



BOARD AGENDA

Orange County Transportation Authority Board Meeting
Orange County Transportation Authority Headquarters
Board Room - Conference Room 07-08
550 South Main Street
Orange, California
Monday, June 28, 2021 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 Orange County Transportation Authority (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

The 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 Board of Directors 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.

Public Availability of Agenda Materials

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 (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.



BOARD AGENDA

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

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/>

Public comments may be submitted for the upcoming Board and Committee meetings by emailing them to ClerkOffice@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 **90 minutes prior to the start time of the Board and Committee meeting date.**



BOARD AGENDA

Call to Order

Roll Call

Invocation

Director Goodell

Pledge of Allegiance

Director Harper

Special Calendar

Orange County Local Transportation Authority Special Calendar Matters

1. **Taxpayer Oversight Committee New Member Recruitment and Lottery**
Alice T. Rogan/Maggie McJilton

Overview

Measure M, first approved by voters in 1990 and renewed again by voters in 2006, calls for a committee to oversee implementation of the program of transportation improvements. Each year, new committee members are recruited and selected to fill vacancies left by expired terms. The recruitment process has been completed for 2021, and a lottery must take place in public session to fill vacancies in the First, Second, Fourth and Fifth Supervisorial Districts.

Recommendations

- A. Pursuant to the Measure M ordinances, conduct the lottery for final selection of new Measure M Taxpayer Oversight Committee members by drawing one name each representing the First, Second, Fourth and Fifth Supervisorial Districts from the list of recommended finalists from the Grand Jurors Association of Orange County.
- B. Present Orange County Local Transportation Authority Resolutions of Appreciation No. 2021-020 for Dr. Pauline Merry, No. 2021-021 for Mark Kizzar, No. 2021-022 for Larry Lang, and No. 2021-023 for Jeffrey Kaplan members of the Taxpayer Oversight Committee whose terms have expired.



BOARD AGENDA

Consent Calendar (Items 2 through 12)

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

Orange County Transportation Authority Consent Calendar Matters

2. Approval of Minutes

Approval of the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of June 14, 2021.

3. Citizens Advisory Committee Annual Update and Member Appointments

Christina Byrne/Maggie McJilton

Overview

The Orange County Transportation Authority's Citizens Advisory Committee was formed to provide feedback on significant transportation items, help identify opportunities for community input, and serve as a conduit for public participation with the Orange County Transportation Authority. A summary of the committee's activities during the past year and the new member appointment status is provided with this report.

Recommendation

Receive and file the Citizens Advisory Committee status report.

4. Special Needs Advisory Committee Annual Update and Member Appointments

Christina Byrne/Maggie McJilton

Overview

The Special Needs Advisory Committee was formed to advise the Orange County Transportation Authority on the transportation needs of senior citizens and persons with disabilities. The member appointment status and a summary of the committee's activities during the past year is provided with this report.



BOARD AGENDA

4. (Continued)

Recommendation

Receive and file the Special Needs Advisory Committee status report.

5. Resolution to Establish the Orange County Transportation Authority General Fund Appropriations Limitation for Fiscal Year 2021-22

Sam Kaur/Andrew Oftelie

Overview

The State Constitution requires that each year the governing body of each local jurisdiction shall, by resolution, establish its appropriations limit for the following year pursuant to Article XIII B.

Recommendation

Adopt Orange County Transportation Authority Resolution No. 2021-044 to establish the Orange County Transportation Authority General Fund appropriations limit at \$13,113,890, for fiscal year 2021-22.

6. Proposed Overall Disadvantaged Business Enterprise Goal for Federal Transit Administration-Assisted Contracts for Federal Fiscal Years 2022-2024

Pia Veasapen/Andrew Oftelie

Overview

An overall Disadvantaged Business Enterprise goal was developed for the Orange County Transportation Authority's federally assisted contracts in compliance with federal regulations set forth in Title 49 Code of Federal Regulations, Part 26, which requires the submission of a three-year Disadvantaged Business Enterprise goal and goal setting methodology. The proposed overall Disadvantaged Business Enterprise goal for the three federal fiscal years 2022 through 2024 is 11 percent.

Recommendation

Adopt the proposed overall Disadvantaged Business Enterprise goal of 11 percent for all Federal Transit Administration-assisted contracts issued during the federal fiscal years 2022 through 2024 in accordance with Title 49 Code of Federal Regulations, Part 26.



BOARD AGENDA

7. State Legislative Status Report
Alexis Leicht/Lance M. Larson

Overview

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. A position is recommended on legislation that would create a new mitigation credit program for transportation projects that improve wildlife connectivity. An update is provided on fiscal year 2021-22 state budget and the priorities being pursued by the Orange County Transportation Authority.

Recommendation

Adopt a SUPPORT position on SB 790 (Stern, D-Calabasas), which would create a new mitigation credit program for transportation projects that include wildlife connectivity benefits.

8. Federal Legislative Status Report
Dustin J. Sifford/Lance M. Larson

Overview

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy issues directly impacting the agency's programs, projects, and operations. Updates are provided on efforts to reauthorize federal surface transportation programs, negotiations on the President's infrastructure plan, and the nominee to lead the Federal Transit Administration. Details are also provided on three transportation-related hearings that continue to inform an everchanging policy environment in our nation's capital.

Recommendation

Receive and file as an information item.



BOARD AGENDA**9. Amendments to Agreements for Temporary Staffing Services**

Jennifer Cahill/Maggie McJilton

Overview

On October 8, 2018, the Orange County Transportation Authority Board of Directors approved agreements with APR Consulting, Inc., and ManpowerGroup US to provide temporary staffing services for a three-year initial term and two, two-year option terms. Board of Directors' approval is requested to exercise the first option term effective November 1, 2021 through October 31, 2023.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-8-1593 between the Orange County Transportation Authority and APR Consulting, Inc., to exercise the first option term for continued temporary staffing services.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-8-1842 between the Orange County Transportation Authority and ManpowerGroup US to exercise the first option term for continued temporary staffing services.
- C. Approve an increase of \$500,000 to the aggregate amount to be shared by both staffing firms, for a total amount of \$2,450,000 shared between the two contracts.

Orange County Transit District Consent Calendar Matters**10. Bus Operations Performance Measurements Report for the Third Quarter of Fiscal Year 2020-21**

Johnny Dunning, Jr./Jennifer L. Bergener

Overview

The Orange County Transportation Authority operates fixed-route bus and demand-response paratransit service throughout Orange County and into neighboring counties. The established measures of performance for these services assess the safety, courtesy, reliability, and overall quality of the services. This report summarizes the year-to-date performance of these services through the third quarter of fiscal year 2020-21.



BOARD AGENDA**10. (Continued)****Recommendation**

Receive and file as an information item.

Orange County Local Transportation Authority Consent Calendar Matters**11. Taxpayers Oversight Committee Measure M2 Annual Public Hearing Results and Compliance Finding**

Alice T. Rogan/Maggie McJilton

Overview

Measure M, Orange County's one-half cent sales tax for transportation, was passed by voters in 1990 and renewed in 2006. The Measure M2 Ordinance No. 3 requires an independent committee to oversee compliance and to determine whether the Orange County Transportation Authority is proceeding in accordance with Ordinance No. 3. On June 8, 2021, that independent committee, established as the Taxpayer Oversight Committee, conducted the 30th Measure M Annual Public Hearing. The Taxpayer Oversight Committee found the Orange County Local Transportation Authority has proceeded in accordance with Measure M2 Ordinance No. 3 during 2020.

Recommendation

Receive and file as an information item.

12. Resolution to Establish the Orange County Local Transportation Authority/Measure M2 Appropriations Limitation for Fiscal Year 2021-22

Sam Kaur/Andrew Oftelie

Overview

The State Constitution requires that each year the governing body of each local jurisdiction shall, by resolution, establish its appropriations limit for the following year pursuant to Article XIII B.



BOARD AGENDA

12. (Continued)

Recommendation

Adopt Orange County Local Transportation Authority/Measure M2 Resolution No. 2021-043 to establish the Orange County Local Transportation Authority/Measure M2 appropriations limit at \$1,981,873,617, for fiscal year 2021-22.

Regular Calendar

There are no Regular Calendar matters.

Discussion Items

13. Update on Interstate 5 Improvement Project from San Diego County Line to Avenida Pico

Josue Vaglienty/James G. Beil

Staff will provide a project update.

14. Public Comments

15. Chief Executive Officer's Report

16. Directors' Reports

17. Closed Session

A Closed Session has been scheduled as follows:

- A. Pursuant to Government Code Section 54957.6 to discuss negotiations with Teamsters Local 952 regarding the coach operators. The lead negotiator for the Orange County Transportation Authority is Maggie McJilton, Executive Director of Human Resources and Organizational Development, and Teamsters Local 952 representative.



BOARD AGENDA**17. (Continued)**

- B. Pursuant to Government Code 54957.6 to discuss collective bargaining agreement negotiations with the Transportation Communications International Union regarding the parts/stock room clerks and facilities maintenance employee unit. The lead negotiator for the Orange County Transportation Authority is Maggie McJilton, Executive Director of Human Resources and Organizational Development, and Transportation Communications International Union representative.

18. Adjournment

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, July 12, 2021**, at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.



June 28, 2021

To: Members of the Board of Directors

From: Darrell E. Johnson, Chief Executive Officer
Subject: Taxpayer Oversight Committee New Member Recruitment and Lottery

Overview

The Measure M2 Ordinance No. 3 requires the establishment of a committee to oversee implementation of the prescribed Measure M2 program of transportation improvements. This committee is known as the Taxpayer Oversight Committee, and each year, new committee members are recruited and selected to fill vacancies created by expired terms. The recruitment process for the Taxpayer Oversight Committee has been completed for 2021, and a lottery must take place in public session to fill vacancies in the First, Second, Fourth, and Fifth Supervisorial Districts.

Recommendation

Pursuant to Measure M2 Ordinance No. 3, conduct the lottery for final selection of new Measure M2 Taxpayer Oversight Committee members by drawing one name representing each of the First, Second, Fourth, and Fifth Supervisorial Districts, from the list of recommended finalists from the Grand Jurors Association of Orange County.

Background

The Measure M2 (M2) Ordinance No. 3 (M2 Ordinance) requires the establishment of an independent Taxpayer Oversight Committee (TOC) to ensure the transportation projects in the M2 Transportation Investment Plan (Plan) are implemented as approved by the voters. The 11-member committee has balanced representation from all five supervisorial districts, with ten private citizens plus the Orange County Auditor-Controller. The TOC meets bimonthly to review progress on the implementation of the Plan.

Each year, as terms of appointed TOC members come to an end, a recruitment process is conducted to fill vacancies. As outlined in the M2 Ordinance, the

recruitment process is conducted by the Grand Jurors Association of Orange County (GJAOC). The GJAOC acts as an independent body serving in the interest of Orange County citizens. In its role, the GJAOC appoints a five-member Selection Panel (Panel) to conduct the recruitment process.

The Panel has conducted the application/recruitment program since the beginning of Measure M in 1990. The first lottery took place on November 15, 1990, and the individuals chosen began meeting in January 1991, serving staggered one-year, two-year, or three-year terms. Following the same recruitment process, new members serving three-year terms have joined the committee each year, replacing outgoing members whose terms have expired.

Discussion

On June 30, 2021, the terms of four TOC members will expire. The current membership roster is attached (Attachment A). The schedule for the recruitment process for this year began in late January 2021 to fill vacancies in the First, Second, Fourth, and Fifth Supervisorial District seats (Attachment B).

The Panel concluded the recruitment process to fill the four vacant positions in early May (Attachment C). A fact sheet/application form was used for recruitment purposes (Attachment D). Announcements were distributed to more than 8,700 persons by sending an announcement to the Orange County Transportation Authority (OCTA) database. Advertisements were also placed in the Los Angeles Times and the Orange County Register, and digital banners were placed on their websites. In addition, postings were made on OCTA's social media pages as well as on construction project pages located within the recruitment area. Additionally, targeted Facebook and mobile application advertisements were used to notify residents in the First, Second, Fourth, and Fifth Supervisorial Districts. Announcements were sent to the media, cities, and elected offices and information was sent to local civic organizations and professional associations (Orange County Business Council, OC Taxpayers Association, Chambers of Commerce, etc.) to include in their newsletters and social media accounts. Also, information was sent to three Orange County universities (University of California, Irvine, Chapman University, and California State University, Fullerton) to share with graduate students studying fields related to business or political science.

The members of the Panel screened 29 applications from interested citizens, looking closely at each applicant's community service record, as well as experience with community and transportation issues. The Panel considered each individual's ability to assess and analyze facts, desire to make the TOC a priority, their involvement in community organizations, any special skills or

experience relating to transportation, and their degree of knowledge of government. In addition, M2 prohibits elected or appointed officials from serving on the TOC. Based on a previous amendment to the M2 Ordinance, the Panel also included more specific questions on the application regarding conflicts of interest. Any appointed and elected officials were required to fill out an intent to resign form.

Following the initial screening process, 27 virtual interviews were conducted by the Panel in an effort to gain as much insight as possible about the most qualified candidates.

The Panel is recommending 15 candidates for possible membership on the committee: two from the First Supervisorial District, five from the Second Supervisorial District, three from the Fourth Supervisorial District, and five from the Fifth Supervisorial District (Attachment E). While an extensive outreach campaign took place for recruitment across all Supervisorial Districts, application numbers fluctuated between districts resulting in variance in the number of finalists.

At the June 28, 2021, OCTA Board of Directors meeting, the Chairman will select four persons by lottery to fill the vacant positions. The four new members will begin serving their terms in July 2021. Each representative will serve a three-year term.

During the lottery process, the first name drawn from each supervisorial district will be the selected committee member. The remaining names will be drawn from each supervisorial district to establish a contingency list. Should a vacancy occur, finalists would be called upon to serve on the committee in the order in which the names were drawn.

Resolutions for Outgoing Members

Participation on the TOC requires dedication, time, and commitment. The volunteers who serve on the TOC provide expertise and insight, resulting in thoughtful discussions regarding the implementation and oversight of M2. In recognition of this contribution to the citizens of Orange County, Resolutions of Appreciation will be given to the following TOC members who have completed their terms:

- Dr. Pauline Merry – First Supervisorial District
- Mark Kizzar – Second Supervisorial District
- Larry Lang – Fourth Supervisorial District

- Jeffrey Kaplan – Fifth Supervisorial District

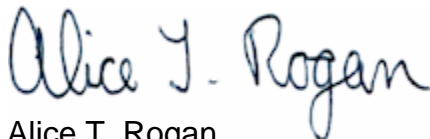
Summary

The Panel has completed its recruitment for four open positions on the TOC for the First, Second, Fourth, and Fifth Supervisorial Districts and submitted the names of eligible candidates for the 2021 lottery to fill the four positions. Outgoing members will receive Resolutions of Appreciation.

Attachments

- A. Measure M2 Taxpayer Oversight Committee Members Fiscal Year 2020-21
- B. Measure M2 Taxpayer Oversight Committee, 2021 Recruitment Schedule, Supervisorial Districts One, Two, Four, and Five
- C. 2021 Grand Jurors Association of Orange County, Oversight Committee Selection Panel
- D. Taxpayer Oversight Committee, 2021 Membership Application
- E. Measure M2 Taxpayer Oversight Committee, 2021 Finalists

Prepared by:



Alice T. Rogan
Director, Marketing and Public Outreach
External Affairs
(714) 560-5577

Approved by:



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

**Measure M2
Taxpayer Oversight Committee Members
Fiscal Year 2020-21**

District	Name	Term	Expiration
1	Douglas P. Gillen	3 Years	2022
1	Pauline E. Merry *	3 Years	2021
2	Harry Sloan	3 Years	2023
2	Mark Kizzar	3 Years	2021
3	Joseph McCarthy	3 Years	2023
3	Tuan Nguyen	3 Years	2022
4	Larry A. Lang	3 Years	2021
4	Michael Pascual	3 Years	2022
5	Jeffrey Kaplan	3 Years	2021
5	Douglas Anderson	3 Years	2022
	Frank Davies: Orange County Auditor-Controller		Required by M2 Ordinance

* *Completed the remainder of Dale Soeffner's term*

M2 – Measure M2

**MEASURE M2 TAXPAYER OVERSIGHT COMMITTEE
2021 RECRUITMENT SCHEDULE
SUPERVISORIAL DISTRICTS ONE, TWO, FOUR, AND FIVE**

Jan. 27	Planning meeting with Grand Jurors Association of Orange County (GJAOC) Selection Panel
Feb. 8	Website updated with 2021 recruitment content and application
Feb. 15 – May 2	First social media posts on Facebook and Twitter Bi-weekly blog in OCTA's On the Move Bi-weekly social media posts (Facebook and Twitter) Monthly call with GJAOC on recruitment status / weekly recap emails
Feb. 22	Press release distributed Information sent to the County Supervisor offices, city public information officers, city clerks and city managers; Orange County Business Council, Women's Transportation Seminar (WTS), and other organizations for newsletters/blogs/social media
Feb. 26 - May 2	Ad in the Los Angeles Times (includes local community papers); Orange County Register (includes local community papers) Posted on Los Angeles Times and Orange County Register websites
May 2	Application deadline
May 3, 4	GJAOC Interview Panel Resume Screening and Interview Scheduling
May 5, 6, 7, 10, 11, 12, 13	GJAOC Selection Panel interviews candidates and prepares finalist list
May 20	GJAOC Selection Panel submits list of finalists to OCTA
May 21-28	Legal counsel review of finalists
Jun. 28	OCTA Chairman draws names at Board of Directors Meeting

**2021
GRAND JURORS ASSOCIATION OF ORANGE COUNTY
OVERSIGHT COMMITTEE SELECTION PANEL**

William Underwood, Chair

Robin Bowen

Sandy Dunkin

John Moohr

Virginia Zlaket

Primary Alternate: Bette Flick

KEEP AN EYE ON YOUR TAX DOLLARS

RESIDENTS NEEDED FROM THE FIRST, SECOND, FOURTH, AND FIFTH SUPERVISORIAL DISTRICTS

OC Go (also known as Measure M) is the Transportation Ordinance and Plan approved first by Orange County voters in 1990 and renewed again by voters in 2006. The combined measures raise the sales tax in Orange County by one-half cent for a total period of 50 years to alleviate traffic congestion. This money is administered by the Orange County Transportation Authority (OCTA) and pays for specific voter-approved transportation projects for freeway improvements, local street and road improvements, and rail and transit programs specified in the Plan.

OC Go calls for an independent Taxpayer Oversight Committee to oversee compliance with the Ordinance as specified in the Transportation Ordinance and Plan.

The responsibilities of the 11-member Taxpayer Oversight Committee are to:

- Ensure all transportation revenue collected from OC Go is spent on the projects approved by the voters as part of the Plan;
- Ratify any changes in the Plan and recommend any major changes go back to the voters for approval;
- Participate in ensuring that all jurisdictions in Orange County conform with the requirements of OC Go before receipt of any tax monies for local projects;
- Hold annual public meetings regarding the expenditure and status of funds generated by OC Go;
- Review independent audits of issues regarding the Plan and performance of the Orange County Local Transportation Authority regarding the expenditure of OC Go sales tax monies.
- Annually certify OCTA is proceeding in accordance with the Plan.

HOW ARE MEMBERS CHOSEN?

Taxpayer Oversight Committee candidates are chosen by the Grand Jurors Association of Orange County (GJAOC), which has formed a five-member Taxpayer Oversight Committee Selection Panel to conduct an extensive recruitment program. The panel screens all applications, conducts interviews and recommends candidates for membership on the Taxpayer Oversight Committee. The GJAOC is made up of former grand jurors who have a continuing concern for good government and whose purpose is to promote public understanding of the functions and purpose of the grand jury. The GJAOC is a neutral body serving the interests of the citizens of Orange County.

Taxpayer Oversight Committee members represent each of the five Orange County Supervisorial Districts and have been meeting regularly since 1990. At this time, the GJAOC is conducting a recruitment to fill four vacancies with one representative from each of the First, Second, Fourth, and Fifth Supervisorial Districts. The GJAOC will recommend as many as five finalists from each district. The new members are to be chosen by lottery at the June 28, 2021 meeting of the OCTA Board of Directors. The terms for the new committee members will begin July 1, 2021. The representatives will serve three-year terms which expire on June 30, 2024. *This is a volunteer position and no monetary compensation will be paid to committee members.* The chairperson is the elected Auditor-Controller of Orange County. The Auditor-Controller's term coincides with his/her elected/appointed term.

WHO CAN APPLY TO SERVE?

Any Orange County citizen 18 years or older may apply to serve on the Taxpayer Oversight Committee. Potential candidates will be reviewed on the basis of the following criteria:

1. Commitment and ability to participate in Taxpayer Oversight Committee meetings for a three-year term from July 1, 2021 to June 30, 2024. The Committee will maintain time and meeting requirements. The Committee currently meets quarterly.
2. Demonstrated interest and history of participation in community activities, with special emphasis on transportation-related activities.
3. Lack of financial conflict of interest with respect to the allocation of sales tax revenue generated by OC Go. All Taxpayer Oversight Committee members are required to sign a conflict of interest form when accepting appointment.
4. Elected or appointed city, district, county, state or federal officials **are not** eligible to serve.

DEADLINE FOR APPLICATION:

All applications **MUST** be received no later than **May 2, 2021**. For additional information, please call 714-974-9699 or visit octa.net/TOC recruitment. Please print and mail completed application to:

GJAOC
Attn: TOC Application Screening
P.O. BOX 354
Orange, CA 92856-9998

APPLICATION FOR TAXPAYER OVERSIGHT COMMITTEE

Please type or print using dark ink. Additional sheets may be attached if needed. Please be as comprehensive as possible.

Name: _____ Email: _____

Business Address: _____
Street City Zip Code

Residence Address: _____
Street City Zip Code

Home Phone: () _____ Business Phone: () _____

Supervisory District Number: _____ (Call Registrar of Voters at (714) 567-7582 to confirm your district.)

Present Employment Status: ☐ Employed ☐ Unemployed ☐ Retired

Present Occupation: _____ Employer: _____

Ethnic Origin (optional): _____ How long have you lived in Orange County? _____ year(s)

Are you a citizen of the United States? ☐ Yes ☐ No Are you a registered voter? ☐ Yes ☐ No

Have you (or your spouse) or any entity that you either work for or have a financial interest in, received any financial remuneration for goods or services provided by you, or by any entity you work for or have a financial interest in, that was paid for with OC Go revenues, either directly or indirectly, within the past 12 months? ☐ Yes ☐ No

If so, please explain.

Do you have any possible conflict of interest with respect to the allocation of OC Go revenues? ☐ Yes ☐ No

If so, please explain.

Are you currently an elected or appointed officer of any public entity? ☐ Yes ☐ No
(Note: All public officers shall complete an [intent to resign form](#).)

If so, please explain.

Are you related to or closely associated with any elected official or public employee? ☐ Yes ☐ No

If so, please state the nature of the association.

Have you ever been convicted of malfeasance in office, or of any felony? ☐ Yes ☐ No

If so, please explain.

As a member of any profession or organization, or as a holder of any office, have you ever been suspended, disbarred, or otherwise disqualified?

☐ Yes ☐ No

If so, please explain.

Do you personally have any past or pending issues related to development or transportation in any Orange County city?

☐ Yes ☐ No

If so, please explain.

Have you ever been involved in a lawsuit with OCTA?

☐ Yes ☐ No

If so, please explain.

Do you possess research abilities, including complex reading facility and capability to assess and analyze facts?

☐ Yes ☐ No

Is there any reason that you may be biased and not objective if you are chosen to serve as a member of the Taxpayer Oversight Committee?

☐ Yes ☐ No

While no specific time commitment is predetermined, are you willing to make a conscientious effort for a period of three years to give membership on this committee a priority and participate as necessary?

☐ Yes ☐ No

If you are presently active or have been active in the past five years in any organization, please give the organization name, nature of your activities and duties, and appropriate dates.
(Attach sheet if necessary)

In what transportation-related activities have you been involved?

What do you know about OC Go/Measure M?

What specialized skill or expertise would you bring to the Oversight Committee?

EDUCATIONAL BACKGROUND:

List highest grade completed, any degrees you hold and the college/university attended and date of graduation.

EMPLOYMENT BACKGROUND:

List or attach your resume, including positions and titles held.

How did you hear about the Taxpayer Oversight Committee?

- | | | |
|--|---|--|
| <input type="checkbox"/> Online | <input type="checkbox"/> Newspaper/Magazines | <input type="checkbox"/> Social Media |
| <input type="checkbox"/> <i>OC Register</i> | <input type="checkbox"/> <i>OC Register</i> | <input type="checkbox"/> <i>Facebook / Instagram</i> |
| <input type="checkbox"/> <i>LA Times</i> | <input type="checkbox"/> <i>LA Times</i> | <input type="checkbox"/> <i>Twitter</i> |
| <input type="checkbox"/> <i>OCTA Website</i> | <input type="checkbox"/> <i>Local Advertisement</i> | <input type="checkbox"/> <i>E-mail</i> |
| <input type="checkbox"/> Other: _____ | | |

Why do you wish to be considered for membership on the Taxpayer Oversight Committee?

APPLICATION MUST BE RECEIVED BY MAY 1, 2020

Please print and mail completed application to:

GJAOC
Attn: TOC Application Screening
P.O. BOX 354
Orange, CA [92856-9998](tel:928569998)

For more information 714-974-9699.

I hereby declare the information provided in this Application for the Taxpayer Oversight Committee is true, correct and complete to the best of my knowledge. I understand that my statements may be verified and I give permission to do so.

Date

Signature

MEASURE M2 TAXPAYER OVERSIGHT COMMITTEE 2021 FINALISTS

DISTRICT 1

<u>NAME</u>	<u>CITY</u>
Pauline Merry	Garden Grove
Andrew Ramirez	Fountain Valley

DISTRICT 2

<u>NAME</u>	<u>CITY</u>
Paul Anderson	Newport Beach
Ellen Riley	Huntington Beach
Pradeep Gunaratne	Huntington Beach
Michael Hamrell	Huntington Beach
Mark Kizzar	Huntington Beach

DISTRICT 4

<u>NAME</u>	<u>CITY</u>
James Evans	Brea
Ajay Khetani	Anaheim
Dana Swart	Placentia

DISTRICT 5

<u>NAME</u>	<u>CITY</u>
Patricia Andereen	San Clemente
Kevin Dailey	Mission Viejo
Nilima Gupta	Lake Forest
Shannon O'Toole	San Clemente
Blake Stephens	Laguna Niguel

MINUTES

Board of Directors' Meeting

Call to Order

The Monday, June 14, 2021, regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Do at 9:01 a.m. at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

Roll Call

The Deputy Clerk of the Board (DCOB) conducted an attendance Roll Call and announced a quorum of the Board of Directors (Board) as follows:

Via Teleconference: Andrew Do, Chairman
Mark A. Murphy, Vice Chairman
Lisa A. Bartlett
Doug Chaffee
Barbara Delgleize
Katrina Foley
Brian Goodell
Patrick Harper
Michael Hennessey
Gene Hernandez
Steve Jones
Joseph Muller
Tam Nguyen
Vicente Sarmiento
Tim Shaw
Harry S. Sidhu
Donald P. Wagner
Ryan Chamberlain, District Director – Caltrans District 12

Directors Absent: None

Staff Present: Jennifer L. Bergener, Deputy Chief Executive Officer
Gina Ramirez, Deputy Clerk of the Board
Sahara Meisenheimer, Deputy Clerk of the Board

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

Invocation

Director Hennessey gave the invocation.

Pledge of Allegiance

Director Sarmiento led the Pledge of Allegiance.

Due to technical difficulties with Item 1, Chairman Do introduced Item 30 before the Special Calendar.

30. California Transportation Plan 2050

Darrell E. Johnson, Chief Executive Officer (CEO), introduced Jeanie Ward-Waller, Deputy Director for Planning & Modal Programs at the California Department of Transportation (Caltrans). He stated that Ms. Ward-Waller would present the California Transportation Plan (CTP) 2050 and allow the Board to share ideas about how OCTA and Caltrans can collaborate moving forward.

Ms. Ward-Waller provided a PowerPoint presentation on the California Transportation Plan 2050.

A discussion ensued regarding:

- The baseline assumption on the high-speed rail business plan;
- Planning for all the counties and cities within the projects;
- Challenges for Orange County is the development of transportation into more dense areas, and OCTA is doing what they can to make improvements;
- Transportation agencies do not have authority over the land use, so there will have to be a partnership with local agencies, and;
- Slide eight of the PowerPoint presentation and the greenhouse gas emissions reductions and the target for transportation from 2015-2050.

Special Calendar

1. Public Hearing on Orange County Transportation Authority's Fiscal Year 2021-22 Budget and Personnel and Salary Resolution

(A verbatim transcript of this public hearing is on file in the Clerk of the Board's office.)

Darrell E. Johnson, CEO, provided opening comments and introduced Andrew Oftelie, Chief Financial Officer (CFO), who provided a PowerPoint presentation

1. (Continued)

A discussion ensued regarding:

- Director Bartlett stated the Board appreciates staff stepping up to forego the increases during the coronavirus pandemic, considering the financial uncertainties. She agrees with what is being proposed and appreciates the openness and transparency relative to the sole source listing.
- Director Hennessey acknowledged Mr. Johnson, CEO, Andy Oftelie, CFO, and the staff who produced a great budget and supported the proposed budget.
- Director Hennessey also stated to the Board that using a three percent revenue increase in the budget is conservative, and after hearing from economists, it is becoming more conservative. OCTA has received anticipated increases of nine and 10 percent. In addition, OCTA is still hitting all of the projects and not taking on excess debt.

The DCOB read into the record notifications to inform the public and local agencies of today's public hearing.

Chairman Do opened the public hearing for public comments and, with no public comments received, closed the public hearing.

Director Delgleize stated that every year OCTA staff makes the budget so understandable, and it has helped her on other Boards.

Director Sarmiento commented that he appreciates all the time staff took to explain the budget and requested to have the hindsight of where improvements and underestimates were made

Director Foley echoed the sentiments of her colleagues. She stated that the staff has been accommodating in answering all her questions. She also inquired if staff budgeted for salary negotiations with Coach Operators.

Mr. Oftelie responded that three collective bargaining agreements are in place, including one for the Coach Operators. He stated that what staff has included in the budget for next year is consistent with the parameters that the Board approves and is based on the Consumer Price Index, which is three percent.

Director Bartlett inquired if her comments would be included as part of the public hearing. Chairman Do confirmed her comments would be included in the public hearing.

1. (Continued)

Mr. Johnson, CEO, thanked the Board for all the positive comments on how the staff managed and developed the budget through the pandemic.

Mr. Johnson, CEO, noted that staff developed a look back called “managing through the recession in the past.” The staff has already begun looking at something very similar called “working through the pandemic.” This lookback will include everything from finances to communications to the management of OCTA staff.

A motion was made by Director Hennessey, seconded by Director Delgleize, and following a roll call vote, declared passed 16-0 to:

- A. Approve by Resolution the Orange County Transportation Authority's Fiscal Year 2021-22 Budget.
- B. Approve the Personnel and Salary Resolution for the fiscal year 2021-22.
- C. Authorize the Chief Executive Officer or his designee to negotiate and execute the software and hardware licensing, maintenance, and emergency support purchase orders and/or agreements.
- D. Approve the fiscal year 2021-22 Orange County Transportation Authority member agency contribution to the Southern California Regional Rail Authority, operating subsidy, in an amount up to \$39,152,549, including authorization of federal supplemental funding, in an amount up to \$39,152,549, to be drawn down directly by the Southern California Regional Rail Authority. In addition, approve the capital and rehabilitation expenditure budget contingent upon all member agencies' approval of their respective capital and rehabilitation budgets. The Orange County Transportation Authority's portion of the costs for capital is \$118,800 and \$15,047,906 for rehabilitation.

Director Wagner was not present to vote on this item.

Consent Calendar (Items 2 through 26)

2. Approval of Minutes

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of May 24, 2021.

Director Wagner was not present to vote on this item.

3. Communications by Independent Financial Statement Auditor

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to receive and file as an information item.

Director Wagner was not present to vote on this item.

4. Coronavirus Update

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to receive and file as an information item.

Director Wagner was not present to vote on this item.

5. Amendment to Cooperative Agreement with the County of Orange, Orange County Sheriff's Department

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-0-2330 between the Orange County Transportation Authority and County of Orange, Orange County Sheriff's Department, in the amount of \$11,133,059, for Transit Police Services, effective July 1, 2021 through June 30, 2022. This will increase the maximum obligation of the agreement to a total contract value of \$21,739,395.

Director Wagner was not present to vote on this item.

6. Agreement for System Security Program Review and Update

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0, to:

- A. Approve the selection of ADS System Safety Consulting, LLC, as the firm to provide consulting services to review and update the Security Program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2729 between the Orange County Transportation Authority and ADS System Safety Consulting, LLC in the amount of \$345,692 to provide consulting services to review and update the current security program.

Director Wagner was not present to vote on this item.

7. 91 Express Lanes Update for the Period Ending - March 31, 2021

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to receive and file as an information item.

Director Wagner was not present to vote on this it

8. Orange County Transportation Authority Investment and Debt Programs Report - April 2021

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to receive and file as an information item.

Director Wagner was not present to vote on this item.

9. Annual Update to Investment Policy

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0, to:

- A. Adopt the Fiscal Year 2021-22 Investment Policy July 1, 2021.
- B. Authorize the Treasurer, Chief Financial Officer Andrew Oftelie, to invest, reinvest, purchase, exchange, sell, and manage Orange County Transportation Authority funds during fiscal year 2021-22.

Director Wagner was not present to vote on this item.

10. Federal Transit Administration Program of Projects for Federal Fiscal Year 2020-21, Federal Coronavirus, Response and Relief Supplemental Appropriations Act of 2021 and American Rescue Plan Act of 2021 Transit Funding

Director Bartlett thanked OCTA staff for keeping on top of the project and working collaboratively with the City of San Juan Capistrano. The San Juan Creek bridge is over a hundred years old, and she is glad that funds are getting expanded and that the project is moving forward.

10. (Continued)

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0, to:

- A. Approve the federal fiscal year 2020-21 Federal Transit Administration Section 5307 Urbanized Area Formula, Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities Program of projects, including federal and local funds, and the use of match credit for projects included in this report.
- B. Approve the five-year programming plans for Federal Transit Administration Sections 5307, 5310, 5337, and 5339.
- C. Authorize the acceptance and use of \$1.207 million in Federal Transit Administration Section 5339 Bus and Bus Facilities Competitive Program funds and \$0.386 million of local match funds for rehabilitation and renovation projects at the Orange County Transportation Authority bus facilities.
- D. Authorize the use of \$43.489 million in Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (Public Law 116-260) funds and \$186.658 million in American Rescue Plan Act of 2021 (Public Law 117-2) funds for bus and rail operating expenses.
- E. Authorize staff to adjust individual project funding consistent with final apportionments and eligibility determinations through the Fixing America's Surface Transportation Act, and direct staff to include updated numbers in grant and programming status reports.
- F. Authorize the Chief Executive Officer to submit the Federal Transit Administration grant applications required for the recommendations above to the Federal Transit Administration.
- G. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.

Director Wagner was not present to vote on this item.

11. Draft 2021 State Route 91 Implementation Plan

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to receive and file as an information item.

Director Wagner was not present to vote on this item.

12. Consultant Selection for the Freeway Chokepoint Improvement Study

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0, to:

- A. Approve the selection of Kittelson and Associates, Inc., as the firm to provide consulting services to conduct the Freeway Chokepoint Improvement Study.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-1-3346 between the Orange County Transportation Authority and Kittelson and Associates, Inc., in the amount of \$297,337, to provide consulting services to conduct the Freeway Chokepoint Improvement Study.

Director Wagner was not present to vote on this item.

13. Programming Recommendations for Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and Mid-Cycle State Transportation Improvement Program

Director Bartlett thanked OCTA staff for the Ortega widening project. She stated this is one of the significant three-pronged projects for the south county. First, the \$800,000 State Transportation Improvement Program funds will be utilized here and will widen the 1.1-mile pinch point on the State Route 74 Ortega Highway.

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0, to:

- A. Approve the 2021 mid-cycle State Transportation Improvement Program submittal to program Coronavirus Response and Relief Supplemental Appropriations Act of 2021 for the following:
 - \$800,000 for the State Route 74 Ortega Highway Improvement Project, and
 - \$588,506 for planning, programming, and monitoring.
- B. Authorize staff to make all necessary amendments to the State Transportation Improvement Program and the Federal Transportation Improvement Program, as well as execute any necessary agreements to facilitate the recommendations above.

Director Wagner was not present to vote on this item.

14. Active Transportation Program Biannual Update

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to receive and file as an information item.

Director Wagner was not present to vote on this item.

15. Transportation Control Measures - Substitute Program of Projects

Chairman Do stated that an error was found in the recommendations. Instead of the recommendations listed as A and C, they should have been listed as A and B.

Director Bartlett thanked OCTA staff for stepping up and working cooperatively with the Transportation Corridor Agencies (TCA). Since the TCA could not comply with the Southern California Association of Governments timeline requirements, she stated that OCTA used some arterial projects to replace the transportation control measures. As a result, OCTA helped the TCA save \$11 million.

A motion was made by Director Hernandez, seconded by Vice Chair Murphy, and following a roll call vote, declared passed 16-0 to:

- A. Direct staff to work with the Southern California Association of Governments to replace the previously planned projects in the Federal Transportation Improvement Program with the substitute program of projects included in this report.
- B. Authorize the Chief Executive Officer, or his designee, to negotiate and execute a cooperative agreement with the Transportation Corridor Agencies for improvements on existing toll facilities.

Director Wagner was not present to vote on this item.

16. Department of Motor Vehicles Employer Pull Notice Program

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to direct staff to implement three recommendations provided in the Department of Motor Vehicles Employer Pull Notice Program, Internal Audit Report No. 21-508.

Director Wagner was not present to vote on this item.

17. Award of Agreement for the Purchase of Battery Chargers for 40-Foot Plug-In Battery-Electric Buses

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0, to:

- A. Find La Marche Manufacturing Co. and Siemens Industry Inc., the apparent low bidders, as non-responsive for failure to bid on approved equipment that meets the technical specifications as identified in the invitations for bid.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2731 between the Orange County Transportation Authority and One Source Distributors, in the amount of \$863,079, to provide ten battery chargers for 40-foot plug-in battery-electric buses.

Director Wagner was not present to vote on this item.

18. Amendment to Agreement for 40-Foot Compressed Natural Gas-Powered Buses

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-9-1836 between the Orange County Transportation Authority and GILLIG LLC, in the amount of \$1,486,105, for configuration changes on up to 165, 40-foot compressed natural gas-powered buses with an option to purchase up to 134 additional buses. This will increase the maximum obligation of the agreement to a total contract value of \$101,857,705.

Director Wagner was not present to vote on this item.

19. Amendment to the Agreement with First Transit, Inc., for the Provision of Contracted Fixed-Route Service

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to authorize the Chief Executive Officer to negotiate and execute Amendment No. 14 to Agreement No. C-4-1737 between the Orange County Transportation Authority and First Transit, Inc., in the amount of \$69,714,520, to exercise the second two-year option term to provide contracted fixed-route services through May 31, 2023, with adjustment of the end date to June 10, 2023, and permit reimbursement of First Transit, Inc. expenses related to maintaining a state of readiness and eligible for federal funding at amounts not to exceed \$5,000,000 for the first and \$3,000,000 for the second year of the option term, increasing the maximum obligation of the agreement to a total contract value of \$315,856,805.

19. (Continued)

Director Wagner was not present to vote on this item.

20. Joint Agreement with the County of Orange for the Operation, Maintenance, and Financial Management of the Orange County 800 Megahertz Countywide Coordinated Communications System

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-1-3535 between the Orange County Transportation Authority and the County of Orange, in the amount of \$90,315, to share in the cost of the operation, maintenance, and repair of the Orange County Transportation Authority equipment used on the system, equipment replacement, and financial management of the Countywide Coordinated Communications System for fiscal year 2021-22. Amendments for each subsequent fiscal year budget will be brought forth to the Board of Directors for consideration on an annual basis.

Director Wagner was not present to vote on this item.

21. Amendments to Cooperative Agreements with Special Agencies for the Provision of Transportation Services

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0, to:

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No C-8-1917 between the Orange County Transportation Authority and North County Senior Services, LLC, doing business as Acacia Adult Day Services, for continued services and to adjust the per trip rate to \$16.55, effective July 1, 2021 through June 30, 2022. This increase in rate will not change the current contract maximum obligation of \$1,302,621 due to sufficient underruns that cover the projected expenses due to the coronavirus pandemic.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-8-1918 between the Orange County Transportation Authority and Alzheimer's Family Center for continued services and to adjust the per trip rate to \$16.55, effective July 1, 2021 through June 30, 2022. This increase in rate will not change the current contract maximum obligation of \$1,343,599 due to sufficient underruns that cover the projected expenses due to the coronavirus pandemic.

21. (Continued)

- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-8-1919 between the Orange County Transportation Authority and Alzheimer's Orange County for continued services and to adjust the per trip rate to \$16.55, effective July 1, 2021 through June 30, 2022. This increase in rate will not change the current contract maximum obligation of \$566,323, due to sufficient underruns that cover the projected expenses due to the coronavirus pandemic.
- D. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-8-1920 between the Orange County Transportation Authority and Community SeniorServ, doing business as Meals on Wheels Orange County, for continued services and to adjust the per trip rate to \$16.55, effective July 1, 2021 through June 30, 2022. This increase in rate will not change the current contract maximum obligation of \$1,362,793, due to sufficient underruns that cover the projected expenses due to the coronavirus pandemic.
- E. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-8-1921 between the Orange County Transportation Authority and Orange County Adult Achievement Center, doing business as My Day Counts, for continued services and to adjust the per trip rate to \$16.18, and the Regional Center of Orange County pass-through per trip rate to \$6.18, for continued services effective July 1, 2021 through June 30, 2022. This increase in rate will not change the contract maximum obligation of \$3,111,668, due to sufficient underruns that cover the projected expenses due to the coronavirus pandemic.

Director Wagner was not present to vote on this item.

22. Measure M2 Quarterly Progress Report for the Period of January 2021 Through March 2021

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to receive and file as an information item.

Director Wagner was not present to vote on this item.

23. Measure M2 Environmental Mitigation Program Update

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to receive and file as an information item.

Director Wagner was not present to vote on this item.

24. Comprehensive Transportation Funding Programs Semi-Annual Review - March 2021

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to:

- A. Approve requested adjustments to Comprehensive Transportation Funding Programs projects, Local Fair Share, and Senior Mobility Program funds.
- B. Due to the impacts of the coronavirus, approve an exception to the Comprehensive Transportation Funding Programs Guidelines for Environmental Cleanup Program Tier I projects in order for project award delays to be granted.

Director Wagner was not present to vote on this item.

25. Measure M2 Eligibility Review Recommendations for Fiscal Year 2019-20 Expenditure Reports

A motion was made by Director Hernandez, seconded by Vice Chair Murphy, and following a roll call vote, declared passed 16-0 to approve all 35 Orange County local jurisdictions eligible to continue receiving Measure M2 net revenues.

Director Wagner was not present to vote on this item.

26. Regional Traffic Signal Synchronization Program Update

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 16-0 to receive and file as an information item.

Director Wagner was not present to vote on this item.

Regular Calendar

27. Authorize the Issuance of Bond Anticipation Notes as a Short-Term Interim Financing to Support the Construction of the Interstate 405 Improvement Project and Selection of Underwriting Team

Andrew Oftelie, CFO, provided an overview of the rate reset on OCTA's Transportation Infrastructure Finance and Innovation Act (TIFIA) loan, which would lower the financing costs for the Interstate 405 (I-405) project.

