5 Administrative Support

The County shall provide administrative support to OCEMO as follows:

- Attend all OCEMO and OCEMO Leadership meetings
- Maintain a contact list of the primary and alternate representatives of each OCEMO member
- Organize and manage OCEMO Leadership elections and votes on other issues
- Notify members of their appointment to office or subcommittees
- Create and distribute OCEMO meeting agendas
- Take and transmit OCEMO meeting minutes
- Maintain official OCEMO records, including agendas and minutes, in compliance with County record retention policies.

Section Three. Responsibilities

3.1 Operational Area Jurisdiction Responsibilities

Subdivisions of the OA have the responsibilities as set forth below:

Participation

Actively participate as a member jurisdiction in the Council, Executive Board (if designated), and subcommittees such as OCEMO.

Cooperation

Promote cooperation among all Subdivisions in order to improve the overall OA emergency management program.

Emergency Management Program

Develop an emergency management program to provide for the needs of the Subdivision, which shall be complementary to and compatible and coordinated with the needs of the OA in the event of an emergency.

Emergency Plan and Organization

Develop and maintain an EOP and organization to provide for the emergency needs of the Subdivision according to SEMS Regulations and NIMS, and coordinate with and, where able, support other Subdivisions, the County, and the OA Emergency Operations Center (EOC).

Procedures

Develop Subdivision procedures that outline the steps necessary to satisfy responsibilities as a member jurisdiction of the OA.

Training and Exercises

Maintain a thorough knowledge of the Parties' and OA's EOPs and ensure that the supporting services and key personnel are properly trained and organized to meet all of their responsibilities in the event of an emergency. Conduct regular exercises and participate in regional exercises, when offered.

Emergency Assistance

Parties shall offer assistance to other jurisdictions and secondary and relief support to the OA within the limits of capabilities and according to applicable mutual aid agreements. Parties should participate in mutual aid agreements wherever possible.

Resource Lists

Maintain current resource listings of staff, facilities, equipment and supplies available in the jurisdiction for use in the event of an emergency.

Critical Points of Contact

Identify 24-hour or other critical points-of-contact for the Subdivision that may be used by the OA EOC during emergency operations. If the points-of-contact are individuals, identify a primary and at least three alternates for each. Inform county emergency management staff when critical points-of-contact change or are updated.

Disaster Recovery and Financial Reimbursement

Subdivisions have ultimate responsibility for their own recovery program and will work directly with FEMA and Cal OES throughout the cost recovery process. Each Subdivision is individually responsible for developing, submitting, and receiving their own emergency aid, loans or grants from any source including local, state, and federal governments. Each is individually responsible for the timeliness, accuracy, and compliance of its own expenditures submitted for reimbursement through such mechanisms.

3.2 County-Specific Responsibilities

The County acts as the OA Lead Agency. The OA Lead Agency has the following responsibilities to the OA in addition to those responsibilities specified under Section 3.1 of this Agreement:

24-Hour Contact Point

The County will serve as the 24-hour contact point for the OA and act as lead in activating the OA EOC, hereinafter referred to as OA EOC.

Operational Area Emergency Operations Center

The County EOC and Alternate EOC (as designated) shall serve as the OA EOC. The OA EOC shall exist as a dedicated essential facility and be capable of serving as the central point for:

- coordinating information and resources with OA subdivisions
- coordinating all levels of government as a component of Orange County's Multiagency Coordination System (MACS)
- coordinating with other OAs
- reporting information to and coordinating with the California Office of Emergency Services (Cal OES) Southern Region EOC

County emergency management staff shall be responsible for ensuring the OA EOC is maintained in a state of constant readiness, in accord with the FEMA Emergency Operations Center Assessment Checklist and ASTM E2668 – Standard Guide for Emergency Operations Center Development, or subsequent standards if revised.

Initial EOC Activation Staffing

The County shall provide initial OA EOC activation staff. Subdivisions with available resources may provide secondary and relief OA EOC staffing.

Orange County Operational Area Agreement

Disaster Recovery and Financial Reimbursement

The County shall be responsible for coordinating the formal recovery process through Cal OES and FEMA and will assist with:

- Coordinating initial OA disaster recovery
- Scheduling damage assessment site visits
- Other duties as outlined in the Recovery Annex to the OA EOP

Operational Area Emergency Operations Plan and Annexes

County emergency management staff shall be responsible for coordinating with the Orange County Emergency Management Organization to maintain and revise the OA EOP, annexes and SOPs as directed by the Executive Board.

Operational Area Executive Board Support

County emergency management staff shall provide support to the Executive Board for agendas and minutes for meetings and coordinating follow-up only.

Subcommittee and Working Group Support

County emergency management staff shall provide support to Executive Board subcommittees and working groups.

Section Four. Operational Area Coordinator and Operational Area Manager

4.1 Operational Area Coordinator

By this Agreement, the Council creates and recognizes the position of an OA Coordinator, hereinafter referred to as the Coordinator. During an emergency the OA Coordinator position will be filled by the Orange County Director of Emergency Services, as specified by Section 3-1-6 of the Orange County Code of Ordinances and County Board of Supervisors Resolution 12-036, as presently existing or as hereafter amended.