Chairman Do inquired on how staff came to select the underwriters that OCTA is recommending. He also asked on what basis did staff use to make the recommendations fair.

Mr. Oftelie responded that OCTA has a board-approved list of underwriters. There was a competitive procurement that took place a few years ago that established a pool of underwriters, and staff submitted a Request for Proposal to those underwriters. The four underwriters that the staff recommended all had experience with bond anticipation notes. He stated that they brought something unique to the table to allow OCTA to get the best deal. He also noted that the more investors staff could bring to the table, the better chance that OCTA can get the lowest yields on OCTA bonds.

A lengthy discussion ensued regarding:

- The 4-3 vote the Finance and Administration (F&A) Committee took to exclude Wells Fargo Securities from recommendation C.
- What reasons were offered for the vote at the F&A Committee?
- Some concerns over past practices at Wells Fargo Securities related to the retail banking side.
- Wells Fargo Securities paid a substantial fine based on the issues on the retail banking side, which included some unsavory practices in meeting sales goals.
- OCTA would be working with the municipal underwriting team in this type of transaction, a separate bank area.
- Wells Fargo Securities was selected as the underwriters offering all the lease revenue bonds for the State of California.
- The County of Orange and other agencies use Wells Fargo Securities for refinancing.

Director Bartlett recommended that the Board add Wells Fargo Securities into the recommendations and include the four underwriters on the team as intended in recommendation C and as OCTA moves forward through the Bond Anticipation Notes process.

27. (Continued)

James Donich, General Counsel, stated that since there were some disagreements on recommendation C, and recommendations A and B would require a two-thirds vote of the Board due to their character. In contrast, recommendations C, D, and E would require the simple majority.

Chairman Do stated the Board would vote on recommendations A and B, and for recommendations, C, D, and E, the recommendations from staff have not been changed. Therefore, the vote at the F&A Committee does not alter the recommended actions. He stated that unless there is a motion to take a particular underwriter off of Recommendation C, the recommendation remains as stated in the staff report.

Mr. Donich responded that as it stands, the recommended actions that are before the Board right now are the ones listed in the staff report. Those are staff's recommendations for C and D to have the four teams as OCTA's underwriting pool. He stated that the way OCTA's committee structure works is that the committees do not pass anything. The transmittal included with the Board agenda packet from the F&A Committee was the recommendation on a 4-3 vote to limit the underwriting team and exclude Wells Fargo Securities.

Director Hennessey made a substitute motion to approve recommendations C and D without Wells Fargo Securities

Director Delgleize inquired if having Wells Fargo Securities on OCTA's underwriting team would cause any issues.

Mr. Oftelie responded that the short answer is that he does not think so. He stated that staff recommended including Wells Fargo Securities on the team because it gives OCTA the best chance. Also, Wells Fargo Securities was banned by several municipal entities after all of the allegations came to light. However, they have been reinstated by almost all of those agencies, most notably the State of California. He also noted that Wells Fargo Securities has very active in the marketplace of buying and selling bonds. For example, OCTA looked at the last five BAN issuances related to TIFIA loans, and Wells Fargo Securities was on three of those five transactions.

Mr. Oftelie also stated that staff considered it positive when staff tried to figure out who should be on the team. Wells Fargo Securities has direct recent and relevant experience in this exact type of transaction, which is why staff recommend them to be a part of the team.

27. (Continued)

Mr. Donich stated that the motion made by Director Hennessey includes changes to recommendation C. If the Board were to move forward and the motion were to fail, the issuance of the notes would fail as well. Therefore, he suggested that the Board take recommendations A and B separately to move forward and then consider recommendations C, D, and E.

A motion was made by Director Hennessey, seconded by Director Foley, and following a roll call vote, declared passed 16-0 to:

- A. Authorize the issuance of Bond Anticipation Notes as a short-term interim financing to support the construction of the Interstate 405 Improvement Project.
- B. Authorize staff to utilize a third-party bridge loan pending issuance of the Bond Anticipation Notes if to do so will generate additional savings over using cash to repay the 2017 Transportation Infrastructure Finance and Innovation Act Loan.

Director Wagner was not present to vote on this item.

The DCOB noted that the COB Department received public comment on June 11, 2021, at 5:19 p.m., from Michael Engelbrecht of Wells Fargo Securities. Mr. Engelbrecht's comment was emailed to the Board of Directors on June 12, 2021, at 11:46 a.m. Accordingly, the comment would be retained as part of the record for today's Board meeting.

A substitute motion was made by Director Hennessey and seconded by Director Foley to exclude Wells Fargo Securities from Recommendation C. Following the roll call vote, the substitute motion failed by a 3-12 vote.

Director Harper abstained from voting on this item.

Chairman Do, Vice Chairman Murphy, Directors Bartlett, Chaffee, Delgleize, Goodell, Hernandez, Jones, Muller, Nguyen, Shaw, and Sidhu voted in opposition.

Director Wagner was not present to vote on this item.

27. (Continued)

A motion was made by Director Delgleize, seconded by Director Hernandez, and following a roll call vote, declared passed 13-2, to:

- C. Authorize the issuance of Bond Anticipation Notes as a short-term interim financing to support the construction of the Interstate 405 Improvement Project.
- D. Authorize staff to utilize a third-party bridge loan pending issuance of the Bond Anticipation Notes if to do so will generate additional savings over using cash to repay the 2017 Transportation Infrastructure Finance and Innovation Act Loan.
- E. Authorize the selection of Bank of America Securities, Barclays Capital, Inc., Citigroup Global Markets, Inc., and Wells Fargo Securities, from the Orange County Transportation Authority's underwriting pool, to assist with the issuance.
- F. Authorize the selection of Bank of America Securities and Barclays Capital, Inc., from the Orange County Transportation Authority's underwriting pool, to serve as the senior manager and co-senior manager, respectively, for the issuance.
- G. Direct staff to return to the Board of Directors for approval of the financing documents required to execute the closing of the transaction.

Director Harper abstained from voting on this item.

Directors Hennessey and Sarmiento voted in opposition.

Director Wagner was not present to vote on this item.

28. Establishment of Interstate 405 Improvement Project Custody Subaccounts

Robert Davis, Department Manager of Treasury and Public Finance, provided a PowerPoint presentation on the 2017 Transportation Infrastructure Finance and Innovation Act loan for the Interstate 405 Improvement Project. The Orange County Local Transportation Authority is required to secure a line of credit to show committed local funds to the project. However, rather than continuing to use a line of credit to show committed local funds to the project, the staff is proposing to set aside \$500 million of Measure M2 funds to show committed local funds, which could save the agency approximately \$3.4 million over the next two years.

28. (Continued)

A motion was made by Vice Chairman Murphy , seconded by Director Delgleize, and following a roll call vote, declared passed 13-0 to:

- A. Approve by resolution authorizing the establishment of a subaccount to be used solely to pay for the Interstate 405 Improvement Project.
- B. Approve the establishment of one or more Interstate 405 Improvement Project custody subaccounts.
- C. Approve the use of \$500 million of Measure M2 funds to fund the Interstate 405 Improvement Project custody subaccounts no later than June 28, 2021.
- D. Restrict withdrawals from the Interstate 405 Improvement Project custody subaccounts to be made solely for Interstate 405 Improvement Project construction costs.

Directors Chaffee, Foley, Hennessey, and Wagner were not present to vote on this item.

29. Amendment to Agreement for the Design of the OC Streetcar Project

Ross Lew, Senior Program Manager, reported on the following:

- Overview of the agreement with HNTB Corporation, which has provided design support during the construction of the OC Streetcar project.
- An amendment to the agreement is necessary for additional design support services.
- The budget for the construction support services would be depleted by the end of July, and Amendment No. 11 is required to continue services and not delay construction. The amendment will also extend the term of the agreement by six months to September of next year.

A motion was made by Director Hernandez, seconded by Director Sarmiento, and following a roll call vote, declared passed 13-0 to authorize the Chief Executive Officer to negotiate and execute Amendment No. 11 to Agreement No. C-5-3337 between the Orange County Transportation Authority and HNTB Corporation, in the amount of \$2,500,000, and extend the agreement term through September 30, 2022, for continued OC Streetcar project design support services during construction. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$26,083,841.

Directors Chaffee, Foley, and Wagner were not present to vote on this item.

Director Shaw abstained from voting on this item.

Discussion Items

30. California Transportation Plan 2050

Due to technical difficulties with Item 1, Chairman Do introduced Item 30 before the Special Calendar.

31. Public Comments

There were no Public Comments received.

32. Chief Executive Officer's Report

Mr. Johnson, CEO, reported on the following:

- Measure M Annual Public Hearing -
 - Last week the independent Taxpayer Oversight Committee held its annual Measure M Public Hearing and found OCTA to comply with the ordinance for the 30th year in a row.
 - OCTA takes the role of overseeing the use of Measure M funds very seriously, and OCTA staff is pleased that the Committee determined that OCTA is keeping promises made to Orange County voters
- South Orange County Multimodal Transportation Study (SOCMTS) -
 - Mr. Johnson, CEO, reminded the Board that OCTA is hosting a series of meetings this month to get public feedback on the South Orange County Multimodal Transportation Study.
 - On June 15th at 9:00 a.m., staff will host an elected official roundtable.
 - On June 17th at 5:30 p.m., staff will host a telephone town hall.
 - The town hall will be simulcast in Spanish, and a recording of the presentation will be made available on OCTA's website following the meeting.
 - On June 23rd at 9:00 a.m., OCTA is hosting a stakeholder roundtable. In addition, OCTA is promoting an online survey and has launched a virtual meeting room for people to learn more about the study. It will remain open through July 12th. For more information, please visit octa.net/southocstudy.

33. Directors' Reports

There were no Directors' Reports.

Chairman Do thanked OCTA staff, General Counsel, and Mr. Johnson, CEO, for prepping the Board in advance, considering the very heavy Agenda today.

34. Closed Session

There were no Closed Sessions scheduled.

35. Adjournment

The meeting adjourned at 10:59 a.m.

The next regularly scheduled meeting of this Board will be held **at 9:00 a.m. on Monday, June 28, 2021**, at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.

ATTEST:


Gina Ramirez
Deputy Clerk of the Board

Andrew Do
Chairman



COMMITTEE TRANSMITTAL

June 28, 2021

To: Members of the Board of Directors
From: Andrea West, Interim Clerk of the Board 
Subject: Citizens Advisory Committee Annual Update and Member Appointments

Legislative and Communications Committee Meeting of June 17, 2021

Present: Directors Bartlett, Delgleize, Hennessey, Hernandez, Murphy, Sidhu, and Wagner
Absent: None

Committee Vote

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

Staff Recommendation

Receive and file as an information item.



June 17, 2021

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Citizens Advisory Committee Annual Update and Member Appointments

Overview

The Orange County Transportation Authority's Citizens Advisory Committee was formed to provide feedback on significant transportation items, help identify opportunities for community input, and serve as a conduit for public participation with the Orange County Transportation Authority. A summary of the committee's activities during the past year and the new member appointment status is provided with this report.

Recommendation

Receive and file the Citizens Advisory Committee status report.

Background

In its role as the County Transportation Commission, the Orange County Transportation Authority (OCTA) is required by the Public Utilities Code (PUC) 130105 to appoint a Citizens Advisory Committee (CAC) to provide input on transportation projects, programs, services, and outreach activities. The PUC states that the commission shall "appoint...a Citizens Advisory Committee, which membership shall reflect a broad spectrum of interests and all geographic areas of the county." The CAC is structured such that each OCTA Board of Directors (Board) member appoints two citizens to serve, creating a 34-member committee representing diverse interests and geographic areas of Orange County.

To carry out the CAC's mission, ongoing responsibilities include:

- Commenting on significant transportation items, suggesting possible solutions, and making recommendations when appropriate
- Identifying opportunities for community input

- Recommending mechanisms and methodologies for obtaining public feedback on specific transportation issues
- Serving as a liaison between the public and OCTA

The CAC has also formed two subcommittees to address specific areas of interest, a Bicycle/Pedestrian Subcommittee, which meets quarterly to review items and issues related specifically to active transportation, and a Technology and Innovation Ad Hoc Committee, which meets as needed to review new ideas focused on technological advances and innovations that could help improve Orange County's transportation system.

Discussion

As an advisory body, members' comments and suggestions help to shape OCTA's services and communications to be responsive and user-friendly to the public. The wide range of viewpoints and interests represented by the membership also provides OCTA with an added sounding board for prospective programs and initiatives.

CAC input is communicated to the Board in a variety of ways. Members' feedback on projects and studies is incorporated as programs develop, which is often noted in project staff reports. As direct appointees of the Board, CAC members are also encouraged to communicate directly with their appointing Board Member.

During the past year, the CAC met four times, all virtually, to review and provide feedback on a variety of OCTA programs and topics. Key activities for this past year included:

- Receiving status reports on OCTA's response to the coronavirus (COVID-19) pandemic from OCTA Deputy Chief Executive Officer, Jennifer Bergener
- Acting as OCTA's stakeholder working group for the 2022 Long-Range Transportation Plan
- Discussing OCTA's diversity outreach efforts
- Reviewing projects and programs currently underway
- Commenting on state and federal policies related to climate change and OCTA's new environmental sustainability webpage
- Discussing the progress of OC Streetcar and Interstate 405 Improvement Project
- Providing feedback on the South Orange County Multimodal Transportation Study and Fullerton Park-and-Ride Joint Development Study

- Reviewing the projects and programs included in OCTA's fiscal year 2021 budget
- Receiving updates on sales tax forecasts

CAC Bicycle/Pedestrian Subcommittee

During the past year, the CAC Bicycle/Pedestrian Subcommittee met two times, both via teleconference, to give feedback on ways to better incorporate active transportation as an alternative mode of travel, and to emphasize the need to practice and provide safe transportation methods for adults and youth such as Safe Routes to School, Safe Travels Education Program, and May Bike Month.

The subcommittee also reviewed and provided feedback on a variety of topics, including an interactive presentation from the California Department of Transportation on their District 12 Active Transportation Plan, construction-related bicycle trail closures, and how events such as Bike to Work Week were modified during the COVID-19 pandemic.

Member Appointments

CAC members serve staggered two-year terms from July through June, so each year every Board Member has one CAC member whose term expires on June 30. Committee members can serve unlimited terms. In February, each committee member with an expiring term was contacted to see if they were interested in continuing to serve. Announcements were made seeking potential applicants on OCTA's blog and social media accounts. In addition, information was sent to the media, city contacts, and local organizations to publish and include in their newsletters.

The opportunity to reappoint interested members for an additional term, along with resignations, was presented to each Board Member and their staff starting in February. The recruitment is now complete, and Board Members have either reappointed existing members or appointed new members to begin service on July 1, 2021, or have appointments pending (Attachment A).

To show OCTA's appreciation to members who will be leaving the committee, resolutions of appreciation have been prepared to thank them for their contribution.

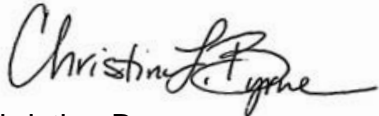
Summary

The CAC plays a vital role in OCTA's efforts to incorporate public feedback into the agency's transportation decision-making process. CAC members have contributed substantially to the work of OCTA in the past year. With the recruitment process for fiscal year 2021-22 now complete, OCTA Board Members have either reappointed existing CAC members or appointed new members. Members who are not continuing on the committee will receive resolutions of appreciation to thank them for their time and efforts.

Attachment

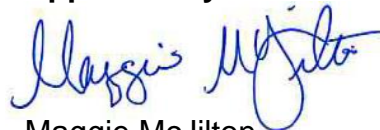
- A. Orange County Transportation Authority Citizens Advisory Committee Roster Fiscal Year 2021-22

Prepared by:



Christina Byrne
Public Outreach Department Manager
External Affairs
(714) 560-5717

Approved by:



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

ATTACHMENT A

**Orange County Transportation Authority
Citizens Advisory Committee
Roster Fiscal Year 2021-22
(as of 06/3/2021)**

District	Name	Affiliation	Expiration	Director
1	Dale Soeffner	Garden Grove Resident	2023	Andrew Do
1	*Lisandro Orozco	Historic Santa Ana	2022	Andrew Do
1	Randy Styner	Garden Grove Resident	2023	Steve Jones
1	*Mark Paredes	Garden Grove Resident	2022	Steve Jones
1	Appointment Pending	TBD	2023	Vicente Sarmiento
1	Damon Tordini	Engineers Without Borders/ Santa Ana Resident	2022	Vicente Sarmiento
2	Adam Wood	Building Industry Association	2023	Barbara Delgleize
2	*Dianne Thompson	Huntington Beach Chamber of Commerce	2022	Barbara Delgleize
2	Ben Chapman	Hunt Pacific Corporation	2023	Patrick Harper
2	*Paul Adams	Santa Ana Resident	2022	Patrick Harper
2	Pete Hardin	Attorney and Marine Corps Veteran	2023	Katrina Foley
2	Dirissy Doan	Orange County Realtors	2022	Katrina Foley
3	Appointment Pending	TBD	2023	Mark A. Murphy
3	*Jeff Thompson	Building Industry & Adjunct Professor	2022	Mark A. Murphy
3	Kunal Mittal	Civil Engineer	2023	Donald P. Wagner
3	Steve Kozak	Tustin Planning Commission	2022	Donald P. Wagner
3	Karalee Darnell	Yorba Linda Planning Commission	2023	Gene Hernandez
3	*Roy Shahbazian	Bus Rider, Transit Advocate of Orange County / Santa Ana Resident	2022	Gene Hernandez

**Orange County Transportation Authority
Citizens Advisory Committee
Roster Fiscal Year 2021-21
(as of 06/3/2021)**

District	Name	Affiliation	Expiration	Director
4	Marie Laveaga	La Habra Chamber of Commerce	2023	Tim Shaw
4	*Laurel Reimer	American Planning Association: Orange Section	2022	Tim Shaw
4	Daniel Soper	Cal State Fullerton	2023	Doug Chaffee
4	*Nick Polichetti	American Society of Civil Engineers	2022	Doug Chaffee
4	Amelia Castro	Anaheim Housing and Community Development Commission	2023	Harry S. Sidhu
4	Deepak Krishan	Anaheim Resident / Accountant	2022	Harry S. Sidhu
5	Meredith Chillemi	LifeSTEPS	2023	Lisa A. Bartlett
5	Derek McGregor	Trabuco Canyon Advisory Committee	2022	Lisa A. Bartlett
5	Jamey Federico	Dana Point Resident	2023	Joseph Muller
5	David Wheeler	Laguna Hills Resident	2022	Joseph Muller
5	Appointment Pending	TBD	2023	Brian Goodell
5	Kellie Aamodt	UC Irvine/UPS	2022	Brian Goodell
Public Member	Appointment Pending	TBD	2023	Michael Hennessey
Public Member	Frank Murphy	Orange Resident	2022	Michael Hennessey
Public Member	Appointment Pending	TBD	2023	Tam Nguyen
Public Member	*Dan Kalmick	City of Huntington Beach Councilmember	2022	Tam Nguyen

** Bicycle and Pedestrian Subcommittee Member*



COMMITTEE TRANSMITTAL

June 28, 2021

To: Members of the Board of Directors

From: Andrea West, Interim Clerk of the Board (A)

Subject: Special Needs Advisory Committee Annual Update and Member Appointments

Legislative and Communications Committee Meeting of June 17, 2021

Present: Directors Bartlett, Delgleize, Hennessey, Hernandez, Murphy, Sidhu, and Wagner

Absent: None

Committee Vote

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


Staff Recommendation

Receive and file the Special Needs Advisory Committee status report.



June 17, 2021

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Special Needs Advisory Committee Annual Update and Member Appointments

Overview

The Special Needs Advisory Committee was formed to advise the Orange County Transportation Authority on the transportation needs of senior citizens and persons with disabilities. The member appointment status and a summary of the committee's activities during the past year is provided with this report.

Recommendation

Receive and file the Special Needs Advisory Committee status report.

Background

On January 13, 1992, the Orange County Transportation Authority (OCTA) Board of Directors (Board), concurrent with approving the OCTA 1992 Complementary Paratransit Plan as required by the Americans with Disabilities Act, voted to establish a standing citizens' committee, the Special Needs Advisory Committee (SNAC), to advise OCTA on the transportation needs of senior citizens and persons with disabilities.

Discussion

The SNAC's mission is to advise OCTA on the promotion of integrated public transit services and to improve communication between OCTA and seniors as well as persons with disabilities. SNAC members also provide support for OC ACCESS service eligibility appeals. The SNAC is comprised of 34 members appointed by the OCTA Board. Members serve staggered three-year terms and meet quarterly.

The opportunity to reappoint interested members for an additional term, along with resignations, was presented to each Board Member and their staff starting in February. The recruitment is now complete, and Board Members have either reappointed existing members or appointed new members to begin service on July 1, 2021, or have appointments pending (Attachment A).

To show OCTA's appreciation to members who will be leaving the committee, resolutions of appreciation have been prepared to thank them for their contribution.

During the past year, the SNAC met four times, all virtually, to review and provide feedback on a variety of OCTA programs and topics. Key activities for this past year included:

- Receiving status reports on OCTA's response to the COVID-19 pandemic with OCTA Deputy Chief Executive Officer, Jennifer Bergener
- Transit service and OC Bus service changes
- COVID-19 pandemic budget impacts
- OC Flex and Same Day Taxi service changes
- OCTA's Diversity Outreach and Inclusion efforts
- Enhanced Mobility for Seniors and Disabled Grant Program
- OC Streetcar construction progress
- OC ACCESS eligibility and operations
- OCTA's Senior Mobility Program and policies

In addition, a current member of the SNAC contacted staff with comments regarding the use of the term "Special Needs" within the SNAC committee title and suggested a change to reflect the most current and inclusive verbiage. A list of names used by other California transit agencies for similar committees was compiled and reviewed to develop a list of viable options for OCTA. The committee discussed a potential name change at their April 27, 2021 meeting and will be considering a name change at their July 27, 2021 meeting. Possible names for selection include:

- Accessible Transit Advisory Committee (ATAC)
- Accessibility Advisory Committee (AAC)
- Advisory Committee on Accessibility (ACA)

Summary

The SNAC continues to serve in an advisory and advocacy role on transit issues of importance for seniors and persons with disabilities throughout the year. SNAC members have contributed substantially to the work of OCTA in the past year. With the recruitment process for FY 2021-22 now complete, OCTA Board Members have either reappointed existing SNAC members or appointed new members. Members who are not continuing on the committee will receive resolutions of appreciation to thank them for their time and efforts.

Attachment

- A. Orange County Transportation Authority Special Needs Advisory Committee Roster Fiscal Year 2021-22

Prepared by:



Christina Byrne
Public Outreach Department Manager
External Affairs
(714) 560-5717

Approved by:



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

**Orange County Transportation Authority
Special Needs Advisory Committee Roster
Fiscal Year 2021-22
(as of 06/3/2021)**

District	Name	Affiliation	Expiration	Director
1	Sandra Albear	Braille Institute of America	2023	Andrew Do
1	Mike Gonzalez	City of Santa Ana Environmental and Transportation Advisory Committee	2023	Andrew Do
1	Mallory Vega	Acacia Adult Day Services	2022	Steve Jones
1	Gloria Reyes	Abrazar, Inc.	2023	Steve Jones
1	Appointment Pending	TBD	2024	Vicente Sarmiento
1	Cesar Hernandez	Transportation Solutions	2022	Vicente Sarmiento
2	Scott Quinlan	Lions Sight and Hearing Foundation of Southern California	2024	Barbara Delgleize
2	Mary Lou Shattuck	Alzheimer's Family Services Center	2024	Barbara Delgleize
2	Henry Michaels	Elwyn California	2023	Patrick Harper
2	John Ott	Surf Seniors on the Go	2024	Patrick Harper
2	Morris "Jake" Schwartzberg	Special Needs Programs, Dana Hills High School	2022	Katrina Foley
2	Jon Peat	Cypress Resident	2024	Katrina Foley
3	Arturo Cazares	Regional Center of Orange County	2024	Mark A. Murphy
3	Raymond Bueche	Coordinator of Transition Services, Saddleback Valley Unified School District	2023	Mark A. Murphy
3	Sue Lau	Polio Survivors Plus, AARP	2024	Gene Hernandez
3	Caroline Wahlstrom	Placentia - Yorba Linda School District	2023	Gene Hernandez
3	Richard King	OC Guide Dogs Alumni Chapter President	2024	Don Wagner
3	Ellen Schenk	State of California Department of Rehabilitation	2022	Don Wagner

**Orange County Transportation Authority
Special Needs Advisory Committee Roster
Fiscal Year 2021-22
(as of 06/3/2021)**

District	Name	Affiliation	Expiration	Director
4	Tracy Bryars	Healthy Communities Initiative, St. Jude Medical Center	2024	Doug Chaffee
4	Paul Miller	Disability Support Services, Emeritus California State University, Fullerton	2023	Doug Chaffee
4	Giovanna Lara	La Habra Collaborative, St. Jude's Senior Services	2024	Tim Shaw
4	Bhumit Shah	Dayle McIntosh Center	2024	Tim Shaw
4	Wayne Heidle	Marshall B. Ketchum University	2024	Harry S. Sidhu
4	Appointment Pending	TBD	2024	Harry S. Sidhu
5	Sandy Raines	Laguna Woods Resident	2024	Lisa A. Bartlett
5	Ericka Danczak	County of Orange Office on Aging	2024	Lisa A. Bartlett
5	Pam Thompson	Saddleback Unified School District	2024	Joe Muller
5	Sandra Stang	Housing and Transportation Committee	2023	Joe Muller
5	John Ulrich	Laguna Niguel Senior Citizens Committee	2022	Brian Goodell
5	Tom Krogstad	Senior and Special Needs Advocate	2023	Brian Goodell
Public Member	Appointment Pending	TBD	2024	Michael Hennessey
Public Member	Isaac López	Advocate for Persons with Disabilities	2024	Michael Hennessey
Public Member	Appointment Pending	TBD	2023	Tam Nguyen
Public Member	Brandi Kelly Contreras	City of Huntington Beach	2022	Tam Nguyen



COMMITTEE TRANSMITTAL

June 28, 2021

To: Members of the Board of Directors

From: Andrea West, Interim Clerk of the Board *Andrea West*

Subject: Resolution to Establish the Orange County Transportation Authority General Fund Appropriations Limitation for Fiscal Year 2021-22

Finance and Administration Committee Meeting of June 9, 2021

Present: Directors Foley, Goodell, Harper, Hennessey, Hernandez, Jones, and Muller

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 7-0 by the Members present.

Committee Recommendation

Adopt Orange County Transportation Authority Resolution No. 2021-044 to establish the Orange County Transportation Authority General Fund appropriations limit at \$13,113,890, for fiscal year 2021-22.



June 9, 2021

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Resolution to Establish the Orange County Transportation Authority General Fund Appropriations Limitation for Fiscal Year 2021-22

Overview

The State Constitution requires that each year the governing body of each local jurisdiction shall, by resolution, establish its appropriations limit for the following year pursuant to Article XIII B.

Recommendation

Adopt Orange County Transportation Authority Resolution No. 2021-044 to establish the Orange County Transportation Authority General Fund appropriations limit at \$13,113,890, for fiscal year 2021-22.

Background

In November 1979, the voters of the State of California approved Proposition 4, commonly known as the Gann Initiative. The proposition created Article XIII B of the California Constitution, which is also known as the Gann appropriations limitation.

Both the Article XIII B appropriations limit and its implementing legislation were modified by Proposition 111, approved by voters in 1990. The law specifies that the appropriations of revenues, "proceeds of taxes" by state and local governments, may only increase annually by a limit based on a factor comprised of the change in population and the change in California per capita personal income. The appropriation limit includes any interest earned from the investment of the proceeds of taxes and must be reviewed during the annual financial audit.

Discussion

In accordance with the requirements of Article XIII B, a resolution has been prepared and is attached for review and approval (Attachment A). The resolution establishes the Orange County Transportation Authority (OCTA) General Fund appropriations limit for fiscal year (FY) 2021-22 at \$13,113,890, excluding federal grant funds and other funds to be received from sources not subject to the appropriations limitation.

Attachment B shows the calculation of the FY 2021-22 OCTA General Fund appropriations limit. Appropriations subject to limitation do not include appropriations for debt service, costs of complying with the mandates of the courts or the federal government, or capital outlay projects. The percentage change in population and change in California per capita personal income were obtained from the State of California, Department of Finance.

Summary

Staff recommends adoption of the Orange County Transportation Authority General Fund Resolution No. 2021-044, which will establish the FY 2021-22 appropriation limit at \$13,113,890.

Attachments

- A. Resolution No. 2021-044 of the Orange County Transportation Authority - General Fund Establishing Appropriations Limit for Fiscal Year 2021-22
- B. Orange County Transportation Authority - General Fund GANN Appropriations Limit Calculation for Fiscal Year 2021-22

Prepared by:



Sam Kaur
Department Manager,
Revenue Administration
(714) 560-5889

Approved by:



Andrew Oftelie
Chief Financial Officer,
Finance and Administration
(714) 560-5649

**RESOLUTION No. 2021-044 OF THE
ORANGE COUNTY TRANSPORTATION AUTHORITY - GENERAL FUND
ESTABLISHING APPROPRIATIONS LIMIT FOR
FISCAL YEAR 2021-22**

WHEREAS, Article XIII B of the California Constitution and Sections 7900 through 7913 of the California Government Code require the establishment of an appropriations limit; and

WHEREAS, appropriations limits are applicable to funds received from the proceeds of taxes and interest earned on such proceeds.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Orange County Transportation Authority - General Fund hereby determines that pursuant to Section 7902b of the California Government Code, the appropriations limit for the Orange County Transportation Authority - General Fund for Fiscal Year 2021-22 is \$13,113,890.
2. The total amount authorized to be expended by the Orange County Transportation Authority - General Fund during Fiscal Year 2021-22 from the proceeds of taxes, including interest earned from the investment of the proceeds of taxes, is \$4,708,197.
3. The appropriations limit for Fiscal Year 2021-22 exceeds proceeds of taxes for Fiscal Year 2021-22 by \$8,405,693.

ADOPTED, SIGNED, AND APPROVED this 28th day of June 2021.

AYES:

NOES:

ABSENT:

ATTEST:

Andrea West
Interim Clerk of the Board

Andrew Do, Chairman
Orange County Transportation Authority

**Orange County Transportation Authority - General Fund
GANN Appropriations Limit Calculation for
Fiscal Year 2021-22**

GANN FACTOR

<u>PER CAPITA CHANGE¹</u>	<u>%</u>	<u>RATIO</u>	<u>GANN FACTOR</u>
California per capita personal income change	5.73%	1.0573	
<u>POPULATION CHANGE²</u>			
County of Orange	-0.84%	0.9916	
<u>GANN FACTOR</u>	1.0573	x	0.9916
		=	1.0484

FY 2021-22 APPROPRIATION LIMIT

Prior Year Appropriations Limit	\$	12,508,480
GANN Factor (Rounded)	x	1.0484
	\$	13,113,890

ITEMS SUBJECT TO GANN LIMIT³

<i>Line Item</i>	<i>Amount</i>
Transfers in from the LTF (CTC Administration and Planning)	\$ 3,772,510
Interest Revenue	\$ 935,687
	\$ 4,708,197

FY 2021-22 APPROPRIATION LIMIT

	<i>Amount</i>
FY 2021-22 Appropriations Limit	\$ 13,113,890
Less Items Subject to GANN Limit	\$ (4,708,197)
Appropriation Limit that Exceeds the Proceeds of Taxes:	\$ 8,405,693

Note:

LTF - Local Transportation Fund

CTC - County Transportation Commission

^{1,2}Price Factor and Population Information provided by the Department of Finance.

³Items subject to GANN Limit provided from proposed FY 2021-22 budget



COMMITTEE TRANSMITTAL

June 28, 2021

To: Members of the Board of Directors

From: Andrea West, Interim Clerk of the Board *Andrea West*

Subject: Proposed Overall Disadvantaged Business Enterprise Goal for Federal Transit Administration Assisted Contracts for Federal Fiscal Years 2022-2024

Finance and Administration Committee Meeting of June 23, 2021

Present: Directors Foley, Harper, Hennessey, Jones, and Muller
Absent: Directors Goodell and Hernandez

Committee Vote

Following the roll call vote, this item was declared passed 5-0 by the Members present.

Committee Recommendation

Adopt the proposed overall Disadvantaged Business Enterprise goal of 11 percent for all Federal Transit Administration assisted contracts issued during the federal fiscal years 2022 through 2024 in accordance with Title 49 Code of Federal Regulations, Part 26.



June 23, 2021

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Proposed Overall Disadvantaged Business Enterprise Goal for Federal Transit Administration-Assisted Contracts for Federal Fiscal Years 2022-24

Overview

An overall Disadvantaged Business Enterprise goal was developed for the Orange County Transportation Authority's federally assisted contracts in compliance with federal regulations set forth in Title 49 Code of Federal Regulations, Part 26, which requires the submission of a three-year Disadvantaged Business Enterprise goal and goal setting methodology. The proposed overall Disadvantaged Business Enterprise goal for the three federal fiscal years 2022 through 2024 is 11 percent.

Recommendation

Adopt the proposed overall Disadvantaged Business Enterprise goal of 11 percent for all Federal Transit Administration-assisted contracts issued during the federal fiscal years 2022 through 2024 in accordance with Title 49 Code of Federal Regulations, Part 26.

Background

The Orange County Transportation Authority (OCTA) is required to develop and submit a three-year Disadvantaged Business Enterprise (DBE) overall goal for DBE participation as a condition of receiving federal assistance, pursuant to Section 1101 of the Fixing America's Surface Transportation Act; Title 49 Code of Federal Regulations (CFR) Part 26; and the Federal Transit Administration (FTA) Master Agreement.

A DBE is a for-profit, small business concern that is at least 51 percent owned and controlled by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, is one in which 51 percent of the stock is owned and controlled by one or more socially and economically

disadvantaged individuals. A socially and economically disadvantaged individual is defined by federal regulations to be a citizen or lawfully admitted permanent resident of the United States who is a Black American, Hispanic American, Native American, Asian-Pacific American, Subcontinent Asian American, a woman, or a member of any additional group that can demonstrate that he or she is socially or economically disadvantaged.

Discussion

The proposed overall goal reflects staff's determination of the level of DBE participation based upon DBE availability in contrast to all firms available to propose or bid on federally funded projects as identified in OCTA's Fiscal Year 2021-22 Budget, as well as anticipated projects through federal fiscal year (FFY) 2024 in accordance with the requirements set forth in Title 49 CFR Part 26. The establishment of the overall DBE goal for FTA-assisted projects uses the federally required two-step goal setting methodology. Step 1 establishes a base figure utilizing quantifiable evidence of the relative availability of DBEs within specified industries corresponding to OCTA's FTA-assisted contracting opportunities anticipated to be awarded within the respective goal period. Step 2 of the process requires OCTA to survey and assess other known relevant evidence to determine what additional adjustments, if any, are needed to narrowly tailor the base figure to the OCTA market area. Factors considered in the adjustment to the base figure include incorporating recommendations from regional disparity studies, OCTA's historical DBE data and current capacity of DBEs measured by actual goal attainments, bidders list, and other evidence within OCTA's market area. Based on the prescribed methodology, OCTA is proposing an 11 percent overall DBE goal using both race-conscious and race-neutral methods. OCTA's previous goal for FFY 2019-2021 was also 11 percent using both race-conscious and race-neutral methods. OCTA's median historical DBE participation on FTA-assisted contracts awarded by OCTA within the last three federal fiscal years was 12.8 percent.

In order to meet the required FTA-assisted public participation process, a public notice regarding the proposed overall DBE goal was sent to all registered vendors via OCTA's procurement website, CAMM NET. The proposed overall DBE goal and the methodology used to derive the proposed goal will be available for 30 days for review and comment following the date of the public notice. The public notice was posted on the OCTA's website on June 8, 2021, and informational emails were sent to cities, minority chambers, and organizations to directly solicit their input. OCTA will give full consideration to all comments and input received as a part of this process and will assess its impact on the proposed overall DBE goal.

In addition to establishing contract-specific DBE goals, OCTA is currently implementing a number of race- and gender-neutral measures to promote DBE participation in its federally assisted contracts. Additionally, OCTA partners with other organizations serving small businesses in Southern California, in an effort to meet its overall DBE program goals and objectives.

The following represents a sampling of these measures:

- Conducting pre-bid/pre-proposal conferences with a networking component and distribution of DBE availability lists;
- Hosting and participating in “How to Do Business” workshops, which includes a review of upcoming contract opportunities;
- Conducting “Meet the Contract Administrator” meetings;
- Scheduling solicitation timelines in ways that facilitate DBEs and other small business firms’ participation including the presentation of bids, quantities, specifications, and delivery schedules;
- Unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own work forces;
- Providing technical assistance and other services to small businesses, including DBE firms;
- Providing information on contracting opportunities through meetings, workshops, and the CAMM NET website to facilitate timely notifications of contracting opportunities that correspond to their industry classification codes;
- Conducting in-service training to ensure OCTA staff is fully knowledgeable and acclimated to the program; and
- Conducting DBE summits to encourage DBE participation on federally funded projects.

Summary

In summary, staff recommends adoption of the proposed three-year overall DBE goal of 11 percent for FFYs 2022 through 2024 for FTA-assisted contracts in accordance with Title 49 CFR, Part 26.

Attachment

- A. Orange County Transportation Authority's Federal Transit Administration (FTA) – Overall DBE Goal Setting Methodology for Federal Fiscal Years 2022-2024 Goal Period

Prepared by:



Pia Veasapen
Director, Contracts Administration
and Materials Management
714-560-5619

Approved by:



Andrew Oftelie
Chief Financial Officer,
Finance and Administration
714-560-5649



Orange County Transportation Authority's

Federal Transit Administration (FTA) - Overall DBE
Goal Setting Methodology

for

**Federal Fiscal Years 2022- 2024
Goal Period**

Submitted in fulfillment of:

*Section 1101 of the Transportation Equity Act for the 21st Century
49 Code of Federal Regulations Part 26*

and

Federal Register / Vol. 75, No. 22 [Docket No. OST-2010-0021]

This analysis is prepared exclusively for OCTA; it is non-transferable and is not to be duplicated.

**ORANGE COUNTY TRANSPORTATION AUTHORITY
DISADVANTAGED BUSINESS ENTERPRISE
PROPOSED OVERALL GOAL AND METHODOLOGY
FOR
Federal Fiscal Year Period 2022/24
(October 1, 2021 to September 30, 2024)**

I. INTRODUCTION

The Orange County Transportation Authority (OCTA) is required to develop and submit a Disadvantaged Business Enterprise (DBE) Overall Goal for DBE participation as a condition of receiving federal assistance, pursuant Moving Ahead for Progress in the 21st Century; 49 CFR Part 26 “Participation by Disadvantaged Business Enterprises in U.S. Department of Transportation Programs” and the Federal Transit Administration (FTA) Master Funding Agreement.

II. BACKGROUND

Effective March 3, 2010, the United States Department of Transportation (“DOT”) issued a final rule affecting the implementation and management of the DOT’s DBE program. The final rule requires submission of a goal-setting methodology on a three-year cycle. Pursuant to this final rule, OCTA is also required to conduct an annual review to account for changes that may warrant an adjustment to the overall goal or make an adjustment based on changed circumstances (i.e., significant change in the legal standards governing the DBE program, new contracting opportunities presented by the availability of new or different grant opportunities, etc.) to ensure the goal and program as a whole are narrowly tailored throughout the goal period. Under the three-year schedule, OCTA’s DBE goal and methodology submission is due to FTA on August 1, 2021 for proposed FTA-funded contracting activities for the three Federal Fiscal Years (FFY) 2022-2024.

OCTA herein presents its Proposed Overall DBE Goal Methodology for FFY 2022/24 goal period, which resulted in an 11 percent Overall DBE Goal.

III. FTA-ASSISTED CONTRACTING PROGRAM FOR FFY 2022/24

Table 1 represents OCTA’s U.S. DOT-assisted (FTA) defined contracting program, which includes projects considered in preparing its **Proposed Overall DBE Goal-Setting Methodology**. The projects have viable subcontracting possibilities and corresponding availability of DBEs, a required criterion for Overall Goal consideration, and are anticipated to be awarded within the respective goal period.

Table 1

Project	Estimated Cost
OC ACCESS and Microtransit Services	\$ 33,136,432.00
CNG Equipment Operation and Maintenance	\$ 264,826.00
Contracted Fixed Route Services	\$ 37,713,447.00
Video Surveillance Services for Placentia Metrolink Station	\$ 750,000.00
Park & Ride Transportation Modernization	\$ 200,000.00
ACCESS Vocational Visions	\$ 1,399,209.00
JARC Operating - Abrazar, Women Helping Women, Boys and Girl	\$ 117,662.00
Electrical Service Hydrogen Fueling Station	\$ 425,000.00
HVAC Unit at Anaheim Bus Base	\$ 500,000.00
Fire Alarm Control Panel Replacement	\$ 300,000.00
Restroom Improvements FPR	\$ 300,000.00
Transit Security & Operations Center (TSOC) Construction	\$ 35,000,000.00
Bus Wash Building Interior Santa Ana	\$ 300,000.00
Fuel Building Repair Irvine Construction Circle	\$ 350,000.00
Replace Drainage Systems Repairs	\$ 150,000.00
Security Gates Anaheim, Santa Ana	\$ 2,960,000.00
Laguna Niguel to San Juan Passing Siding - Design Services	\$ 50,000.00
Laguna Niguel to San Juan Passing Siding - SCRRRA Support Services	\$ 110,000.00
Laguna Niguel to San Juan Passing Siding - Construction Supp	\$ 550,000.00
Laguna Niguel to San Juan Passing Siding - Construction Manual	\$ 500,000.00
San Juan Creek Bridge Replacement - Project Management	\$ 100,000.00
San Juan Creek Utility Relocation Work	\$ 500,000.00
Anaheim Canyon Metrolink Station - Design Revisions	\$ 140,000.00
Orange County Stations Rehabilitation Project - Construction	\$ 100,000.00
CNG Fuel Facility O&M at Irvine Circle Bus Base	\$ 677,160.00
Temperature Check Screening	\$ 250,000.00
Construction Management Services - Facilities Engineering	\$ 1,000,000.00
OC Streetcar - Operations and Management Contract	\$ 2,819,747.00
OC Streetcar Legal Services-Claims, Mediation, ROW Legal	\$ 600,000.00
Ridership Program Consulting Services	\$ 400,000.00
OC Streetcar - Permit Fees	\$ 400,000.00
Placentia Metrolink Station - Construction	\$ 25,000,000.00
Janitorial Services	\$ 1,258,030.00
Public Awareness Service for OC Streetcar	\$ 550,000.00
OC Streetcar Safety and Public Education Consultant Services	\$ 700,000.00
Employer Rideshare Outreach Program	\$ 206,080.00
Ridership Program Consulting Services	\$ 400,000.00
Total:	\$150,177,593.00

IV. GOAL METHODOLOGY

Step 1: Determination of a Base Figure (26.45)¹

To establish OCTA's Base Figure of the relative availability of DBEs to all comparable firms (DBE and Non-DBEs) available to propose on OCTA's FFY 2022/24 FTA-assisted contracting opportunities projected to be solicited during the respective goal period, OCTA followed one of the five prescribed federal goal-setting methodologies in accordance with 49 CFR Part 26 regulations. This was accomplished by accessing the ***California Unified Certification Program (CUCP) Directory of Certified DBE Firms*** and the ***2019 U.S. Census Bureau County Business Patterns (CBP) Database***. Comparisons were made within OCTA's market area (defined as Orange, Los Angeles, Riverside and San Bernardino counties) and by specified industries and types of businesses identified in **Table 2**. OCTA's local market was determined by identifying where the substantial majority of OCTA's contracting dollars are expended and/or where the substantial majority of contractors' and subcontractors' bids or quotes are received.