4.1.1 Powers and Duties

The Coordinator shall direct and coordinate the OA during times of emergency. In addition to his/her responsibilities as Director of Emergency Services, the Coordinator shall have the additional duties and powers, as described below and in the OA EOP:

Direction and Coordination

Serve as key decision-maker in the OA EOC, providing direction and coordination necessary to accomplish the purposes of this Agreement and responsibilities of the OA Lead as specified in Title 19 California Code of Regulations Section 2409(e).

Operational Area Representative

Represent the OA in all dealings with the public or private agencies on matters pertaining to emergencies as defined in Section 3-1-2 of the Orange County Code of Ordinances.

4.2 Operational Area Manager

By this Agreement, the Council creates and recognizes the position of an OA Manager. The OA Manager shall be the County Emergency Manager as specified in Section 3-1-6 of the Orange County Code of Ordinances and County Board of Supervisors Resolution 12-036, as presently existing or as hereafter amended.

4.2.1 Powers and Duties

The OA Manager shall have the following powers and duties:

Administration of Operational Area Agreement

On a day-to-day basis, ensure County-specific responsibilities detailed in Section 3.2 are met.

Staff to the Operational Area Executive Board

Serve as staff to the Executive Board, maintain close liaison with the Executive Board, and coordinate all activities of assigned OA staff with the Executive Board.

Orange County Operational Area Agreement

Daily Coordination and Assistance

Direct the daily coordination and cooperation between the county emergency management staff, Subdivisions, and Executive Board Subcommittees, including OCEMO. Resolve questions of authority and responsibility that may arise between them, and work closely with and assist the Executive Board, as required.

Notification of Emergency Operations Center Activation

Notify the Board of Supervisors, the Executive Board, and OCEMO of an OA EOC activation as soon as practical, and keep the Executive Board and Board of Supervisors informed on all aspects of a current emergency situation as soon as information becomes available.

OCEMO Support

Serve on OCEMO Leadership. Provide support to OCEMO for agendas, minutes and administrative support only. Staff support to OCEMO subcommittees shall be provided by OCEMO members.

Budget and Staffing

Develop an annual operating budget and staffing recommendations, and monitor the expenditures at the direction of the Executive Board.

After Action Reports

Coordinate with OCEMO for the development of after action reports for the Executive Board following activations of the OA EOC.

Resource Coordination

Act as the coordination point between Subdivisions and the Cal OES on a day-to-day basis for Emergency Management Mutual Aid (EMMA) resource requests, in accordance with the State of California Emergency Management Mutual Aid Plan. The OA Manager may also coordinate other OA mutual aid requests, as appropriate.

Section Five. Operational Area Response Systems

5.1 Operational Area Emergency Operations Plan

Under the direction of the Executive Board, county emergency management staff shall be responsible for maintaining the OA EOP, which shall provide for the effective mobilization of all OA resources, both public and private, to meet any condition constituting an emergency; and shall provide for the organization, powers and duties, and staff of the OA emergency response organization. This responsibility is inclusive of the EOP and any associated Annexes and SOPs.

5.1.1 Compliance

The OA Emergency Operations Plan shall comply with applicable local, state and federal planning criteria, including NIMS and SEMS.

5.1.2 Functional Assignments

The OA EOP shall include the functions assigned to the mutual aid organizations, County agencies/departments and Subdivisions. It shall be the responsibility of agency/department heads and Subdivisions to appoint staff who shall report to the OA EOC and carry out the assigned duties as appropriate.

5.1.3 Approval

Updates and revisions to the OA EOP and annexes will be effective on approval by the Executive Board. SOPs and other support documents may be updated on an ongoing basis by county emergency management staff as long as changes are consistent with approved plans and annexes.

5.2 Operational Area Emergency Operations Center

5.2.1 Location

The primary and dedicated County EOC located at 2644 Santiago Canyon Rd., Silverado, California, or alternate as designated, shall serve as the OA EOC. Communication connection to the OA EOC shall be the responsibility of each Subdivision and Mutual Aid Coordinator or their representative.

5.2.2 Required Activation

Activation of the OA EOC is required under the conditions defined by SEMS, Title 19 California Code of Regulations Section 2409(f), the Orange County OA EOP and associated Annexes.

5.2.3 Staff for the Operational Area Emergency Operations Center

The County shall provide initial OA EOC activation staff. Subdivisions with available resources shall provide secondary and relief OA EOC staffing. Emergency management or other mutual aid shall be used to staff the OA EOC as necessary. The County declares its willingness to provide a staff member to an impacted Subdivision's EOC or Incident Command Post to act as an OA coordination point, if desired by the Subdivision and as personnel availability and safety concerns allow.

Section Six. Operational Area Finance

6.1 Operational Area Expenses and Revenues

Operational Area Administrative Expenses

This Agreement recognizes that there are day-to-day costs associated with OA administration and emergency management activities; these costs are separate from County-specific emergency management activities. The County shall provide administrative staffing for the OA to carry out the duties as delineated in Section 3.2 and Section 4 of this Agreement; however, the County shall not be solely responsible for the costs of administering the OA.

The County Board of Supervisors has the over-arching authority and responsibility to approve the county emergency management budget that supports both County and OA emergency management activities.