OCTA made a concerted effort to ensure that the scope of businesses included in the numerator was as close as possible to the scope included in the denominator. For corresponding detail of all work category classifications grouped, refer to **Table 2** below.

- ⇒ ***For the numerator: California UCP DBE Database of Certified Firms***
- ⇒ ***For the denominator: 2019 U.S. Census Bureau's Business Pattern Database (CBP)***

To determine the relative availability of DBEs, OCTA divided the numerator² representing the ratio of ready, willing, and able DBE firms, by the denominator³ representing all firms (DBE and Non-DBEs) available in each work category, see below:

$$\frac{\text{Number of Ready, Willing and Able DBEs}}{\text{Number of All Available Firms}} = \text{DBE Availability \%}$$

(Including DBEs and Non-DBEs)

To determine the appropriate weighting percent by NAICS, the estimated dollar value by NAICS was divided by the total estimated federal dollars for FFY 2022/24. The weighting percent by NAICS was then multiplied by the DBE Availability % to determine the Base Figure % by NAICS, see below:

$$\text{Weighting} \times \text{DBE Availability \%} = \text{Base Figure \% by NAICS}$$

To determine the Step 1 Base Figure, OCTA added together all Base Figure % by NAICS in **Table 2** below, resulting in a 12.39 percent that was multiplied by 80 percent, (to account for 20 percent Prime performance required on most OCTA contracts) to produce a Step 1 Base Figure of 8.4 percent.

¹ 26.45 represents Title 49 CFR Part 26 regulatory goal setting methodology reference.

² Numerator represents all DBE firms established within OCTA's market area.

³ Denominator represents all comparable available established firms within OCTA's market area.

Table 2

NAICS	Description	Value	Weight (B/A)	# of DBE's	# of All Items Census	DBE Availability (D/E)	Base Figure (F x C)
213112	Support Activities for Oil and Gas Operations	\$ 17,500.00	0.01%	1	47	2.13%	0.00%
221210	Natural Gas Distribution	\$ 6,620.65	0.00%	1	123	0.81%	0.00%
221310	Water Supply and Irrigation Systems	\$ 613,750.00	0.41%	19	134	14.18%	0.06%
236220	Commercial and Institutional Building Construction	\$10,300,000.00	6.86%	206	1875	10.99%	0.75%
237110	Water and Sewer Line and Related Structures Construction	\$ 2,552,000.00	1.70%	108	262	41.22%	0.70%
237120	Oil and Gas Pipeline and Related Structures Construction	\$ 120,000.00	0.08%	18	49	36.73%	0.03%
237130	Power and Communication Line and Related Structures Construction	\$ 88,750.00	0.06%	39	170	22.94%	0.01%
237310	Highway, Street, and Bridge Construction	\$ 657,500.00	0.44%	234	246	95.12%	0.42%
237990	Other Heavy and Civil Engineering Construction	\$ 52,500.00	0.03%	153	134	114.18%	0.03%
238110	Poured Concrete Foundation and Structure Contractors	\$ 251,000.00	0.17%	100	647	15.46%	0.03%
238120	Structural Steel and Precast Concrete Contractors	\$ 214,777.06	0.14%	77	200	38.50%	0.05%
238130	Framing Contractors	\$12,000,000.00	7.99%	25	310	8.06%	0.64%
238140	Masonry Contractors	\$ 600,000.00	0.40%	34	476	7.14%	0.03%
238150	Glass and Glazing Contractors	\$ 600,000.00	0.40%	14	335	4.18%	0.02%
238160	Roofing Contractors	\$ 1,225,000.00	0.82%	13	751	1.73%	0.01%
238170	Siding Contractors	\$ 317,500.00	0.21%	1	88	1.14%	0.00%
238210	Electrical Contractors and Other Wiring Installation Contractors	\$13,847,878.41	9.22%	164	3648	4.50%	0.41%
238220	Plumbing, Heating, and Air-Conditioning Contractors	\$ 9,921,440.73	6.61%	50	4362	1.15%	0.08%
238290	Other Building Equipment Contractors	\$ 51,800.00	0.03%	17	288	5.90%	0.00%
238310	Drywall and Insulation Contractors	\$ 682,500.00	0.45%	26	782	3.32%	0.01%
238320	Painting and Wall Covering Contractors	\$ 126,302.86	0.08%	44	1471	2.99%	0.00%
238330	Flooring Contractors	\$ 85,000.00	0.06%	13	664	1.96%	0.00%
238340	Tile and Terrazzo Contractors	\$ 35,000.00	0.02%	10	541	1.85%	0.00%
238350	Finish Carpentry Contractors	\$ 5,000.00	0.00%	22	1013	2.17%	0.00%
238390	Other Building Finishing Contractors	\$ 632,750.00	0.42%	27	390	6.92%	0.03%
238910	Site Preparation Contractors	\$ 3,666,750.00	2.44%	138	846	16.31%	0.40%
238990	All Other Specialty Trade Contractors	\$ 2,732,988.54	1.82%	170	1277	13.31%	0.24%
324121	Asphalt Paving Mixture and Block Manufacturing	\$ 8,250.00	0.01%	1	36	2.78%	0.00%
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing	\$ 377,134.47	0.25%	3	73	4.11%	0.01%
327320	Ready-Mix Concrete Manufacturing	\$ 40,000.00	0.03%	3	116	2.59%	0.00%
327991	Cut Stone and Stone Product Manufacturing	\$ 27,500.00	0.02%	0	57	0.00%	0.00%
333618	Other Engine Equipment Manufacturing	\$ 377,134.47	0.25%	0	20	0.00%	0.00%
334310	Audio and Video Equipment Manufacturing	\$ 377,134.47	0.25%	2	62	3.23%	0.01%

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336310	Motor Vehicle Gasoline Engine and Engine Parts Manufacturing	\$ 377,134.47	0.25%	0	69	0.00%	0.00%
336320	Motor Vehicle Electrical and Electronic Equipment Manufacturing	\$ 377,134.47	0.25%	2	42	4.76%	0.01%
336350	Motor Vehicle Transmission and Power Train Parts Manufacturing	\$ 754,268.94	0.50%	1	40	2.50%	0.01%
336390	Other Motor Vehicle Parts Manufacturing	\$ 754,268.94	0.50%	0	123	0.00%	0.00%
339950	Sign Manufacturing	\$ 372,750.00	0.25%	15	298	5.03%	0.01%
423110	Automobile and Other Motor Vehicle Merchant Wholesalers	\$ 278,346.03	0.19%	2	511	0.39%	0.00%
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$ 655,480.50	0.44%	10	1424	0.70%	0.00%
423320	Brick, Stone, and Related Construction Material Merchant Wholesalers	\$ 27,500.00	0.02%	33	173	19.08%	0.00%
423390	Other Construction Material Merchant Wholesalers	\$ 481,000.00	0.32%	26	170	15.29%	0.05%
423410	Photographic Equipment and Supplies Merchant Wholesalers	\$ 98,475.00	0.07%	6	120	5.00%	0.00%
423420	Office Equipment Merchant Wholesalers	\$ 26,509.15	0.02%	7	362	1.93%	0.00%
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers	\$ 26,509.15	0.02%	24	820	2.93%	0.00%
423450	Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers	\$ 125,000.00	0.08%	18	706	2.55%	0.00%
423490	Other Professional Equipment and Supplies Merchant Wholesalers	\$ 9,940.93	0.01%	8	122	6.56%	0.00%
423510	Metal Service Centers and Other Metal Merchant Wholesalers	\$ 259,000.00	0.17%	29	678	4.28%	0.01%
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	\$ 247,475.00	0.16%	70	1153	6.07%	0.01%
423690	Other Electronic Parts and Equipment Merchant Wholesalers	\$ 56,250.00	0.04%	20	1308	1.53%	0.00%
423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers	\$ 60,000.00	0.04%	12	313	3.83%	0.00%
423730	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers	\$ 145,000.00	0.10%	9	195	4.62%	0.00%
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers	\$ 184,163.87	0.12%	31	243	12.76%	0.02%
424690	Other Chemical and Allied Products Merchant Wholesalers	\$ 377,134.47	0.25%	25	512	4.88%	0.01%
424720	Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)	\$ 278,346.03	0.19%	16	76	21.05%	0.04%
444110	Home Centers	\$ 28,125.00	0.02%	2	214	0.93%	0.00%
448190	Other Clothing Stores	\$ 23,195.50	0.02%	5	626	0.80%	0.00%
453210	Office Supplies and Stationery Stores	\$ 9,940.93	0.01%	8	353	2.27%	0.00%
484110	General Freight Trucking, Local	\$ 1,360,100.00	0.91%	149	2244	6.64%	0.06%
484220	Specialized Freight (except Used Goods) Trucking, Local	\$ 1,213,750.00	0.81%	384	696	55.17%	0.45%

485113	Bus and Other Motor Vehicle Transit Systems	\$17,632,580.71	11.74%	3	68	4.41%	0.52%
485119	Other Urban Transit Systems	\$ 1,268,886.15	0.84%	2	3	66.67%	0.56%
485210	Interurban and Rural Bus Transportation	\$ 3,771,344.70	2.51%	1	28	3.57%	0.09%
485310	Taxi Service	\$ 11,766.20	0.01%	1	68	1.47%	0.00%
485991	Special Needs Transportation	\$ 3,810,689.68	2.54%	9	175	5.14%	0.13%
485999	All Other Transit and Ground Passenger Transportation	\$ 29,415.50	0.02%	22	153	14.38%	0.00%
488210	Support Activities for Rail Transportation	\$ 46,750.00	0.03%	21	33	63.64%	0.02%
488490	Other Support Activities for Road Transportation	\$ 803,222.47	0.53%	38	166	22.89%	0.12%
488999	All Other Support Activities for Transportation	\$ 576,573.92	0.38%	11	37	29.73%	0.11%
518210	Data Processing, Hosting, and Related Services	\$ 2,710,769.51	1.81%	70	846	8.27%	0.15%
524126	Direct Property and Casualty Insurance Carriers	\$ 9,500.00	0.01%	6	337	1.78%	0.00%
524210	Insurance Agencies and Brokerages	\$ 9,500.00	0.01%	22	6963	0.32%	0.00%
531390	Other Activities Related to Real Estate	\$ 120,000.00	0.08%	43	1837	2.34%	0.00%
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing	\$ 296,000.00	0.20%	44	211	20.85%	0.04%
541110	Offices of Lawyers	\$ 180,000.00	0.12%	26	11270	0.23%	0.00%
541191	Title Abstract and Settlement Offices	\$ 30,000.00	0.02%	6	125	4.80%	0.00%
541199	All Other Legal Services	\$ 150,000.00	0.10%	19	354	5.37%	0.01%
541211	Offices of Certified Public Accountants	\$ 550,064.77	0.37%	27	3603	0.75%	0.00%
541310	Architectural Services	\$ 350,850.00	0.23%	110	1538	7.15%	0.02%
541330	Engineering Services	\$ 3,584,151.30	2.39%	455	3254	13.98%	0.33%
541340	Drafting Services	\$ 10,950.00	0.01%	188	120	156.67%	0.02%
541350	Building Inspection Services	\$ 117,500.00	0.08%	89	381	23.36%	0.02%
541360	Geophysical Surveying and Mapping Services	\$ 55,550.00	0.04%	19	19	100.00%	0.04%
541370	Surveying and Mapping (except Geophysical) Services	\$ 57,550.00	0.04%	81	176	46.02%	0.02%
541380	Testing Laboratories	\$ 1,351,303.43	0.90%	74	372	19.89%	0.18%
541511	Custom Computer Programming Services	\$ 109,350.23	0.07%	244	3816	6.39%	0.00%
541512	Computer Systems Design Services	\$ 126,725.23	0.08%	292	2722	10.73%	0.01%
541513	Computer Facilities Management Services	\$ 3,747,486.51	2.50%	73	271	26.94%	0.67%
541519	Other Computer Related Services	\$ 115,785.50	0.08%	168	617	27.23%	0.02%
541611	Administrative Management and General Management Consulting Services	\$ 9,375,649.73	6.24%	831	4453	18.66%	1.16%
541613	Marketing Consulting Services	\$ 2,957,128.13	1.97%	277	3191	8.68%	0.17%
541618	Other Management Consulting Services	\$ 501,520.00	0.33%	434	440	98.64%	0.33%
541620	Environmental Consulting Services	\$ 1,896,441.53	1.26%	351	496	70.77%	0.89%
541690	Other Scientific and Technical Consulting Services	\$ 2,343,813.48	1.56%	336	2647	12.69%	0.20%
541715	Research and Development in the Physical, Engineering, and Life Sciences	\$ 18,802.65	0.01%	3			0.00%

	(except Nanotechnology and Biotechnology)						
541810	Advertising Agencies	\$ 237,500.00	0.16%	89	1100	8.09%	0.01%
541820	Public Relations Agencies	\$ 995,384.32	0.66%	216	790	27.34%	0.18%
541910	Marketing Research and Public Opinion Polling	\$ 331,364.32	0.22%	107	425	25.18%	0.06%
541930	Translation and Interpretation Services	\$ 109,350.23	0.07%	38	260	14.62%	0.01%
541990	All Other Professional, Scientific, and Technical Services	\$ 140,220.90	0.09%	167	1162	14.37%	0.01%
561110	Office Administrative Services	\$ 3,814,487.58	2.54%	124	2420	5.12%	0.13%
561311	Employment Placement Agencies	\$ 1,885,672.35	1.26%	31	589	5.26%	0.07%
561320	Temporary Help Services	\$ 1,100,129.54	0.73%	118	1583	7.45%	0.05%
561422	Telemarketing Bureaus and Other Contact Centers	\$ 5,153,448.94	3.43%	5	181	2.76%	0.09%
561499	All Other Business Support Services	\$ 311,974.70	0.21%	50	212	23.58%	0.05%
561621	Security Systems Services (except Locksmiths)	\$ 149,854.64	0.10%	20	379	5.28%	0.01%
561720	Janitorial Services	\$ 1,258,030.00	0.84%	93	2083	4.46%	0.04%
561730	Landscaping Services	\$ 960,000.00	0.64%	48	2668	1.80%	0.01%
561990	All Other Support Services	\$ 58,500.00	0.04%	62	623	9.95%	0.00%
611430	Professional and Management Development Training	\$ 948,875.63	0.63%	169	253	66.80%	0.42%
611692	Automobile Driving Schools	\$ 218,700.45	0.15%	1	135	0.74%	0.00%
621999	All Other Miscellaneous Ambulatory Health Care Services	\$ 125,000.00	0.08%	5	181	2.76%	0.00%
811111	General Automotive Repair	\$ 69,586.51	0.05%	8	3950	0.20%	0.00%
811112	Automotive Exhaust System Repair	\$ 383,761.76	0.26%	0	93	0.00%	0.00%
811113	Automotive Transmission Repair	\$ 397,016.33	0.26%	2	275	0.73%	0.00%
811118	Other Automotive Mechanical and Electrical Repair and Maintenance	\$ 380,448.11	0.25%	7	219	3.20%	0.01%
811121	Automotive Body, Paint, and Interior Repair and Maintenance	\$ 397,016.33	0.26%	9	1805	0.50%	0.00%
811122	Automotive Glass Replacement Shops	\$ 3,313.64	0.00%	1	244	0.41%	0.00%
811192	Car Washes	\$ 377,134.47	0.25%	10	1044	0.96%	0.00%
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	\$ 15,000.00	0.01%	15	813	1.85%	0.00%
812331	Linen Supply	\$ 9,940.93	0.01%	2	60	3.33%	0.00%
926150	Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors	\$ 400,000.00	0.27%	0			0.00%

Work Item Total: \$150,177,593.00

Total DBE Work Amount 11.70%

X 80%

DBE Goal 9.36%

Step 2: Adjusting the Base Figure

Upon establishing the Base Figure, OCTA reviewed and assessed other known evidence potentially impacting the relative availability of DBEs within OCTA's market area, in accordance with prescribed narrow tailoring provisions set forth under 49 CFR Part 26.45 Step 2; DBE Goal Adjustment guidelines.

Evidence considered in making an adjustment to the Base Figure included OCTA's *Past DBE Goal Attainments*, Evidence from *Disparity Studies conducted in OCTA's market area*, and *Other Evidence*, as follows:

A. Past DBE Goal Attainments

The following table below reflects the demonstrated capacity of DBEs (measured by historical DBE participation) on FTA-assisted contracts awarded by OCTA within the last three Federal Fiscal Years:

Table 3

Overall DBE Goal by Period	Federal Fiscal Year	DBE Attainment
10%	FFY 2018*	34.1%
11%	FFY 2019	12.8%
11%	FFY 2020	11.0%
Past Attainments = 11%, 12.8% , 34.1% = 12.8% Median Participation		

*FFY 2021 still in progress as of the date of methodology preparation, so FFY 2018 was used in lieu of FFY 2021

OCTA considered an adjustment to the Base Figure based on the median DBE participation on DOT-assisted contracts completed within the past three FFYs (2018/20). The median established for the past three years is higher than the Base Figure derived from Step 1; therefore, an adjustment to the Base Figure based on OCTA's past DBE goal participation has been made. As three years of DBE Participation data was reviewed and the years reviewed included projects with a similar variety in scope to the scopes projected for the 2022/24 period, OCTA can reasonably assume that the rates of DBE participation reflected are an accurate reflection of DBE capacity to perform in the 2022/24 overall goal period. The adjustment is calculated in accordance with FTA guidance by averaging the Base Figure with the Median DBE Past participation, as shown below.

$$9.36\% \text{ Base Figure} + 12.8\% \text{ Median Past Participation} = 22.16\%$$

$$22.16/2 = 11.08\%$$

Adjusted Base Figure: 11% (Rounded to the nearest whole number)

The formula resulted in an upward adjustment to the Base Figure from 9.36 percent to 11 percent.

B. Evidence from Disparity Studies***Barriers to Entry: Employment, Self Employment, Education and Training, Business Ownership Rates and Access to Capital***

As directed by FTA, OCTA reinstated race-conscious measures, coupled with race-neutral measures in April 2014 based on results received from the Southern California Regional Disparity Study, OCTA's analysis of its past utilization data and an examination of similar market area Disparity studies.

OCTA did not find it feasible to conduct a more recent independent availability/disparity study; however, OCTA identified two disparity studies, inclusive market areas like OCTA's, to consider whether a Race-Conscious DBE Program should continue to be implemented. The two identified disparity studies were the Caltrans Disparity Study and the Los Angeles County Metropolitan Transportation Authority (Metro) Disparity Study.

The first disparity study considered was that of the California Department of Transportation (Caltrans), completed in 2016 due to the timeliness of the contracts reviewed. The Caltrans Disparity Study reviewed Construction and Engineering contracts state-wide between January 1, 2011 to December 31, 2014. As the Caltrans' Disparity Study included thousands of contracts from areas outside of OCTA's market area, as well as projects that had no relation to the scopes included in the upcoming goal period, OCTA opted to not utilize this disparity study to apply an adjustment to their current race-neutral/race-conscious DBE application measures.

The second disparity study taken into consideration was Metro's Disparity Study due to the similarities in market area and timeliness of the contracts reviewed. Where the Caltrans Study market area included the entire state of California, the Metro Disparity Study focused on Los Angeles County which is more aligned with OCTA's market area. The Metro Disparity Study was initiated in November 2016 and included a five-year study period (January 1, 2011 through December 31, 2015) to determine any differences between the participation of minority- and woman-owned businesses in relevant contracts and the availability of those businesses to perform that work (referred to as *disparities*). Disparity analysis results indicated that most racial/ethnic and gender groups showed disparities on contracts where race- and gender-conscious measures were not in place during the study period. As a result, the disparity study recommended the use of contract DBE goals.

As Metro's Disparity Study satisfies the legal standards established by the Ninth Circuit Court of Appeals in *Western States Paving Co., Inc. v. Washington State Department of Transportation*, and guidance from the U.S. DOT/FTA concerning the implementation of race-conscious application, OCTA has elected to utilize this study as a basis for continuing to implement the race-conscious component of their Overall DBE goal. OCTA will ensure that the use of race-conscious goals is narrowly tailored and consistent with other relevant legal standards.

OCTA will continue to review applicable disparity studies as they become available and apply the appropriate adjustments to their Race-Neutral/Race-Conscious DBE goal application.

C. Other Evidence

OCTA did not receive any anecdotal evidence nor is it aware of any other factors or adverse considerations that would have had a material effect on DBEs availability within OCTA's marketplace, or on DBEs' ability to participate (meeting bonding, insurance, and financial requirements) in OCTA's FTA-assisted contracting programs at this time. However, as part of OCTA's 30-day period public facilitation process, it will request comments/input from industry groups both representing DBEs and non-DBEs to determine whether further consideration in making an adjustment is warranted. OCTA will also consider input received through disparity studies in OCTA's market area.

The Overall DBE Goal for FFY 2022/24 goal period for OCTA's FTA-assisted contracts is 11 percent.

The proposed goal further serves to identify the relative availability of DBEs based on evidence of ready, willing, and able DBEs to all comparable firms, which are known to be available to compete for and perform on OCTA's FTA-assisted contracts. The proposed goal reflects a determination of the level of DBE participation, which would be expected absent the effects of discrimination.

V. RACE-NEUTRAL/RACE-CONSCIOUS APPLICATION

OCTA reinstated race-conscious measures, coupled with race-neutral measures in April 2014 based on results received from the Southern California Regional Disparity Study, OCTA's analysis of its past utilization data and an examination of similar market area disparity studies.

A. Consideration of the Amount by which OCTA has Exceeded Goals in the Past

DOT has identified the amount a recipient has exceeded their overall goals in the past years as a useful tool in projecting the race/gender-neutral participation one can expect in future Federal Fiscal Years.

The following table reflects the demonstrated capacity of DBEs on FTA-assisted contracts completed by OCTA within the last three Federal Fiscal Years:

Table 4

Overall DBE Goal by Period	Federal Fiscal Year	DBE Attainment	% Goal Exceeded
10%	FFY 2018*	34.1%	24.1%
11%	FFY 2019	12.8%	1.8%
11%	FFY 2020	11.0%	0%
Median % Goals Exceeded by = 0%, 1.8%, 24.1% = 1.8%* Median Participation above			

**FFY 2021 still in progress as of the date of methodology preparation, so FFY 2018 was used in lieu of FFY 2021*

OCTA's Historical Past Participation above the DBE goal produced a median of 1.8 percent DBE Participation (as illustrated in the table above). As OCTA's historical DBE Participation exceeded the projected DBE goal valid during the attainment periods, it is reasonable to conclude that at least 1.8 percent of the FFY 2022/24 goal can be met race-neutrally.

OCTA intends to meet those goals to the maximum extent feasible through the race neutral measures described herein. Where race neutral measures are inadequate to meet the overall goal, OCTA will establish contract-specific DBE goals on U.S. DOT-assisted contracts with subcontracting opportunities and relative DBE availability.

OCTA may establish a DBE contract goal that is higher or lower than its overall goal, depending on such factors as the type of work involved, the location of the work, and the availability of DBEs for the work of the particular contract.

OCTA's contract goals will provide for participation by all certified DBEs and will not be subdivided into group-specific goals.

B. Past Participation by DBE Prime Contractors

DOT has identified that the amount of past participation obtained through the use of DBE primes should be considered achieved race/gender-neutrally and that those attainments can be used as a basis for estimating a similar level of race/gender-neutral participation in the next overall goal period.

Therefore, OCTA considered the amount of past DBE participation (based on awards) obtained through the use of DBE primes in FFYs 2018, 2019 and 2020 below:

Table 5

FFY	Total Dollar Value Awarded to DBE Prime	Reporting Period	Total Dollar Value of Awarded Contracts
2018	\$ 1,791,307.00	10/1/17 - 03/31/18	\$ 4,426,893.00
	\$ 564,203.00	04/1/18 - 09/30/18	\$ 4,766,528.00
2019	\$ 5,719,711.00	10/1/18 - 03/31/19	\$ 37,486,779.00
	\$ 2,639,455.00	04/1/19 - 09/30/19	\$ 5,419,028.00
2020	\$ 203,400.00	10/1/19 - 03/31/20	\$ 12,031,519.00
	\$ 531,800.00	04/1/20 - 09/30/20	\$ 4,137,932.00
Total:	\$ 21,449,876.00		\$ 168,268,679.00
% DBE Prime Participation	Total Dollar Value Completed by DBE Prime (\$21,449,876) / Total Dollar Value of Completed Contracts (\$168,268,679) = 12.75% DBE Prime Participation		12.75%

OCTA found that 12.75 percent of the DBE participation during FFYs 2018 through 2020 was produced by the utilization of DBE primes. This value was developed by dividing the total dollars awarded to DBE Primes (\$21,449,876) by the total dollars awarded on all Primes contracts (\$168,268,679) within FFYs 2018 through 2020, as displayed in the table above. OCTA confirmed that the projects completed during FFYs 2018 through 2020 were similar to the types of projects being procured in the upcoming overall goal period, a required criterion for consideration in utilizing DBE prime participation to validate race-neutral application. As 12.75 percent DBE participation was achieved on like-projects during the attainment period reviewed OCTA concluded that this rate of DBE participation would be an accurate reflection of DBE prime capacity in the primary types of work projected to be performed in the coming overall goal period.

C. Consider Past Participation by DBE Subcontractors on Contracts without Goals

DOT has identified that the amount of past participation obtained through the use of DBE subcontractors on contracts without DBE goals should be considered achieved race/gender-neutrally and that those attainments can be used as a basis for estimating a similar level of race/gender-neutral participation in the next overall goal period. Therefore, OCTA considered the amount of past DBE subcontractor participation on contracts without DBE goals in FFYs 2018, 2019 and 2020 below:

Table 6

FFY	Total Dollar Value Awarded to DBE Subcontractors on RN Contracts	Reporting Period	Total Dollar Value of Awarded RN Prime Contracts
2018	\$ 4,469	10/1/17 - 03/31/18	\$ 1,791,307.00
	\$ 43,745	04/1/18 - 09/30/18	\$ 564,203.00
2019	\$0	10/1/18 - 03/31/19	\$ 15,719,711.00
	\$ 16,400	04/1/19 - 09/30/19	\$ 2,639,455.00
2020	\$ 40,460	10/1/19 - 03/31/20	\$ 203,400.00
	\$ 16,640	04/1/20 - 09/30/20	\$ 531,800.00
Total:	\$ 121,714		\$ 21,449,876.00
Total Dollar Value Awarded to DBE Subs (\$121,714) / Total Dollar Value Awarded on RN Prime Contracts (\$21,449,876) = 0.57%			.57% RN DBE Subcontract Participation

A DBE participation value of 0.57 percent was derived by the utilization of DBE firms in the Race-Neutral (RN) periods above. OCTA confirmed that the projects completed during FFYs 2018 through 2020 were similar to the types of projects being procured in the upcoming overall goal period, a required criterion for consideration in utilizing DBE prime participation to validate race-neutral application. As 0.57 percent DBE participation was achieved on like-projects during the attainment period reviewed OCTA concluded that this rate of DBE participation would be an accurate reflection of DBE subcontractor's capacity to perform race-neutrally in the 2022/24 overall goal period.

D. Consider MBE/WBE/DBE Participation Pursuant to Race/Gender-Neutral State or Local Programs.

OCTA monitors Small Business participation but does not currently track MBE/WBE/DBE participation on Race/Gender-Neutral or Local Programs. OCTA will consider methods of tracking this information in the future for use in considering the proper race/gender-neutral application.

E. Past History of Inability to Achieve Goals

DOT has identified that a recipient's past inability to meet their goals in the past years as a powerful indicator that the recipient may be justified in applying race-/gender-conscious measures to achieve their goals in future FFY. The following table below reflects the demonstrated capacity of DBEs (measured by historical DBE participation) on FTA-assisted contracts awarded by OCTA within the last three FFY:

Table 7

Overall DBE Goal by Period	FFY	DBE Attainment	% Below DBE Goal
10%	FFY 2018*	34.1%	0%
11%	FFY 2019	12.8%	0%
11%	FFY 2020	11.0%	0%

*FFY 2021 still in progress as of the date of methodology preparation, so FFY 2018 was used in lieu of FFY 2021

OCTA's historical DBE participation did not produce a shortfall in OCTA's ability to meet goals in Federal Fiscal Years 2018 through 2020. Considering that OCTA's median rate for exceeding the DBE goal is 1.8 percent, that OCTA was able to achieve 12.75 percent in race-neutral participation from DBE Primes on like projects, and that OCTA achieved 0.57 percent in race-neutral DBE subcontractor participation, OCTA added the three race-neutral percentages together and divided that number by three to find the average race-neutral participation.

As three years of DBE Participation data was reviewed for projects with similar scopes and values to the projects in the upcoming goal period, OCTA can reasonably assume that the rates of DBE participation reflected are an accurate reflection of DBE capacity to perform race-neutrally in the 2022/24 overall goal period. OCTA has applied this to the proposed DBE Goal to project the necessary race-conscious/race-neutral breakout, as illustrated below:

% Goals Exceeded in Past = 1.8%

RN DBE Prime Participation = 12.75%

RN DBE Sub Participation = .57%

1.8% (% Goals Exceeded in Past) + 12.75% (RN DBE Prime Participation) + .57% (RN DBE Sub Participation) = 15.12%

15.12% / 3 = 5.04% (Average RN Participation)

5% RN Projection (Rounded to the nearest whole number)

DBE Goal: 11%

RN Application 5% / RC Application 6%

Consistent with the FTA guidance provided, and the reasons delineated above, OCTA has found it advisable to implement the race-neutral/race-conscious breakout illustrated above to meet the proposed Overall DBE Goal of 11% in accordance with 49 CFR Part 26.51.

F. Monitor DBE Participation to Determine Whether an Adjustment to the Use of Race/Gender-Conscious Measures is Necessary

OCTA will continue to monitor its DBE participation during the overall goal period to determine whether the application of OCTA's race-neutral/race-conscious measures to meet the proposed Overall DBE Goal of 11 percent remains on target. OCTA will adjust the application of race/gender-neutral and race/gender-conscious measures, as necessary to ensure OCTA meets the maximum feasible portion the overall goal by using race/gender-neutral means of facilitating DBE participation.

VI. PUBLIC PARTICIPATION AND FACILITATION

In accordance with Public Participation Regulatory Requirements of Title 49 CFR Part 26, minority, women, local business chambers, and community organizations within OCTA's market area will be consulted and provided an opportunity to review OCTA's goal analysis and provide input.

OCTA will issue a Public Notice, publishing OCTA's Proposed Overall Goal for the FFYs 2022/24. The Notice will inform the public that the proposed goal and rationale are available for inspection at OCTA's CAMM NET website for 30 days following the date of the Public Notice and that OCTA will accept comments on the goal analysis for 30 days from the date of the Public Notice.

Furthermore, OCTA consults and will continue to consult with minority groups and organizations year-round via event attendance and facilitation to directly solicit the public in-person regarding input they have on DBE opportunities and any real and/or perceived barriers to DBE participation.

Staff has initiated the public participation process. This includes the following: 1) sending the proposed goal and methodology to local/ethnic chambers of commerce and other business/community organizations in OCTA's market area; 2) participating in targeted outreach events to provide these organizations, their members/constituents, and OCTA bidders/vendors/contractors with the opportunity to comment and/or offer feedback on the proposed goal or input regarding barriers to DBE participation; 3) advertising the goal (via a public notice) on OCTA's website and 4) including, in the public notice, instructions for viewing and/or providing feedback on the proposed goal and methodology.

To further support the public participation process, OCTA hosted a virtual Public Consultation Meeting. This meeting was designed to facilitate receiving input from OCTA's contracting community, stakeholders, which include minority and women business groups, community organizations, trade associations and other officials or organizations that may have information concerning the availability of disadvantaged businesses and comments on OCTA's proposed DBE overall goal and corresponding methodology.

After completion of the public participation process, staff will consider any feedback as a factor in making a further adjustment to the goal. If the goal percentage changes from the proposed 11% staff will return to the Board for approval of the adjusted goal and will then submit the goal and methodology to the FTA.



COMMITTEE TRANSMITTAL

June 28, 2021

To: Members of the Board of Directors

From: Andrea West, Interim Clerk of the Board

(A)

Subject: State Legislative Status Report

Legislative and Communications Committee Meeting of June 17, 2021

Present: Directors Bartlett, Delgleize, Hennessey, Hernandez, Murphy, Sidhu, and Wagner

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 7-0 by the Members present.

Committee Recommendation

Adopt a SUPPORT position on SB 790 (Stern, D-Calabasas), which would create a new mitigation credit program for transportation projects that include wildlife connectivity benefits.



June 17, 2021

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: State Legislative Status Report

Overview

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. A position is recommended on legislation that would create a new mitigation credit program for transportation projects that improve wildlife connectivity. An update is provided on fiscal year 2021-22 state budget and the priorities being pursued by the Orange County Transportation Authority.

Recommendation

Adopt a SUPPORT position on SB 790 (Stern, D-Calabasas), which would create a new mitigation credit program for transportation projects that include wildlife connectivity benefits.

Discussion

SB 790 (Stern): Wildlife connectivity mitigation credits

In 2017, AB 1282 (Chapter 643, Statutes of 2017), a bill supported by the Orange County Transportation Authority (OCTA), established a Transportation Permitting Task Force (Task Force). The final report given to the Legislature described a variety of challenges and found that mitigation efforts are one of the main causes of delays and inefficiencies in transportation project delivery.

SB 790 (Stern, D-Calabasas) was developed to help address mitigation challenges discussed in the Task Force's final report by creating a new compensatory mitigation program. Specifically, SB 790 requires the California Department of Fish and Wildlife (CDFW) to coordinate with the California Department of Transportation (Caltrans) to provide mitigation credits for future highway improvements that enhance local and regional habitat connectivity. These improvements could include an overpass/underpass, vegetation

management, directional fencing, and barrier modification, among others. If a Caltrans transportation project meets certain standards evaluated by the CDFW, including physical roadway factors and overall benefit to wildlife's ability to cross the roadway, then they would have the opportunity to request CDFW to issue the credits. These compensatory mitigation credits could then be used by Caltrans to satisfy obligations to mitigate the impacts of transportation projects required by the California Environmental Quality Act, the California Endangered Species Act, and the Lake and Streambed Alteration program. Through this bill, CDFW can only issue ten credits for new transportation projects in a given fiscal year and no more than two in each region.

OCTA has been a leader in the State in establishing advanced mitigation options for transportation projects. As a part of the Measure M2 sales tax program, OCTA's Environmental Mitigation Program allocates five percent of net freeway revenues toward offsetting the environmental impacts of Measure M2 highway projects. SB 790 promotes the concept of advanced environmental mitigation, complementing the work OCTA is already undertaking. If passed, SB 790 would allow OCTA to work with Caltrans on potential wildlife connectivity improvements as part of transportation projects and use any mitigation credit from those improvements to help mitigate environmental impacts from future transportation projects.

A comprehensive analysis of SB 790, along with the text of the bill, is included as Attachment A. SB 790 is supported by a variety of environmental groups as well as the Ventura County Transportation Commission. A SUPPORT position for SB 790 is consistent with OCTA's 2021-22 State Legislative Platform principle to "Support streamlined environmental review and permitting processes for transportation projects and programs to avoid potentially duplicative and unnecessary analysis, while still maintaining traditional environmental protections."

State Budget Update

In the face of an unprecedented budget year, the State Legislature has been evaluating Governor Gavin Newsom's May Revision proposals, which includes significantly higher-than-anticipated revenue forecasts and across-the-board robust and historic investments. OCTA has been actively engaged as budget conversations progress to ensure investments in transportation are effective in creating jobs and providing improvements for mobility throughout the State.

On June 1, 2021, OCTA sent correspondence to the Governor and Legislative leaders detailing these transportation-related priorities. Specifically, OCTA continues to advocate for statutory relief for transit agencies through the Transportation Development Act, additional funding for SB 1 (Chapter 5, Statutes of 2017) programs to expedite project delivery, and a funding set-aside for zero-emission transit buses to assist in the implementation of the Innovative

Clean Transit regulation. Other priorities OCTA supports include new funding opportunities to incentivize transit ridership as recovery from the coronavirus pandemic continues, broad investment in the 2028 Olympic and Paralympic Games in Los Angeles to benefit all areas serving the Olympics, and funding to support sustainable communities strategies, created pursuant to SB 375 (Chapter 728, Statutes of 2008), to aid in the planning and implementing of projects that will reduce regional greenhouse gas emissions. A copy of the letter is included as Attachment B.

OCTA staff will provide a verbal update on the final budget adoption at the June 17, 2021 Legislative and Communications Committee meeting. While it is anticipated the Legislature will meet its Constitutionally prescribed deadline of June 15, 2021, it is also expected that this year's budget negotiations will continue into the summer and early fall due to the nature of these historic funding levels. OCTA staff will continue to monitor these proposals and provide relevant updates.

Summary

A support position is requested regarding a legislative proposal to create a program to improve wildlife connectivity. An overview is provided of the state's budget process and the Orange County Transportation Authority's advocacy for transportation-related investment priorities.

Attachments


- A. SB 790 (Stern, D-Calabasas) Bill Analysis with Bill Language
- B. Letter from Andrew Do, Chairman, Orange County Transportation Authority, to the Honorable Gavin Newsom, Governor, State of California, the Honorable Toni Atkins, President pro Tempore, California State Senate, and the Honorable Anthony Rendon, Assembly Speaker, California State Assembly, dated June 1, 2021.
- C. Orange County Transportation Authority Legislative Matrix

Prepared by:



Alexis Leicht
Associate Government Relations Representative,
Government Relations
(714) 560-5475

Approved by:



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

BILL: SB 790 (Stern, D-Calabasas)
Introduced February 19, 2021
Amended March 22, 2021
Amended April 14, 2021
Amended May 20, 2021

SUBJECT: SB 790 would create a new environmental mitigation credit program to improve wildlife connectivity for transportation projects.

STATUS: Pending in the Assembly
Passed Senate 39-0
Passed Senate Appropriations Committee 7-0
Passed Senate Natural Resources and Water Committee 9-0
Passed Senate Transportation Committee 16-0

SUMMARY AS OF June 2, 2021:

In 2017, AB 1282 (Chapter 643, Statutes of 2017), a bill supported by the Orange County Transportation Authority (OCTA), established a Transportation Permitting Task Force (Task Force) and required a report to the California State Legislature on recommendations for permitting reform to advance transportation projects. This report described a variety of challenges and found that mitigation is one of the main causes of delays and inefficiencies in transportation project delivery. Chiefly, among the recommendations, the Task Force concluded that it would be most prudent to establish an in-lieu fee program whereby California Department of Transportation (Caltrans) could pay a fee to fund mitigation projects. SB 790 (Stern, D-Calabasas) was developed to implement these strategies.

SB 790 would create a new compensatory environmental mitigation program. The California Department of Fish and Wildlife (CDFW) would be required to coordinate with Caltrans in order to provide mitigation credits for future highway improvements that enhance local and regional habitat connectivity. These improvements could include an overpass/underpass, vegetation management, directional fencing, barrier modification, among others. If a Caltrans transportation project meets certain standards evaluated by the CDFW, including physical roadway factors and overall benefit to wildlife ability to cross the roadway, then they would have the opportunity to request CDFW to issue the credits. These compensatory mitigation credits could then be used by Caltrans to satisfy obligations to mitigate the impacts of transportation projects required by the California Environmental Quality Act, the California Endangered Species Act, and the Lake and Streambed Alteration program. Through this bill, CDFW can only issue 10 credits for new transportation projects in a given fiscal year and no more than two in each region.

EFFECTS ON ORANGE COUNTY:

OCTA has been a leader in the state in establishing advanced mitigation options for transportation projects. As a part of the Measure M sales tax program, OCTA's

Environmental Mitigation Program allocates five percent of net freeway revenues toward a comprehensive effort to offset the environmental impacts of the Measure M freeway projects by acquiring and preserving large swaths of open space land and protecting plant and animal species in their native habitats. SB 790 promotes the concept of advanced environmental mitigation, complementing the work OCTA is already undertaking. If passed, SB 790 would allow OCTA to work with Caltrans on potential wildlife connectivity improvements as part of transportation projects and use any mitigation credit from those improvements to help mitigate environmental impacts from future transportation projects.

SB 790 is supported by a variety of environmental groups and the Ventura County Transportation Commission. A SUPPORT position on SB 790 is consistent with OCTA's 2021-2022 State Legislative Platform principle to "Support streamlined environmental review and permitting processes for transportation projects and programs to avoid potentially duplicative and unnecessary analysis, while still maintaining traditional environmental protections

OCTA POSITION:

Staff recommends: SUPPORT

AMENDED IN SENATE MAY 20, 2021

AMENDED IN SENATE APRIL 14, 2021

AMENDED IN SENATE MARCH 22, 2021

SENATE BILL

No. 790

Introduced by Senators Stern and Cortese

(Principal coauthor: Assembly Member Friedman)

(Coauthor: Senator Archuleta)

(Coauthor: Assembly Member Bloom)

February 19, 2021

An act to add Chapter 13 (commencing with Section 1950) to Division 2 of the Fish and Game Code, relating to fish and wildlife.

LEGISLATIVE COUNSEL'S DIGEST

SB 790, as amended, Stern. Wildlife connectivity mitigation credits.

Existing law vests the Department of Fish and Wildlife (DFW) with jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. Existing law vests the Department of Transportation (Caltrans) with full possession and control of the state highway system.

This bill would require DFW, in consultation with Caltrans, to provide compensatory mitigation credits to support modifications and planning of projects on the state highway system that improve local and regional habitat connectivity and result in fish passage, wildlife connectivity, and other environmental improvements. *The bill would prohibit, in each fiscal year, DFW from providing compensatory mitigation credits for more than 10 new projects, as described above, or for more than 2 of those projects in each region.* The bill would authorize Caltrans to

request DFW to issue credits for actions that Caltrans takes to improve fish and wildlife connectivity in connection with a project on the state highway system in excess of any legally required mitigation. The bill would authorize Caltrans to use those credits to satisfy obligations to mitigate the impacts of projects on the state highway system on fish and wildlife in the same Caltrans district.

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

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

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

3 (a) California's climate is changing. Rising temperatures,
4 increases in the frequency and severity of extreme events like
5 drought and wildfire, changing ocean conditions, and shifts in
6 precipitation patterns all pose threats to California's plants and
7 animals.

8 (b) These extreme changes alter the temperature ranges in which
9 species thrive and survive, causing stress to plants and animals.
10 This creates a series of cascading effects like altering predator-prey
11 relationships, causing fluctuations in food and water supplies, and
12 exacerbating human-caused stressors like contaminants and habitat
13 loss.

14 (c) Land use has been changing as the state's population
15 continues to grow. Development decisions sometimes result in the
16 conversion of grasslands, rangelands, and other natural lands and
17 working lands to urban uses. This destroys natural habitats and
18 corridors necessary for migration of species, which are even more
19 important under changing climate conditions.

20 (d) As regional weather patterns and habitat continue to shift
21 due to climate change, wildlife populations will likely require new
22 foraging, breeding, and sheltering locations. Connectivity between
23 existing core habitat areas and those required to support future
24 wildlife populations will be crucial to allow safe migration of
25 species between protected areas as climate patterns shift.