To offset costs of the OA, the Executive Board shall be responsible for the acquisition and distribution of federal, state, and business or private foundation emergency management grant funds. For emergency management grant funds made available to the OA for distribution among the Subdivisions, the Executive Board will review and approve proposed funding allocation methods. Their review will take into consideration recommendations from OCEMO, acting in their role as subcommittee to the Executive Board. To offset administrative costs, a percentage of such grants may be allotted to the OA before apportionment among the subdivisions. If funding becomes available with a short application period that does not allow for OCEMO, Executive Board, and County Board of Supervisors pre-approval, then approval will be sought retroactively through the ratification process set forth by the County Board of Supervisors.

The County or any Subdivision may fund through general or special funds any services, supplies, or programs that they separately or jointly determine are necessary to comply with laws or regulations, or that serve the purposes of emergency prevention, preparedness, response, recovery and mitigation on an OA level.

Costs of Operational Area during Emergency Response and Recovery

During emergencies, all OA jurisdictions shall be expected to participate to the maximum extent possible, according to mutual aid and other agreements, with the understanding that during an emergency, the priorities are life safety, property, and the environment (in that order), regardless of which jurisdiction is impacted. This Agreement incorporates by reference the reimbursement concepts of the Emergency Management Assistance Compact, the California Disaster and Civil Defense Master Mutual Aid Agreement, and the State of California Emergency Management Mutual Aid Plan. Expenditures made in connection with such emergency activities required by this Agreement, the California Emergency Services Act and/or SEMS, including mutual aid activities,

Orange County Operational Area Agreement

shall be deemed conclusively to be for the direct protection and benefit of the persons and property in the OA.

In deciding the level of OA response and resource commitment during emergencies, the County and Subdivisions agree to operate according to the EOP and supporting documents defined in Section 5.1 of this Agreement.

Financial Reimbursement and Recovery Following Emergencies

The County and each Subdivision are each individually responsible for developing, submitting, and receiving their own emergency aid, loans or grants from any source including local, state, and federal governments. Each is individually responsible for the timeliness, accuracy, and compliance of its own expenditures submitted for reimbursement through such mechanisms.

Section Seven. Operational Area Agreement Administration

7.1 Existing Agreements

Nothing contained in this Agreement shall be construed as superseding or modifying any existing agreements, including mutual aid agreements, except for superseding the existing OPERATIONAL AREA AGREEMENT OF THE COUNTY OF ORANGE AND POLITICAL SUBDIVISIONS dated October 3, 1995, and addenda; and nothing herein shall be construed as preventing any Party from entering into or modifying mutual aid or other emergency response agreements.

7.2 Effective Date

This Agreement shall become effective six months after approval and execution by the County Board of Supervisors and at least one Subdivision. Any Subdivision in Orange County may become a Party hereto by executing this Agreement. Notice shall be provided to the County upon a Subdivision's execution of this Agreement.

7.3 Withdrawal

Any Party may withdraw from this Agreement by providing written notice to county emergency management staff. Said notice shall be given 30 days before withdrawal from this Agreement.

7.4 Indemnification

Each Party shall defend, indemnify, and hold harmless the other Parties, and their officers, agents, employees and representatives from any and all losses, liability, damages, claims, suits, actions, administrative proceedings, demands, and litigation, and all expenses and costs relating directly to the negligent or otherwise wrongful acts or omissions of the indemnitor, its officers, agents, employees, or representatives arising out of or incidental to performance under this Agreement. No Party assumes liability for the acts or omissions of persons other than that Party's respective officers, agents, employees or representatives.

7.5 Counterparts

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same instrument.

7.6 Interpretation

Save to the extent that the context or the express provisions of this Agreement otherwise require:

- Headings and sub-headings are for ease of reference only and shall not be taken into consideration in the interpretation or construction of this Agreement;
- All references to Parts, Sections, and Paragraphs are references to Parts, Sections and Paragraphs contained herein;

- All references to any ordinance, resolution, law, regulation or guidance shall include references to any ordinance, resolution, law, regulation or guidance which amends, extends, consolidates or replaces the same or which has been amended, extended, consolidated, supplemented, substituted, novated, replaced, or assigned by the same and shall include, without limitation, any instrument, proclamation, bylaw, directive, decision, regulation, rule, order, notice, codes of practice, code of conduct, rule of court, instrument or delegated or other subordinate legislation thereto;
- The words “herein”, “hereto” and “hereunder” refer to this Agreement as a whole and not to the particular Section, or Paragraph in which such word may be used;
- Any reference to a public organization or representative shall be deemed to include a reference to any successor to such public organization or representative or any organization or entity or representative which has taken over the functions or responsibilities of such public organization or representative.

7.7 Ambiguities

In the case of any ambiguity or discrepancy:

- Between the provisions in this Agreement and the provisions of any underlying Executive Order, law, or regulation, the provisions of underlying Executive Order, law, or regulations will be incorporated by approval of the Executive Board and written notice shall be provided to all Parties.
- Between the provisions in this Agreement and the provisions of any underlying mutual aid agreement or EOP, the provisions of this Agreement shall prevail until such time as the OA Executive Board considers the matter and notice of proposed resolution to such issues are provided to all Parties.

7.8 Amendment

This Agreement may not be amended or modified except in a writing executed by a majority of all signature Parties as defined by Section 2.1 of this Agreement.