26 (e) The report prepared by the Transportation Permitting Task
27 Force pursuant to Section 155.7 of the Streets and Highways Code
28 makes the recommendation that agencies should establish a

crediting framework for projects that result in fish passage and wildlife connectivity.

(f) Wildlife corridors and connected habitat are necessary to help native species like mountain lions, bobcats, porcupines, badgers, and deer, as well as birds, fish, insects, reptiles, and amphibian species that suffer from increasingly fragmented habitats, to maintain healthy populations, support genetic diversity, and protect wildlife from lands or infrastructure where they have the potential to face negative human-wildlife interactions or cause traffic collisions.

SEC. 2. Chapter 13 (commencing with Section 1950) is added to Division 2 of the Fish and Game Code, to read:

CHAPTER 13. WILDLIFE CONNECTIVITY MITIGATION CREDITS

1950. For purposes of this chapter, the following terms apply:

(a) "Region" means a Department of Transportation district.

(b) "Transportation project" means a project to construct or improve a portion of the state highway system.

1951. (a) (1) The Department of Fish and Wildlife, in consultation with the Department of Transportation, shall provide compensatory mitigation credits to support modifications and planning of transportation projects that improve local and regional habitat connectivity and result in fish passage, wildlife connectivity, and other environmental improvements. These environmental improvements may include, but are not limited to, all of the following:

(A) An overpass or underpass.

(B) Vegetation management.

(C) Directional fencing.

(D) Barrier modification.

(2) *In each fiscal year, the Department of Fish and Wildlife shall not provide compensatory mitigation credits for more than 10 new transportation projects that improve local and regional habitat connectivity and result in fish passage, wildlife connectivity, and other environmental improvements, as described in paragraph (1), or for more than two of those projects in each region.*

~~(2)~~

(3) In determining the value of compensatory mitigation credits for actions undertaken by the Department of Transportation, the Department of Fish and Wildlife shall consider all of the following:

(A) The impact on the ability of wildlife to access the opposite side of the roadway, including the length of the barrier, the distance of roadway until the next wildlife crossing, and the number of lanes *that* wildlife would need to cross.

(B) The value of the habitat on the opposite side of the roadway, including impacts on genetic diversity, wildlife migration, and access to additional latitudes and altitudes of habitat to adapt to climate change.

(C) The impact on critical terrestrial habitat linkages, including, but not limited to, the Santa Monica ~~Mountains~~, *Mountains and Rim of the Valley Corridor*, Santa Ana Mountains, San Gabriel Mountains, San Bernardino Mountains, Santa Cruz Mountains, and the Gabilan Mountain Range.

(D) Topography, watercourse presence, vegetative cover, mortality data, or other factors that increase the likelihood of use, or value of, a particular location for connectivity.

(b) In determining the value of the compensatory mitigation credits under this section, the Department of Fish and Wildlife and the Department of Transportation may consult with the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the United States Army Corps of Engineers.

(c) If the Department of Transportation takes actions to improve fish and wildlife connectivity in connection with a transportation project, the Department of Transportation may request that the Department of Fish and Wildlife issue credits for any action that the Department of Transportation ~~completed~~ *completes* in excess of any legally required mitigation. The Department of Fish and Wildlife shall issue the credits to the Department of Transportation in accordance with the requirements of this chapter.

(d) The Department of Fish and Wildlife, for purposes of implementing this section, may develop an in-lieu fee program.

(e) The Department of Transportation may use compensatory mitigation credits issued pursuant to subdivision (c) to satisfy obligations to mitigate the impacts of transportation projects on fish and wildlife required by any of the following laws:

(1) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

- 1 (2) The California Endangered Species Act (Chapter 1.5
- 2 (commencing with Section 2050) of Division 3).
- 3 (3) The Lake and Streambed Alteration Program established
- 4 pursuant to Chapter 6 (commencing with Section 1600).
- 5 (f) The Department of Transportation may only use
- 6 compensatory mitigation credits issued pursuant to subdivision
- 7 (c) within the same region in which the credits were issued.

O



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June 1, 2021

The Honorable Gavin Newsom
Governor of California
State Capitol
Sacramento, California 95814

The Honorable Anthony Rendon
Assembly Speaker
State Capitol, Room 219
Sacramento, California 95814

The Honorable Toni Atkins
Senate President pro Tempore
State Capitol, Room 205
Sacramento, California 95814

Dear Governor Newsom, Senate pro Tem Atkins, and Speaker Rendon:

On behalf of the Orange County Transportation Authority (OCTA), we are pleased to support the budgetary requests outlined in this letter, which will create good-paying jobs and provide meaningful mobility solutions throughout the State. In the face of an unprecedented budget year, OCTA recognizes the importance of the historic investments taking place to maintain a strong economy and robustly recover from the coronavirus (COVID-19) pandemic. We are encouraged by the Administration's and Legislative leadership's efforts to make transportation a priority. As Orange County's transportation planning agency, we stand ready to partner with the State to put these meaningful investments to work and are grateful for your continued support. We hope that you consider the following requests when developing this year's budget.

Statutory Relief Measures for Transit Agencies

As transit agencies continue to experience effects from the COVID-19 pandemic and look toward recovery, OCTA supports providing statutory relief through the Transportation Development Act (TDA) to ensure that transit agencies are not unfairly penalized due to consequences of the COVID-19 pandemic out of their control. This request aligns with and builds on action taken by the State last year that provided much needed support to transit agencies to ensure essential services were maintained. Specifically, OCTA supports the following proposals:

- Prevent any financial penalty to be imposed on a transit operator that is unable to meet its farebox recovery requirement through fiscal year (FY) 2023-24.

June 1, 2021

Page 2

- Institute a hold harmless provision for calculation and allocation of the State Transit Assistance (STA) Program, State of Good Repair Program, and Low Carbon Transit Operations Program through FY 2023-24. Such formula programs are based on 50 percent of the revenues for each transit agency.
- Exempt a transit operator from meeting STA efficiency standards, with each agency able to utilize funding for either operating or capital purposes through FY 2023-24.
- Postpone the TDA audit requirements scheduled for calendar years 2022 and 2023. Review the current performance audit requirements to identify opportunities for streamlining.
- Suspend the TDA farebox recovery and STA efficiency criteria requirements for transit agencies through FY 2023-24.
- Revise the definition of operating cost in calculating farebox recovery and STA efficiency criteria requirements to exclude costs related to paratransit, demand-response and microtransit services, payment and ticketing systems, planning for improvements in transit operations, security services, and public safety contracts.

Transportation Funding

The State has a unique opportunity to significantly invest in transportation infrastructure in a way that will support a robust economic recovery, accelerate the State's ambitious goals related to the environment, and support meaningful projects that will transform communities. OCTA is specifically supportive of further investment being provided through the following programs to effectively achieve these priorities:

- The State Transportation Improvement Program (STIP), which serves communities in providing multimodal mobility options. Investment in this program will allow for acceleration of these high-priority multimodal projects. Funding through the STIP also provides direct allocation to regional priorities on a formula basis which allows for immediate investment in the infrastructure system.
- The Solutions for Congested Corridors Program, which is aimed to reduce congestion throughout the State in a way that balances improvements in the environment and access to the transportation system.
- The Trade Corridor Enhancement Program which aids in providing funding to deliver infrastructure improvements to address bottlenecks and facilitate efficient freight movement on the State's most economically significant trade corridors.

- The Local Partnership Program (LPP), which provides funding to entities that administer local sales tax measures to help fund transportation improvements in their region. This helps leverage resources from local programs with funding provided by LPP to deliver more significant investments.
- The Active Transportation Program, which supports projects to improve transportation options and access to safely walking and biking. This program has been historically oversubscribed and currently lacks sufficient investment to achieve its optimal benefit. Emphasis should be placed on funding the backlog of projects consistent with regional priorities.

Other Stimulus Investments Benefitting Transportation

Beyond the above funding programs, OCTA also supports the creation of additional funding opportunities to help with the delivery of Orange County's local sales tax program and to further incentivize zero-emission transportation options and transit recovery. OCTA supports providing a funding set-aside specifically for transit agencies to convert their fleets to zero-emission technology, assisting in the implementation of the California Air Resources Board's Innovative Clean Transit regulation requiring the transition of all transit buses in California to zero-emission technologies by 2040.

Additionally, while Californians are continuing to get vaccinated and restrictions related to the pandemic are beginning to be pulled back, transit agencies are still facing ridership and related revenue challenges. In order to boost transit ridership, OCTA supports new funding opportunities to incentivize transit ridership. This could include new funding programs directed at implementation of short-term fare free/reduced fare transit pilot programs, projects to improve the customer experience, operational analysis to expand transit access and efficiency, and customer outreach and engagement efforts.

There are also several new programs proposed in the Governor's May Revision, which OCTA hopes to inform in a way to maximize the benefits. For example, the proposed \$1 billion in funding for the 2028 Olympic and Paralympic Games in Los Angeles is to be administered through the Transit and Intercity Capital Rail Program. To prepare the region, there will be a need for substantial investments in a robust transportation network. The impacts of the Olympics will stretch beyond Los Angeles, and therefore, the funding investments need to be made broadly to benefit all areas that will serve the Olympics, including Orange County.

June 1, 2021

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In addition, \$500 million is proposed to support sustainable communities strategies, created pursuant to SB 375 (Chapter 728, Statutes of 2008), via a program administered by the California Department of Housing and Community Development. This funding will aid in the planning and implementing of projects that will reduce regional greenhouse gas emissions. It is imperative that the eligibility for this funding be crafted in a way that is broad enough so transportation and transit agencies can leverage this resource, and the funding is allocated equitably to each region.

As you continue with budget discussions, we thank you for your consideration of these requests. OCTA is proud to partner with the State to deliver transportation solutions in Orange County and believe these requests will help achieve such goals. Please do not hesitate to contact Kristin Jacinto, Manager of State and Federal Relations, at kjacinto@octa.net or (714) 560-5754 should any questions arise.

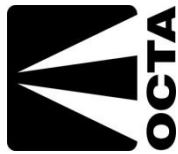
Sincerely,



Andrew Do
Chairman

AD:al

c: The Honorable Lena Gonzalez, Chair, Senate Transportation Committee
The Honorable Nancy Skinner, Chair, Senate Budget and Fiscal Review
Committee
The Honorable Maria Elena Durazo, Chair, Senate Budget Subcommittee No. 5
The Honorable Laura Friedman, Chair, Assembly Transportation Committee
The Honorable Phil Ting, Chair, Assembly Budget Committee
The Honorable Richard Bloom, Chair, Assembly Budget Subcommittee No. 3
The Honorable David Kim, Secretary, California State Transportation Agency
Members, Orange County State Legislative Delegation
Topp Strategies
Darrell E. Johnson, Chief Executive Officer, OCTA



Orange County Transportation Authority Legislative Matrix

2021 State Legislation Session
June 17, 2021

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
BILLS WITH POSITIONS			
<p>► AB 339 (Lee – D)</p> <p>State and Local Government: Open Meetings</p>	<p>Requires open and public meetings of city councils and boards of supervisors with populations greater than 250,000 to include an opportunity for all persons to attend and make public comment via a call-in option or an internet-based service option. Requires open and public meetings to provide the public with an opportunity to comment on proposed legislation, and requires translation services to be provided, as specified. These provisions would become inoperative on December 31, 2023.</p>	<p>INTRODUCED: 01/28/2021 LAST AMEND: 05/04/2021 LOCATION: Assembly Third Reading File</p> <p>STATUS: 05/20/2021 <i>In ASSEMBLY. Read second time. To third reading.</i></p>	<p>Neutral (as of amendments May 5, 2021)</p> <p>Oppose: Transportation Corridor Agencies (TCA), Rural Counties Representatives of California, California Special Districts Association, League of California Cities, California State Association of Counties</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 1499 (Daly – D)</p> <p>Transportation: Design-Build: Highways</p>	<p>Extends statewide design-build authority related to the state highway system <i>until January 1, 2034</i>.</p>	<p>INTRODUCED: 02/19/2021 LAST AMEND: 05/24/2021 LOCATION: SENATE</p> <p>STATUS: 06/01/2021 <i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.</i></p>	<p>Support</p> <p>Support: Self-Help Counties Coalition (co-sponsor), Professional Engineers in California Government (co-sponsor)</p>

BILL NO./ AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 261 (Allen – D) Regional Transportation Plans: Sustainable Communities	Requires that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the California Air Resources Board.	INTRODUCED: 01/27/2021 LOCATION: Senate Transportation Committee STATUS: 03/15/2021 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on TRANSPORTATION. (5-2).	OPPOSE UNLESS AMENDED (partial list) Support: Climateplan, Coalition for Clean Air, Environmental Health Coalition Oppose: California Association of Council of Governments (CALCOG), Southern California Association of Governments (unless amended), California Building Industry Association, California Chamber of Commerce, Associated General Contractors

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 274 (Wieckowski – D)</p> <p>Local Government Meetings: Agenda and Documents</p>	<p>Requires a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. Upon a determination that it is technologically infeasible to email such a link, requires the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet.</p>	<p>INTRODUCED: 01/29/2021 LAST AMEND: 04/05/2021 LOCATION: Assembly Local Government Committee HEARING: 06/09/2021 1:30pm</p> <p>STATUS: 05/13/2021 <i>To ASSEMBLY Committee on LOCAL GOVERNMENT.</i></p>	<p>NEUTRAL (as of amendments April 5, 2021)</p> <p>Support: California Taxpayers Association, California Association of Realtors, Association of California Water Agencies, American Federation of State, County and Municipal Employees</p> <p>Oppose: TCA</p>
<p>► SB 339 (Wiener – D)</p> <p>Vehicles: Road Usage Charge Pilot Program</p>	<p>Extends the operation of specified provisions until a specified date concerning a requirement of the Chair of the California Transportation Commission to create a Road Usage Charge Technical Advisory Committee in consultation with the Secretary of Transportation. Implements a pilot program to identify and evaluate issues related to the collection of revenue for a road charge program, as specified.</p>	<p>INTRODUCED: 02/08/2021 LAST AMEND: 05/20/2021 LOCATION: ASSEMBLY</p> <p>STATUS: 06/01/2021 <i>In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (28-11)</i></p>	<p>SUPPORT</p> <p>Support: CALCOG, California Transit Association, California Transportation Commission, Bay Area Rapid Transit</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 623 (Newman – D) Electronic Toll and Transit Fare Collection Systems	Authorizes those operators to provide instead only the information specified in functional specifications and standards adopted by the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and operators of toll facilities in this state on federal-aid highways for purposes of interstate interoperability.	INTRODUCED: 02/18/2021 LOCATION: Senate Judiciary Committee STATUS: 04/27/2021 In SENATE Committee on JUDICIARY: Not heard.	SUPPORT Support: TCA, Southern California Association of Governments, Bay Area Toll Authority
► SB 640 (Becker – D) Transportation Financing: Jointly Proposed Projects	Authorizes cities and counties to <i>propose projects to be jointly funded</i> by the cities and counties' apportionments of Local Street and Road funds.	INTRODUCED: 02/19/2021 LAST AMEND: 05/20/2021 LOCATION: Senate Appropriations Committee STATUS: 06/01/2021 <i>In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (39-0)</i>	SUPPORT Support: League of California Cities, City of Belmont, American Public Works Association California Advocacy Committee, California Asphalt Pavement Association, City of Burlingame, City of Fresno, City of San Carlos, City of San Mateo, Fresno Council of Governments, San Mateo County

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
► SB 790 (Stern – D) <i>Wildlife</i> connectivity mitigation credits	Creates a new compensatory mitigation credit program to support modifications and planning of projects on the state highway system that improve local and regional habitat connectivity and result in fish passage, wildlife connectivity, and other environmental improvements. Prohibits, in each fiscal year, California Department of Fish and Wildlife from providing compensatory mitigation credits for more than 10 new projects, as described above, or for more than 2 of those projects in each region.	INTRODUCED: 02/19/2021 LAST AMEND: 05/20/2021 LOCATION: ASSEMBLY STATUS: 06/01/2021 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (39-0)	Staff Recommends: SUPPORT (partial list) Support: Ventura County Transportation Commission, Planning and Conservation League, Sierra Club, Endangered Habitats League

BILLS BEING MONITORED

CA AB 29 (Cooper), which pertained to public meetings, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

CA AB 30 (Kalra), which pertained to public meetings, failed to meet fiscal committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

► AB 41	AUTHOR:	Wood [D]
	TITLE:	Broadband Infrastructure Deployment
	INTRODUCED:	12/07/2020
	LAST AMEND:	05/24/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	Requires the Broadband Council to define and identify priority areas for broadband deployment within the state and to develop a notification system to coordinate conduit deployment between the Department of Transportation, the Public Utilities Commission, and internet service providers.
	STATUS:	05/25/2021 In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Broadband

► AB 43	AUTHOR:	Friedman [D]
	TITLE:	Traffic Safety
	INTRODUCED:	12/07/2020
	LAST AMEND:	03/22/2021
	LOCATION:	Senate Transportation Committee
	SUMMARY:	Requires local authorities to consider other factors, including pedestrian and bicycle safety, that are allowed but not required to be considered under existing law.
	STATUS:	05/19/2021 To SENATE Committee on TRANSPORTATION.
	CATEGORY:	Planning

CA AB 67 (Petrie-Norris), which pertained to sea level rise, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 72	AUTHOR:	Petrie-Norris [D]
	TITLE:	Environmental Protection: Coastal Adaptation Projects
	INTRODUCED:	12/07/2020
	LOCATION:	SENATE
	SUMMARY:	Enacts the Coastal Adaptation Permitting Act of 2021. Requires the Natural Resources Agency to explore, and authorize it to implement, options within the agency's jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects.
	STATUS:	05/27/2021 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (78-0)
	CATEGORY:	Environment

CA AB 95 (Low), which pertained to bereavement leave, failed to meet fiscal committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

► AB 106	AUTHOR:	Salas [D]
	TITLE:	Regions Rise Grant Program
	INTRODUCED:	12/16/2020
	LAST AMEND:	05/03/2021
	LOCATION:	SENATE
	SUMMARY:	Establishes the Regions Rise Grant Program within the Office of Planning and Research to support inclusive, cross-jurisdictional, and innovative engagement processes that lead to inclusive strategies to address barriers and challenges confronting communities in creating economic prosperity for all.
	STATUS:	05/03/2021 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (78-0)
	CATEGORY:	Miscellaneous

► AB 117	AUTHOR:	Boerner Horvath [D]
	TITLE:	Air Quality Improvement Program: Electric Bicycles
	INTRODUCED:	12/18/2020
	LAST AMEND:	05/24/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	Specifies projects providing incentives for purchasing electric bicycles as projects eligible for funding under the Air Quality Improvement Program.
	STATUS:	05/25/2021 In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Funding

▶ AB 123	<p>AUTHOR: Gonzalez [D]</p> <p>TITLE: Paid Family Leave: Weekly Benefit Amount</p> <p>INTRODUCED: 12/18/2020</p> <p>LOCATION: SENATE</p> <p>SUMMARY: Revises the formula for determining benefits available pursuant to the family temporary disability insurance program, for periods of disability commencing after January 1, 2022, by redefining the weekly benefit amount to be equal to 90 percent of the wages paid to an individual for employment by employers during the quarter of the individual's disability base period in which these wages were highest, divided by 13, but not exceeding the maximum workers' compensation disability indemnity weekly benefit amount.</p> <p>STATUS: 05/27/2021 <i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (65-0)</i></p> <p>CATEGORY: Employment Terms & Conditions</p>
▶ AB 237	<p>AUTHOR: Gray [D]</p> <p>TITLE: Public Employment: Unfair Practices: Health Protection</p> <p>INTRODUCED: 01/12/2021</p> <p>LAST AMEND: 03/01/2021</p> <p>LOCATION: Senate Labor, Public Employment and Retirement Committee</p> <p>SUMMARY: Makes it an unfair practice for a covered employer, as defined, to fail or refuse to maintain or pay for continued health care or other medical coverage for an enrolled employee or their enrolled dependents, for the duration of the enrolled employee's participation in the authorized strike, at the level and under the conditions that coverage would have been provided if the employee had continued to work in their position for the duration of the strike.</p> <p>STATUS: 05/27/2021 <i>To SENATE Committees on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT and JUDICIARY.</i></p> <p>CATEGORY: Employment Terms & Conditions</p>
▶ AB 284	<p>AUTHOR: Rivas, R. [D]</p> <p>TITLE: Global Warming Solutions Act of 2006: Climate Goal</p> <p>INTRODUCED: 01/21/2021</p> <p>LAST AMEND: 04/14/2021</p> <p>LOCATION: Assembly Third Reading File</p> <p>SUMMARY: Requires the State Air Resources Board, when updating the scoping plan and in collaboration with the Natural Resources Agency and other relevant state agencies and departments, to take specified actions by a certain date, including, among others, identifying a 2045 climate goal, with interim milestones, for the state's natural and working lands.</p> <p>STATUS: 05/24/2021 <i>In ASSEMBLY. Read second time. To third reading.</i></p> <p>CATEGORY: Environment</p>

▶ AB 302	<p>AUTHOR: Ward [D]</p> <p>TITLE: San Diego Metropolitan Transit Development Board</p> <p>INTRODUCED: 01/25/2021</p> <p>LAST AMEND: 03/15/2021</p> <p>LOCATION: Senate Transportation Committee</p> <p>HEARING: 06/15/2021 9:00am</p> <p>SUMMARY: Defines the term for-hire vehicles services to mean vehicles, other than public transportation vehicles, transporting passengers over public streets for compensation. Expands to any city within the County of San Diego the authority of the San Diego Metropolitan Transit Development Board to enter into contracts to license or regulate for-hire vehicle services and to regulate vehicle safety and driver qualifications for passenger jitney service.</p> <p>STATUS: 05/12/2021 To SENATE Committee on TRANSPORTATION.</p> <p>CATEGORY: Rail and Transit</p>
▶ AB 343	<p>AUTHOR: Fong [R]</p> <p>TITLE: California Public Records Act Ombudsperson</p> <p>INTRODUCED: 01/28/2021</p> <p>LAST AMEND: 05/24/2021</p> <p>LOCATION: Assembly Third Reading File</p> <p>SUMMARY: Establishes, within the California State Auditor's Office, the California Public Records Act Ombudsperson. Requires the California State Auditor to appoint the Ombudsperson subject to certain requirements. Requires the Ombudsperson to receive and investigate requests for review, determine whether the denials of original requests complied with the California Public Records Act, and issue written opinions of its determination.</p> <p>STATUS: 05/25/2021 In ASSEMBLY. Read second time. To third reading.</p> <p>CATEGORY: Rail and Transit</p>
▶ AB 349	<p>AUTHOR: Holden [D]</p> <p>TITLE: Small Businesses: Contracting: Outreach: Underrepresented Groups</p> <p>INTRODUCED: 01/28/2021</p> <p>LAST AMEND: 04/15/2021</p> <p>LOCATION: Assembly Third Reading File</p> <p>SUMMARY: Requires the director and the heads of other state agencies that enter into contracts, in addition to any other applicable requirement for public notice of contracts, to publish or otherwise make available information regarding public notice of contracts, as the awarding agency determines to be appropriate, in order to ensure all communities have access to the public notice.</p> <p>STATUS: 05/24/2021 In ASSEMBLY. Read second time. To third reading.</p> <p>CATEGORY: Miscellaneous</p>

▶ AB 361	<p>AUTHOR: Rivas, R. [D] TITLE: Open Meetings: Local Agencies: Teleconferences INTRODUCED: 02/01/2021 LAST AMEND: 05/10/2021 LOCATION: Assembly Local Government Committee SUMMARY: Authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency, <i>provided certain requirements are met.</i> STATUS: 05/17/2021 <i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (62-4)</i> CATEGORY: Audits, Records, Report, and Litigation</p>
▶ AB 363	<p>AUTHOR: Medina [D] TITLE: Carl Moyer Air Quality Standards Attainment Program INTRODUCED: 02/01/2021 LAST AMEND: 05/25/2021 LOCATION: Assembly Third Reading File SUMMARY: <i>Requires the state board, upon appropriation by the Legislature, to develop project grant criteria and guidelines for a new On-Road Heavy-Duty Vehicle Incentive Program (VIP2) that shall provide additional incentives for projects eligible for program funding that are deployed in disadvantaged communities, as defined.</i> STATUS: 05/26/2021 <i>In ASSEMBLY. Read second time. To third reading.</i> CATEGORY: Environment</p>
▶ AB 371	<p>AUTHOR: Jones-Sawyer [D] TITLE: Shared Mobility Devices: Insurance and Tracking INTRODUCED: 02/01/2021 LAST AMEND: 04/29/2021 LOCATION: Senate Judiciary Committee SUMMARY: Requires a shared mobility service provider to affix to each shared mobility device a tactile sign containing raised characters and accompanying Braille to identify the device for the purpose of reporting illegal or negligent activity. Relates to rather than require the shared mobility service provider to maintain commercial general liability insurance with a carrier doing business in California, would require the coverage to be with an admitted insurer or a nonadmitted insurer, as specified. STATUS: 05/27/2021 <i>To SENATE Committees on JUDICIARY and INSURANCE.</i> CATEGORY: Miscellaneous</p>

► AB 455	AUTHOR:	Bonta [D]
	TITLE:	Bay Bridge: Transit-Only Traffic Lanes
	INTRODUCED:	02/08/2021
	LAST AMEND:	05/20/2021
	LOCATION:	SENATE
	SUMMARY:	Authorizes the Bay Area Toll Authority, in consultation with the Department of Transportation, to designate transit-only traffic lanes on the San Francisco-Oakland Bay Bridge.
	STATUS:	05/27/2021 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (55-15)
	CATEGORY:	Rail and Transit

CA AB 459 (Mathis), which pertained to vehicle registration fees, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 512	AUTHOR:	Holden [D]
	TITLE:	Surplus Unimproved Property: City of Los Angeles
	INTRODUCED:	02/09/2021
	LAST AMEND:	05/27/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	Requires the Department of Transportation to offer to sell specified unimproved properties in the City of Los Angeles, City of Pasadena, and City of South Pasadena to offer to sell those properties at the original acquisition price paid by the department to a housing-related entity for affordable housing purposes, as provided.
	STATUS:	05/27/2021 In ASSEMBLY. Assembly Rule 69 suspended.
		05/27/2021 In ASSEMBLY. Read third time and amended. To third reading.
	CATEGORY:	Surplus Land

AB 513	AUTHOR:	Bigelow [R]
	TITLE:	Employment: Telecommuting Employees
	INTRODUCED:	02/09/2021
	LAST AMEND:	03/17/2021
	LOCATION:	Assembly Labor and Employment Committee
	SUMMARY:	Authorizes an employee working from home or a remote location not at a physical location of the employer to receive legally required notices and postings electronically and sign certain documents electronically.
	STATUS:	03/17/2021 From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments.
		03/17/2021 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.
	CATEGORY:	Employment Terms & Conditions

CA AB 550 (Chiu), which pertained to a Speed Safety System Pilot Program, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 585	AUTHOR:	Rivas [D]
	TITLE:	Climate Change: Extreme Heat and Community Resilience
	INTRODUCED:	02/11/2021
	LAST AMEND:	05/24/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	Establishes the Extreme Heat and Community Resilience Program and would require the Office of Planning and Research to administer the program <i>through the Integrated Climate Adaptation and Resiliency Program. Requires the Office to coordinate the state's efforts to address extreme heat and to facilitate the implementation of local, regional, and state climate change planning into effective projects through the awarding of competitive grants to eligible entities for implementation of those projects.</i>
	STATUS:	05/25/2021 In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Environment

► AB 604	AUTHOR:	Daly [D]
	TITLE:	Road Maintenance and Rehabilitation Account
	INTRODUCED:	02/11/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	Continuously appropriates interest earnings derived from revenues deposited in the Road Maintenance and Rehabilitation Account to the Department of Transportation for maintenance of the state highway system or for purposes of the State Highway Operation and Protection Program.
	STATUS:	05/24/2021 In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Funding

CA AB 629 (Chiu), which pertained to a transit priority network, failed to meet fiscal committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

► AB 641	AUTHOR:	Holden [D]
	TITLE:	Transportation Electrification
	INTRODUCED:	02/12/2021
	LAST AMEND:	04/27/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	Requires each local publicly owned electric utility to facilitate and ensure the availability of infrastructure for the charging of passenger motor vehicles within its service territory.
	STATUS:	05/13/2021 In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Miscellaneous

► AB 654	AUTHOR:	Reyes [D]
	TITLE:	COVID-19: Exposure: Notification
	INTRODUCED:	02/12/2021
	LAST AMEND:	05/24/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	<i>Relates to exposure of workers to the risk of infection with COVID-19. Adds the delivery of renewable natural gas to the list of utilities that the division's prohibitions are not allowed to materially interrupt. Deletes a provision regarding entry or use for the sole purpose of eliminating the dangerous condition.</i>
	STATUS:	
	05/25/2021	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Employment Terms & Conditions

CA AB 660 (Cooper), which pertained to the pull-notice system, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 680	AUTHOR:	Burke [D]
	TITLE:	Greenhouse Gas Reduction Fund: Jobs Plan Act of 2021
	INTRODUCED:	02/12/2021
	LAST AMEND:	05/24/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	<i>Enacts the Jobs Plan Act, which would require the Labor and Workforce Development Agency to work with the State Air Resources Board to update, by July 1, 2023, the funding guidelines for administering agencies to ensure that all applicants to grant programs funded by the Greenhouse Gas Reduction Fund meet specified standards, including fair and responsible employer standards and inclusive procurement policies.</i>
	STATUS:	
	05/25/2021	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Employment Terms & Conditions

AB 703	AUTHOR:	Rubio [D]
	TITLE:	Open Meetings: Local Agencies: Teleconferences
	INTRODUCED:	02/12/2021
	LAST AMEND:	04/29/2021
	LOCATION:	Assembly Local Government Committee
	SUMMARY:	<i>Removes the requirements of the Ralph M. Brown Act particular to teleconferencing and allows for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment.</i>
	STATUS:	
	04/29/2021	From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.
	04/29/2021	In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
	CATEGORY:	Public Meetings

► AB 713	AUTHOR:	Garcia, C. [D]
	TITLE:	State Air Resources Board: Greenhouse Gas Emissions
	INTRODUCED:	02/12/2021
	LAST AMEND:	05/24/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	Requires the state board to conduct a comprehensive health analysis in conjunction with the development of each update of the scoping plan that includes a framework to provide an overview of the breadth of health impacts and health benefits that may accrue from the outcomes in the scoping plan.
	STATUS:	05/25/2021 In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Planning

► AB 761	AUTHOR:	Chen [R]
	TITLE:	County Employees' Retirement: Personnel: Orange County
	INTRODUCED:	02/16/2021
	LAST AMEND:	03/18/2021
	LOCATION:	Senate Labor, Public Employment and Retirement Committee
	HEARING:	06/07/2021
	SUMMARY:	Authorizes the board of retirement for Orange County to appoint an administrator, assistant administrators, a chief investment officer, subordinate investment officers, senior management employees, legal counsel, and other specified employees. Provides that the personnel appointed pursuant to these provisions would not be county employees subject to county civil service and merit system rules, and instead would be employees of the retirement system.
	STATUS:	05/12/2021 To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
	CATEGORY:	Employment Terms & Conditions

► AB 794	AUTHOR:	Carrillo [D]
	TITLE:	Air Pollution: Purchase of new vehicles: incentive programs: eligibility: labor and workforce standards
	INTRODUCED:	02/16/2021
	LAST AMEND:	05/27/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	Establishes specified labor and workforce standards that a manufacturer of new vehicles would be required to meet in order for the vehicles to be eligible under the incentive programs. Specifies that an eligible vehicle would qualify for additional incentives if the manufacturer demonstrates compliance with certain labor and workforce standards or domestic content standards.
	STATUS:	05/27/2021 In ASSEMBLY. Read third time and amended. To third reading.
	CATEGORY:	Environment

► AB 811	AUTHOR:	Rivas [D]
	TITLE:	LA County Metropolitan Transportation Authority
	INTRODUCED:	02/16/2021
	LAST AMEND:	04/06/2021
	LOCATION:	<i>Assembly Third Reading File</i>
	SUMMARY:	Relates to existing law which authorizes the Los Angeles County Metropolitan Transportation Authority to award a contract after a finding, by a 2/3 vote of the members of the authority, that awarding the contract will achieve for the authority, among other things, certain private sector efficiencies in the integration of design, project work, and components. Eliminates the requirement to make the finding by a 2/3 vote of the members of the authority in order to award contracts under these provisions.
	STATUS:	
	<i>05/04/2021</i>	<i>In ASSEMBLY. Read second time. To third reading.</i>
	CATEGORY:	Public Works

► AB 819	AUTHOR:	Levine [D]
	TITLE:	Environmental Quality Act: Notices and Documents
	INTRODUCED:	02/16/2021
	LAST AMEND:	05/28/2021
	LOCATION:	<i>Senate Environmental Quality Committee</i>
	HEARING:	06/14/2021 9:00am
	SUMMARY:	Requires the lead agency under CEQA to post notices to persons who have filed a written request for notices on their internet website.
	STATUS:	
	<i>05/28/2021</i>	<i>From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.</i>
	<i>05/28/2021</i>	<i>In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.</i>
	CATEGORY:	Environment

► AB 845	AUTHOR:	Rodriguez [D]
	TITLE:	Disability Retirement: COVID-19: Presumption
	INTRODUCED:	02/17/2021
	LAST AMEND:	03/30/2021
	LOCATION:	<i>Senate Labor, Public Employment and Retirement Committee</i>
	HEARING:	06/07/2021
	SUMMARY:	Creates a presumption, applicable to the retirement systems that the Public Employees' Pension Reform Act of 2013 (PEPRA) regulates and to specified members in those systems, that would be applied to disability retirements on the basis, in whole or in part, of a Coronavirus-related illness. Requires, in this circumstance, that it be presumed the disability arose out of, or in the course of, the member's employment.
	STATUS:	
	<i>05/19/2021</i>	<i>To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.</i>
	CATEGORY:	Employment Terms & Conditions

CA AB 859 (Irwin), which pertained to the mobility devices, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

CA AB 878 (Dahle), which pertained to the wildlife resources, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 897	AUTHOR:	Mullin [D]
	TITLE:	Office of Planning and Research: Regional Climate
	INTRODUCED:	02/17/2021
	LAST AMEND:	04/19/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		Requires a regional climate network to develop a regional climate adaptation action plan, plan and to submit the plan to the office for review, comments, and approval.
	STATUS:	
	05/24/2021	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Environment

AB 917	AUTHOR:	Bloom [D]
	TITLE:	Vehicles: Video Imaging of Parking Violations
	INTRODUCED:	02/17/2021
	LAST AMEND:	04/27/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	
		Extends the authorization to enforce parking violations in specified transit-only traffic lanes through the use of video imaging to any public transit operator in the state. Expands the authorization to enforce parking violations to include violations occurring at transit stops and stations.
	STATUS:	
	04/28/2021	In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Rail and Transit

AB 919	AUTHOR:	Grayson [D]
	TITLE:	Construction Defects: Actions: Statute of Limitations
	INTRODUCED:	02/17/2021
	LAST AMEND:	04/13/2021
	LOCATION:	Assembly Judiciary Committee
	SUMMARY:	
		Shortens the timeframe in which specified actions against a nonprofit housing corporation, as defined, may be brought for underlying construction projects using a certified skilled and trained workforce.
	STATUS:	
	04/13/2021	From ASSEMBLY Committee on JUDICIARY with author's amendments.
	04/13/2021	In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
	CATEGORY:	Public Works

CA AB 926 (Mathis), which pertained to the fire prevention, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 950	AUTHOR:	Ward [D]
	TITLE:	Department of Transportation: Sales of Excess Property
	INTRODUCED:	02/17/2021
	LOCATION:	<i>Assembly Third Reading File</i>
	LAST AMEND:	05/27/2021
	SUMMARY:	Authorizes the Department of Transportation to sell its excess real property to the city, county, or city and county where the real property is located if the city, county, or city and county agrees to use the real property for the sole purpose of implementing affordable housing, as specified. Exempts these transfers and sales from the California Environmental Quality Act.
	STATUS:	05/27/2021 <i>In ASSEMBLY. Assembly Rule 69 suspended.</i>
		05/27/2021 <i>In ASSEMBLY. Read third time and amended. To third reading.</i>
	CATEGORY:	Surplus Land

► AB 955	AUTHOR:	Quirk [D]
	TITLE:	Highways: Encroachment Permits: Broadband Facilities
	INTRODUCED:	02/17/2021
	LAST AMEND:	05/24/2021
	LOCATION:	<i>Assembly Third Reading File</i>
	SUMMARY:	Establishes additional procedures for the department's review of an application for an encroachment permit for a broadband facility. Requires the department, among other things, to notify an applicant in writing whether the application is complete within 30 days of receiving an application, to take certain actions if it deems an application incomplete, and to approve or deny an application that requires supplemental information within 30 days after receiving that information.
	STATUS:	05/25/2021 <i>In ASSEMBLY. Read second time. To third reading.</i>
	CATEGORY:	Planning

► AB 984	AUTHOR:	Rivas [D]
	TITLE:	Vehicle Identification and Registration
	INTRODUCED:	02/18/2021
	LAST AMEND:	04/27/2021
	LOCATION:	<i>Assembly Third Reading File</i>
	SUMMARY:	Authorizes the use of alternative devices intended to serve in lieu of license plates authorized by the department pursuant to the pilot program, as specified. Requires the Department of Motor Vehicles to establish a program authorizing an entity to issue alternatives to stickers, tabs, license plates, and registration cards under specified conditions that include approval of the alternative devices by the Department of the California Highway Patrol.
	STATUS:	05/24/2021 <i>In ASSEMBLY. Read second time. To third reading.</i>
	CATEGORY:	Miscellaneous

▶ AB 992	AUTHOR:	Cooley [D]
	TITLE:	<i>California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program</i>
	INTRODUCED:	02/18/2021
	LAST AMEND:	03/25/2021
	LOCATION:	SENATE
	SUMMARY:	Requires the state board to ensure that a person or entity that purchases a hybrid or zero-emission truck or bus for purposes of placing that vehicle on a peer-to-peer truck sharing platform for use by various operators is eligible for financial assistance under the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project established as a part of the Air Quality Improvement Program.
	STATUS:	
	05/20/2021	<i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (76-0)</i>
	CATEGORY:	Funding

CA AB 1001 (Garcia), which pertained to the air pollution, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

▶ AB 1035	AUTHOR:	Salas [D]
	TITLE:	<i>Department of Transportation and local agencies: streets and highways: recycled materials</i>
	INTRODUCED:	02/18/2021
	LAST AMEND:	04/05/2021
	LOCATION:	SENATE
	SUMMARY:	Requires the Department of Transportation and a local agency that has jurisdiction over a street or highway, to the extent feasible and cost effective, to use advanced technologies and material recycling techniques that reduce the cost of maintaining and rehabilitating streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method.
	STATUS:	
	05/27/2021	<i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (73-0)</i>
	CATEGORY:	Funding

▶ AB 1037	AUTHOR:	Grayson [D]
	TITLE:	Infrastructure Construction: Digital Construction
	INTRODUCED:	02/18/2021
	LAST AMEND:	05/03/2021
	LOCATION:	SENATE
	SUMMARY:	<i>Requires the Department of General Services to develop guidance, policies, and procedures for the integration and development of digital construction technologies for use on a civil infrastructure project, as defined, that is developed by specified state entities and has a state project cost of greater than a specified amount.</i>
	STATUS:	
	05/27/2021	<i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (75-0)</i>
	CATEGORY:	Funding

► AB 1041	AUTHOR:	Wicks [D]
	TITLE:	Leave Issues
	INTRODUCED:	02/18/2021
	LAST AMEND:	04/22/2021
	LOCATION:	SENATE
	SUMMARY:	Expands the population that an employee can take leave to care for to include any other individual related by blood or whose close association with the employee <i>is a designated person.</i>
	STATUS:	
	05/28/2021	<i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (52-16)</i>
	CATEGORY:	Employment Terms & Conditions

CA AB 1047 (Daly), which pertained to the Road Repair and Accountability Act, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 1091	AUTHOR:	Berman [D]
	TITLE:	Santa Clara Valley Transportation Authority: Board
	INTRODUCED:	02/18/2021
	LOCATION:	<i>Assembly Inactive File</i>
	SUMMARY:	Reforms the governance structure of the Santa Clara Valley Transportation Authority. Reduces the size of the VTA board from 12 voting members to 9 voting members: 5 members appointed by the Santa Clara County Board of Supervisors, 2 members appointed by the City of San Jose, and 2 members appointed by the remaining cities in Santa Clara County.
	STATUS:	
	05/27/2021	<i>In ASSEMBLY. To Inactive File.</i>
	CATEGORY:	Miscellaneous

► AB 1110	AUTHOR:	Rivas [D]
	TITLE:	Zero-Emission Vehicles: Clean Fleet Program
	INTRODUCED:	02/18/2021
	LAST AMEND:	05/03/2021
	LOCATION:	<i>Assembly Third Reading File</i>
	SUMMARY:	Establishes the California Clean Fleet Accelerator Program, administered by the Governor's Office of Business and Economic Development (GO-Biz)
	STATUS:	
	05/24/2021	<i>In ASSEMBLY. Read second time. To third reading.</i>
	CATEGORY:	Funding

► AB 1147	AUTHOR:	Friedman [D]
	TITLE:	<i>Active Transportation Program</i>
	INTRODUCED:	02/18/2021
	LAST AMEND:	03/18/2021
	LOCATION:	SENATE
	SUMMARY:	<i>Requires the council to convene key state agencies, metropolitan planning agencies, and local governments to assist the council in completing the report.</i>
	STATUS:	05/28/2021 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (55-19)
	CATEGORY:	Planning

► AB 1157	AUTHOR:	Lee [D]
	TITLE:	Controller: Transportation Funds: Distribution
	INTRODUCED:	02/18/2021
	LAST AMEND:	03/15/2021
	LOCATION:	Senate Transportation Committee
	HEARING:	06/15/2021 9:00am
	SUMMARY:	Requires local transportation agencies to report to the Controller the public transportation operators within its jurisdiction that are eligible to claim specified local transportation funds within a certain period at the end of each fiscal year. Requires the Controller to compile, publish, and make publicly available on the Controller's website certain data related to local transportation fund expenditures.
	STATUS:	05/12/2021 To SENATE Committee on TRANSPORTATION.
	CATEGORY:	Funding

CA AB 1179 (Carrillo), which pertained to the employee benefits, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

CA AB 1202 (Cervantes), which pertained to emergency services, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.

CA AB 1218 (McCarty), which pertained to the greenhouse gas standards, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 1255	AUTHOR: Bloom [D] TITLE: Fire Risk Reduction Guidance: Local Assistance Grants INTRODUCED: 02/19/2021 LAST AMEND: 04/19/2021 LOCATION: <i>Assembly Third Reading File</i> SUMMARY: Requires the Natural Resources Agency to develop a guidance document that describes goals, approaches, opportunities, and best practices in each region of the state for ecologically appropriate, habitat-specific fire risk reduction. STATUS: 05/24/2021 <i>In ASSEMBLY. Read second time. To third reading.</i> CATEGORY: Environment
► AB 1260	AUTHOR: Chen [R] TITLE: California Environmental Quality Act: Exemptions INTRODUCED: 02/19/2021 LOCATION: <i>SENATE</i> SUMMARY: Exempts further from the requirements of CEQA, projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission trains. STATUS: 05/24/2021 <i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (66-6)</i> CATEGORY: Environment
► AB 1261	AUTHOR: Burke [D] TITLE: State Air Resources Board: Greenhouse Gas Emissions INTRODUCED: 02/19/2021 LAST AMEND: 05/24/2021 LOCATION: <i>Assembly Third Reading File</i> SUMMARY: <i>Requires the State Air Resources Board to establish specified processes to assist the state in achieving its greenhouse gas emissions reduction goals, including a process to identify any overlap among its incentive programs that share the same objectives and a process to define, collect, and evaluate data on the behavioral changes that result from each of its incentive programs.</i> STATUS: 05/25/2021 <i>In ASSEMBLY. Read second time. To third reading.</i> CATEGORY: Environment
► AB 1291	AUTHOR: Frazier [D] TITLE: State Bodies: Open Meetings INTRODUCED: 02/19/2021 LOCATION: <i>Senate Governmental Organization Committee</i> HEARING: 06/08/2021 9:00am SUMMARY: Requires a state body, when it limits time for public comment, to provide at least twice the allotted time to a member of the public who utilizes translating technology to address the state body. STATUS: 05/12/2021 <i>To SENATE Committee on GOVERNMENTAL ORGANIZATION.</i> CATEGORY: Public Meetings

AB 1296	AUTHOR: Kamlager [D] TITLE: South Coast Air Quality Management District INTRODUCED: 02/19/2021 LOCATION: Assembly Natural Resources Committee SUMMARY: Increases the number of members of the South Coast Air Quality Management District board to 15 members by adding 2 environmental justice appointees, one appointed by the Senate Committee on Rules and one appointed by the Speaker of the Assembly. STATUS: 03/04/2021 To ASSEMBLY Committee on NATURAL RESOURCES. CATEGORY: Miscellaneous
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► AB 1337	AUTHOR: Lee [D] TITLE: Transportation: Transit District Policing INTRODUCED: 02/19/2021 LAST AMEND: 04/07/2021 LOCATION: SENATE SUMMARY: Specifies that a person who enters or remains upon any property, facilities, or vehicles upon which the applicable transit entity owes policing responsibilities to a local government pursuant to an operations and maintenance agreement or similar interagency agreement without permission, or whose entry, presence, or conduct upon that property interferes with, interrupts, or hinders the safe and efficient operation of the transit-related facility, is guilty of a misdemeanor. STATUS: 05/24/2021 <i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (62-0)</i> CATEGORY: Rail and Transit
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► AB 1384	AUTHOR: Gabriel [D] TITLE: Resiliency Through Adaptation, Economic Vitality INTRODUCED: 02/19/2021 LOCATION: SENATE SUMMARY: Requires the Strategic Growth Council to develop and coordinate a strategic resiliency framework that makes recommendations and identifies actions that are necessary to prepare the state for the most significant climate change impacts modeled for certain years. Requires agencies identified in the framework to coordinate with regional entities and engage vulnerable communities who have been impacted by climate change. STATUS: 05/28/2021 <i>In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (56-14)</i> CATEGORY: Environment
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► AB 1389	AUTHOR:	Reyes [D]
	TITLE:	Alternative and Renewable Fuel and Vehicle Technology
	INTRODUCED:	02/19/2021
	LAST AMEND:	04/12/2021
	LOCATION:	SENATE
	SUMMARY:	Revise and recast the program to no longer require the commission to provide certain project preferences and to additionally require the commission to provide preference to projects that meet certain other criteria, including to a project that has the ability to support vehicle deployment and advanced vehicle infrastructure needed to meet specified climate goals.
	STATUS:	05/27/2021 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (58-12)
	CATEGORY:	Funding

► AB 1395	AUTHOR:	Muratsuchi [D]
	TITLE:	Greenhouse Gases: Carbon Neutrality
	INTRODUCED:	02/19/2021
	LAST AMEND:	05/04/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	Declares the policy of the state to achieve carbon neutrality as soon as possible, but no later than a specified date, and to achieve and maintain net negative greenhouse gas emissions thereafter.
	STATUS:	05/24/2021 In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Environment

► AB 1401	AUTHOR:	Friedman [D]
	TITLE:	Residential And Commercial Development: Parking
	INTRODUCED:	02/19/2021
	LAST AMEND:	04/19/2021
	LOCATION:	Assembly Third Reading File
	SUMMARY:	Relates to residential and commercial development. Relates to parking requirements. Prohibits a local government from imposing a minimum parking requirement, or enforcing a minimum parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile walking distance of public transit, as defined, or located within a low-vehicle miles traveled area, as defined.
	STATUS:	05/20/2021 In ASSEMBLY. Read second time. To third reading.
	CATEGORY:	Planning

CA AB 1447 (Cooley), which pertained to rural infrastructure, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

CA AB 1453 (Muratsuchi), which pertained to environmental justice, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 1471	AUTHOR:	Villapudua [D]
	TITLE:	Public Utilities Commission
	INTRODUCED:	02/19/2021
	LAST AMEND:	04/26/2021
	LOCATION:	SENATE
	SUMMARY:	States that when selecting and confirming members of the Public Utilities Commission, the Governor and the Senate should consider achieving regional diversity by selecting candidates with a permanent residence in northern California, at least one candidate with a permanent residence in the central valley, and at least one candidate with a permanent residence in southern California, and directs that the Governor and Senate should consider a candidate pool that collectively represents each area.
	STATUS:	05/13/2021 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (72-4)
	CATEGORY:	Miscellaneous

ACA 1	AUTHOR:	Aguiar-Curry [D]
	TITLE:	Local Government Financing: Affordable Housing
	INTRODUCED:	12/07/2020
	LOCATION:	Assembly Local Government Committee
	SUMMARY:	Creates an additional exception to the 1 percent ad valorem tax rate limit on real property that would authorize a city, county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing the tax is approved by 55 percent of the voters of the city or county, and the proposition includes accountability requirements.
	STATUS:	04/22/2021 To ASSEMBLY Committees on LOCAL GOVERNMENT and APPROPRIATIONS.
	CATEGORY:	Miscellaneous

ACA 5	AUTHOR:	Voepel [D]
	TITLE:	Motor Vehicles: Fuel Taxes, Sales and Use Taxes
	INTRODUCED:	02/19/2021
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	Relates to motor vehicle fuel taxes. Restricts the expenditure of all interest earned and other increment derived from the investment of those tax revenues and any proceeds from the lease or sale of real property acquired. Require the transfer and restrict the expenditure of revenues from taxes imposed by the state on motor fuels that are attributable.
	STATUS:	04/22/2021 To ASSEMBLY Committee on TRANSPORTATION.
	CATEGORY:	Funding

► SB 10	<p>AUTHOR: Wiener [D]</p> <p>TITLE: Planning and Zoning: Housing Development: Density</p> <p>INTRODUCED: 12/07/2020</p> <p>LAST AMEND: 05/26/2021</p> <p>LOCATION: Senate Third Reading File</p> <p>SUMMARY: Authorizes a local government to pass an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, <i>if the parcel is located in a transit-rich area, or an urban infill site, as those terms are defined.</i></p> <p>STATUS: 05/27/2021 <i>In SENATE. Read second time. To third reading.</i></p> <p>CATEGORY: Housing</p>
► SB 17	<p>AUTHOR: Pan [D]</p> <p>TITLE: Office Of Racial Equity</p> <p>INTRODUCED: 12/07/2020</p> <p>LAST AMEND: 05/20/2021</p> <p>LOCATION: Senate Third Reading File</p> <p>SUMMARY: Establishes in state government an Office of Racial Equity, an independent public entity not affiliated with an agency or department, that shall be governed by a Racial Equity Advisory and Accountability Council. Requires the Governor to direct the Secretary of each state agency to adopt and implement the Racial Equity Framework through each agencies' Racial Equity Action Plan, which would be adopted by each state agency and integrated into the agency's strategic plan.</p> <p>STATUS: 05/24/2021 <i>In SENATE. Read second time. To third reading.</i></p> <p>CATEGORY: Miscellaneous</p>
► SB 44	<p>AUTHOR: Allen [D]</p> <p>TITLE: California Environmental Quality Act: Judicial Review</p> <p>INTRODUCED: 12/07/2020</p> <p>LAST AMEND: 04/27/2021</p> <p>LOCATION: ASSEMBLY</p> <p>SUMMARY: Establishes specified procedures for the administrative and judicial review of the environmental review and approvals granted for environmental leadership transit project proposed by a public or private entity or its affiliates. Requires the Judicial Council to adopt rules of court establishing procedures requiring actions or proceedings seeking judicial review pursuant to CEQA or the granting of project approvals to be resolved within a certain number of days.</p> <p>STATUS: 05/26/2021 <i>In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (37-0).</i></p> <p>CATEGORY: Environment</p>

► SB 66	<p>AUTHOR: Allen [D]</p> <p>TITLE: California Council on the Future of Transportation</p> <p>INTRODUCED: 12/07/2020</p> <p>LAST AMEND: 04/28/2021</p> <p>LOCATION: <i>Senate Special Consent Calendar</i></p> <p>SUMMARY: Requires the Secretary of Transportation to establish an advisory committee, the California Council on the Future of Transportation, to provide the Governor and the Legislature with recommendations for changes in state policy to ensure that as autonomous vehicles are deployed, they enhance the state's efforts to increase road safety, promote equity, and meet public health and environmental objectives. Develops an internet website and post on that site information.</p> <p>STATUS: <i>05/24/2021 In SENATE. To Special Consent Calendar.</i></p> <p>CATEGORY: Miscellaneous</p>
► SB 83	<p>AUTHOR: Allen [D]</p> <p>TITLE: California Infrastructure and Economic Development Bank</p> <p>INTRODUCED: 12/15/2020</p> <p>LAST AMEND: 05/20/2021</p> <p>LOCATION: <i>ASSEMBLY</i></p> <p>SUMMARY: Requires the Ocean Protection council, in consultation with the conservancy, to develop the Sea Level Rise Revolving Loan Program for purposes of providing low-interest loans to local jurisdictions for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property, as provided.</p> <p>STATUS: <i>05/28/2021 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (35-2)</i></p> <p>CATEGORY: Funding</p>
► SB 214	<p>AUTHOR: Bates [R]</p> <p>TITLE: Neighborhood Electric Vehicles: County of Orange</p> <p>INTRODUCED: 01/12/2021</p> <p>LOCATION: <i>Assembly Transportation Committee</i></p> <p>SUMMARY: Repeals the sunset date, thereby indefinitely extending the County of Orange's authority to establish an NEV (Neighborhood Electric Vehicle) transportation plan for the Ranch Plan Planned Community.</p> <p>STATUS: <i>05/20/2021 To ASSEMBLY Committee on TRANSPORTATION.</i></p> <p>CATEGORY: Planning</p>

► SB 216	<p>AUTHOR: Dodd [D]</p> <p>TITLE: Contractors: Workers' Compensation Insurance: Coverage</p> <p>INTRODUCED: 01/12/2021</p> <p>LAST AMEND: 03/15/2021</p> <p>LOCATION: <i>Senate Inactive File</i></p> <p>SUMMARY: Requires concrete contractors holding a C-8 license, warm-air heating, ventilation and air-conditioning (HVAC) contractors holding a C-20 license, or tree service contractors holding a D-49 license to also obtain and maintain workers' compensation insurance even if that contractor has no employees.</p> <p>STATUS: 05/26/2021 <i>In SENATE. From third reading. To Inactive File..</i></p> <p>CATEGORY: Employment Terms & Conditions</p>
► SB 231	<p>AUTHOR: McGuire [D]</p> <p>TITLE: Department of Transportation: Transfer of Property</p> <p>INTRODUCED: 01/19/2021</p> <p>LAST AMEND: 05/26/2021</p> <p>LOCATION: <i>Senate Third Reading File</i></p> <p>SUMMARY: Authorizes the Department of Transportation, upon terms, standards, and conditions approved by the California Transportation Commission, to transfer the Blues Beach property located in the unincorporated community of Westport in the County of Mendocino to a qualified nonprofit corporation, which the bill would define as a nonprofit corporation that is organized by one or more California Native American tribes for the purpose of environmental protection.</p> <p>STATUS: 05/27/2021 <i>In SENATE. Read second time. To third reading.</i></p> <p>CATEGORY: Miscellaneous</p>
► SB 266	<p>AUTHOR: Newman [D]</p> <p>TITLE: State Park System: Chino Hills State Park: Expansion</p> <p>INTRODUCED: 01/28/2021</p> <p>LAST AMEND: 04/22/2021</p> <p>LOCATION: <i>Assembly Water, Parks and Wildlife Committee</i></p> <p>SUMMARY: Requires the Department of Parks and Recreations to provide assistance acquiring and accepting land immediately adjacent to, and that expands, Chino Hills State Park, by transferring 3 specified properties into the state park system. Requires the department to manage the acquired properties and parcels with specified funds as part of the Chino Hills State Park, as provided.</p> <p>STATUS: 05/28/2021 <i>To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.</i></p> <p>CATEGORY: Miscellaneous</p>

► SB 270	<p>AUTHOR: Durazo [D]</p> <p>TITLE: Public Employment: Labor Relations: Employee Data</p> <p>INTRODUCED: 01/28/2021</p> <p>LAST AMEND: 04/15/2021</p> <p>LOCATION: Senate Third Reading File</p> <p>SUMMARY: Authorizes an exclusive representative to file a charge of an unfair labor practice with the Public Employment Relations Board, as specified, alleging a violation of the specified requirements only if specified conditions are met, including that the exclusive representative gives written notice of the alleged violation and that the public employer fails to cure the violation, as specified.</p> <p>STATUS: 05/20/2021 From SENATE Committee on APPROPRIATIONS: Do pass. (5-2 05/20/2021 In SENATE. Read second time. To third reading.</p> <p>CATEGORY: Employment Terms & Conditions</p>
► SB 336	<p>AUTHOR: Ochoa Bogh [R]</p> <p>TITLE: Public Health: COVID-19</p> <p>INTRODUCED: 02/08/2021</p> <p>LAST AMEND: 05/03/2021</p> <p>LOCATION: Senate Special Consent Calendar</p> <p>SUMMARY: Requires that before the State Department of Public Health or a local health official takes measures to prevent the spread of COVID-19, or takes measures to reopen the state, they publish the measures on their internet website. Provides impacted industries and counties a certain number of days from when the department or local health officials publish those measures to implement any sector changes or closures unless there is an immediate danger or an imminent threat to the public requiring immediate action.</p> <p>STATUS: 05/24/2021 In SENATE. To Special Consent Calendar.</p> <p>CATEGORY: Emergency Response Services</p>
► SB 342	<p>AUTHOR: Gonzalez [D]</p> <p>TITLE: South Coast Air Quality Management District</p> <p>INTRODUCED: 02/09/2021</p> <p>LAST AMEND: 05/26/2021</p> <p>LOCATION: Senate Third Reading File</p> <p>SUMMARY: Adds members to the South Coast Air Quality Management District board, appointed by the Senate Committee on Rules and the Speaker of the Assembly. Requires the additional members to reside in and work directly with communities in the South Coast Air Basin that are disproportionately burdened by and vulnerable to high levels of pollution and issues of environmental justice. <i>Authorizes the district board to create a Labor Advisory Panel to provide feedback.</i></p> <p>STATUS: 05/27/2021 In SENATE. Read second time. To third reading</p> <p>CATEGORY: Miscellaneous</p>

► SB 372	<p>AUTHOR: Leyva [D]</p> <p>TITLE: Medium- and Heavy-Duty Fleet Purchasing Program</p> <p>INTRODUCED: 02/10/2021</p> <p>LAST AMEND: 05/20/2021</p> <p>LOCATION: Senate Third Reading File</p> <p>SUMMARY: Establishes the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program within the Air Quality Improvement Program to make financing tools and nonfinancial supports available to the operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles. Require the state board to designate the California Pollution Control Financing Authority as the agency responsible for administering the program.</p> <p>STATUS: 05/24/2021 <i>In SENATE. Read second time. To third reading.</i></p> <p>CATEGORY: Funding</p>
► SB 378	<p>AUTHOR: Gonzalez [D]</p> <p>TITLE: Local Government: Broadband Infrastructure Development</p> <p>INTRODUCED: 02/10/2021</p> <p>LAST AMEND: 05/04/2021</p> <p>LOCATION: Assembly Local Government Committee</p> <p>HEARING: 06/09/2021</p> <p>SUMMARY: Requires a local agency to allow, except as provided, microtrenching for the installation of underground fiber if the installation in the microtrench is limited to fiber.</p> <p>STATUS: 05/04/2021 <i>To ASSEMBLY Committees on LOCAL GOVERNMENT and COMMUNICATIONS AND CONVEYANCE.</i></p> <p>CATEGORY: Broadband</p>
► SB 459	<p>AUTHOR: Allen [D]</p> <p>TITLE: Political Reform Act of 1974: Lobbying</p> <p>INTRODUCED: 02/16/2021</p> <p>LAST AMEND: 04/28/2021</p> <p>LOCATION: Senate Third Reading File</p> <p>SUMMARY: Requires lobbyists, lobbying firms, and lobbyist employers to include information in the periodic reports that identifies each bill or administrative action subject to lobbying activity, and the respective position advocated for, during that period.</p> <p>STATUS: 05/20/2021 <i>From SENATE Committee on APPROPRIATIONS: Do pass. (5-1)</i> 05/20/2021 <i>In SENATE. Read second time. To third reading.</i></p> <p>CATEGORY: Miscellaneous</p>

SB 471	<p>AUTHOR: Hueso [D] TITLE: The Racial and Economic Equity Grant Program INTRODUCED: 02/17/2021 LAST AMEND: 04/21/2021 LOCATION: Senate Business, Professions & Economic Development Committee</p> <p>SUMMARY: Creates the Racial and Economic Equity Grant Program, administered by GO-Biz, for the purpose of providing grants to address disproportionate impacts borne from the COVID-19 pandemic, as defined, and the lack of critical physical and social infrastructure, resulting from chronic underinvestment, in key segments of the economy of this state.</p> <p>STATUS: 04/21/2021 From SENATE Committee on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT with author's amendments 04/21/2021 .In SENATE. Read second time and amended. Re-referred to Committee on BUSINESS, PROFESSIONS & ECONOMIC DEVELOPMENT.</p> <p>CATEGORY: Miscellaneous</p>
► SB 500	<p>AUTHOR: Min [D] TITLE: Autonomous Vehicles: Zero Emissions INTRODUCED: 02/17/2021 LAST AMEND: 05/25/2021 LOCATION: Senate Third Reading File</p> <p>SUMMARY: Prohibits the Department of Motor Vehicles from accepting an application for original registration of a qualifying autonomous vehicle that is first operated, sold, leased, offered for sale, or offered for lease in the state on or after a specified date, unless that qualifying autonomous vehicle is a zero-emission vehicle..</p> <p>STATUS: 05/25/2021 <i>In SENATE. Read second time and amended. To third reading.</i></p> <p>CATEGORY: Environment</p>
► SB 542	<p>AUTHOR: Limon [D] TITLE: Vehicle License Fees for Zero-emission Vehicles: Sales INTRODUCED: 02/18/2021 LAST AMEND: 05/25/2021 LOCATION: Senate Third Reading File</p> <p>SUMMARY: Provides an exemption from certain taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, a qualified motor vehicle. Defines qualified motor vehicle as a specified zero-emission truck. Provides that this exemption does not apply to specified state sales and use taxes from which the proceeds are deposited into the Local Revenue Fund, the Local Revenue Fund 2011, or the Local Public Safety Fund.</p> <p>STATUS: 05/25/2021 <i>In SENATE. Read second time and amended. To third reading.</i></p> <p>CATEGORY: Funding</p>

► SB 548	AUTHOR:	Eggman [D]
	TITLE:	Tri-Valley-San Joaquin Valley Regional Rail Authority
	INTRODUCED:	02/18/2021
	LAST AMEND:	04/05/2021
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	Requires the Tri-Valley-San Joaquin Valley Regional Rail Authority to be considered a rail transit district, thereby exempting the authority from specified provisions related to regulation by counties and cities regarding building, zoning, and related matters.
	STATUS:	05/13/2021 To ASSEMBLY Committee on TRANSPORTATION.
	CATEGORY:	Rail and Transit

► SB 551	AUTHOR:	Stern [D]
	TITLE:	California Electric Vehicle Authority
	INTRODUCED:	02/18/2021
	LAST AMEND:	05/20/2021
	LOCATION:	ASSEMBLY
	SUMMARY:	Establishes the California Electric Vehicle Authority within the Governor's office. Requires the authority to coordinate activities among state agencies to advance electric vehicle and zero-emission charging infrastructure deployment as well as ensure related equity, workforce development, economic development, and other needs are addressed, as specified.
	STATUS:	05/28/2021 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (31-6)
	CATEGORY:	Planning

CA SB 563 (Allen), which pertained to infrastructure financing, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► SB 580	AUTHOR:	Hueso [D]
	TITLE:	Department of Transportation: Highways and Roads
	INTRODUCED:	02/18/2021
	LAST AMEND:	05/20/2021
	LOCATION:	Senate Inactive File
	SUMMARY:	Authorizes the Department of Transportation to conduct a study to assess the feasibility, cost effectiveness, and life-cycle environmental benefits and detrimental impacts of including recycled plastics in asphalt used as a paving material in the construction, maintenance, or rehabilitation of a highway or road.
	STATUS:	05/26/2021 In SENATE. From third reading. To Inactive File.
	CATEGORY:	Environment

► SB 582	<p>AUTHOR: Stern [D]</p> <p>TITLE: Climate Emergency Mitigation, Safe Restoration</p> <p>INTRODUCED: 02/18/2021</p> <p>LAST AMEND: 05/20/2021</p> <p>LOCATION: Senate Third Reading File</p> <p>SUMMARY: Requires the Air Resources Board to ensure that statewide greenhouse gas emissions are reduced to at least a certain percentage and up to a certain percentage below the 1990 level by a specified year. <i>Adopts a state policy to lead a global effort to restore oceanic and atmospheric concentrations of greenhouse gas emissions to preindustrial levels as soon as possible, and to restore community health and reverse the impacts from the damage and injustice climate change is causing.</i></p> <p>STATUS: 05/24/2021 In SENATE. Read second time. To third reading.</p> <p>CATEGORY: Environment</p>
► SB 589	<p>AUTHOR: Hueso [D]</p> <p>TITLE: Air Pollution: Alternative Vehicles and Infrastructure</p> <p>INTRODUCED: 02/18/2021</p> <p>LAST AMEND: 05/04/2021</p> <p>LOCATION: Senate Special Consent Calendar</p> <p>SUMMARY: Requires the State Energy Resources Conservation and Development Commission to identify workforce development and training resources needed to meet specified goals concerning reducing emissions of greenhouse gases.</p> <p>STATUS: 05/24/2021 In SENATE. To Special Consent Calendar.</p> <p>CATEGORY: Environment</p>
► SB 596	<p>AUTHOR: Becker [D]</p> <p>TITLE: Greenhouse Gases: Cement and Concrete Production</p> <p>INTRODUCED: 02/18/2021</p> <p>LAST AMEND: 3/04/2021</p> <p>LOCATION: Assembly Natural Resources Committee</p> <p>SUMMARY: Require the state board to develop a comprehensive strategy for California's cement and concrete sector to reduce the carbon intensity of concrete used in the state by at least 40% from 2019 levels by 2030 on a specified date. Requires the state board, in developing the strategy, among other things, to identify modifications to existing measures and evaluate new measure, including a low-carbon product standard for concrete or cement, to achieve those objectives.</p> <p>STATUS: 05/28/2021 To ASSEMBLY Committee on NATURAL RESOURCES.</p> <p>CATEGORY: Environment</p>

► SB 598	AUTHOR:	Pan [D]
	TITLE:	Sacramento Regional Transit District: Employee Relation
	INTRODUCED:	02/18/2021
	LAST AMEND:	04/12/2021
	LOCATION:	Senate Appropriations Committee
	SUMMARY:	Grants Public Employment Relations Board jurisdiction to enforce these labor provisions applicable to the Sacramento Regional Transit District and would require employers and employees to adjudicate complaints of specified labor violations before PERB as an unfair labor practice.
	STATUS:	05/20/2021 From SENATE Committee on APPROPRIATIONS: Do pass. (5-2) 05/20/2021 In SENATE. Read second time. To third reading.
	CATEGORY:	Employment Terms & Conditions

CA SB 604 (Allen), which pertained to conservancies, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► SB 606	AUTHOR:	Gonzalez [D]
	TITLE:	Workplace Safety Violations: Employer Retaliation
	INTRODUCED:	02/18/2021
	LAST AMEND:	05/20/2021
	LOCATION:	Senate Third Reading File
	SUMMARY:	Creates a rebuttable presumption that a violation committed by an employer that has multiple worksites is enterprise-wide in certain circumstances. Authorizes the Division of Occupational Safety and Health to issue a citation if the employer fails to rebut such presumption. Requires each employee exposed to the violation to be considered a separate violation for the issuance of fines and penalties. Establishes that an employer's actions are presumed retaliatory in certain situations.
	STATUS:	05/24/2021 In SENATE. Read second time. To third reading.
	CATEGORY:	Employment Terms & Conditions

► SB 624	AUTHOR:	Hueso [D]
	TITLE:	Environmental Equity and Outdoor Access Act
	INTRODUCED:	02/18/2021
	LAST AMEND:	04/19/2021
	LOCATION:	Assembly Water, Parks and Wildlife Committee
	SUMMARY:	Establishes the Environmental Equity and Outdoor Access Act, which sets forth the State's commitment to ensuring all Californians can benefit from, and have meaningful access to, the State's rich cultural and natural resources.
	STATUS:	05/28/2021 To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
	CATEGORY:	Environment

CA SB 635 (Gonzalez), which pertained to cleanup activities, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► SB 643	AUTHOR:	Archuleta [D]
	TITLE:	Fuel Cell Electric Vehicle Fueling Infrastructure
	INTRODUCED:	02/19/2021
	LAST AMEND:	05/20/2021
	LOCATION:	Senate Third Reading File
	SUMMARY:	Requires the State Air Resources Board, in consultation with the Energy Commission and the Public Utilities Commission to prepare a statewide assessment of the fuel cell electric vehicle fueling infrastructure and fuel production needed to support the adoption of zero-emission trucks, buses, and off-road vehicles at levels necessary for the state to meet specified goals and requirements relating to vehicular air pollution.
	STATUS:	05/24/2021 In SENATE. Read second time. To third reading.
	CATEGORY:	Planning

CA SB 662 (Archuleta), which pertained to hydrogen, failed to meet fiscal committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► SB 671	AUTHOR:	Gonzalez [D]
	TITLE:	Clean Freight Corridor Efficiency Program
	INTRODUCED:	02/19/2021
	LAST AMEND:	04/28/2021
	LOCATION:	ASSEMBLY
	SUMMARY:	Establishes the Clean Freight Corridor Efficiency Assessment to be developed by the State Transportation Commission, in coordination with other state agencies. Requires the commission to identify freight corridors, or segments of corridors, throughout the state that would be priority candidates for the deployment of zero-emission medium- and heavy- duty vehicles.
	STATUS:	05/26/2021 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (40-0)
	CATEGORY:	Planning

► SB 674	AUTHOR: Durazo [D] TITLE: Public Contracts: Workforce Development INTRODUCED: 02/19/2021 LAST AMEND: 05/20/2021 LOCATION: Senate Third Reading File SUMMARY: <i>Requires the Labor and Workforce Development Agency to develop a program, known as the State Jobs Plan Program, to meet specified objectives, including, as a component of applications for covered public contracts, creation of a form that states the minimum numbers of proposed jobs that are projected to be retained and created if the applicant wins the covered public contract, and proposed wages, benefits, and investment in training.</i> STATUS: 05/24/2021 In SENATE. Read second time. To third reading. CATEGORY: Public Works
SB 704	AUTHOR: Gonzalez [D] TITLE: Occupational Safety and Health INTRODUCED: 02/19/2021 LOCATION: Senate Rules Committee SUMMARY: Requires every employer to furnish and use safety devices and safeguards, and to adopt and use practices that are reasonably adequate to render the employment and place of employment safe and healthful. STATUS: 03/03/2021 To SENATE Committee on RULES. CATEGORY: Employment Terms & Conditions
► SB 726	AUTHOR: Gonzalez [D] TITLE: Fuel and Vehicle Technologies: Sustainability INTRODUCED: 02/19/2021 LAST AMEND: 04/21/2021 LOCATION: Senate Third Reading File SUMMARY: Requires the Air Resources Board and the State Energy Resources Conservation and Development Commission, in coordination with specified state agencies, to jointly develop a comprehensive transportation sustainability strategy. STATUS: 05/20/2021 From SENATE Committee on APPROPRIATIONS: Do pass. (5-2) 05/20/2021 In SENATE. Read second time. To third reading. CATEGORY: Environment
CA SB 760 (Bates), which pertained to State Route 241, failed to meet policy committee deadlines and is now a two-year bill. Therefore, the bill has been removed from the matrix.	

► SB 771	<p>AUTHOR: Becker [D]</p> <p>TITLE: Sales And Use Tax Law: Zero Emissions Vehicle Exemption</p> <p>INTRODUCED: 02/19/2021</p> <p>LAST AMEND: 05/11/2021</p> <p>LOCATION: ASSEMBLY</p> <p>SUMMARY: <i>Provides an exemption from taxes imposed on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of a qualified motor vehicle, as defined, sold to a qualified buyer, as defined. Provides that this exemption does not apply to specified state sales and use taxes from which the proceeds are deposited into certain local funds.</i></p> <p>STATUS: 05/26/2021 <i>In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (34-4)</i></p> <p>CATEGORY: Funding</p>
► SB 791	<p>AUTHOR: Cortese [D]</p> <p>TITLE: Surplus Land Unit</p> <p>INTRODUCED: 02/19/2021</p> <p>LAST AMEND: 05/20/2021</p> <p>LOCATION: Senate Third Reading File</p> <p>SUMMARY: Establishes the Surplus Land Unit within the Department of Housing and Community Development with the primary purpose of facilitating the development and construction of residential housing on local surplus property.</p> <p>STATUS: 05/24/2021 <i>In SENATE. Read second time. To third reading.</i></p> <p>CATEGORY: Surplus Land</p>
► SB 792	<p>AUTHOR: Glazer [D]</p> <p>TITLE: Sales and Use Tax: Retailers: Reporting</p> <p>INTRODUCED: 02/19/2021</p> <p>LAST AMEND: 05/20/2021</p> <p>LOCATION: Senate Third Reading File</p> <p>SUMMARY: <i>Requires a qualified retailer whose annual qualified sales of tangible personal property transacted online exceeded a certain dollar amount for the previous calendar year to include with each tax return a schedule that reports for each local jurisdiction the gross receipts from the qualified sale of tangible personal property shipped or delivered to a purchaser in that jurisdiction.</i></p> <p>STATUS: 05/24/2021 <i>In SENATE. Read second time. To third reading.</i></p> <p>CATEGORY: Funding</p>

SCA 4	<p>AUTHOR: Wilk [R]</p> <p>TITLE: Legislature: 2-year Budget</p> <p>INTRODUCED: 02/17/2021</p> <p>LOCATION: Senate Budget & Fiscal Review Committee</p> <p>SUMMARY: Limits the Legislature, in the first year of the regular session, to considering or acting upon only the Budget Bill and related bills, and up to 5 bills introduced by each of the standing committees of the Legislature, as specified. Requires the Governor to submit to the Legislature a budget for the ensuing 2 fiscal years within the first 10 days of the first calendar year of the biennium of the legislative session.</p> <p>STATUS: 04/07/2021 To SENATE Committees on BUDGET AND FISCAL REVIEW and APPROPRIATIONS.</p> <p>CATEGORY: Funding</p>
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COMMITTEE TRANSMITTAL

June 28, 2021

To: Members of the Board of Directors

From: Andrea West, Interim Clerk of the Board



Subject: Federal Legislative Status Report

Legislative and Communications Committee Meeting of June 17, 2021

Present: Directors Bartlett, Delgleize, Hennessey, Hernandez, Murphy, Sidhu, and Wagner

Absent: None

Committee Vote

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

Staff Recommendation

Receive and file as an information item.



June 17, 2021

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Federal Legislative Status Report

Overview

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy issues directly impacting the agency's programs, projects, and operations. Updates are provided on efforts to reauthorize federal surface transportation programs, negotiations on the President's infrastructure plan, and the nominee to lead the Federal Transit Administration. Details are also provided on three transportation-related hearings that continue to inform an everchanging policy environment in our nation's capital.

Recommendation

Receive and file as an information item.

Discussion

Surface Transportation Reauthorization in the Senate

On May 26, 2021, the Senate Environment and Public Works Committee held a markup to consider its portion of a surface transportation reauthorization bill, notably the provisions governing federal highway programs. The bill, otherwise known as the Surface Transportation Reauthorization Act of 2021, is substantially similar to the version drafted and considered by the same committee in 2019.

The last surface transportation bill, the Fixing America's Surface Transportation (FAST) Act, was extended for one year, but without another authorization bill or extension, surface transportation programs are set to expire on September 30, 2021. While much of the attention has been on the President's infrastructure plan, this bill marks the first steps in this Congress to deliberate on

a comprehensive surface transportation bill, and these efforts will only become more important as the September deadline approaches.

The Senate's Surface Transportation Reauthorization Act of 2021 would authorize \$303.5 billion over five years for highway programs. By comparison, the FAST Act authorized \$305 billion for all federal transportation programs over a similar timeframe. This bill would reauthorize and increase funding capacity for existing federal highway programs, notably the Surface Transportation Block Grant and the Congestion Mitigation and Air Quality Improvement Program, two significant funding programs that allocate funding to the Orange County Transportation Authority (OCTA). While the bill makes minor changes, it does not significantly alter the structure of highway programs. Similar to the version marked up in 2019, this version contains the following provisions of note:

- Changes to the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan program that OCTA has been actively engaged in developing over the last few years. These reforms were based on legislation introduced last Congress, S. 353 (Cornyn, R-TX), supported by OCTA, as well as other recommendations that OCTA made to Congressional staff. Of note, the bill would remove from future TIFIA loans the requirement that public agencies prepay certain secured loans, eliminating a burdensome obligation that undermines the value provided by the TIFIA program.
- The codification of the "One Federal Decision" policy that streamlines various federal environmental and project reviews so that project sponsors can be issued a single environmental decision within two years, a concept OCTA has also historically supported.
- The continuance of a dedicated climate title that would provide \$4.9 billion over five years in grants aimed at protecting roads and bridges from natural disasters, including over \$1 billion for alternative fuel infrastructure. Staff continues to monitor this funding, and related proposals, to ensure they benefit transportation investments.

Aside from minor drafting changes, the one substantial policy change from the version marked up last Congress is the addition of a pilot program aimed at addressing inequities resulting from transportation investments. The Reconnecting Communities Pilot program would provide \$350 million in planning and construction funds for projects that remove, retrofit, or mitigate the impacts of existing transportation facilities creating barriers to community connectivity, including barriers to mobility, access, or economic development. This pilot program, developed in coordination with Senator Alex Padilla (D-CA), illustrates a willingness by some in Congress to utilize transportation funding to achieve these goals.

The Senate's highway proposal passed by a unanimous 20 to 0 vote. As of the writing of this report, the Senate Commerce, Science, and Technology Committee was reportedly preparing to host a markup of the rail title on June 16, 2021, although there was not timetable for when the Banking, Housing, and Urban Affairs Committee might markup a transit title. In addition, the Senate Finance Committee could take up the bill, if it so chooses, to consider how to pay for surface transportation investments. With surface transportation programs set to expire on September 30, 2021, Congress must either pass a reauthorization bill or another extension to prevent an interruption in federal transportation funding. The prospects for any reauthorization discussion depend on both what happens in the House and how Congress proceeds on the President's infrastructure proposal, both of which are discussed below.

Surface Transportation Reauthorization in the House

On June 9, 2021, the House Transportation and Infrastructure Committee held a protracted markup on its version of a reauthorization and infrastructure proposal, the Investing in a New Vision for the Environment and Surface Transportation (INVEST) in America Act. After 17 hours of vigorous debate to dispense with more than 200 proposed amendments, the bill passed out of committee by a vote of 38 to 26, with House leaders promising a floor vote before the July 4 recess.

Similar to the Senate's Surface Transportation Reauthorization Act of 2021, the INVEST in America Act is substantially similar to the House's reauthorization proposal of the same name that passed the House last Congress. This year's version of the INVEST in America Act would authorize \$547 billion for surface transportation programs, which is \$242 billion over the levels authorized by the FAST Act. The House bill would authorize \$343 billion for highways, bridges, and safety programs. As such, the House's highway title is approximately \$40 billion above the Senate highway proposal, although both the House and Senate are proposing more in highway spending than the FAST Act provided in overall funding authorization. Similar to the Senate proposal, the House bill would establish a new discretionary grant program to provide \$3 billion to remediate economically-disadvantaged and underserved communities through a focus on inclusive economic development. OCTA staff continues to analyze INVEST in America Act to determine how the House language could affect federal formula programs, tolling policy, and the transportation planning process, among the many differences between the House and Senate versions of the highway title.

The House's INVEST in America Act would also authorize \$109 billion on transit and \$95 billion on rail over five years, compared to just \$61 billion and \$10 billion, respectively, authorized by the FAST Act. As noted above, the relevant Senate committees had not yet released their rail and transit titles as of the writing of

this staff report, making it difficult to conduct a more detailed comparison of the ways in which the House and Senate reauthorization proposals might affect OCTA. Staff will continue to closely monitor the development of any reauthorization proposals, specifically how the Senate language compares to the House's INVEST in America Act, in order to more comprehensively analyze and advocate for the types of policies that will most effectively benefit OCTA's operations and mobility in Orange County.

Update on the President's Infrastructure Plan

Leaders from both parties continue to refine their proposals amid ongoing negotiations to develop an infrastructure investment plan. The President reduced the cost of his proposal focused on physical infrastructure, known as the American Jobs Plan, to \$1.7 trillion, down from \$2.3 trillion. Congressional Republicans also increased their proposal to \$928 billion, approximately \$360 billion above their initial proposal. This counterproposal remains focused largely on physical infrastructure investments directed to existing formula and proven discretionary transportation programs. Aside from the two sides remaining hundreds of billions of dollars apart, significant questions remain about whether infrastructure spending would be in addition to or part of reauthorization efforts, the timeframe for these investments, how to pay for the spending increases, and how funding could be used to address other policy priorities, notably climate change and equity.

Nomination Update

On May 11, 2021, the Senate Banking, Housing, and Urban Affairs Committee held a hearing to consider the nomination of Ms. Nuria Fernandez to officially serve as Federal Transit Administrator. Ms. Fernandez, who was appointed to the Deputy Administrator position earlier this year and currently serves as the Acting Administrator, displayed her extensive knowledge of transit policy in fielding questions about zero-emission bus technology, post-pandemic funding stability, assaults on transit personnel, and the Administration's efforts to better coordinate housing and transportation investments. Previous to her nomination, Acting Administrator Fernandez served for seven years as the Chief Executive Officer and General Manager of the Santa Clara Valley Transportation Authority. On May 19, 2021, Acting Administrator Fernandez's nomination was reported out of committee by a voice vote, where it now awaits Senate floor action.

The President's nominees to lead the other modal agencies, the Federal Highways Administration and the Federal Railroad Administration, have not yet been considered in the relevant committees. Staff will continue to monitor all these nominations and provide updates as warranted.

Transportation Hearings

On May 11, 2021, the Senate Environment and Public Works Committee's Subcommittee on Transportation and Infrastructure held a hearing entitled, "Equity in Transportation Infrastructure: Connecting Communities, Removing Barriers, and Repairing Networks Across America." Senators and witnesses explored how transportation investments have sometimes led to inequitable outcomes in certain communities and what Congress might do to address equity through transportation funding and policy decisions. California Department of Transportation (Caltrans) Director Toms Omishakin was one of the witnesses, testifying about how Caltrans is ensuring that transportation policies benefit all communities equally. Director Omishakin noted that Caltrans has expressed a commitment to expanding mobility options through investments in transit and passenger rail service as well as active transportation facilities. In fielding questions, Director Omishakin noted that California has been competitive in discretionary grant programs, and in an exchange with Senator Padilla, Director Omishakin voiced his support for a robust disadvantaged business enterprise program. While specific policy solutions were not explored in detail at the hearing, the conversations did inform the drafting of the surface transportation reauthorization legislation, discussed above, that includes a pilot program aimed at addressing historic inequities in transportation investments.

On May 18, 2021, the Senate Finance Committee held a hearing entitled, "Funding and Financing Options to Bolster American Infrastructure." Senators and witnesses discussed the long-term transportation funding future, including ways to address the solvency of the highway trust fund (HTF). The Congressional Budget Office (CBO) testified to the efficacy of various proposals aimed at addressing the HTF's structural revenue deficit. According to the CBO, a fee on electric vehicles would only raise about \$200 million per year, whereas a vehicle miles traveled fee on large trucks would raise \$2.6 billion per year for every cent assessed via such a fee. There was bipartisan agreement that a five-cent per mile fee on large trucks would raise significant revenue, approximately \$13 billion per year according to the CBO. This amount of revenue would almost cover the structural revenue deficit facing the HTF while also respecting the user fee approach traditionally taken with federal transportation programs, although there were no witnesses from the trucking industry present at the hearing to speak to the cost borne by the trucking industry on such a proposal. There was also a discussion about repurposing stimulus funds from the most recent economic relief package, specifically those directed to state and local governments. Multiple witnesses spoke about the plans that states and localities have for such funds, and ultimately, there was no consensus on that issue.

Senators and witnesses also discussed the importance of bonding mechanisms, such as tax-exempt and tax-credit bonds. There was broad support for bonding

flexibilities, such as private activity bonds and other tax-credit bonds, that could be used to leverage additional private sector investment in infrastructure improvements without burdening the already sizable federal budget deficit. One policy of interest to OCTA was the consensus opinion that the tax exemption for advance refunding bonds should be restored. This tax exemption was repealed as part of the 2017 tax reform legislation, and OCTA has supported efforts to reinstate this exemption. Witnesses specifically noted how this tax exemption allows localities to have the financial flexibility and certainty in planning long-term transportation investments. While there is support for this tax exemption, it is unclear how it fits into the already complicated discussion on paying for a large infrastructure investment at a time of historic budget deficits. That said, staff will continue to monitor these discussions and provide updates as necessary.

On May 20, 2021, the Senate Banking, Housing, and Urban Affairs Committee held a hearing entitled, “21st Century Communities: Expanding Opportunity Through Infrastructure Investments.” Transportation Secretary Pete Buttigieg testified alongside Housing and Urban Development Secretary Marcia L. Fudge to discuss the Administration’s efforts to coordinate housing and transportation policies. While specific federal funding or policy proposals were not discussed in detail, Secretary Buttigieg noted the Administration’s support for an infrastructure investment that could both address a \$1 trillion maintenance backlog while also transforming communities across the country. In urging Congress to pass the President’s American Jobs Plan, Secretary Buttigieg fielded questions about how to pay for such a large investment. In one exchange, Secretary Buttigieg argued against repurposing emergency transit funding provided in the three recent stimulus bills, emphasizing that transit agencies have plans to spend that funding. The Secretary also made clear that only one of those bills included an obligation deadline, and even then, it was three years from the date of enactment, which would make it unfair for Congress to repurpose this funding only a few months after the legislation was signed into law. Secretary Buttigieg also noted that, conceptually, the Administration views the infrastructure investments proposed in the American Jobs Plan as a separate discussion from annual transportation funding provided in a surface transportation authorization bill, although he did not provide additional details on the Administration’s viewpoint on this incredibly important issue.