April 6, 2020

To: Executive Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Coronavirus (COVID-19) Update

Overview

The Orange County Transportation Authority has been preparing for and is responding to the public health emergency caused by the coronavirus pandemic and closely monitoring the related transportation implications. Following directions issued by Governor Gavin Newsom and County public health officials, the Orange County Transportation Authority has implemented its Emergency Operations Plan and taken steps to ensure the health and safety of the public and Orange County Transportation Authority employees. An overview and update on these efforts are presented.

Recommendations

Receive and file as an information item.

Background

On February 27, 2020, the Orange County Transportation Authority (OCTA) activated its Emergency Operations Center (EOC) and implemented its Emergency Operations Plan (EOP) in response to potential impacts from the coronavirus (COVID-19), which subsequently was declared a pandemic by the World Health Organization. The pandemic has had an unprecedented global effect. Since the last update to the Board of Directors (Board) on March 23, 2020, OCTA staff has continued to proactively address the immediate needs of the public and agency employees, while developing strategies to address long-term impacts.

Long-standing Board-approved policies, procedures, and agency practices related to finance, administration, operations, planning, and public communications will enable the agency to navigate this crisis based on what is in the best interest of the health and safety of the residents of Orange County and OCTA employees.

OCTA is proactively working with state, federal, regional, and local government agencies, as well as the public, to reduce and manage the impacts of the pandemic on Orange County as further described below.

Discussion

On March 4, 2020, Governor Newsom declared a State of Emergency to help the state prepare for a broader spread of COVID-19. On March 19, 2020, the Governor issued a stay-at-home order to protect the health and well-being of all Californians and slow the spread of COVID-19. Public transportation and infrastructure projects are designated by the state and federal governments as critical infrastructure projects. OCTA has taken steps to continue operations serving the public with essential transit service, capital project implementation, and is playing a vital role with the County of Orange EOC.

OCTA is continuing operations while following best practices and health guidance from local, state, and federal officials to help ensure the health of the public and employees. These practices include remote working for most administrative employees, enhanced cleaning of buses, worksites, and transit facilities, cancelling or suspending employee travel, and hosting Board and committee meetings via teleconference with those who are required to be in attendance practicing social distancing.

As operations continue, OCTA is closely monitoring the financial implications of the pandemic, providing input to state and federal officials as stimulus packages are rolled out at the federal level and being considered at the state level. OCTA's Executive Team is meeting on a daily basis to address immediate impacts and lead planning efforts for mid-range and long-term recovery, and how the pandemic may affect a number of areas including the OCTA budget now in development, Measure M projects and program guidelines, and restoration of bus service. In addition, a cross-divisional COVID-19 Action Task Force is meeting every other day to put response strategies into action and coordinate directly with the County of Orange EOC.

The following are more detailed updates on actions and responses from OCTA's functional business units:

Government Relations

OCTA staff has been working closely with its federal and state delegation members and advocacy organizations, such as the California Transit Association and American Public Transportation Association, to communicate impacts to transportation from the pandemic and inform legislation designed to mitigate the impacts. Congress has passed three pieces of legislation in response to the pandemic. The most important bill for OCTA was the more than \$2 trillion Coronavirus Aid, Relief, and Economic Security (CARES) Act.

Signed by the President on March 27, 2020, the CARES Act included \$25 billion in emergency transportation funding. Based on initial estimates and staff analysis, Orange County will receive approximately \$230 million in transit funding from the CARES Act, with more than \$154 million for OCTA bus operations and about \$67 million for Metrolink.

The CARES Act requires the funding to be apportioned no later than seven days after its enactment. Funding is to be used for operating expenses to prevent, prepare for, and respond to the pandemic. Specifically, the bill allows for the reimbursement of operating costs due to lost revenue from the pandemic, the purchase of personal protective equipment, and to pay administrative leave to operations personnel due to service reductions. In addition, Amtrak is provided with more than \$1 billion to respond to declining ridership as a result of the outbreak. Congress may consider additional legislation to further mitigate the impacts of the pandemic in the coming weeks, including the potential for surface transportation reauthorization legislation to be included as part of these efforts.

At the state level, Governor Newsom has signed 13 executive orders in response to the pandemic, including a statewide stay-at-home order, providing flexibility to Bagley-Keene and the Brown Act to allow for teleconference public meetings, and extending appointment and reappointment deadlines by 60 days. The State Legislature is currently on recess until at least April 13, 2020. Prior to adjourning, the Legislature passed SB 89, which appropriates up to \$1 billion to any purpose related to Governor Newsom's State of Emergency Proclamation on March 4, 2020, including increasing medical resources. Discussions continue about the potential for additional state legislative responses and economic stimulus measures. Staff will provide a more detailed update at the Legislative and Communications Committee Meeting on April 16, 2020.

Operations

Beginning March 23, 2020, OCTA temporarily reduced bus service by approximately 60 percent to the Sunday service levels until further notice. This proactive measure was in response to significantly lower ridership, and an effort to help minimize health risks to coach operators and passengers while still providing a critical public service for essential employees and for passengers who have no other means of transportation to grocery stores, medical facilities, and appointments.

Boardings have fallen by more than 70 percent since that time and have leveled out at approximately 33,000 daily boardings. This decline mirrors national trends reported by "big data" firms, such as transitapp.com. The company reported a 68 percent decline in national transit app usage through March 30, 2020, compared to 2019.