Summary

Updates are provided on surface transportation reauthorization legislation as well as the President's infrastructure plan and relevant transportation nominations. Congressional transportation hearings are summarized referencing various policy decisions underway in Washington, D.C.

Attachments

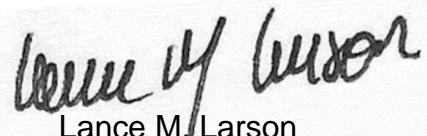
- A. Potomac Partners DC, Monthly Legislative Report – May 2021

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Monthly Legislative Report – May 2021

May Advocacy Meetings

Congressman Pete Aguilar (D-CA) – We facilitated a virtual meeting with Congressman Aguilar and his staff to discuss FY22 appropriations and the timeline for Committee Markups. On a separate call later in the month, we discussed support for a long-term surface transportation reauthorization bill with multi-year funding and policies aimed at expediting project delivery. We also discussed support for additional emergency COVID-19 funding, support for nationally significant passenger rail and goods movement corridors, and policies and funding that support zero-emission transportation solutions.

Senator Dianne Feinstein (D-CA) – We facilitated a call with Senator Feinstein and her staff to discuss support for a long-term surface transportation reauthorization bill and robust funding for transit. We discussed support for equitable formula funding. We also discussed the timeline for FY22 appropriations in the Senate. We also submitted two requests for Congressionally Directed Spending (CDS, called CPF in the House): (1) the West Santa Ana Branch High-Capacity Transit Study and (2) the Transit Security and Operations Center.

Congressman Jimmy Gomez (D-CA) – We facilitated a virtual meeting with the Congressman and his staff to discuss support for a long-term surface transportation reauthorization bill with multi-year federal funding. We discussed support for transit funding, long term solvency of the Highway Trust Fund (HTF), and other initiatives that advance equity in transportation.

Congressman Lou Correa (D-CA) – We facilitated a virtual meeting with Congressman Correa and his staff to discuss support for a long-term surface transportation reauthorization and long-term solvency of the Highway Trust Fund. We discussed support for emergency funding tied to the COVID-19 pandemic to augment CARES Act relief aimed at supporting ongoing projects and transit operations. We separately followed-up on our FY22 funding requests we submitted through the Community Project Funding (CPF) process.

Congressman Mike Levin (D-CA) – We facilitated a virtual meeting with Congressman Levin and spoke on the phone several times to discuss support for a long-term surface transportation reauthorization and specific project requests. We discussed support for emergency funding tied to the COVID-19 pandemic to augment CARES Act funding for local governments. We also discussed support for transit funding, and other initiatives that advance equity and inclusion in transportation.

Congresswoman Linda Sanchez (D-CA) – We facilitated a virtual meeting with Congresswoman Sanchez and her staff to discuss support for a long-term surface

transportation reauthorization bill and ways to ensure the long-term solvency of the Highway Trust Fund. We also discussed support for additional emergency COVID-19 funding, support for nationally significant passenger rail and goods movement corridors, and funding, legislation, and policies that advance equity and inclusion in transportation.

Congresswoman Grace Napolitano (D-CA) – We facilitated a virtual meeting with Congresswoman Napolitano’s staff this month to discuss support for a long-term surface transportation reauthorization bill. We also discussed support for additional emergency COVID-19 funding, and support for nationally significant passenger rail and goods movement corridors. We also discussed the President’s proposed budget and the likelihood of a full infrastructure proposal by August.

Congresswoman Julia Brownley (D-CA) – We facilitated a virtual meeting with Congresswoman Brownley’s staff this month to discuss support for a long-term surface transportation reauthorization bill. We also discussed support for additional emergency COVID-19 funding, and support for additional transit funding.

Congresswoman Young Kim (R-CA) – We followed-up with Congresswoman Kim to discuss local OCTA projects and support for a long-term surface transportation reauthorization bill with multi-year direct federal funding. We also discussed support for emergency funding tied to the COVID-19 pandemic.

Congressman Alan Lowenthal (D-CA) – We followed-up with Congressman Lowenthal and his staff to discuss the timing for the House Transportation and Infrastructure Committee markup of the Surface Transportation Reauthorization.

Congresswoman Katie Porter (D-CA) – We followed-up with Congresswoman Porter’s senior staff to discuss support for long-term surface transportation reauthorization bill with new multi-year direct federal funding. We also discussed support for additional funding to support recovery from the pandemic.

Congresswoman Michelle Steel (R-CA) – We have been in communication with Congresswoman Steel’s senior staff to discuss the Surface Transportation Reauthorization process and support for a longer reauthorization.

Senator Alex Padilla (D-CA) – We have been in close contact with Senator Padilla’s senior transportation staff to discuss the FY22 appropriations process and the surface transportation reauthorization draft and markup in the Senate Environment and Public Works Committee. We also submitted two requests for Congressionally Directed Spending (CDS): (1) the West Santa Ana Branch High-Capacity Transit Study and (2) the Transit Security and Operations Center.

House Appropriations: Transportation, Housing and Urban Development – We continue to be in close contact with professional staff in the Majority and Minority regarding FY22 appropriations to discuss the process for submitting successful CPF

requests, and the timeline for requests submitted by Members. We also discussed the markup timeline and the process for CPF requests during markup.

House Transportation and Infrastructure Committee – We have been in communication with Chairman DeFazio and his senior staff to discuss Member Designated Projects and their consideration during the upcoming markup scheduled for the second week of June. We discussed the timeline for additional Committee hearings on the infrastructure bill, and new opportunities for funding in that larger bill. With Minority staff, we discussed last year's tolling provisions included in the House Democrat's 2020 Invest Act.

Senate Banking, Housing, and Urban Affairs Committee – We spoke with professional staff to discuss progress on the Surface Transportation Reauthorization. We discussed the outlook for a Senate Banking draft in the coming weeks. We also discussed opportunities to submit stakeholder input to include additional funding for zero-emission buses.

Senate Commerce, Science, and Transportation Committee – We continue to be in close contact with professional staff on the Senate Commerce Committee to discuss the surface transportation reauthorization and the timeline for their markup.

President's Budget Request

On Friday, May 28th, the Office of Management and Budget (OMB) released the full President's budget for Fiscal Year 2022 (FY22). The full budget, which has no statutory authority, is used each year as a starting point for Congressional Appropriators. An outline of the Department of Transportation (DOT) budget request is included below:

Department of Transportation

- \$88 billion for overall funding in FY22.
- \$47.1 billion – Federal-aid Highway Program.
- \$2.7 billion – Highway Safety Improvement Program.
- \$24.2 billion – National Highway Performance Program.
- \$12.1 billion – Surface Transportation Block Grant Program.
- \$2.5 billion – Congestion Mitigation and Air Quality Improvement Program.
- \$1.5 billion – National Highway Freight Program.
- \$1 billion – Nationally Significant Freight and Highway Projects Program.
- \$13.5 billion – Federal Transit Administration
 - \$2.5 billion – Capital Investment Grants (CIG), \$459 above FY21 enacted.
 - \$550 million – Transit Infrastructure Grants, of which \$250 million will be set-aside for the Zero Emission Bus Program.
- \$2.7 billion – Amtrak, a 35% percent increase compared to FY21 enacted.
- \$18.5 billion – Federal Aviation Administration (FAA)
- \$1 billion for BUILD grants, no change compared to FY21.

- \$625 million – *New* passenger rail competitive grant program to promote “competitive, low-carbon options for intercity travel.”
- \$375 million – Freight and passenger rail network safety and resiliency, no change compared to FY21.
- \$110 million through grants and technical assistance to communities to improve transportation equity.

House Democrats on both the Appropriations and Budget Committees have echoed their support for the top-line funding numbers included in the President’s Budget.

Surface Transportation Reauthorization Updates

On May 26th, the Senate EPW Committee held a markup of the Surface Transportation Reauthorization Act of 2021 (STRA). The full text of the Surface Transportation Reauthorization Act can be found [HERE](#). Additional materials include a [section-by-section](#) and tables for [apportionments](#) and [authorizations](#). Chairman Carper (D-DE) applauded the bipartisan process on their Senate EPW Committee, stating that the bill provides \$303.5 billion over 5 years, a 34% increase above FAST Act levels. Senator Carper noted that the bill makes significant investments in reducing transportation emissions, improving safety, and addressing historic inequities in the transportation system, specifically citing the impact of I-95 on Wilmington. Ranking Member Capito (R-WV) also praised the bipartisan bill and its provisions that enable long term investments, provide funding certainty for states and local partners, maintain the nation’s network of roads and bridges, streamline project delivery, and meet the demand for future innovation.

A day later, on May 27th, Senate Republicans released a counteroffer to President Biden’s infrastructure proposal, the American Jobs Act. The Senate Republican proposal (factsheet [HERE](#)) would provide \$928 billion, as opposed to their initial offer of \$568 billion. Comparatively, President Biden’s first offer was a \$2.65 trillion proposal. After discussions with Republican Senators at the White House, President Biden indicated he was willing to lower the spending amount in his proposal. On May 28th, Senate Majority Leader Chuck Schumer (D-NY) said that in June, Senate Democrats will draft an infrastructure bill with or without Republican input.

Similarly, the House Transportation and Infrastructure Committee will meet on June 9th to hold a markup of their Surface Transportation Reauthorization bill, to be called the [INVEST in America Act](#). The 2021 version of the bill has not been released, but it is expected to follow a general outline of the 2020 version. A factsheet of the 2020 INVEST Act [The Moving Forward Act] can be found [HERE](#).

On May 19th the House Ranking Member Sam Graves (R-MO) and Committee Republicans introduced their version of the Highway Bill, the ***Surface Transportation Advanced through Reform, Technology & Efficient Review (STARTER) Act 2.0***.

This legislation lays out key GOP principles that they hope to include in a bipartisan bill.

Legislative text of the *STARTER Act 2.0* can be found [HERE](#).

Once again, the largest issue facing lawmakers in this process is how Congress will pay for a long-term surface transportation reauthorization and/or a broader infrastructure package. During a Senate Finance Committee hearing on the solvency of the Highway Trust Fund, the only bipartisan-supported funding mechanism was the use of Private Activity Bonds, or the creation of new municipal bond instruments. As previously reported, President Biden is opposed to raising the federal gas tax.



COMMITTEE TRANSMITTAL

June 28, 2021

To: Members of the Board of Directors

From: Andrea West, Interim Clerk of the Board *Andrea West*

Subject: Amendments to Agreements for Temporary Staffing Services

Finance and Administration Committee Meeting of June 23, 2021

Present: Directors Foley, Harper, Hennessey, Jones, and Muller
Absent: Directors Goodell and Hernandez,

Committee Vote

Following the roll call vote, this item was declared passed 5-0 by the Members present.


Committee Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-8-15893 between the Orange County Transportation Authority and APR Consulting, Inc., to exercise the first option term for continued temporary staffing services.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-8-1842 between the Orange County Transportation Authority and ManpowerGroup US to exercise the first option term for continued temporary staffing services.
- C. Approve an increase of \$500,000 to the aggregate amount to be shared by both staffing firms, for a total amount of \$2,450,000 shared between the two contracts.



June 23, 2021

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Amendments to Agreements for Temporary Staffing Services

Overview

On October 8, 2018, the Orange County Transportation Authority Board of Directors approved agreements with APR Consulting, Inc., and ManpowerGroup US to provide temporary staffing services for a three-year initial term and two, two-year option terms. Board of Directors' approval is requested to exercise the first option term effective November 1, 2021 through October 31, 2023.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-8-1593 between the Orange County Transportation Authority and APR Consulting, Inc., to exercise the first option term for continued temporary staffing services.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-8-1842 between the Orange County Transportation Authority and ManpowerGroup US to exercise the first option term for continued temporary staffing services.
- C. Approve an increase of \$500,000 to the aggregate amount to be shared by both staffing firms, for a total amount of \$2,450,000 shared between the two contracts.

Discussion

The Orange County Transportation Authority (OCTA) has always focused on being a highly efficient and productive organization. By allowing for the use of temporary staff, OCTA can maintain its efficiency and productivity during times of regular staff shortages and/or special projects that require additional staff. Temporary staff are only utilized during these special times to ensure deadlines

are met and goals are achieved. The use of temporary staff does not add to the number of approved budgeted positions.

Historically, the majority of the OCTA temporary personnel utilization has been in the clerical or administrative support staff categories caused by a leave of absence. There is seldom a means to plan for leaves of absence. When employees are on leave, OCTA does not have the extra staff to backfill the positions to ensure the work is completed.

In addition, temporary staff have been used for special and/or non-recurring projects that have a specific end date. An example of this is OCTA's Enterprise Content Management (ECM) Program. The project's goal is to eliminate paper records by scanning the documents and files, and then organizing and storing the records electronically on a Sharepoint site, resulting in improved efficiency and accessibility. Temporary staff has been integral in supporting this project.

Moreover, the coronavirus pandemic has created many uncertainties and makes it challenging to project all of the possible temporary help utilization for the next two years (FY 2021-22 and 2022-23). The coronavirus pandemic has also resulted in a tightening and changing labor market that may impact OCTA's ability to quickly hire quality candidates.

Staff estimates that a total of \$650,000 for fiscal year (FY) 2021-22 will be required to advance projects utilizing temporary help. This estimate includes the ECM Program. While this is an estimate based on historical temporary help utilization and planned projects, there may be additional utilization that is included in the estimate because projects and leaves are not yet fully known.

Contract Year	Total Amount Spent
Year 1 (2018-2019)	\$514,670
Year 2 (2019-2020)	\$344,898
Year 3 (2020-2021)	*\$290,432
Option Year 1 (2021-2022)	**\$650,000
Option Year 2 (2022- 2023)	**\$650,000
Total	\$2,450,000

**partial year to date plus forecast for remainder of year*

***forecasted*

When the Board of Directors (Board) initially approved contract authority for \$1,950,000, the amount was intended to cover the first three years of the

contract, with any remaining funds going towards the option term, if exercised. Of that amount, \$1,078,000 remains to cover the last year of the initial contract, as well as the two years of the first option term that staff is requesting to exercise, for a total of three years. Historically, OCTA has spent approximately \$436,000 per year on temporary help. Based on this number, the remaining \$1,078,000 will not be enough given the known expenses and the uncertainties of FY 2021-22 and 2022-23. Therefore, in an effort to be fully prepared and to have contract authority to cover any potential increases in temporary help utilization, staff is recommending an increase of \$500,000 to the aggregate amount to be shared by both firms.

Procurement Approach

This procurement was handled in accordance with OCTA's Board-approved procedures for professional services that conform to both federal and state laws. The original agreements were awarded on a competitive basis and include a three-year initial term for an aggregate amount of \$1,950,000 to be shared by both staffing firms and two, two-year option terms. The initial term of the agreements expires on October 31, 2021, as shown in attachments A and B.

The proposed Amendment No. 1 to the agreement with APR Consulting, Inc. (APR) and Amendment No. 2 to the agreement with ManpowerGroup US (Manpower) are to exercise the first option term of the agreements effective November 1, 2021 through October 31, 2023. The budget for the first option term is \$500,000, which is based on current and anticipated usage for temporary staffing services, bringing the total aggregate amount to \$2,450,000 to be shared by both staffing firms. An annual hourly rate escalation was negotiated in the original contracts. However, the Contracts Administration and Materials Management Department was able to negotiate with APR to reduce its hourly rates for the first option term and Manpower to hold its initial term rates for the first option term. Exercising the first option term with both staffing firms will allow for continued temporary staffing services through October 31, 2023.

Fiscal Impact

The expenditures for these services are part of OCTA's Board-approved FY budgets and will be funded with local funds. The final, approved temporary staffing services contracts allow for contract authority in the aggregate to be shared by both staffing firms. The contracts do not directly impact the budget. All temporary staffing services are utilized on an as-needed basis dependent on the individual needs of each department. As such, anticipated expenditures for these services are budgeted as part of each requesting department's budget, or the

expenditures are covered by budget underruns in the salaries line item within the requesting department's budget.

Summary

Staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-8-1593 between the Orange County Transportation Authority and APR Consulting, Inc., and Amendment No. 2 to Agreement No. C-8-1842 with ManpowerGroup US to exercise the first option term, in the aggregate amount of \$500,000 to be shared by both staffing firms for a total contract value of \$2,450,000, for continued temporary staffing services.

Attachments

- A. APR Consulting, Inc., Agreement No. C-8-1593, Fact Sheet
- B. ManpowerGroup US, Agreement No. C-8-1842, Fact Sheet

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**APR Consulting, Inc.
Agreement No. C-8-1593
Fact Sheet**

1. October 8, 2018, Agreement No. C-8-1593, \$1,950,000, approved by the Board of Directors (Board).
 - Agreement to provide temporary staffing services.
 - Initial term effective October 23, 2018 through October 31, 2021, with two, two-year option terms.
2. June 28, 2021, Amendment No. 1, Agreement No. C-8-1593, \$500,000, pending approval by Board.
 - Exercise the first option term of the agreement effective November 1, 2021 through October 31, 2023.

Total aggregate amount committed to APR Consulting, Inc. under Agreement No. C-8-1593: \$2,450,000.

**ManpowerGroup US
Agreement No. C-8-1842
Fact Sheet**

1. October 8, 2018, Agreement No. C-8-1842, \$1,950,000, approved by the Board of Directors (Board).
 - Agreement to provide temporary staffing services.
 - Initial term effective October 26, 2018 through October 31, 2021, with two, two-year option terms.
2. September 26, 2019, Amendment No. 1, Agreement No. C-8-1842, \$0, approved by Contracts Administration and Materials Management.
 - Revised company's address.
3. June 28, 2021, Amendment No. 2, Agreement No. C-8-1842, \$500,000, pending Board approval.
 - Exercise the first option term of the agreement effective November 1, 2021 through October 31, 2023.

Total aggregate amount committed to ManpowerGroup US under Agreement No. C-8-1842: \$2,450,000.



COMMITTEE TRANSMITTAL

June 28, 2021

To: Members of the Board of Directors

From: Andrea West, Interim Clerk of the Board *Andrea West*

Subject: Bus Operations Performance Measurements Report for the Third Quarter of Fiscal Year 2020-21

Transit Committee Meeting of June 10, 2021

Present: Directors Chaffee, Do, Jones, Nguyen, Sarmiento, Shaw, and Sidhu

Absent: None

Committee Vote

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

Staff Recommendation

Receive and file as an information item.



June 10, 2021

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Bus Operations Performance Measurements Report for the Third Quarter of Fiscal Year 2020-21

Overview

The Orange County Transportation Authority operates fixed-route bus and demand-response paratransit service throughout Orange County and into neighboring counties. The established measures of performance for these services assess the safety, courtesy, reliability, and overall quality of the services. This report summarizes the year-to-date performance of these services through the third quarter of fiscal year 2020-21.

Recommendation

Receive and file as an information item.

Background

The Orange County Transportation Authority (OCTA) operates a countywide network of 58 routes, including local, community, rail connector, and express bus routes serving over 5,000 bus stops. Fixed-route bus (OC Bus) service operates in a 798 square-mile area, serving more than three million residents in 34 cities and unincorporated areas, with connections to transit services in Los Angeles, Orange, and Riverside counties. OCTA provides these services through both directly operated fixed-route (DOFR) and contracted fixed-route (CFR) service. OCTA also provides OC ACCESS, a federally mandated paratransit service, which is a shared-ride program available for people unable to use the OC Bus service due to functional limitations. Performance measures for both OC Bus and OC ACCESS services are summarized and reported quarterly (Attachment A).

In response to a significant decline in ridership as the result of the coronavirus (COVID-19) pandemic, OC Bus service was modified to operate on a Sunday-only schedule seven days a week effective March 23, 2020. To support

ridership returning to the system, at the service change in June 2020, a Saturday schedule was implemented six days a week. To provide some connectivity beyond the core service area, eight additional routes that typically only operate on weekdays were also included in the June 2020 service plan, with a total of 50 of the 58 total routes currently being operated. To further address the return of ridership and ensure social distancing is possible while on-board buses, particularly on routes with the heaviest passenger loads, trippers operating on key segments of these routes continue to be deployed, as needed, to provide additional capacity throughout the third quarter of the fiscal year (FY).

Discussion

This report provides an update on the performance of the OC Bus and OC ACCESS services by presenting the current trends and comparisons with OCTA-established performance standards for transit system safety, courtesy, and reliability. OCTA counts preventable vehicle accidents to evaluate system safety, customer complaints to assess courtesy, and uses both on-time performance (OTP) and miles between road calls (MBRC) to measure service reliability.

This report includes performance through the third quarter, including the months of January, February, and March in FY 2020-21. The performance during the third quarter continues to reflect the impact of the COVID-19 pandemic in many of the metrics.

- Safety – DOFR OC Bus service performed below the accident frequency standard of one preventable accident per 100,000 service miles. To address this trend, OCTA Operations staff continue to focus on and stress safety in the bus loading/unloading zones and passenger safety inside the vehicle (passenger falls). CFR OC Bus service and OC ACCESS service both performed above standard.
- Customer Service – Customer service is measured by evaluating the number of valid customer complaints received compared to boardings. Through the third quarter, all modes of service performed above their respective standards.
- Reliability – The OTP for OC Bus and OC ACCESS through the third quarter was above standard and continues to perform well, primarily a result of a decrease in local traffic and lower traffic volumes overall due to the COVID-19 pandemic. The OTP for DOFR and CFR was 84.5 percent and 80.7 percent, respectively. The OTP for OC ACCESS was 98.5 percent, 4.5 percent above the standard.

- The MBRC for DOFR OC Bus Service and OC ACCESS exceeded the standard while CFR OC Bus fell below the standard for MBRC.

The report also includes:

- An assessment of the efficiency of OCTA transit operations based on industry standards for ridership, productivity, farebox recovery, and cost per revenue vehicle hour;
- A review of contractor performance for CFR and OC ACCESS services;
- A route-level performance evaluation that includes subsidy per boarding, revenue per boarding, and resource allocation (buses); and
- A status on the initiatives implemented under the OC Bus 360° Program, including OC Flex and the College Pass Program.

Summary

Through the third quarter of FY 2020-21, the performance of OC Bus service exceeded standards in the areas of courtesy and reliability as measured by OTP but fell below the performance standard for safety (DOFR) and reliability with respect to MBRC (CFR). OC ACCESS performed above standard for all measures of safety, courtesy, and reliability. OCTA staff continue to focus on continuous improvement in safety as detailed in the report. In addition to tracking the established key performance indicators, staff will continue to manage the service contracts pursuant to contract requirements and work to identify other strategies to improve overall system performance.

Attachment

- A. Bus Operations Performance Measurements Report, Third Quarter,
Fiscal Year 2020-21

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Bus Operations Performance Measurements Report



Third Quarter
Fiscal Year 2020-21

About This Report

The Orange County Transportation Authority (OCTA) operates a countywide network of 58 routes including local, community, rail connector, and express bus routes serving over 5,000 bus stops known as OC Bus. OCTA also operates paratransit service (OC ACCESS), a shared-ride program available for people unable to use the standard OC Bus service because of functional limitations. OC Bus service is provided through both direct operations by OCTA referred to as directly operated fixed-route (DOFR) and contracted operations referred to as contracted fixed-route (CFR) service. The OC ACCESS service is a contract-operated demand-response service required by the Americans with Disabilities Act that is complementary to the fixed-route service and predominately accounts for the overall paratransit services operated by OCTA. These services make up the bus transit system and are evaluated by the performance measurements summarized in this report.

This report tracks bus system safety, as measured by vehicle accidents; courtesy, as measured by customer complaints; and reliability, as measured by on-time performance (OTP) and miles between road calls (MBRC). Along with these metrics, industry-standard measurements are tracked to assess OCTA bus operations; these measurements include ridership, productivity, farebox recovery ratio (FRR), and cost per revenue vehicle hour (RVH). Graphs accompany the details of each indicator showing the standards or goals and the values for the current reporting period. The following sections provide performance information for OC Bus service, DOFR and CFR, and OC ACCESS service.

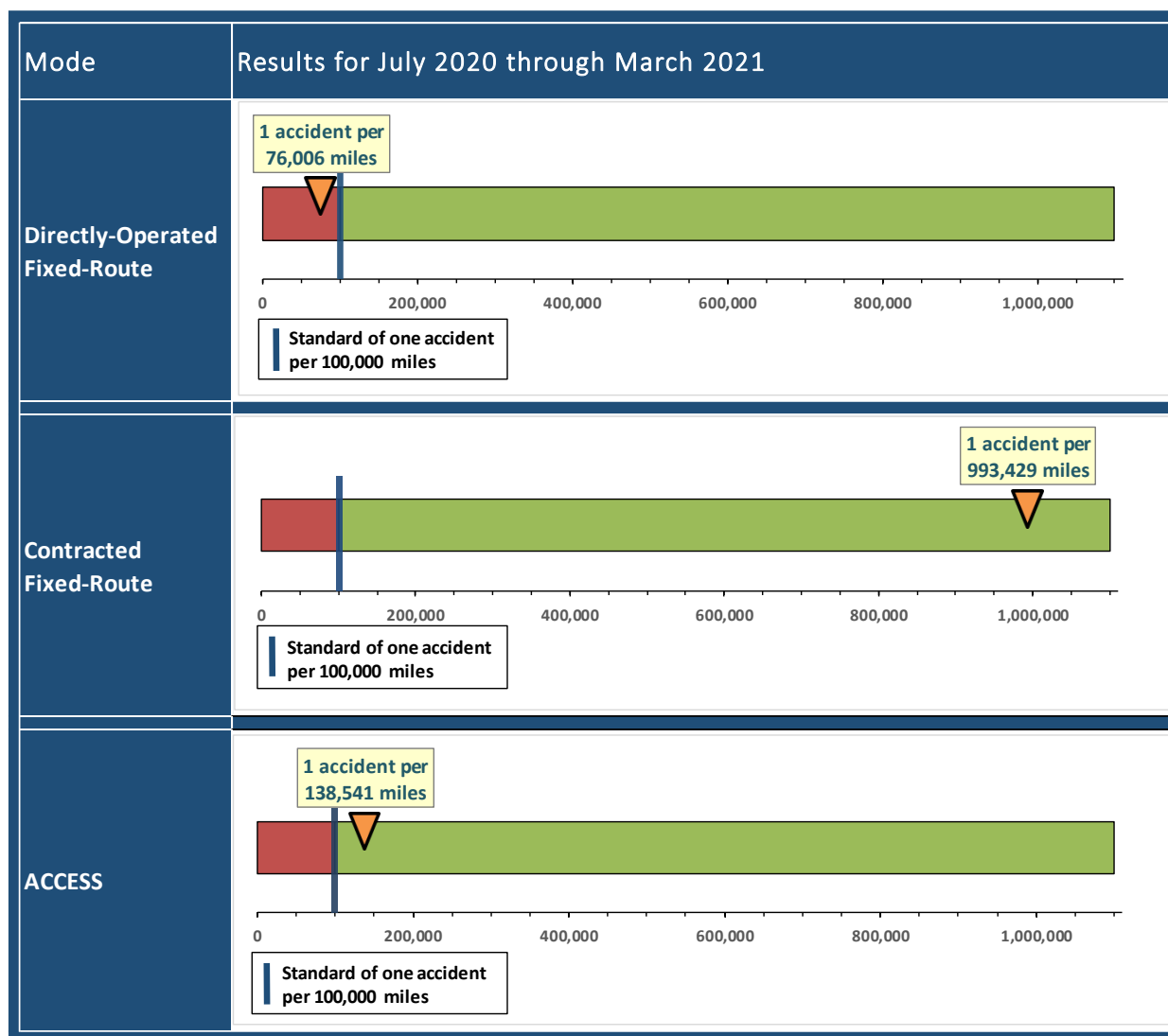
It is important to note that OCTA implemented a reduced service schedule for OC Bus on March 23, 2020 in direct response to the coronavirus (COVID-19) pandemic. The impact that the COVID-19 pandemic has had on both OC Bus and OC ACCESS continues to be significant, as reflected in the performance to be discussed in this report.

FY2020-21 Q3 SUMMARY

- **Safety:**
 - DOFR - ▼
 - CFR - ▲
 - OC ACCESS - ▲
- **Courtesy:**
 - DOFR - ▲
 - CFR - ▲
 - OC ACCESS - ▲
- **On-Time Performance (OTP):**
 - DOFR - ▲
 - CFR - ▲
 - OC ACCESS - ▲
- **Miles Between Road Calls (MBRC):**
 - DOFR - ▲
 - CFR - ▼
 - OC ACCESS - ▲

Safety: Preventable Vehicle Accidents

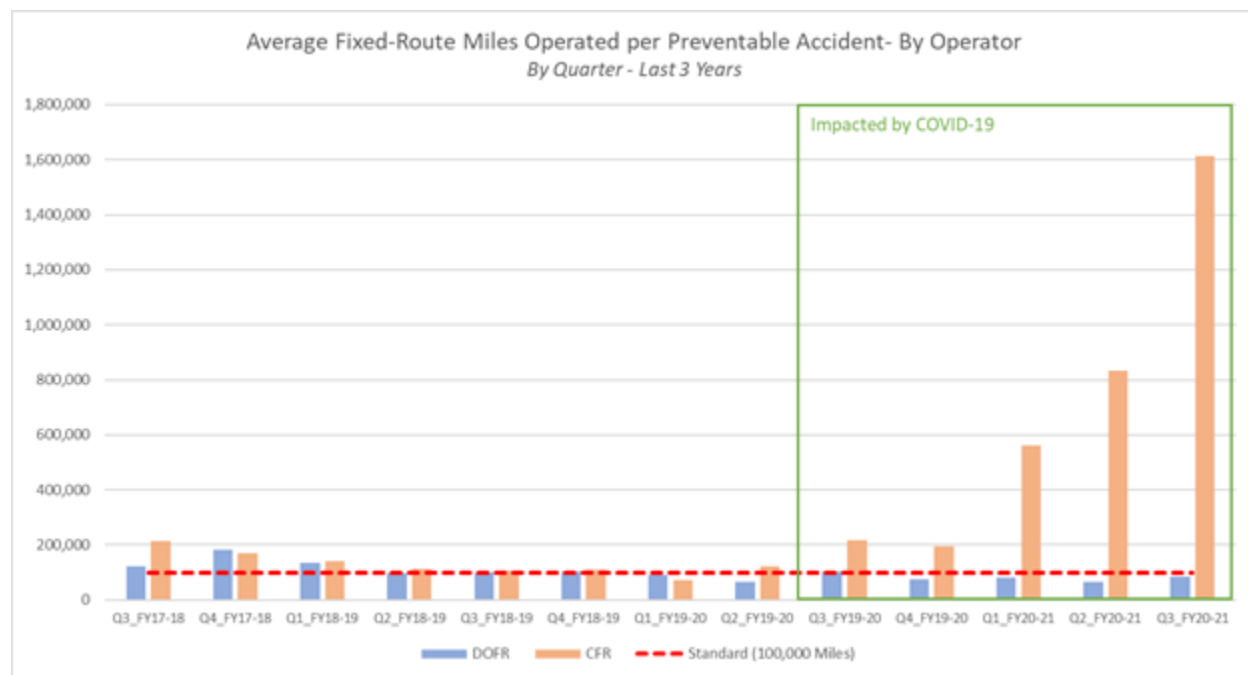
OCTA is committed to the safe delivery of the OC Bus service. The safety standard for DOFR, CFR, and OC ACCESS services is no more than one vehicle accident per 100,000 miles. Preventable vehicle accidents are defined as incidents when physical contact occurs between vehicles used for public transit and other vehicles, objects, or pedestrians, and where a coach operator failed to do everything reasonable to prevent the accident. On-board passenger falls determined to be preventable are also included among these accidents. Through the third quarter of fiscal year (FY) 2020-21, CFR and OC ACCESS continued to perform above the safety standard while DOFR did not meet the standard of operating more than 100,000 miles between preventable accidents.



DOFR OC Bus continued to perform below the accident frequency standard and OCTA Operations staff continue to focus on and stress the importance of safety, conduct safety-related campaigns, and promote the safe driving award program. During the past quarter, training continued to focus on safety as most of the accidents during January and February were a result of the operator driving and making contact with

another vehicle, a pole, or a sign. To help mitigate preventable accidents, Bus Operations posted a campaign to remind operators of safe driving techniques and safety in the bus zones.

The following chart shows the average number of miles operated between preventable accidents for both DOFR and CFR. Over the eight quarters prior to the COVID-19 pandemic, performance for both DOFR and CFR was either slightly above or below the standard.

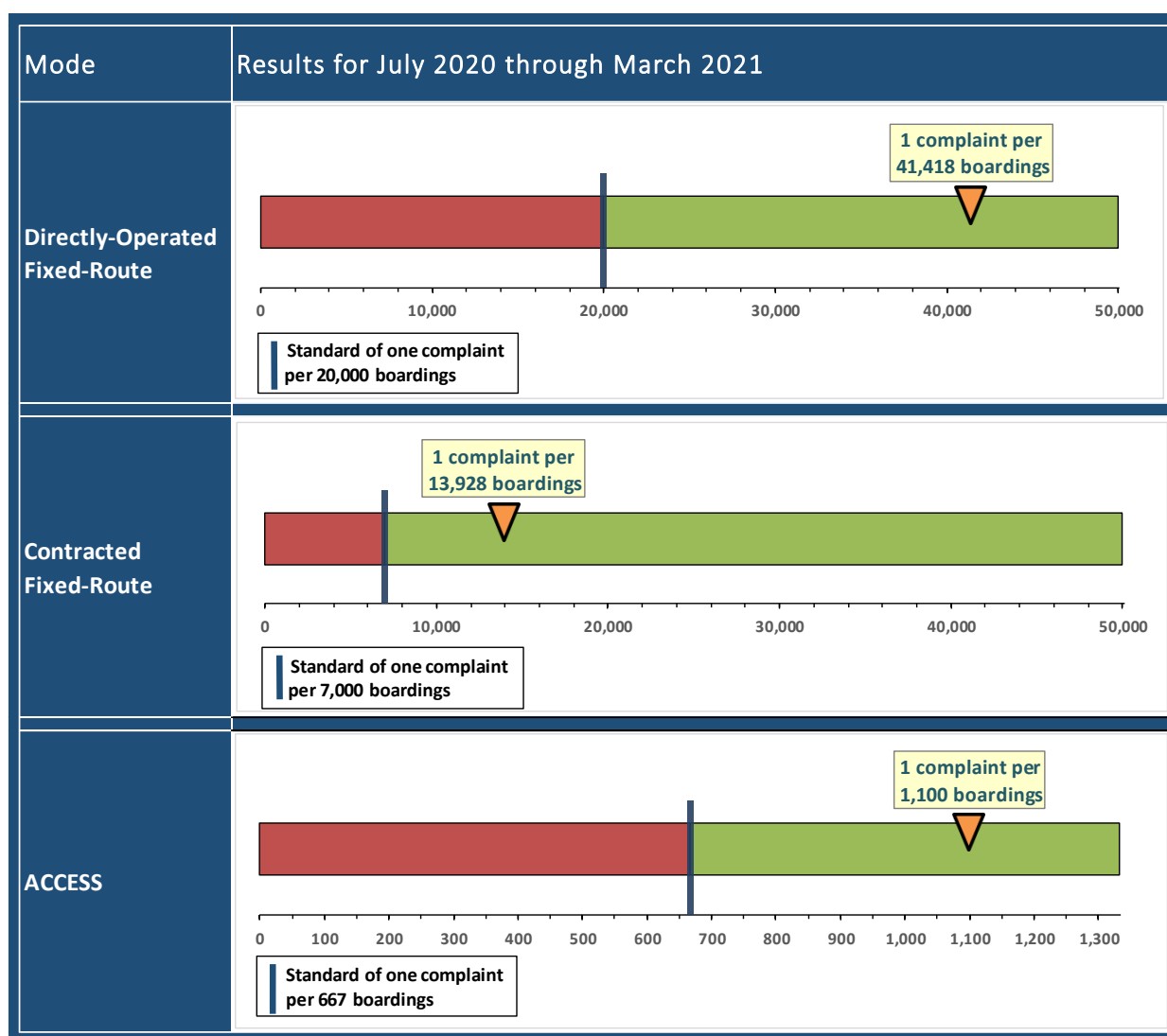


In the third quarter of FY 2019-20, the beginning of the COVID-19 pandemic, the miles operated between preventable accidents for CFR began to increase to unprecedented levels, with approximately 1.6 million miles operated without a preventable accident in the third quarter of the current FY. As reported last quarter, attributable factors include the reduced service levels, particularly miles operated, and ridership. Staff presumes that lower ridership reduces the opportunities for passenger-related accidents, some of which could be counted as preventable accidents. Between January and March of 2021, the miles operated by CFR and the associated ridership were 35 percent and 59 percent lower than pre-COVID-19 pandemic levels (second quarter, FY 2019-20), respectively. The miles operated and the ridership for DOFR service were 20 percent and 49 percent lower than pre-COVID-19 pandemic levels, respectively. OCTA Operations staff continue to focus on and stress safety in the bus loading/unloading zones and passenger safety inside the vehicle (passenger falls).

Courtesy: Customer Complaints

OCTA strives to achieve a high level of customer satisfaction in the delivery of OC Bus services. The performance standard for customer satisfaction is courtesy as measured by the number of valid complaints received. Customer complaints are the count of incidents when a rider reports dissatisfaction with the service. The standard adopted by OCTA for DOFR OC Bus is no more than one customer complaint per 20,000 boardings; the standard for CFR OC Bus service is no more than one complaint per 7,000 boardings; and the contractual standard for OC ACCESS is no more than one complaint per 667 boardings.

Through the third quarter of FY 2020-21, all modes of service continue to perform well, exceeding the courtesy standard with less than one valid complaint per 20,000, 7,000, and 667 boardings, respectively.



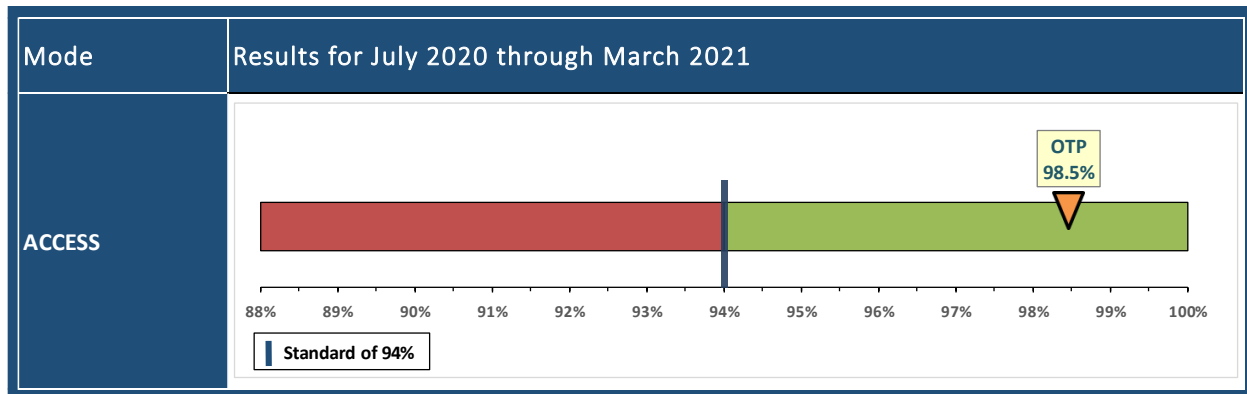
Reliability: On-Time Performance

Reliability is vital to a successful transportation network. Reliability for OCTA is measured in part by OTP. OTP is a measure of performance which evaluates the schedule adherence of a bus operating in revenue service according to a published schedule. Schedule adherence is tracked by monitoring the departure of vehicles from time points, which are designated locations on a route used to control vehicle spacing as shown in the published schedule. For OC Bus service, a trip is considered on-time if it departs the scheduled time point from zero minutes before up to no more than five minutes after the time as printed on the bus route schedule. OCTA's fixed-route system standard for OTP is 80 percent. For OC ACCESS service, OTP is a measure of performance evaluating a revenue vehicle's adherence to a scheduled pickup time for transportation on a demand-response trip. A trip is considered on-time if the vehicle arrives within a 30-minute window. The OC ACCESS OTP standard is 94 percent.

The OTP for OC Bus and OC ACCESS services exceeded the standard during the third quarter of FY 2020-21. Systemwide OTP was 83.2 percent, 0.1 percent higher compared to last quarter. DOFR and CFR both performed above standard as the OTP for DOFR increased by 0.2 percent while there was no change in the CFR's OTP.

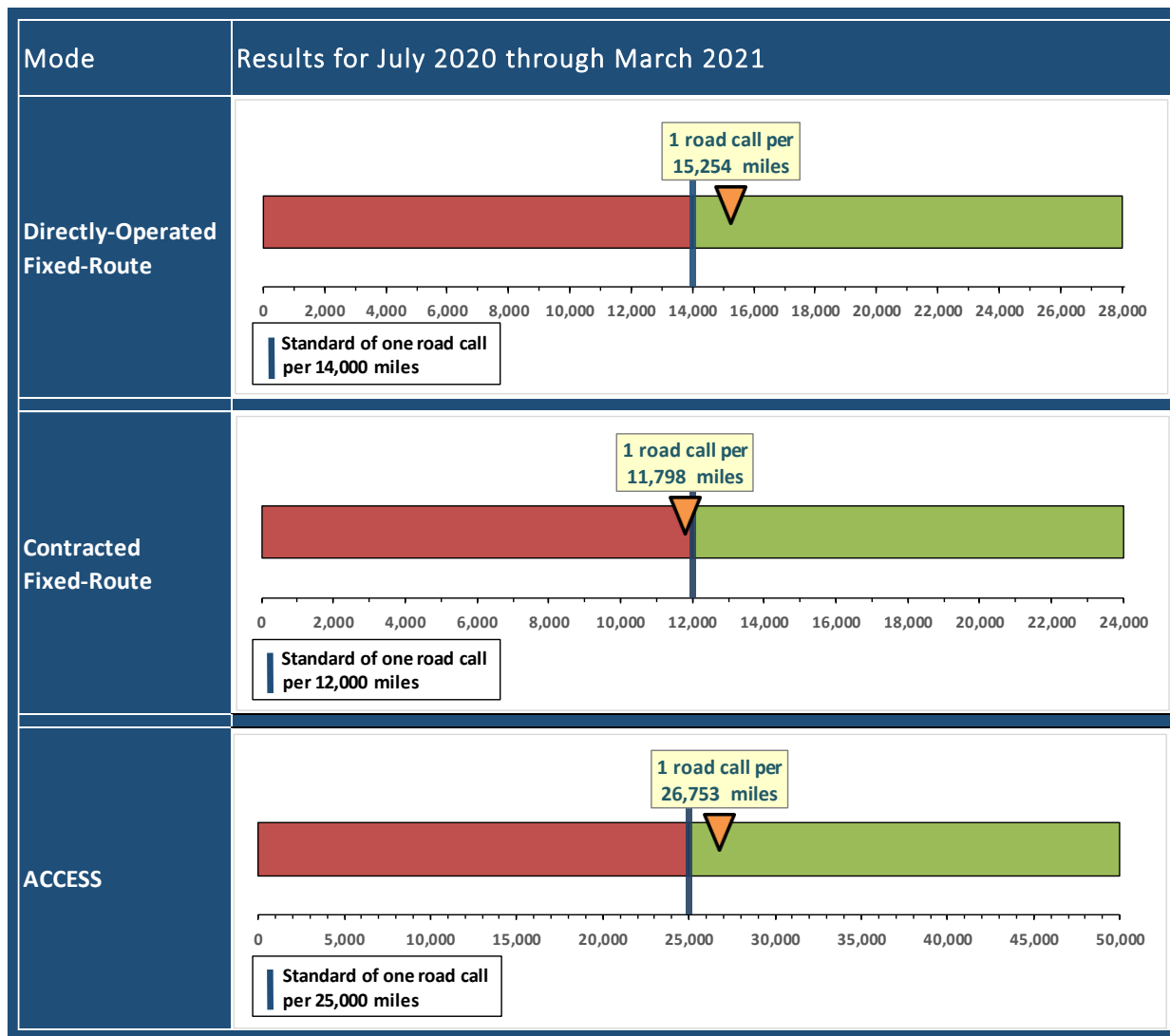


The OTP for OC ACCESS also came in above standard with a rate of 98.5 percent, 0.2 percent higher than the rate reported last quarter and 4.5 percent above the standard.



Reliability: Miles Between Road Calls

MBRC is a vehicle reliability performance indicator that measures the average distance in miles that a transit vehicle travels before failure of a vital component forces removal of the vehicle from service. OCTA has adopted standards for the MBRC for DOFR, CFR, and OC ACCESS services. These standards vary to align with the specific type of service being provided and to account for the variability inherent to each of these services including the vehicles assigned. The specific standards as adopted by OCTA are 14,000 MBRC for DOFR OC Bus service; 12,000 MBRC for CFR OC Bus service; and 25,000 MBRC for OC ACCESS.

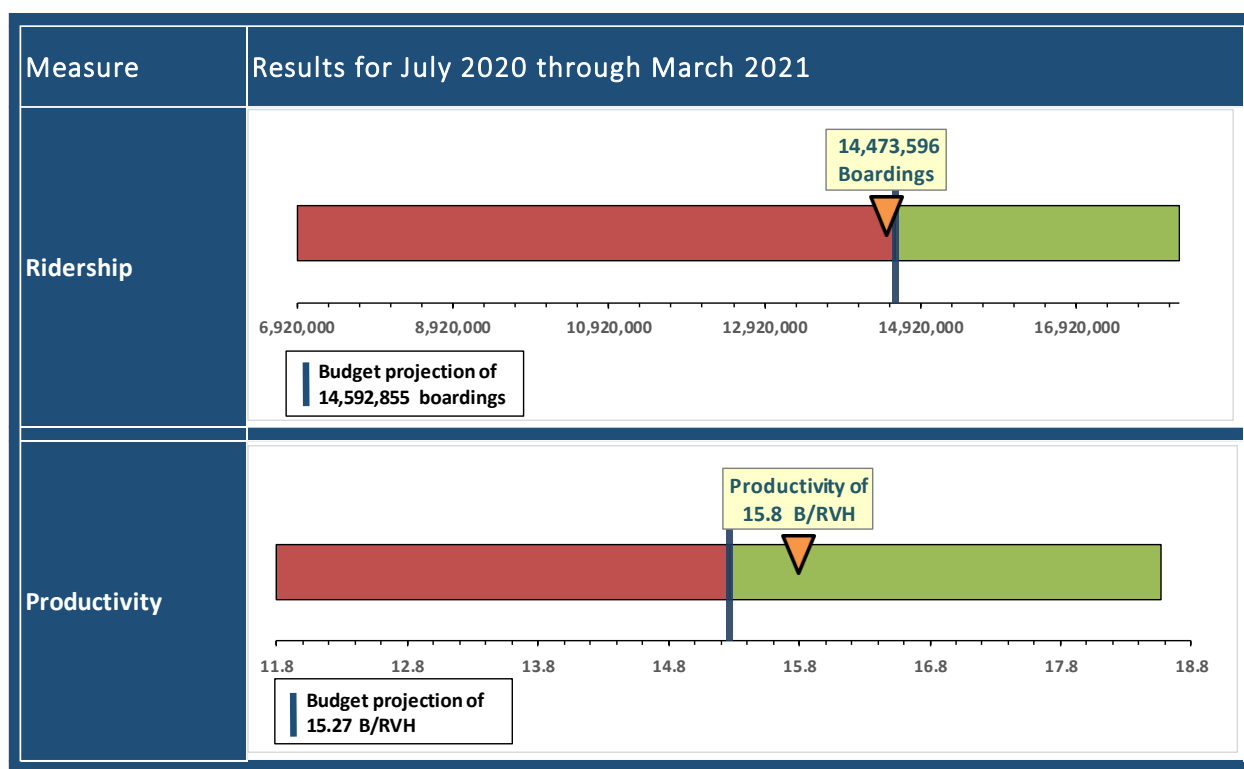


Through the third quarter of FY 2020-21, DOFR OC Bus service and OC ACCESS both continue to exceed the MBRC standard while CFR OC Bus remains below the standard. MBRC for CFR were slightly below the standard primarily due to a known engine control module prone to failure and short on supply, as well as major component failures that led to valid road calls. Staff is currently working with the manufacturer to resolve these issues. OCTA staff will continue to monitor performance in this area and work with the contractor to improve overall performance with an emphasis on a comprehensive road call reduction plan.

Ridership and Productivity – OC Bus

Ridership (or boardings) is the number of rides taken by passengers using public transit and is influenced by the level of service provided, weather, the economy, and seasonal variations in demand. Productivity is an industry measure that counts the average number of boardings for each revenue vehicle hour that is operated. An RVH is any 60-minute increment of time that a vehicle is available for passengers within the scheduled hours of service, excluding deadhead (a non-revenue movement of a transit vehicle to position it for service). Boardings per RVH (B/RVH) is calculated by taking the boardings and dividing it by the number of RVH operated.

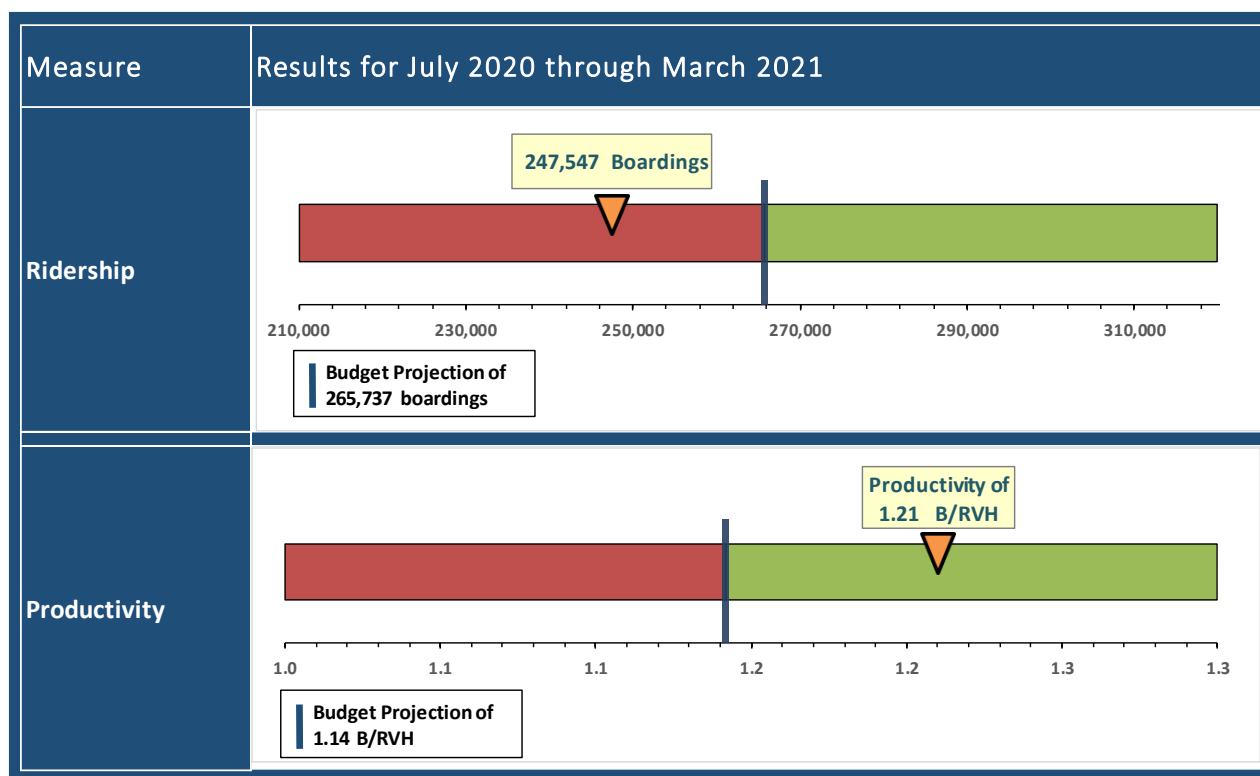
Although lower when compared to ridership in FY 2019-20, through the third quarter of FY 2020 -21, OC Bus ridership is just under the budgeted projection of 14.5 million. Productivity for OC Bus service remains higher than budgeted projections, trending at nearly 16 boardings per revenue vehicle hour.



Ridership and Productivity – OC ACCESS

(Primary Service Provider and Supplemental Taxi Service)

Through the third quarter of FY 2020-21, total ridership of 247,547 for OC ACCESS is trending below budgeted projections by 6.8 percent while productivity of 1.21 B/RVH is above the 1.14 B/RVH projection by 6.1 percent. As with the fixed-route service, ridership and productivity for OC ACCESS continue to be impacted by the COVID-19 pandemic. With recommendations in place that persons 65 years of age or older or those with underlying health issues stay home, as well as the closure of many adult day programs, many individuals who typically use OC ACCESS service continue to make fewer trips, resulting in the drop in average daily ridership of 80 percent. Due to lower need for OC ACCESS service, less RVH were provided compared to the budgeted amount, resulting in a B/RVH higher than the budgeted figure.



Contractor Performance: Fixed-Route

Per Agreement No. C-4-1737 between OCTA and First Transit, Inc., additional measures are tracked to ensure the CFR OC Bus service meets specified standards for safety, customer service, and reliability. When the contractor's monthly performance exceeds the standard as set forth in the agreement, financial incentives are paid to the contractor; conversely, when the monthly performance of the contractor is below the standard as set forth in the agreement, penalties are assessed and are paid to OCTA by the contractor.

Through the third quarter of FY 2020-21, the overall performance of the contracted OC Bus service as determined by the performance categories outlined in the contract was below standard for OTP, an unreported accident, road calls, and missed trips.

Table 1 provides the penalties and incentives assessed to the contractor by quarter for FY 2020-21. The incentives paid in the third quarter relate to on-time performance, courtesy and accident frequency ratio, which totaled \$22,000. The total penalties assessed to the contractor during the third quarter total \$67,237 with an adjustment of \$24,097 for key positions, resulting in a net payment to OCTA of \$21,139. This brings the year-to-date total payment to OCTA to \$29,439.

Table 1:	Performance Categories	FY21 Q1	FY21 Q2	FY21 Q3	FY21 Q4	FYTD 21
Penalties	On-Time Performance	\$ (1,000)	\$ (3,000)	\$ -	\$ -	\$ (4,000)
	Valid Complaints: Per 7,000 boardings	\$ -	\$ -	\$ -	\$ -	\$ -
	Unreported Accident	\$ (5,000)	\$ (5,000)	\$ (20,000)	\$ -	\$ (30,000)
	Accident Frequency Ratio	\$ -	\$ -	\$ -	\$ -	\$ -
	Key Positions	\$ -	\$ -	\$ (24,097)	\$ -	\$ (24,097)
	CHP Terminal Inspections	\$ -	\$ -	\$ -	\$ -	\$ -
	Reports	\$ -	\$ -	\$ -	\$ -	\$ -
	Preventive Maintenance	\$ -	\$ -	\$ (8,339)	\$ -	\$ (8,339)
	Road Calls	\$ (2,900)	\$ (400)	\$ (1,800)	\$ -	\$ (5,100)
	Vehicle Damage: Per vehicle per day	\$ -	\$ -	\$ -	\$ -	\$ -
	Missed Trips	\$ (16,000)	\$ (17,000)	\$ (13,000)	\$ -	\$ (46,000)
	Total	\$ (24,900)	\$ (25,400)	\$ (67,237)	\$ -	\$ (117,537)
Incentives	On-Time Performance	\$ -	\$ -	\$ 1,000	\$ -	\$ 1,000
	Valid Complaints: Per 7,000 boardings	\$ 10,400	\$ 6,600	\$ 6,000	\$ -	\$ 23,000
	Accident Frequency Ratio	\$ 10,000	\$ 15,000	\$ 15,000	\$ -	\$ 40,000
	Total	\$ 20,400	\$ 21,600	\$ 22,000	\$ -	\$ 64,000
Adjustment	Unreported Accident (Prior Period)	\$ -	\$ -	\$ -	\$ -	\$ -
	Waived Penalties (Key Positions)	\$ -	\$ -	\$ 24,097	\$ -	\$ 24,097
	Waived Incentives	\$ -	\$ -	\$ -	\$ -	\$ -
	Total	\$ -	\$ -	\$ 24,097	\$ -	\$ 24,097
All	Total	\$ (4,500)	\$ (3,800)	\$ (21,139)	\$ -	\$ (29,439)

Contractor Performance: OC ACCESS

(Primary Service Provider)

Per Agreement No. C-2-1865 between OCTA and MV Transportation, Inc., additional measures are tracked to ensure OC ACCESS meets the standards for safety, customer service, and reliability. When the contractor's monthly performance exceeds the standard as set forth in the agreement, financial incentives are paid to the contractor; conversely, when the monthly performance of the contractor is below the standard as set forth in the agreement, penalties are assessed and must be paid to OCTA by the contractor.

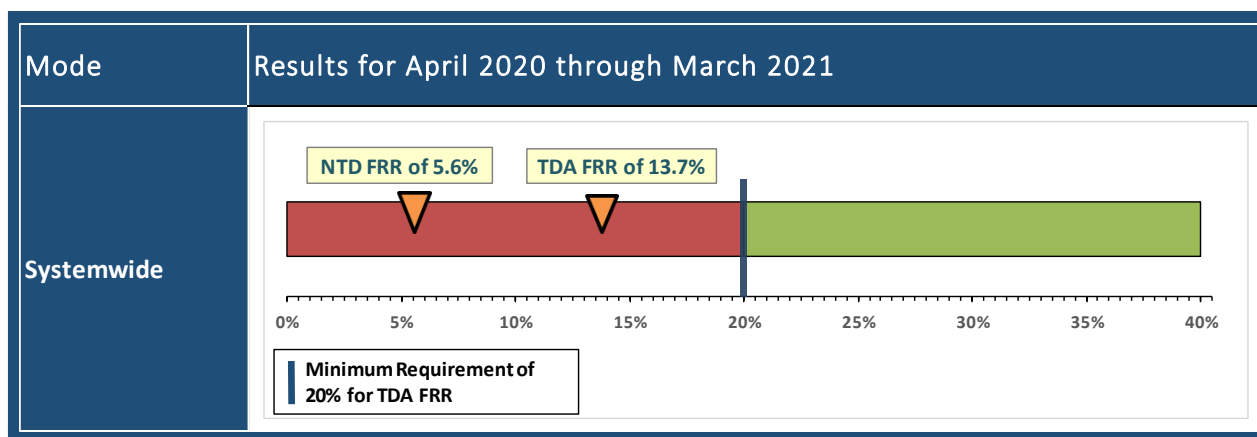
As presented in this report, the overall performance of the contractor providing OC ACCESS service through the third quarter of FY 2020-21 is above standard with respect to courtesy, safety, and on-time performance. Table 2 below lists, by quarter, the penalties and incentives assessed to the OC ACCESS contractor as established in the agreement. Through the third quarter, incentives related to excessively late trips totaled \$45,000. The penalties totaled \$178,600 for performance in passenger productivity, call center hold times, and an unreported accident. Due to the circumstances of the COVID-19 pandemic, the incentive for excessively late trips and the penalties related to passenger productivity were waived resulting in a net payment to OCTA of \$37,100 in the third quarter.

Table 2:	Performance Categories	FY21 Q1	FY21 Q2	FY21 Q3	FY21 Q4	FYTD 21
Penalties	Passenger Productivity	\$ (30,000)	\$ (30,000)	\$ (30,000)	\$ -	\$ (90,000)
	On-Time Performance	\$ -	\$ -	\$ -	\$ -	\$ -
	Customer Comments	\$ -	\$ -	\$ -	\$ -	\$ -
	Call Center Hold Times	\$ (10,000)	\$ (31,000)	\$ (32,000)	\$ -	\$ (73,000)
	Excessively Late Trips	\$ -	\$ -	\$ -	\$ -	\$ -
	Missed Trips	\$ -	\$ -	\$ -	\$ -	\$ -
	Unreported Accident	\$ (5,000)	\$ (5,000)	\$ (5,000)	\$ -	\$ (15,000)
	Preventive Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -
	Road calls	\$ (500)	\$ -	\$ (100)	\$ -	\$ (600)
	Reports	\$ -	\$ -	\$ -	\$ -	\$ -
	Key Positions	\$ -	\$ -	\$ -	\$ -	\$ -
	CHP Terminal Inspections	\$ -	\$ -	\$ -	\$ -	\$ -
	Vehicle Damage	\$ -	\$ -	\$ -	\$ -	\$ -
	Fare Variance	\$ -	\$ -	\$ -	\$ -	\$ -
	Total	\$ (45,500)	\$ (66,000)	\$ (67,100)	\$ -	\$ (178,600)
Incentives	Passenger Productivity	\$ -	\$ -	\$ -	\$ -	\$ -
	On-Time Performance	\$ -	\$ -	\$ -	\$ -	\$ -
	Excessively Late Trips	\$ 15,000	\$ 15,000	\$ 15,000	\$ -	\$ 45,000
	Missed Trips	\$ -	\$ -	\$ -	\$ -	\$ -
	Total	\$ 15,000	\$ 15,000	\$ 15,000	\$ -	\$ 45,000
Adjustment	Unreported Accident (Prior Period)	\$ -	\$ -	\$ -	\$ -	\$ -
	Waived Penalties	\$ 40,000	\$ 35,000	\$ 30,000	\$ -	\$ 105,000
	Waived Incentives	\$ (15,000)	\$ (15,000)	\$ (15,000)	\$ -	\$ (45,000)
	Total	\$ 25,000	\$ 20,000	\$ 15,000	\$ -	\$ 60,000
All	Total	\$ (5,500)	\$ (31,000)	\$ (37,100)	\$ -	\$ (73,600)

Farebox Recovery Ratio

FRR is a measure of the proportion of operating costs recovered by passenger fares, calculated by dividing the farebox revenue by total operating expenses. A minimum FRR of 20 percent for all service is required by the Transportation Development Act for transit agencies to receive the state sales tax available for public transit purposes. To normalize seasonal fluctuations, data shown below reflects actuals over the last 12 months from April 2020 through March 2021.

Based on the National Transit Database definition in which only passenger fares are included under revenue, FRR did not meet the 20 percent goal. However, as a result of the passage of SB 508 (Chapter 716, Statutes of 2015), OCTA was able to adjust the FRR to include local funds. SB 508 states, “If fare revenues are insufficient to meet the applicable ratio of fare revenues to operating cost required by this article, an operator may satisfy that requirement by supplementing its fare revenues with local funds. As used in this section, “local funds” are any non-federal or non-state grant funds or other revenue generated by, earned by, or distributed to an operator.” After incorporating property tax revenue, advertising revenue, and Measure M fare stabilization, the adjusted FRR was 13.7 percent, a decrease of 2.7 percentage points from the previous quarter and a 7.9 percent point drop from the same quarter last year. Because of statewide impacts to the farebox as a result of the COVID-19 pandemic, last year the Governor signed AB 109 (Chapter 17, Statutes of 2020), which removed all financial penalties for failing to meet the 20 percent FRR requirement until January 1, 2022. Governor Newsom’s proposed FY 2021-22 budget includes a proposed extension until January 1, 2023.

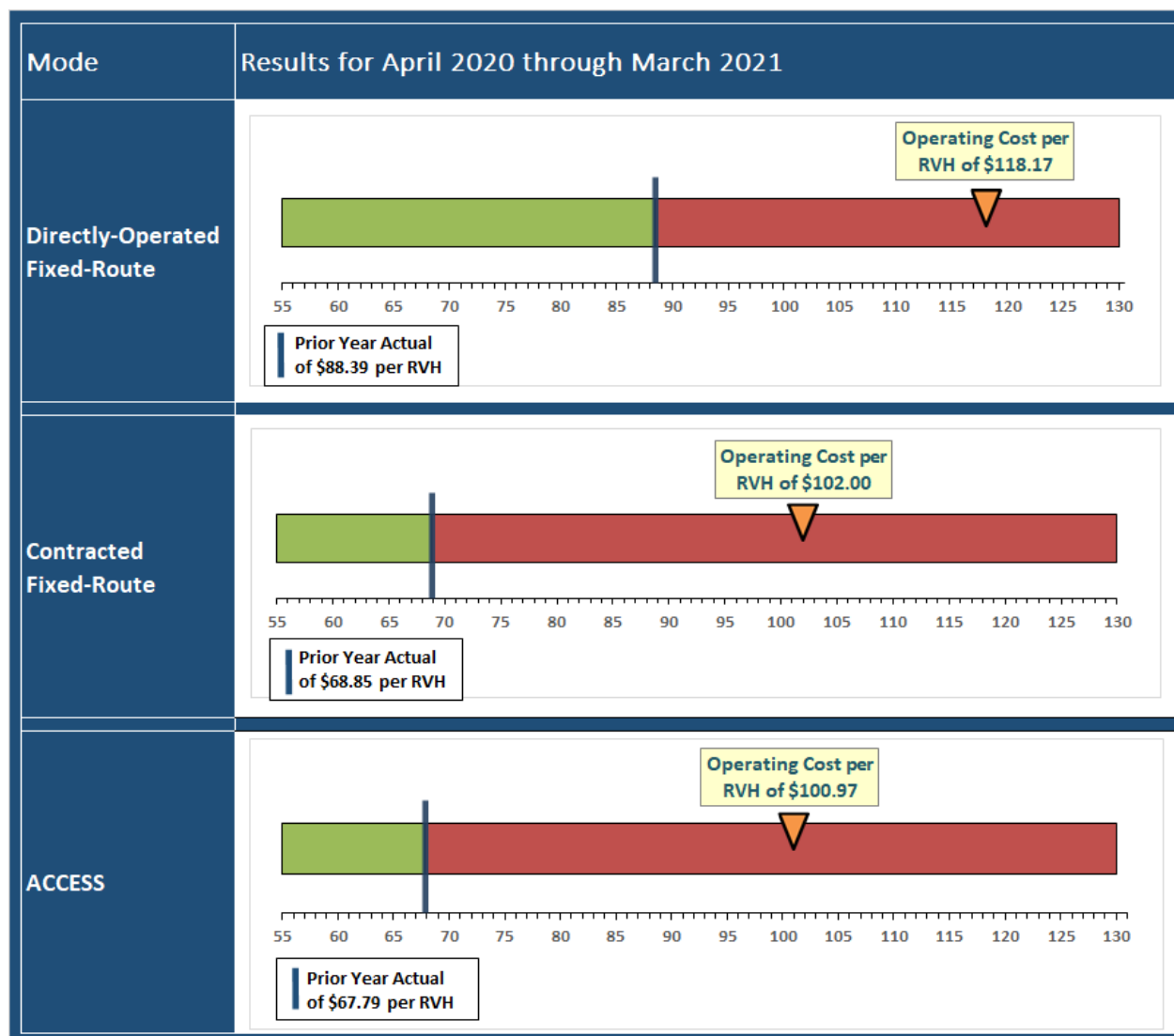


Note:

- National Transit Database (NTD) FRR consists of only passenger fares
- Transportation Development Act (TDA) FRR includes passenger fares, property tax revenue, advertising revenue and Measure M fare stabilization

Operating Cost per Revenue Vehicle Hour

Cost per RVH is one of the industry standards used to measure the cost efficiency of transit service. It is derived by dividing actual operating expenses by RVH that is scheduled for the reporting period. To provide a more comparable illustration, all metrics below are calculated based on direct operating cost, which excludes capital, general administrative, and other overhead costs. DOFR cost includes labor costs for coach operator and maintenance employees. It also includes consumables such as replacement parts, fuel, and tires. CFR and OC ACCESS cost includes contracted costs (net of assessed penalties and incentives) and costs incurred by OCTA for maintenance, parts, and fuel for the contracted fleet.



Similar to the FRR, the statistics above depict actuals over the last 12 months. The difference in cost per RVH from the prior period was a 33.7 percent increase in DOFR, a 48.1 percent increase in CFR, and a 48.9 percent increase in OC ACCESS. All modes operated at a higher cost per RVH when compared to the prior 12-months. This is primarily due to a decrease in service hours and efficiency, all related to the COVID-19 pandemic. The current 12-month period includes 12 months which were impacted by COVID-19. This translates to lower RVH provided without a proportional reduction in staffing levels.

DOFR and CFR cost per RVH also increased as a result of alternative fuel tax credits (AFTCs) received in the prior period, offsetting fuel costs. In the prior period, AFTCs received represented approximately 12 months of credit. The current period AFTCs received, which are contingent upon legislation for approval, represent three months of credit.

OC ACCESS cost per RVH increased because of an amendment for variable costs coupled with the impact of the COVID-19 pandemic. The contract amendment was approved in February 2021 but was implemented to cover increased costs for service readiness for COVID-19 demand levels dating back to April 2020.

Performance Evaluation by Route

Continuing efforts are underway to better understand, evaluate, and improve route performance. Performance evaluation is important because it provides:

- A better understanding of where resources are being applied;
- A measure of how well services are being delivered;
- A measure of how well these services are used; and
- An objective basis for decisions regarding future service changes and service deployment.

The tables on the following pages summarize route-level performance through the third quarter. The first two tables present the route-level performance sorted by routes with the highest net subsidy per boarding to routes with a lower net subsidy per boarding, and the remaining two tables present the same information sorted by routes that have the highest boardings to routes with a lower level of boardings.

A route guide listing all of the routes and their points of origins and destinations is provided after the route-level performance tables. Route types are grouped by route numbers as follows:

- **Routes 1 to 99:** Local routes include two sub-categories:
 - Major: These routes operate as frequently as every 15 minutes during peak times. Major routes operate seven days a week throughout the day. Together, the Major routes form a grid on arterial streets throughout the highest transit propensity portions of the OC Bus service area, primarily in northern parts of the county.
 - Local: These routes operate on arterials within the grid created by the Major routes, but at lower frequencies. Local routes also operate in parts of Orange County with lower transit demand. Most Local routes operate seven days per week; however, some operate on weekdays only.
- **Routes 100 to 199:** Community routes to connect pockets of transit demand with major destinations and offer local circulation. Routes tend to be less direct than Local routes, serving neighborhoods and destinations off the arterial grid. Approximately half of Community routes operate seven days per week.
- **Routes 200 to 299:** Intra-county express routes operate on weekdays only at peak times and connect riders over long distances to destinations within Orange County, using freeways to access destinations. **(Did not operate during Q3 FY 2020-21).**
- **Routes 400 to 499:** Stationlink routes are rail feeder services designed to connect Metrolink stations to nearby employment destinations. These routes have relatively short alignments, with schedules tied to Metrolink arrivals and departures. They operate during weekday peak hours only, in the peak direction, from the station to destinations in the morning and the reverse in the evening.
- **Routes 500 to 599:** Bravo! routes are limited-stop services operated with branded vehicles. **(Only Route 543 operated during Q3 FY 2020-21).**
- **Routes 600 to 699:** Seasonal or Temporary routes (these are not included on the following charts) such as the OC Fair Express. **(Did not operate during Q3 FY 2020-21).**
- **Routes 700 to 799:** Inter-county express routes that operate on weekdays only at peak times and connects riders over long distances to destinations outside of Orange County, often using freeways to access destinations. **(Did not operate during Q3 FY 2020-21).**



OCTA Operating Statistics By Route for Local and Community Services (Sorted by Subsidy per Boarding)
Fiscal Year 2020-21

Route	Zone	Farebox	Subsidy per Boarding	Direct Subsidy	Indirect Subsidy	"Capital Subsidy" Per Boarding	Revenue per Boarding	Boardings	CostVSH	Direct CostVSH	CostVSM	BoardVSH	VSH	Bus Count		
														40 FT	32 FT	60 FT
085	S	1.9%	\$ 34.81	\$ 19.73	\$ 13.68	\$ 1.40	\$ 0.64	26,617	\$ 150.91	\$ 93.24	\$ 12.03	4.43	6,006	2	-	-
167	C	1.3%	33.08	18.85	12.78	1.45	0.42	51,397	150.19	92.96	12.50	4.69	10,967	4	-	-
862	C	1.6%	32.76	20.79	10.53	1.44	0.50	25,768	173.05	106.42	17.85	5.44	4,738	2	-	-
178	C	1.6%	30.01	17.21	11.66	1.14	0.48	32,700	149.67	92.93	12.05	5.10	6,413	2	-	-
123	N	1.5%	26.76	15.31	10.38	1.07	0.40	69,652	149.42	93.03	10.84	5.73	12,159	4	-	-
086	C	2.3%	24.01	13.55	9.40	1.06	0.55	52,477	149.70	93.02	11.57	6.37	8,236	3	-	-
087	S	2.6%	23.19	13.07	9.07	1.05	0.60	35,388	152.36	93.87	10.31	6.70	5,281	2	-	-
076	C	2.2%	20.47	11.66	7.83	0.98	0.43	38,139	152.37	93.83	13.04	7.65	4,986	2	-	-
177	S	3.7%	20.26	11.53	7.81	0.92	0.74	40,563	149.05	92.82	11.60	7.42	5,464	2	-	-
082	S	3.4%	19.86	11.24	7.80	0.82	0.67	22,628	152.63	93.67	11.05	7.75	2,921	1	-	-
153	N	2.8%	19.66	11.33	7.68	0.65	0.56	57,097	149.01	92.39	11.68	7.61	7,498	2	-	-
079	C	1.6%	18.33	10.48	7.27	0.58	0.29	96,173	150.46	92.61	13.34	8.34	11,529	3	-	-
091	S	4.6%	17.41	9.86	6.84	0.71	0.80	157,409	153.08	93.70	10.64	8.75	17,997	6	-	-
083	C	2.9%	15.85	9.22	6.19	0.44	0.45	230,784	168.67	105.43	8.85	10.63	21,707	6	-	-
001	S	3.2%	15.82	9.19	6.17	0.46	0.51	261,557	169.05	105.31	10.66	10.65	24,562	6	-	-
143	N	3.2%	15.62	9.02	6.11	0.49	0.49	75,525	150.05	92.62	12.29	9.60	7,867	2	-	-
129	N	4.3%	15.33	8.75	5.93	0.65	0.66	86,268	154.84	93.76	11.87	10.10	8,544	3	-	-
059	C	3.4%	15.21	8.65	6.00	0.56	0.52	132,200	165.04	96.01	15.55	10.88	12,147	4	-	-
090	S	4.9%	13.82	7.92	5.50	0.40	0.68	93,584	154.62	93.94	9.65	10.96	8,535	2	-	-
026	N	3.5%	13.13	7.39	5.12	0.62	0.46	105,650	151.88	92.83	13.00	11.71	9,020	4	-	-
025	N	4.3%	12.43	7.07	4.90	0.46	0.54	121,296	152.76	93.30	12.14	12.21	9,936	3	-	-
037	N	3.5%	11.94	6.89	4.63	0.42	0.42	352,131	192.65	118.37	16.36	16.13	21,831	7	-	-
050	N	3.5%	11.68	6.71	4.51	0.46	0.41	561,920	176.28	108.65	15.05	15.16	37,078	14	-	-
066	N	3.5%	11.67	6.67	4.48	0.52	0.40	160,482	156.54	96.32	14.18	13.55	11,847	5	-	-
070	C	3.6%	11.56	6.55	4.54	0.47	0.41	316,433	158.45	95.10	12.58	13.78	22,968	8	-	-
071	N	4.4%	11.47	6.56	4.55	0.36	0.51	259,775	154.83	93.64	11.92	13.33	19,483	5	-	-
053	C	3.8%	11.07	6.50	4.37	0.20	0.43	913,331	236.64	144.66	25.03	20.95	43,588	10	-	-
089	S	5.6%	10.96	6.25	4.34	0.37	0.63	124,666	158.10	93.89	12.20	14.09	8,845	2	-	-
038	N	5.0%	10.49	5.94	4.12	0.43	0.53	343,292	169.25	97.00	12.51	15.98	21,480	7	-	-
033	N	3.7%	10.49	5.94	4.12	0.43	0.38	86,234	149.08	92.46	11.75	14.27	6,043	2	-	-
055	C	5.5%	10.47	6.10	4.10	0.27	0.60	548,584	166.04	102.03	15.19	15.38	35,672	8	-	-
046	N	4.5%	10.24	5.88	4.08	0.28	0.47	197,828	155.79	93.65	13.61	14.93	13,246	3	-	-
060	C	3.8%	9.95	5.80	3.89	0.26	0.38	1,043,107	192.72	118.71	16.13	19.13	54,515	12	-	-
057	C	4.5%	9.67	5.59	3.75	0.33	0.44	1,198,182	182.03	111.81	17.13	18.61	64,401	-	-	15
030	N	5.5%	9.56	5.38	3.73	0.45	0.53	208,814	160.91	95.05	12.15	16.69	12,512	4	-	-
543	N	3.8%	9.46	5.42	3.64	0.40	0.36	279,101	156.67	96.40	14.23	16.62	16,797	6	-	-
054	N	4.5%	9.38	5.40	3.63	0.35	0.43	395,564	158.12	97.37	13.67	16.73	23,649	9	-	-
066	C	5.0%	9.38	5.45	3.66	0.27	0.48	856,303	207.27	126.93	20.22	21.60	39,640	12	-	-
047	C	5.3%	9.34	5.40	3.63	0.31	0.51	840,979	178.03	109.59	14.82	18.68	45,028	14	-	-
029	N	5.5%	9.26	5.31	3.57	0.38	0.51	1,009,122	180.54	111.15	15.45	19.23	52,482	-	-	15
035	N	4.4%	9.16	5.22	3.62	0.32	0.41	292,610	154.91	93.56	13.19	16.75	17,470	5	-	-
072	C	5.1%	8.91	5.15	3.46	0.30	0.46	184,354	155.52	96.11	11.69	17.15	10,751	3	-	-
043	N	5.0%	8.84	5.13	3.45	0.26	0.45	919,485	169.69	104.04	16.85	18.81	48,886	12	-	-
042	N	5.1%	8.38	4.76	3.30	0.32	0.43	580,892	159.36	94.50	13.98	18.77	30,945	11	-	-
064	C	5.1%	7.92	4.56	3.06	0.30	0.41	949,723	173.52	106.10	18.91	21.60	43,964	18	-	-

(1) Total bus count (287) is based on PM weekday equipment requirements.

(2) C under Zone is Central County, N is North County and S is South County.



OCTA Operating Statistics By Route for Stationlink Service (Sorted by Subsidy per Boarding)
Fiscal Year 2020-21

Route	Zone	Farebox	Subsidy per Boarding	Direct Subsidy	Indirect Subsidy	"Capital Subsidy" Per Boarding	Revenue per Boarding	Boardings	CostVSH	Direct CostVSH	CostVSM	BoardVSH	VSH	Bus Count		
														40 FT	32 FT	60 FT
463	C	1.3%	\$ 75.95	\$ 38.61	\$ 26.03	\$ 11.31	\$ 0.82	6,582	\$ 193.88	\$ 98.46	\$ 18.05	2.96	2,222	4	-	-
473	C	1.8%	49.99	25.39	17.12	7.48	0.76	6,223	200.06	98.70	17.56	4.62	1,346	3	-	-
480	C	2.3%	38.72	19.72	13.30	5.70	0.79	6,525	195.56	98.83	15.78	5.78	1,128	2	-	-
453	N	2.3%	34.25	17.75	11.97	4.53	0.69	8,217	205.86	100.31	31.68	6.77	1,214	2	-	-
472	C	3.5%	28.85	13.44	9.06	6.35	0.82	10,265	174.43	94.11	15.16	7.48	1,372	4	-	-

(1) Total bus count (287) is based on PM weekday equipment requirements.

(2) C under Zone is Central County, N is North County and S is South County.



OCTA Operating Statistics By Route for Local and Community Services (Sorted by Boardings)
Fiscal Year 2020-21

Route	Zone	Farebox	Subsidy per Boarding	Direct Subsidy	Indirect Subsidy	"Capital Subsidy" Per Boarding	Revenue per Boarding	Boardings	CostVSH	Direct CostVSH	CostVSM	BoardVSH	VSH	Bus Count		
														40 FT	32 FT	60 FT
057	C	4.5%	\$ 9.67	\$ 5.59	\$ 3.75	\$ 0.33	\$ 0.44	1,198,182	\$ 182.03	\$ 111.81	\$ 17.13	18.61	64,401	-	-	15
060	C	3.8%	9.95	5.80	3.89	0.26	0.38	1,043,107	192.72	118.71	16.13	19.13	54,515	12	-	-
029	N	5.5%	9.26	5.31	3.57	0.38	0.51	1,009,122	180.54	111.15	15.45	19.23	52,482	-	-	15
064	C	5.1%	7.92	4.56	3.06	0.30	0.41	949,723	173.52	106.10	18.91	21.60	43,964	18	-	-
043	N	5.0%	8.84	5.13	3.45	0.26	0.45	919,485	169.69	104.04	16.85	18.81	48,886	12	-	-
053	C	3.8%	11.07	6.50	4.37	0.20	0.43	913,331	236.64	144.66	25.03	20.95	43,588	10	-	-
066	C	5.0%	9.38	5.45	3.66	0.27	0.48	856,303	207.27	126.93	20.22	21.60	39,640	12	-	-
047	C	5.3%	9.34	5.40	3.63	0.31	0.51	840,979	178.03	109.59	14.82	18.68	45,028	14	-	-
042	N	5.1%	8.38	4.76	3.30	0.32	0.43	580,892	159.36	94.50	13.98	18.77	30,945	11	-	-
050	N	3.5%	11.68	6.71	4.51	0.46	0.41	561,920	176.28	108.65	15.05	15.16	37,078	14	-	-
055	C	5.5%	10.47	6.10	4.10	0.27	0.60	548,584	166.04	102.03	15.19	15.38	35,672	8	-	-
054	N	4.5%	9.38	5.40	3.63	0.35	0.43	395,564	158.12	97.37	13.67	16.73	23,649	9	-	-
037	N	3.5%	11.94	6.89	4.63	0.42	0.42	352,131	192.65	118.37	16.36	16.13	21,831	7	-	-
038	N	5.0%	10.49	5.94	4.12	0.43	0.53	343,292	169.25	97.00	12.51	15.98	21,480	7	-	-
070	C	3.6%	11.56	6.55	4.54	0.47	0.41	316,433	158.45	95.10	12.58	13.78	22,968	8	-	-
035	N	4.4%	9.16	5.22	3.62	0.32	0.41	292,610	154.91	93.56	13.19	16.75	17,470	5	-	-
543	N	3.8%	9.46	5.42	3.64	0.40	0.36	279,101	156.67	96.40	14.23	16.62	16,797	6	-	-
001	S	3.2%	15.82	9.19	6.17	0.46	0.51	261,557	189.05	105.31	10.66	10.65	24,562	6	-	-
071	N	4.4%	11.47	6.56	4.55	0.36	0.51	259,775	154.83	93.64	11.92	13.33	19,483	5	-	-
083	C	2.9%	15.85	9.22	6.19	0.44	0.45	230,784	188.67	105.43	8.15	10.63	21,707	6	-	-
030	N	5.5%	9.56	5.28	3.73	0.45	0.53	208,814	160.91	95.05	12.85	16.69	12,512	4	-	-
046	N	4.5%	10.24	5.88	4.08	0.28	0.47	197,828	155.79	93.65	13.61	14.93	13,246	3	-	-
072	C	5.1%	8.91	5.15	3.46	0.30	0.46	184,354	155.52	96.11	11.69	17.15	10,751	3	-	-
056	N	3.5%	11.67	6.67	4.48	0.52	0.40	160,482	156.54	96.32	14.18	13.55	11,847	5	-	-
091	S	4.6%	17.41	9.86	6.84	0.71	0.80	157,409	153.08	93.70	10.64	8.75	17,997	6	-	-
059	C	3.4%	15.21	8.65	6.00	0.56	0.52	132,200	165.04	96.01	15.55	10.88	12,147	4	-	-
089	S	5.6%	10.96	6.25	4.34	0.37	0.63	124,666	158.10	93.89	12.20	14.09	8,845	2	-	-
025	N	4.3%	12.43	7.07	4.90	0.46	0.54	121,296	152.76	93.30	12.14	12.21	9,936	3	-	-
026	N	3.5%	13.13	7.39	5.12	0.62	0.46	105,650	151.88	92.83	13.00	11.71	9,020	4	-	-
079	C	1.6%	18.33	10.48	7.27	0.58	0.29	96,173	150.46	92.61	13.34	8.34	11,529	3	-	-
090	S	4.9%	13.82	7.92	5.50	0.40	0.68	93,584	154.62	93.94	9.65	10.96	8,535	2	-	-
129	N	4.3%	15.33	8.75	5.93	0.65	0.66	86,268	154.84	93.76	11.87	10.10	8,544	3	-	-
033	N	3.7%	10.49	5.94	4.12	0.43	0.38	86,234	149.08	92.46	11.75	14.27	6,043	2	-	-
143	N	3.2%	15.62	9.02	6.11	0.49	0.49	75,525	150.05	92.62	12.29	9.60	7,867	2	-	-
123	N	1.5%	26.76	15.31	10.38	1.07	0.40	69,652	149.42	93.03	10.84	5.73	12,159	4	-	-
153	N	2.8%	19.66	11.33	7.68	0.65	0.56	57,097	149.01	92.39	11.68	7.61	7,498	2	-	-
086	C	2.3%	24.01	13.55	9.40	1.06	0.55	52,477	149.70	93.02	11.57	6.37	8,236	3	-	-
167	C	1.3%	33.08	18.85	12.78	1.45	0.42	51,397	150.19	92.96	12.50	4.69	10,967	4	-	-
177	S	3.7%	20.26	11.53	7.81	0.92	0.74	40,563	149.05	92.82	11.60	7.42	5,464	2	-	-
076	C	2.2%	20.47	11.66	7.83	0.98	0.43	38,139	152.37	93.83	13.04	7.65	4,986	2	-	-
087	S	2.6%	23.19	13.07	9.07	1.05	0.60	35,388	152.36	93.87	10.31	6.70	5,281	2	-	-
178	C	1.6%	30.01	17.21	11.66	1.14	0.48	32,700	149.67	92.93	12.05	5.10	6,413	2	-	-
085	S	1.9%	34.81	19.73	13.68	1.40	0.64	26,617	150.91	93.24	12.03	4.43	6,006	2	-	-
862	C	1.6%	32.76	20.79	10.53	1.44	0.50	25,768	173.05	106.42	17.89	5.44	4,738	2	-	-
082	S	3.4%	19.86	11.24	7.80	0.82	0.67	22,628	152.63	93.67	11.05	7.75	2,921	1	-	-

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OCTA Operating Statistics By Route for StationLink Service (Sorted by Boardings)
Fiscal Year 2020-21

Route	Zone	Farebox	Subsidy per Boarding	Direct Subsidy	Indirect Subsidy	"Capital Subsidy" Per Boarding	Revenue per Boarding	Boardings	CostVSH	Direct CostVSH	CostVSM	BoardVSH	VSH	Bus Count		
														40 FT	32 FT	60 FT
472	C	3.5%	\$ 28.85	\$ 13.44	\$ 9.06	\$ 6.35	\$ 0.82	10,265	\$ 174.43	\$ 94.11	\$ 15.16	7.48	1,372	4	-	-
453	N	2.3%	34.25	17.75	11.97	4.53	0.69	8,217	205.86	100.31	31.68	6.77	1,214	2	-	-
463	C	1.3%	75.95	38.61	26.03	11.31	0.82	6,582	193.88	98.46	18.05	2.96	2,222	4	-	-
480	C	2.3%	38.72	19.72	13.30	5.70	0.79	6,525	195.56	98.83	15.78	5.78	1,128	2	-	-
473	C	1.8%	49.99	25.39	17.12	7.48	0.76	6,223	200.06	98.70	17.56	4.62	1,346	3	-	-

(1) Total bus count (287) is based on PM weekday equipment requirements.