Beginning the first week of April, OCTA – like other transit agencies across the nation – temporarily implemented rear-door boarding for passengers in an additional effort to reinforce social distancing and help ensure the health of coach operators and the public. OCTA expects to recover costs associated with the loss in fare revenue because of this measure through disaster-related relief. OCTA continues enhanced nightly bus cleaning with anti-viral disinfectant and enhanced focus on cleaning surfaces that are touched most frequently.

OCTA has made no changes to OC ACCESS paratransit service; however, boardings have declined by nearly 90 percent on the reservation-based service.

Security and Emergency Preparedness

Security and Emergency Preparedness (SEP) continues to coordinate the EOC under OCTA's EOP. OCTA, through SEP, also continues to coordinate daily with local, regional, and state responders, including staffing the Policy Group at the County EOC and assisting in decisions pertaining to transportation. SEP has also been in regular communication with regional transportation agencies to share best practices and discuss resource sharing if the need arises.

SEP is also continuing to support the execution of mission-essential functions as outlined in OCTA's Continuity of Operations Plan and is continuing to refine organizational priorities. In addition, SEP is tracking the agency's financial impacts as they relate to responding to this pandemic and has begun developing an after-action matrix that will help steer updates and improvements to OCTA's emergency plans with lessons learned from this experience.

Finance and Administration

Currently, there is a great deal of uncertainty regarding how severe the fiscal impact will be on OCTA because of the pandemic. In addition to the obvious reduction in fare revenue as a result of fewer boardings, the most profound impact will be seen in lower sales tax collections. Sales tax represents about 50 percent of all revenues received by OCTA each year through two sales tax measures, the locally approved half-cent Measure M sales tax and the statewide quarter-cent Transportation Development Act sales tax, the primary revenue source that funds bus operations in Orange County.

There is no parallel to the current situation as it relates to sales tax projections. To put it in context, during the Great Recession, OCTA experienced a 20 percent decline in sales tax over a three-year period. There are some projections that predict the impact will be like the Great Recession but with the impacts being felt immediately. As a result, OCTA is approaching the fiscal year (FY) 2020-21 budget in an extremely conservative manner.

It should be noted that through Board leadership and prior direction, all of OCTA's programs have strong reserve levels and, as a result, the agency can make decisions based on service levels and project delivery that is best for public health and service demand, and not based on financial necessity.

Prior to the COVID-19 situation, OCTA was planning a budget that maintained its 1.6 million bus revenue vehicle hours, had moderate expansion of the OC Flex program, and continued to accelerate Measure M2 (M2) projects consistent with the Board-approved Next 10 Plan. However, given the sudden, negative economic impacts, OCTA has been forced to rethink its approach to the budget.

For the bus program, OCTA has temporarily reduced revenue hours to Sunday service levels every day. However, while OCTA is assuming a sharp decline in both sales tax collections and fare revenue in next year's budget, OCTA is assuming the same level of bus service as was approved in the current FY. By asking for this level of service, OCTA will be able to quickly respond if the situation changes and there becomes a sudden increase in bus service demand.

Running 1.6 million revenue vehicle hours while experiencing declines in the revenues that traditionally support the bus system is made financially possible by strategically using the funds available to OCTA under the CARES Act. The CARES Act dedicates more than \$154 million to OCTA for bus operations, which represents about half of the annual budget, and is designed to provide bridge funding to transit operators so that service levels can be sustained despite lower revenues, per Federal Transit Administration (FTA) guidance.

Even though OCTA has this financial assistance available, OCTA will take a strategic approach to adding back service and will take ridership demand and public health into consideration before making decisions. As a further financial backstop, the OCTA Board recently raised the reserve levels for the bus program from 45 days to 60 days of working capital. OCTA currently has 127 days of reserves on hand for the bus program not including CARES Act funding. The current reserve levels also reflect operating 1.6 million revenue vehicle hours, which has been reduced because of the pandemic, providing additional financial flexibility to make prudent decisions until the current uncertainty dissipates. Staff is reviewing additional budget items as well as eligibility for CARES Act funding and will seek Board direction through the budget process.

For the Measure M program, OCTA had built in an extremely healthy economic uncertainty reserve in the M2 Next 10 Plan cash flow. As a result, all M2 projects that are currently underway are slated to continue as planned in the FY 2020-21 budget. In the long term, OCTA is currently assessing the timing of future projects and will have a better idea on that once the sales tax picture becomes clearer.

COVID-19 has introduced a significant amount of uncertainty into the investment and debt markets. Given this market uncertainty, OCTA has increased its liquidity position and is in frequent contact with its investment managers assessing risk. OCTA's investment portfolio is conservative and well-positioned to withstand the current uncertainty in the market. Additionally, OCTA's strong cash position and coverage ratios are well-positioned to cover future debt-service requirements.

Planning and Programming

Staff is working to identify areas related to the Measure M sales tax ordinance and associated guidelines that may need to be addressed in some way to assist local jurisdictions and ensure the promises to voters are delivered despite this unprecedented situation. In particular, it is expected that local agencies may have challenges with meeting the Measure M Maintenance of Effort (MOE) requirement as a result of the economic impacts of COVID-19. Meeting the MOE requirement is a prerequisite to receiving Measure M funds. Staff is assessing the situation and intends to present options the Board. In the interim, staff intends to move forward with competitive grant opportunities for cities and is working closely with cities and the County of Orange to adjust project schedules as necessary.

Items of note include:

- Staff expects to bring forward funding recommendations such as the Community-Based Transit Circulators Program (Project V) awards with the understanding that delivery may need to be delayed.
- Of the current Project V services, five have been suspended, three projects continue but are providing reduced service levels, and seven summer seasonal services are evaluating their options for this year.
- Staff is surveying local agencies to determine if an extension of the May 7, 2020, application deadline for the Environmental Clean Up Program (Project X) call for projects is warranted.

From a state perspective, the funding programs that are anticipated to be the most impacted by the current loss of revenues are the State Highway Operations and Preservation Program, Local Streets and Roads funding through the Road Maintenance and Rehabilitation Account, and State Transportation Improvement Program (STIP). OCTA currently has \$200 million in STIP programmed to seven projects over the next five years, including \$80 million for the State Route 55 Improvement Project from Interstate 405 (I-405) to Interstate 5 (I-5).

OCTA is actively participating in statewide discussions with the California State Transportation Agency, the California Transportation Commission, and the California Department of Transportation (Caltrans) on potential COVID-19 impacts to project funding and delivery.

Regarding federal funding, in preparation for the CARES Act funding, FTA held a conference call with stakeholders on March 26, 2020. Both U.S. Secretary of Transportation Elaine Chao and FTA Acting Administrator K. Jane Williams committed to offering flexibility with the way transit agencies can use FTA funds and are committed to getting funds to transit operators as quickly as possible.

The Federal Highway Administration has yet to provide guidance either directly or through Caltrans on potential actions related to COVID-19.

Capital Projects

Construction continues on projects sponsored by OCTA and is in partnership with Caltrans, including the I-405 Improvement Project, OC Streetcar, and I-5 South and I-5 Central projects, because public works transportation projects are deemed essential activities according to both the federal and state government.

The Capital Projects team has worked with OCTA contractors and Caltrans to accelerate construction where possible due to significantly less traffic on freeways and streets. Since the Governor's stay-at-home order, traffic volume on Orange County freeways has dropped as much as 60 percent. This has led to Caltrans allowing daytime freeway lane closures and extended hours of nighttime closures. This effort is helping speed up construction and is expected to have minimal impacts on drivers. Working in daylight hours is safer for construction crews, inspection staff, and drivers. All contractors are required to have safety plans in place, and contractors are expected to follow health orders for social distancing. Only essential workers are on the job, and those who are able are working remotely.

On the I-405 Improvement Project, the team worked with Caltrans to implement daytime lane closures between 6 a.m. and 3 p.m., particularly to speed up work on the Talbert Avenue and Bushard Street bridges. Allowable daytime closures along I-405 now include up to two lanes in each direction. On the I-5 South Project, daytime closures of one or two outside lanes are being allowed between State Route 73 (SR-73) and Oso Parkway. The contractor will take advantage of this to get started on traffic staging, including restriping lanes and setting K-rail barriers during the day.

On the OC Streetcar, work continues to install storm drains and water lines during daytime street closures along Fourth Street in Downtown Santa Ana and many of the businesses are closed under the Governor's executive order. Work also continues along other segments of the 4.1-mile route, including along the former Pacific Electric right-of-way (ROW).

Other potential construction-related COVID-19 risks include material supply chain and subcontractor labor availability impacts. Many material and product suppliers and subcontractors have been impacted, and some have submitted advance notice of “potential” material and supply delays. Contractor and subcontractor labor supply may become impacted as the pandemic advances.

Project delivery-related COVID-19 risks include schedule-critical ROW acquisition processes and consultant staff availability. A clear path to gaining possession of needed ROW is required to move a project into the construction phase. COVID-19 has raised several ROW process risks including court closures, filing, and service delays, potential for temporary construction easement timeline expirations, other litigation challenges, relocation issues, land and business valuation challenges, and appraisal and site inspection issues.

Staff anticipates there will be a short-term increase in the number of construction bidders, as many private and other public works projects are being delayed going to bid. Recent oil price drops will reduce the cost of asphalt and other oil-based construction materials. General material and labor costs will likely be erratic until some stability returns and any demand driven by potential infrastructure stimulus funding is determined. Capital Projects staff continues to monitor the situation to ensure the health and safety of workers while tracking any impacts to project costs and schedules.

Public and Employee Communications

A comprehensive communications effort in English, Spanish, and Vietnamese has been implemented to provide riders and the public with updates on OCTA’s response to COVID-19, changes to transit service, and impacts to capital projects. These efforts include e-blasts, riders’ alerts, website updates, press releases, and social media posts, as well as signage and recorded announcements on all buses. Examples of these efforts are included in Attachment A.

Additionally, responses have been provided to public comments through OCTA’s Customer Information Center (CIC) and social media, as well as to traditional media. As of March 31, 2020, OCTA has received 954 customer comments and inquiries related to COVID-19, including 137 comments made to the CIC, 191 comments on social media, and 626 calls to the CIC seeking information related to COVID-19 or to the service changes. Overall, call volumes decreased by approximately 25 percent to the CIC from the first week of March through the end of the month.

Daily updates from the Chief Executive Officer (CEO) are being sent to employees to provide information related to the agency's actions, along with guidance from county and state healthcare officials. Regular updates are posted to the employee intranet and sent through email and OCTA's mass notification system. More than 300 employees participated in a virtual townhall on March 26 to ask questions and receive updates from the CEO and the Orange County Health Care Agency (HCA).

Human Resources and Organizational Development

Updates to the temporary COVID-19 policy have been made to reflect the Families First Coronavirus Response Act. These updates cover expanded family medical leave and emergency paid sick leave, as well as modifications to other internal OCTA policies affected by the pandemic, including remote work extension, Commuter Club and Vanpool Program, and electronic approval process for specific internal, finance, and administration documents. Remote working has been extended until the end of April.

In the event an OCTA employee reports testing positive for COVID-19, a process has been developed and communicated internally for OCTA to follow, working closely with the HCA.

The COVID-19 Action Task Force has continued to meet every other day to track cross-divisional efforts. Government Relations has been engaged to provide new information supporting the commercial driver's license renewal process for operations and maintenance employees.

Information Systems

The Information Systems (IS) team is providing equipment and ongoing technical support that is enabling approximately 600 employees to continue performing essential duties while practicing social distancing by working remotely from home. IS also played an instrumental role in helping set up and register employees through the OCTA's mass-communications system, which allows OCTA to provide emergency notifications to employees through multiple platforms.

As part of the social distancing effort, IS staff worked to set up the first virtual Board meeting, allowing Board Members and OCTA staff to participate remotely in order to help keep important programs and projects moving forward. The IS team is continuing to work to ensure successful remote committee and Board teleconferences.

91 Express Lanes

Compared to the same time period last year, the 91 Express Lanes facility has been experiencing traffic declines of approximately 70 percent, which is similar to other managed lanes across the nation. Recent average daily traffic volumes in Orange County dropped to approximately 15,000 compared to 50,000 in March 2019. As a result of the lower traffic volumes, calls into the Customer Service Center have decreased by 40 percent since mid-March. Operational activities in the Anaheim and Corona locations continue to function with a combination of remote workers and core staff located at the facilities. In addition, several operational changes have been temporarily made, including pausing outbound collection calls, not sending collection notices, and closing the Customer Walk-In Center in the City of Corona. A detailed discussion on the financial aspects and the next debt service payment for the 91 Express Lanes will be presented at the April 8, 2020, Finance and Administration Committee Meeting.

Metrolink

On March 20, Metrolink rail ridership was down by more than 80 percent compared to the same day last year, with 7,139 riders using the system compared to 37,004 on March 20, 2019. Effective March 26, 2020, Metrolink temporarily reduced service by 30 percent in response to the pandemic, while still providing vital transportation services for essential workers. The service reduction will be in place until further notice.

Metrolink's April 6, 2020, service change has been put on hold until full service is reinstated. This includes an evening round trip on the Orange County Line and a reverse peak round trip on the 91/Perris Valley Line. Metrolink staff is in the process of evaluating cost-saving measures for the immediate and longer-term future, including the FY 2020-21 budget. Impacts to fare revenue are being evaluated as well. Updates on ridership, service reductions, and financial assessments will be provided as they are received. Metrolink leadership has indicated that the agency intends to explore other budget cuts to ensure there is no increase in member agency subsidies for the current FY. OCTA will continue to work closely with Metrolink and monitor agency actions and provide regular updates to the Board.

Summary

The Orange County Transportation Authority is implementing proactive and strategic measures across all operational and administrative areas in an effort to continue essential transportation services and projects while helping to ensure the health of the public and Orange County Transportation Authority employees, supporting the County of Orange in the ongoing emergency response to the coronavirus pandemic, and ensuring that short- and long-term agency programs can be successfully delivered.

Attachment

- A. Coronavirus (COVID-19) Customer Communications

Prepared by:



Joel Zlotnik
Communications Manager
(714) 560-5713

Coronavirus (COVID-19) Customer Communications

Safety is Our Priority – March 9-15, 2020

- Web alerts and COVID-19 landing page
- 2 Trilingual email blast to OC Bus customers
- COVID-19 safety video posted on website and social media
- On The Move CEO Blog to employees and stakeholders
- Trilingual social media posts on Facebook and Twitter
- Trilingual bus interior cards
- Customer Information Call Center message points
- OCTA phone on-hold message
- Custom alert added to the Transit App

SAFETY IS OCTA'S HIGHEST PRIORITY.

In response to the coronavirus, OCTA has enhanced our cleaning procedures.

Still, we need your help by:

- Washing hands frequently
- Not touching your face
- Cleaning items & surfaces often
- Covering coughs & sneezes with tissues
- Not shaking hands

OCTA BUS

Find more info about coronavirus at the OC Health Care Agency: www.ochealthinfo.com

OC Bus
 1 hr · 🌐

⋮

The latest update for our OC Bus and ACCESS customers on the coronavirus (COVID-19):

The safety of our customers is our top priority. Both OC Bus and ACCESS service continues to operate as scheduled with enhanced cleaning efforts on all buses. We are closely monitoring the evolving situation and will provide any updates. Please see bit.ly/COVID19-Updates for more details.

OC Bus
 Published by Ryan Armstrong [?] · March 12 at 3:28 PM · 🌐

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Safety is OCTA's highest priority. Find out what we're doing to safeguard the health of our riders related to concerns about the coronavirus.

Watch what we're doing to keep our passengers safe amid virus concerns.



Español | Tiếng Việt | March 16, 2020

Dear OC Bus riders,

Safety continues to be our top priority at OCTA. In response to the coronavirus (COVID-19), we want to share with you the latest information to help you and your loved ones.

- **We are continuing to operate OC Bus service and ACCESS service** as scheduled and will let you know if anything changes
- **We have enhanced our cleaning efforts** on all buses, including applying antiviral disinfectant and taking more time to clean surfaces that are touched most frequently
- **We are closely monitoring the evolving situation** and taking direction from local, state and federal agencies

Our newly formed Coronavirus Action Task Force continues to be in direct contact with the Orange County Health Care Agency (HCA) and the Centers for Disease Control and Prevention (CDC).

Based on recommendations from the CDC, please follow these steps to protect yourself and your family:

- **Wash your hands frequently** with soap and water for at least 20 seconds.
- **Do not touch your face.**
- **Clean and disinfect items and surfaces** that you touch frequently.
- **Cover your coughs and sneezes with tissues** – then throw away the tissues and wash your hands. If no tissues are available, cough or sneeze into your elbow – not your hands.
- **Practice simple social distancing techniques** – avoid shake handshakes.

For more information about what you should know about the coronavirus, please visit the OC Health Care Agency website [here](http://www.ochealthinfo.com).

Your health and well-being are important to us. We will continue to monitor the situation as it evolves and respond proactively, so you can have a safe and reliable service in Orange County.

Thank you for riding OC Bus.

Darrell E. Johnson
Chief Executive Officer

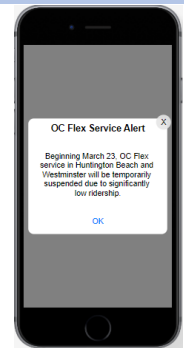
Sunday Service Schedule – March 23, 2020

- Web alerts, updated eBusbook and schedules and COVID-19 landing page
- Daily and weekly riders alert online and onboard buses
- Trilingual email blast to OC Bus customers
- Trilingual social media posts on Facebook and Twitter
- Trilingual recorded announcement on all buses
- Message on bus headsign
- Customer Information Call Center message points
- Service updates to Transit Apps



OC Flex Blue Zone Suspension – March 23, 2020

- Website update
- Email Blast to blue zone customers
- OC Flex mobile app push notification



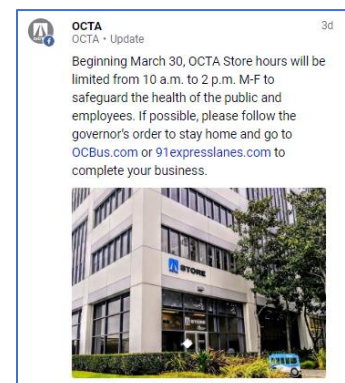
iShuttle Service Suspension – March 25, 2020

- Website and eBusbook updates
- Email blast to Metrolink customers
- Riders' Alert seatdrop on all iShuttle buses
- Social media posts on Facebook and Twitter
- Metrolink Signage posted at Tustin and Irvine stations
- Customer Information Call Center message points



OCTA Store Hours Modified – March 30, 2020

- Website updates
- Email blast to OC Bus and 91 Express Lanes customers
- Social media posts on Facebook and Twitter
- Signage posted in front of OCTA Store
- Customer Information Call Center message points



Orange County Transportation Authority Cyber Security Update

Regulations and Policy

The OCTA Cyber Security Program is built to comply with or address:

- Federal Act Guidance and Best Practices
- California Requirements
- External Organizational Standards
- OCTA Mission, Business Impact Analysis, Continuity of Operations Plan, and Policies

Understanding Current Threats

Cyber vulnerabilities are constantly evolving.

A successful security program takes into account current industry trends and defines priorities based on threats, not just vulnerabilities.

- California had nearly double the victims of cyber crime than the next closest state, with phishing as the top reported crime (FBI IC3 report)
- Enterprise Ransomware was up 12 percent in 2019. (Symantic)
- Average cost of a breach in US is \$8.19 million (IBM)



OCTA Cyber Security Posture

OCTA follows industry best practices and continually builds on:

- Administrative plans, policies, and procedures
- Next generation security tools and services
- 3rd party cybersecurity support for monitoring and incident response
- Automated and in-person security training
- Independent assessments and audits
 - Microsoft, Palo Alto, Secureworks, National Cyber security Review, Gartner, and External and Internal Auditors.

Security Projects and Accomplishments

- ✓ Next Gen firewalls and services
- ✓ Enhanced phishing testing/training
- ✓ Enhanced patching and remediation
- ✓ O365 conditional access controls
- ✓ Workstation upgrades & hardening
- ✓ Server upgrades & hardening
- ✓ Change management automation
- ✓ Payment Card Industry compliance improvements
- ✓ Continued network segmentation
- ✓ Increased network monitoring
- ✓ Strengthened vulnerability remediation program
- ✓ Strengthened incident response program and capabilities
- ✓ Strengthened cyber security policies

Cyber Security Roadmap

As OCTA continues to provide our customers with new and more efficient ways to access our services, cyber security has had to evolve.