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Route Reference Table

Route	Route Description	Main Street	Route Category
1	Long Beach - San Clemente	via Pacific Coast Hwy	LOCAL
25	Fullerton - Huntington Beach	via Knott Ave/ Goldenwest St	LOCAL
26	Fullerton - Yorba Linda	via Commonwealth Ave/ Yorba Linda Blvd	LOCAL
29	La Habra - Huntington Beach	via Beach Blvd	LOCAL
30	Cerritos - Anaheim	via Orangethorpe Ave	LOCAL
33	Fullerton - Huntington Beach	via Magnolia St	LOCAL
35	Fullerton - Costa Mesa	via Brookhurst St	LOCAL
37	La Habra - Fountain Valley	via Euclid St	LOCAL
38	Lakewood - Anaheim Hills	via Del Amo Blvd/ La Palma Ave	LOCAL
42	Seal Beach - Orange	via Seal Beach Blvd/ Los Alamitos Blvd/ Lincoln Ave	LOCAL
43	Fullerton - Costa Mesa	via Harbor Blvd	LOCAL
46	Long Beach - Orange	via Ball Road/ Taft Ave	LOCAL
47	Fullerton - Balboa	via Anaheim Blvd/ Fairview St	LOCAL
50	Long Beach - Orange	via Katella Ave	LOCAL
53	Anaheim - Irvine	via Main St	LOCAL
54	Garden Grove - Orange	via Chapman Ave	LOCAL
55	Santa Ana - Newport Beach	via Standard Ave/ Bristol St/ Fairview St/ 17th St	LOCAL
56	Garden Grove - Orange	via Garden Grove Blvd	LOCAL
57	Brea - Newport Beach	via State College Blvd/ Bristol St	LOCAL
59	Anaheim - Irvine	via Kraemer Blvd/ Glassell St/ Grand Ave/ Von Karman Ave	LOCAL
60	Long Beach - Tustin	via Westminster Ave/ 17th St	LOCAL
64	Huntington Beach - Tustin	via Bolsa Ave/ 1st St	LOCAL
66	Huntington Beach - Irvine	via McFadden Ave/ Walnut Ave	LOCAL
70	Sunset Beach - Tustin	via Edinger Ave	LOCAL
71	Yorba Linda - Newport Beach	via Tustin Ave/ Red Hill Ave/ Newport Blvd	LOCAL
72	Sunset Beach - Tustin	via Warner Ave	LOCAL
76	Huntington Beach - John Wayne Airport	via Talbert Ave/ MacArthur Blvd	LOCAL
79	Tustin - Newport Beach	via Bryan Ave/ Culver Dr/ University Ave	LOCAL
82	Foothill Ranch - Rancho Santa Margarita	via Portola Pkwy/ Santa Margarita Pkwy	LOCAL
83	Anaheim - Laguna Hills	via 5 Fwy/ Main St	LOCAL
85	Mission Viejo - Laguna Niguel	via Marguerite Pkwy/ Crown Valley Pkwy	LOCAL
86	Costa Mesa - Mission Viejo	via Alton Pkwy/ Jeronimo Rd	LOCAL
87	Rancho Santa Margarita - Laguna Niguel	via Alicia Pkwy	LOCAL
89	Mission Viejo - Laguna Beach	via El Toro Rd/ Laguna Canyon Rd	LOCAL
90	Tustin - Dana Point	via Irvine Center Dr/ Moulton Pkwy/ Golden Lantern St	LOCAL
91	Laguna Hills - San Clemente	via Paseo de Valencia/ Camino Capistrano/ Del Obispo St	LOCAL
123	Anaheim - Huntington Beach	via Malvern Ave/ Valley View/ Bolsa Chica	COMMUNITY
129	La Habra - Anaheim	via La Habra Blvd/ Brea Blvd/ Birch St/ Kraemer Blvd	COMMUNITY
143	La Habra - Brea	via Whittier Blvd/ Harbor Blvd/ Brea Blvd/ Birch St	COMMUNITY
153	Brea - Anaheim	via Placentia Ave	COMMUNITY
167	Orange - Irvine	via Irvine Ave/ Hewes St/ Jeffrey Rd	COMMUNITY
177	Foothill Ranch - Laguna Hills	via Lake Forest Dr/ Muirlands Blvd/ Los Alisos Blvd	COMMUNITY
178	Huntington Beach - Irvine	via Adams Ave/ Birch St/ Campus Dr	COMMUNITY
453	Orange Transportation Center - St. Joseph's Hospital	via Chapman Ave/ Main St/ La Veta Ave	STATIONLINK
463	Santa Ana Regional transportation Center - Hutton Centre	via Grand Ave	STATIONLINK
472	Tustin Metrolink Station - Irvine Business Complex	via Edinger Ave/ Red Hill Ave/ Campus Dr/ Jamboree Rd	STATIONLINK
473	Tustin Metrolink Station - U.C.I.	via Edinger Ave/ Harvard Ave	STATIONLINK
480	Irvine Metrolink Station - Lake Forest	via Alton Pkwy/ Bake Pkwy/ Lake Forest Dr	STATIONLINK
543	Fullerton Transportation Center - Santa Ana	via Harbor Blvd	BRAVO
862	Downtown Santa Ana Shuttle	via Civic Center Dr	COMMUNITY

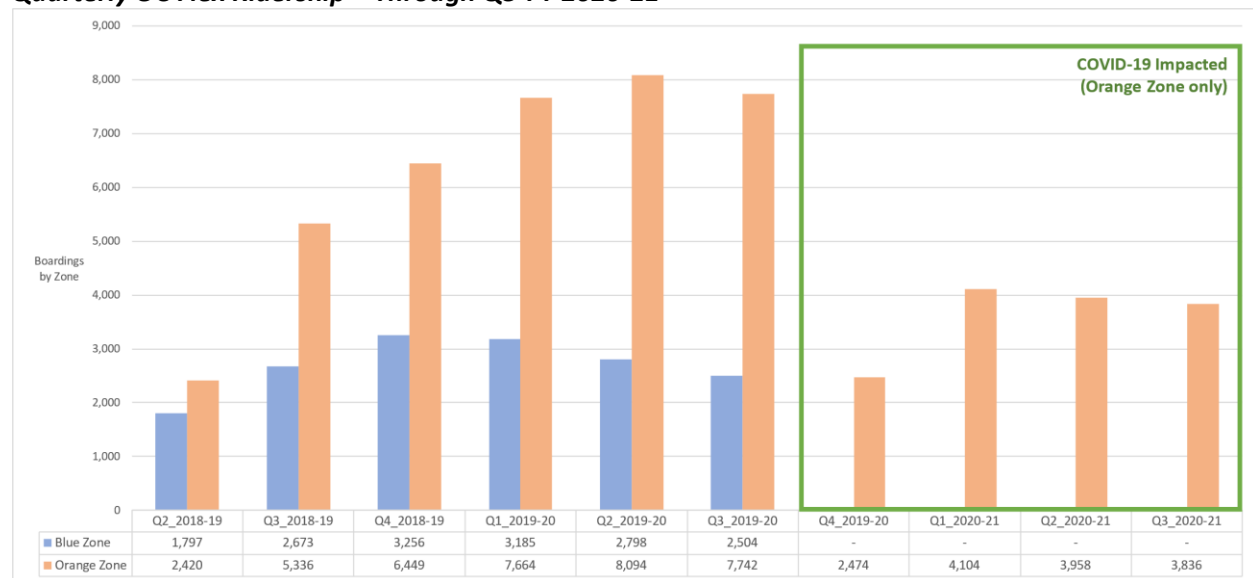
OC Bus 360° Initiatives

OC Flex Pilot Program

OC Flex service launched in October 2018 in two zones under a pilot program. The OCTA Board of Directors (Board) approved five primary goals and performance metrics to evaluate the pilot program. Upon approval of the pilot program, the Board directed staff to provide updates on the performance metrics as part of quarterly Bus Operations Performance Measurements Report.

For the third quarter of FY 2020-21, the trends for ridership in the Orange Zone, as well as other metrics, have been stable during the pandemic. Service in the Blue Zone remained suspended. As travel restrictions are lifted and the Orange Zone recovers from the impacts of the pandemic, staff will continue to evaluate these trends under the Board-approved extension of the pilot program through December 2021.

Quarterly OC Flex Ridership – Through Q3-FY 2020-21



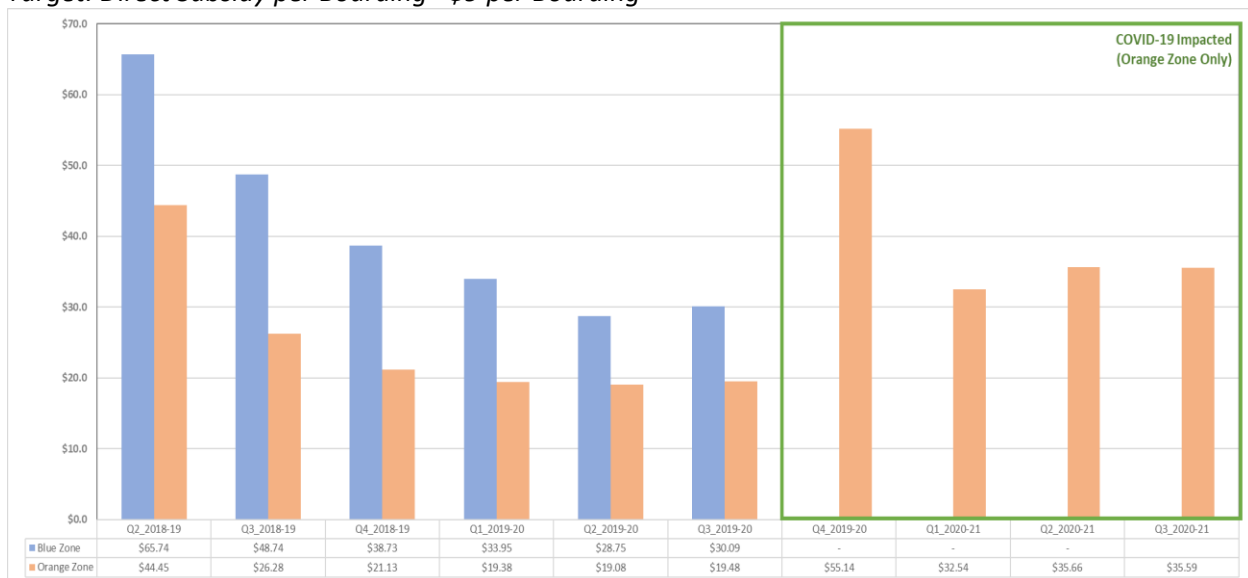
OC Flex Productivity (Boarding/Revenue Vehicle Hour) – Through Q3-FY 2020-21

Target: Productivity – 6 B/RVH



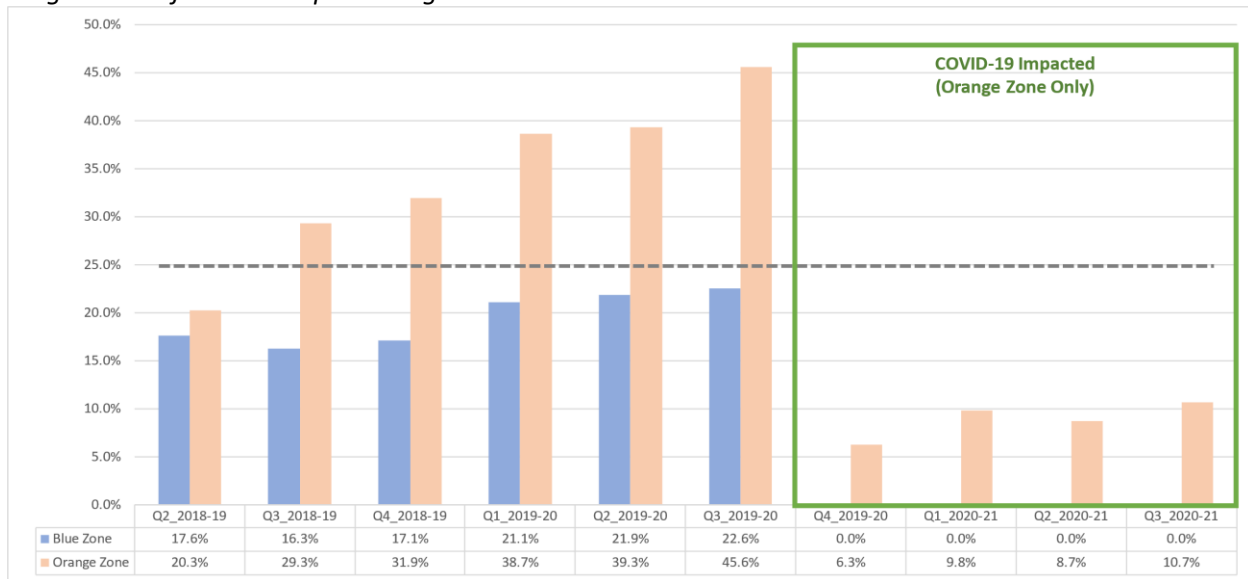
Quarterly OC Flex Direct Subsidy per Boarding – Through Q3-FY 2020-21

Target: Direct Subsidy per Boarding - \$9 per Boarding



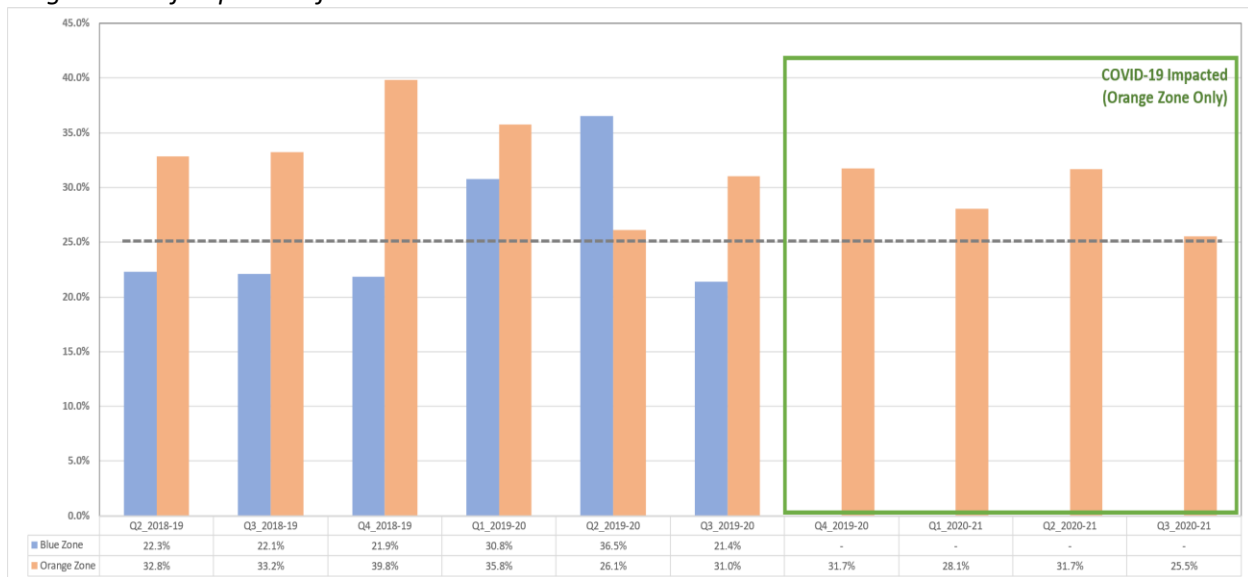
OC Flex Shared Trips – Through Q3-FY 2020-21

Target: 25% of Booked Trips Sharing a Vehicle



OC Flex Connecting Trips (Transfers) – Through Q3-FY 2020-21

Target: 25% of Trips Transfer to OC Bus or Metrolink Service



College Pass Program

The College Pass Program started in August 2017 with students from Santa Ana College and continuing education students from Santa Ana College and Santiago Canyon College. OCTA has continued to add schools interested in joining the program, including Santiago Canyon College (August 2018), Golden West and Fullerton colleges (fall 2019), and Saddleback College (fall 2020).

Despite challenges from the COVID-19 pandemic, OCTA added Cypress College to the College Pass Program starting in spring 2021. Looking towards fall 2021 and the potential of many schools returning to in-person instruction, OCTA continues to work with other interested colleges to expand the College Pass Program with college-provided funding or student fees and available Low Carbon Transit Operations Program grant funds.



June 28, 2021

To: Members of the Board of Directors

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Taxpayer Oversight Committee Measure M2 Annual Public Hearing Results and Compliance Finding

Overview

Measure M, Orange County's one-half cent sales tax for transportation, was passed by voters in 1990 and renewed in 2006. The Measure M2 Ordinance No. 3 requires an independent committee to oversee compliance and to determine whether the Orange County Transportation Authority is proceeding in accordance with Ordinance No. 3. On June 8, 2021, that independent committee, established as the Taxpayer Oversight Committee, conducted the 30th Measure M Annual Public Hearing. The Taxpayer Oversight Committee found the Orange County Local Transportation Authority has proceeded in accordance with Measure M2 Ordinance No. 3 during 2020.

Recommendation

Receive and file as an information item.

Background

The Measure M2 (M2) Ordinance No. 3 (M2 Ordinance) requires the establishment of an independent Taxpayer Oversight Committee (TOC) to ensure the transportation projects in the M2 Transportation Investment Plan (Plan) are implemented as approved by the voters in 2006. The 11-member committee has balanced representation of all five supervisorial districts, with ten private citizens plus the Orange County Auditor-Controller. The TOC meets bimonthly to review progress on the implementation of M2.

Annually, the TOC is required to hold a public hearing to receive comments from the public regarding M2 as part of its oversight effort to determine whether the Orange County Transportation Authority (OCTA), acting as the Orange County Local Transportation Authority (OCLTA), is proceeding in accordance with M2.

The results of the hearing and the finding of the TOC are transmitted to the OCTA Board of Directors annually. The TOC has consistently found OCTA in compliance for the past 29 years.

Discussion

On June 8, 2021, the 30th Measure M Annual Public Hearing took place virtually via Zoom. The hearing was publicized through news releases, public notices, and posted on OCTA's social media sites and *On the Move* blog. In accordance with Executive Order N-29-20, in order to ensure the safety of the TOC members and staff, and due to the coronavirus pandemic, public comments were to be submitted remotely by 6:00 p.m. on Friday, June 4, 2021. There were no public comments received by the deadline.

Following the public hearing and review of the annual financial audit of OCLTA and all other information the committee members have been provided to date, the TOC made the determination at its June 8, 2021 meeting that during 2020, OCTA has proceeded in accordance with the M2 Ordinance. Frank Davies, Chair of the TOC, has submitted an official letter stating their findings (Attachment A).

Additionally, in accordance with M2 Ordinance, Section 10, Paragraph 3, Chair Davies certified that the revenues through fiscal year ending June 30, 2020, have been spent in compliance with the M2 Ordinance.

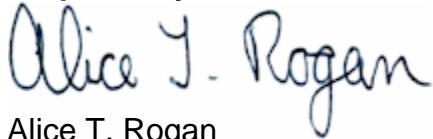
Summary

Subsequent to bimonthly meetings and the Measure M Annual Public Hearing on June 8, 2021, the TOC has determined that OCTA is proceeding in accordance with the M2 Ordinance and Plan.

Attachment

- A. Memo to Andrew Do, Chairman, Orange County Transportation Authority, from Frank Davies, Chair, Measure M Taxpayer Oversight Committee, dated June 9, 2021, Subject – 30th Measure M Annual Public Hearing

Prepared by:



Alice T. Rogan
Director, Marketing and Public
Outreach
714-560-5577

Approved by:



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



Measure M2 Taxpayer Oversight Committee

June 9, 2021

To: Andrew Do, Chairman
Board of Directors
Orange County Transportation Authority

From: Taxpayer Oversight Committee

Subject: 30th Measure M2 Annual Public Hearing

In accordance with Attachment C "Taxpayer Oversight Committee," the Taxpayer Oversight Committee (TOC) is required to conduct an annual public hearing to determine whether the Orange County Transportation Authority (Authority) is proceeding in accordance with the Renewed Measure M (M2) Transportation Ordinance and Investment Plan.

The TOC conducted the annual public hearing on June 8, 2021. No items were presented at the hearing to indicate that the Authority was not proceeding in accordance with the M2 Transportation Ordinance and Investment Plan during 2020.

Based upon the above-mentioned hearing, 2019/20 Local Transportation Authority (LTA) financial audit results and all other information the TOC has to date, the TOC hereby finds the Authority is proceeding in accordance with the M2 Transportation Ordinance and Investment Plan.

Also, in accordance with Ordinance No. 3, Section 10, Paragraph 2, I certify that the M2 revenues, through fiscal year ending June 30, 2020, have been spent in compliance with the M2 Transportation Ordinance and Investment Plan.

Sincerely,

A handwritten signature in blue ink, appearing to read "Frank Davies", is written above the printed name.

Frank Davies, Chair
Measure M2 Taxpayer Oversight Committee
Orange County Auditor-Controller



COMMITTEE TRANSMITTAL

June 28, 2021

To: Members of the Board of Directors

From: Andrea West, Interim Clerk of the Board *Andrea West*

Subject: Resolution to Establish the Orange County Local Transportation Authority/Measure M2 Appropriations Limitation for Fiscal Year 2021-22

Finance and Administration Committee Meeting of June 9, 2021

Present: Directors Foley, Goodell, Harper, Hennessey, Hernandez, Jones, and Muller

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 7-0 by the Members present.

Committee Recommendation

Adopt Orange County Local Transportation Authority/Measure M2 Resolution No. 2021-043 to establish the Orange County Local Transportation Authority/Measure M2 appropriations limit at \$1,981,873,617, for fiscal year 2021-22.



June 9, 2021

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Resolution to Establish the Orange County Local Transportation Authority/Measure M2 Appropriations Limitation for Fiscal Year 2021-22

Overview

The State Constitution requires that each year the governing body of each local jurisdiction shall, by resolution, establish its appropriations limit for the following year pursuant to Article XIII B.

Recommendation

Adopt Orange County Local Transportation Authority/Measure M2 Resolution No. 2021-043 to establish the Orange County Local Transportation Authority/Measure M2 appropriations limit at \$1,981,873,617, for fiscal year 2021-22.

Background

In November 1979, the voters of the State of California approved Proposition 4, commonly known as the Gann Initiative. The proposition created Article XIII B of the California Constitution, which is also known as the Gann Appropriations Limitation.

Both the Article XIII B appropriations limit and its implementing legislation were modified by Proposition 111, approved by voters in 1990. The law specifies that the appropriations of revenues, "proceeds of taxes" by state and local governments, may only increase annually by a limit based on a factor comprised of the change in population and the change in California per capita personal income. The appropriations limit includes any interest earned from the investment of the proceeds of taxes and must be reviewed during the annual financial audit.

Discussion

In accordance with the requirements of Article XIII B, a resolution has been prepared and is attached for review and approval (Attachment A). The resolution establishes the Orange County Local Transportation Authority (LTA)/Measure M2 (M2) appropriations limit for fiscal year (FY) 2021-22 at \$1,981,873,617, excluding federal grant funds and other funds to be received from sources not subject to the appropriations limitation.

Attachment B shows the calculation of the FY 2021-22 Orange County LTA/M2 appropriations limit. Appropriations subject to limitation do not include appropriations for debt service, costs of complying with the mandates of the courts, federal government, or capital outlay projects. The change in population and change in California per capita personal income rates were obtained from the State of California, Department of Finance.

Summary

Staff recommends adoption of the Orange County Local Transportation Authority/Measure M2 Resolution No. 2021-043, which will establish the fiscal year 2021-22 appropriation limit at \$1,981,873,617, for the Orange County Local Transportation Authority.

Attachments

- A. Resolution No. 2021-043 of the Orange County Local Transportation Authority/Measure M2 Establishing Appropriations Limit for Fiscal Year 2021-22
- B. Orange County Local Transportation Authority/Measure M2 GANN Appropriations Limit Calculation for Fiscal Year 2021-22

Prepared by:



Sam Kaur
Department Manager,
Revenue Administration
(714) 560-5889

Approved by:



Andrew Oftelie
Chief Financial Officer,
Finance and Administration
(714) 560-5649

**RESOLUTION NO. 2021-043 OF THE
ORANGE COUNTY LOCAL TRANSPORTATION AUTHORITY/MEASURE M2
ESTABLISHING APPROPRIATIONS LIMIT FOR
FISCAL YEAR 2021-22**

WHEREAS, Article XIII B of the California constitution and Sections 7900 through 7913 of the California Government Code require the establishment of an appropriations limit; and

WHEREAS, appropriations limits are applicable to funds received from the proceeds of taxes and interest earned on such proceeds.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Orange County Local Transportation Authority/Measure M2 hereby determines that pursuant to Section 7902b of the California Government Code, the appropriations limit for the Orange County Local Transportation Authority/Measure M2 for fiscal year 2021-22 is \$1,981,873,617.
2. The total amount authorized to be expended by the Orange County Local Transportation Authority/Measure M2 during fiscal year 2021-22 from the proceeds of taxes, including interest earned from the investment of the proceeds of taxes, is \$319,737,837.
3. The appropriations limit for fiscal year 2020-21 exceeds proceeds of taxes for fiscal year 2021-22 by \$1,662,135,780.

ADOPTED SIGNED AND APPROVED this 28th day of June 2021.

AYES:

NOES:

ABSENT:

ATTEST:

Andrea West
Interim Clerk of the Board

Andrew Do, Chairman
Orange County Local Transportation Authority

**Orange County Local Transportation Authority/Measure M2
GANN Appropriations Limit Calculation for
Fiscal Year 2021-22**

GANN FACTOR

<u>PER CAPITA CHANGE¹</u>	<u>%</u>	<u>RATIO</u>	<u>GANN FACTOR</u>
California per capita personal income change	5.73%	1.0573	
<u>POPULATION CHANGE²</u>			
County of Orange	-0.84%	0.9916	
<u>GANN FACTOR</u>	1.0573	x	0.9916 = 1.0484

FY 2021-22 APPROPRIATION LIMIT

Prior Year Appropriations Limit	\$ 1,890,379,261
GANN Factor (Rounded)	x 1.0484
	\$ 1,981,873,617

ITEMS SUBJECT TO GANN LIMIT³

<u>Line Item</u>	<u>Amount</u>
1/2 cent sales tax (Measure M2)	\$ 309,554,163
CDTFA Fees	\$ 3,405,096
Interest Revenue	\$ 6,778,578
	\$ 319,737,837

FY 2021-22 APPROPRIATION LIMIT

	<u>Amount</u>
FY 2021-22 Appropriations Limit	\$ 1,981,873,617
Less Items Subject to GANN Limit	(319,737,837)
Appropriation Limit that exceeds the proceeds of taxes:	\$ 1,662,135,780

Note:

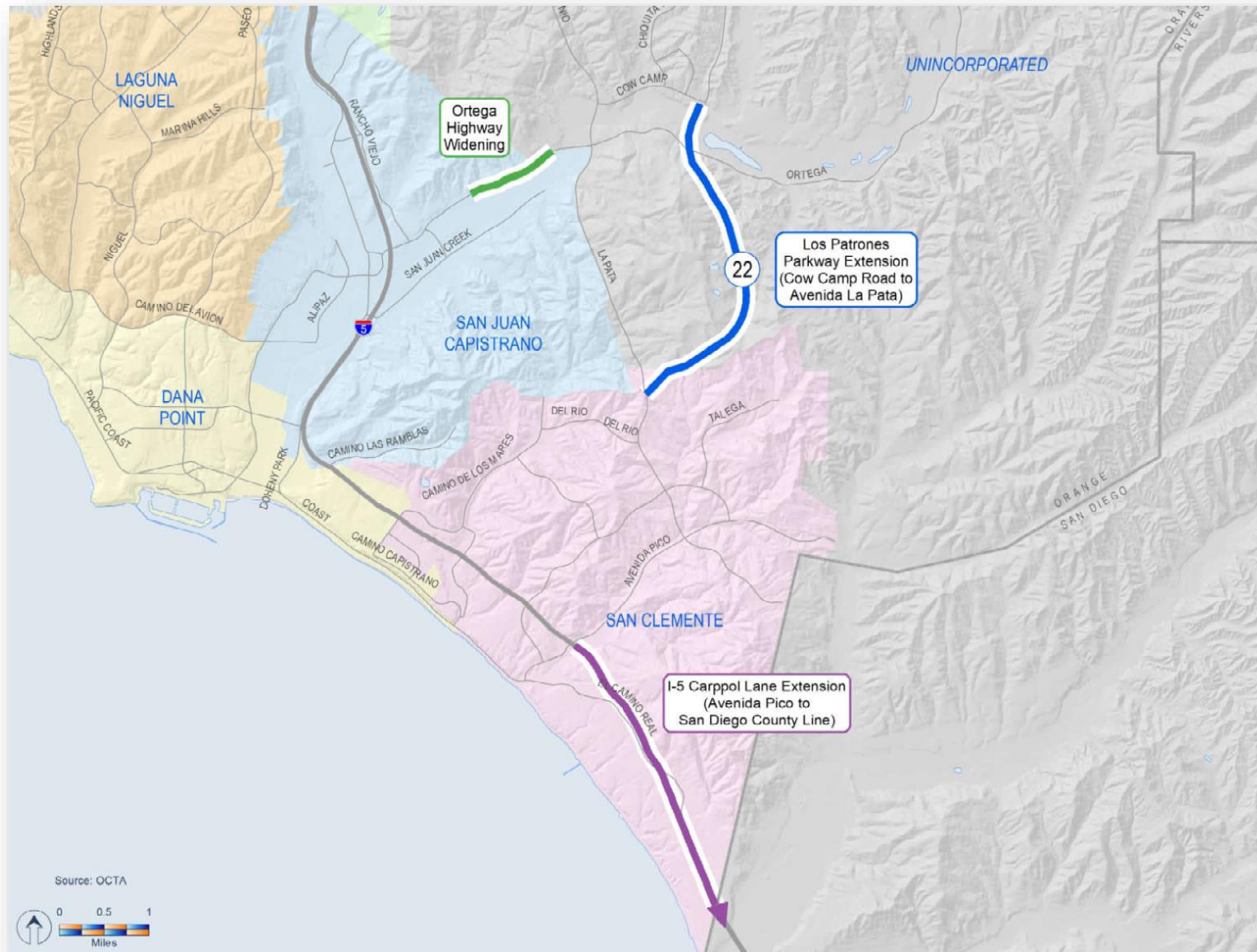
CDTFA - California Department of Tax and Fee Administration

^{1,2}Price Factor and Population Information provided by the Department of Finance.

³Items subject to GANN Limit provided from proposed FY 2021-22 budget

Update on Interstate 5 Improvement Project from San Diego County Line to Avenida Pico

Interstate 5 (San Diego County to Avenida Pico)



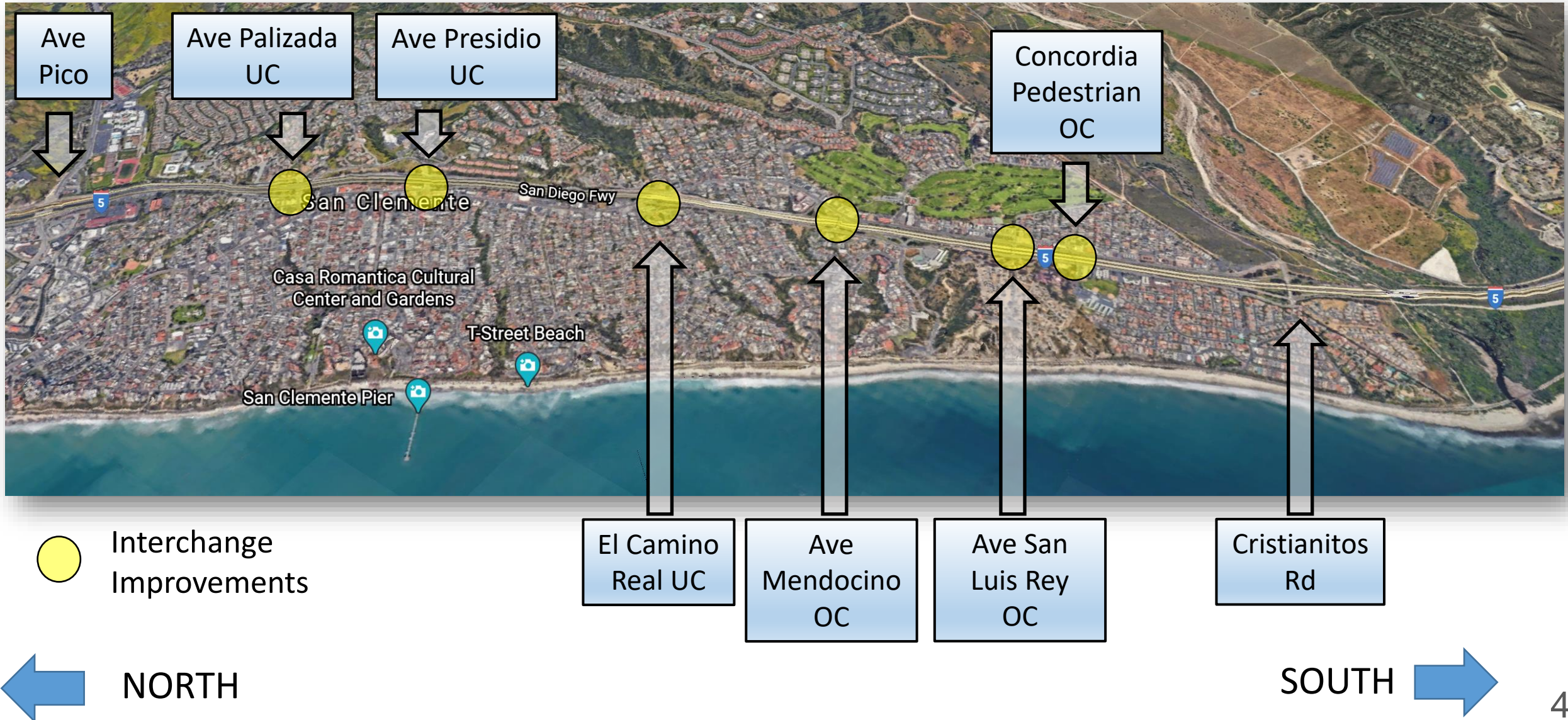
Interstate 5 (San Diego County to Avenida Pico)



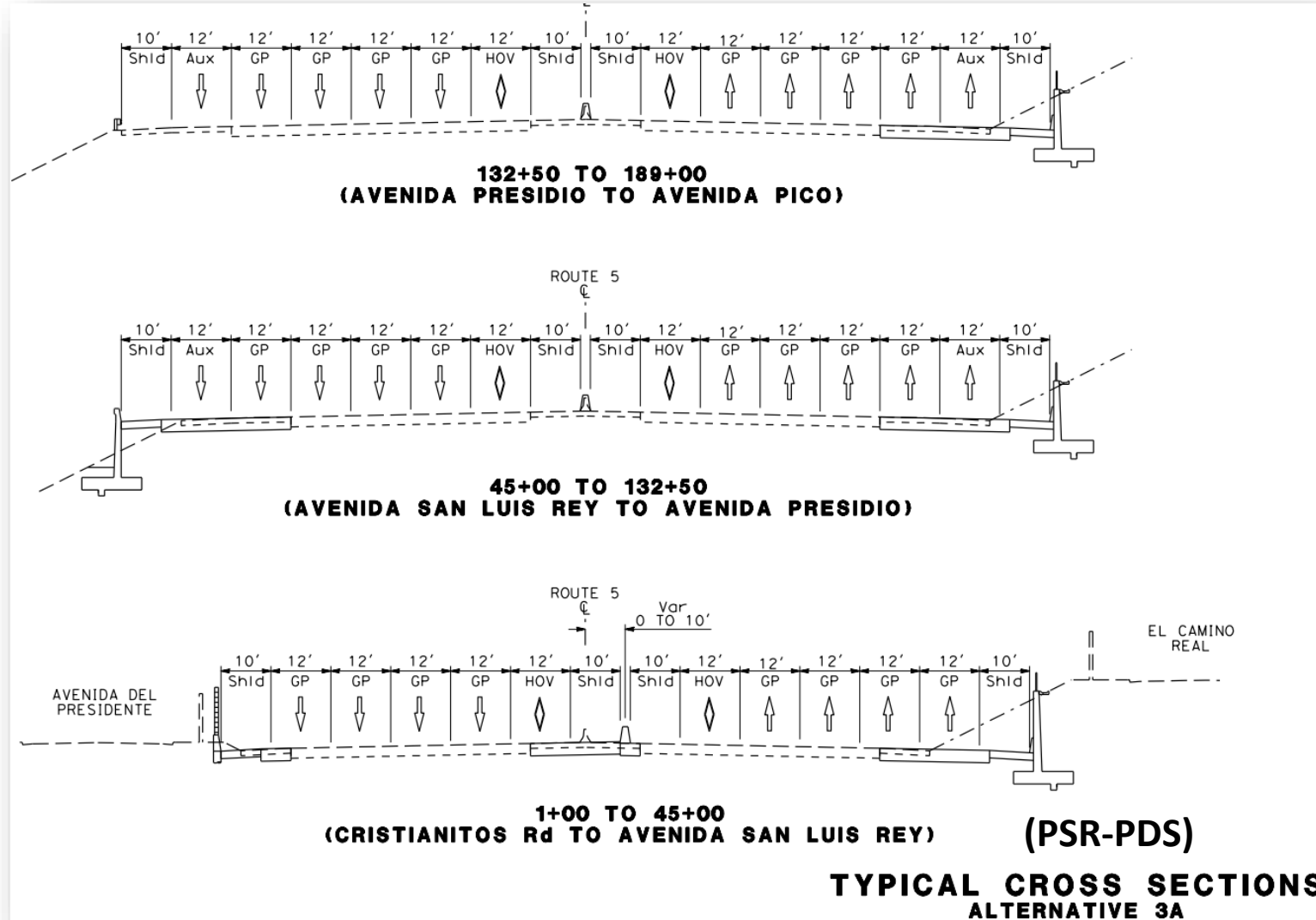
- Project length is 4.8 miles
- Environmental consultant work began on March 1, 2021
- OCTA – implementing agency
- Caltrans – NEPA/CEQA lead agency
- City of San Clemente – active member of the PDT

OCTA – Orange County Transportation Authority
Caltrans – California Department of Transportation
NEPA – National Environmental Policy Act
CEQA – California Environmental Quality Act
PDT – Project Development Team

Interstate 5 (San Diego County to Avenida Pico)

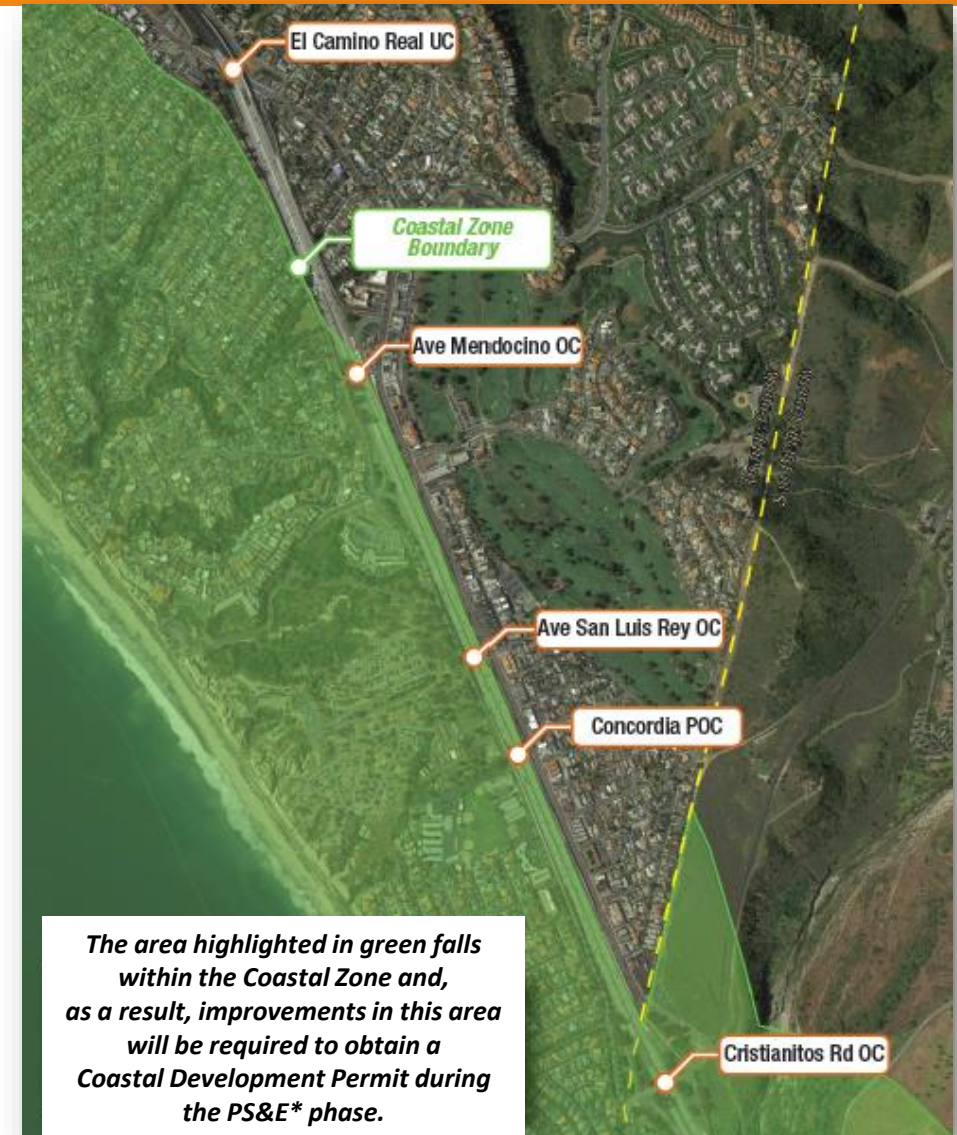


Interstate 5 (San Diego County to Avenida Pico)



Special Environmental Considerations

- Project limits within the coastal zone boundary
- CEQA/NEPA documentation anticipated to be an Environmental Impact Report/Environmental Assessment
- Incorporating SB 743 guidance related to vehicle miles traveled on the State Highway System from Caltrans



*PS&E = plans, specifications, and estimates

Current and Near-Term Activities

- Compilation of aerial mapping and topography
- Developing mapping for environmental studies
- Initiating geometric development
- Preliminary traffic analysis



Milestone Schedule

Milestone	Anticipated Timeframe
Contract Execution/Notice to Proceed	March 1, 2021
Public Scoping Meeting	July 2022
Completion of Environmental Technical Studies	Fall 2022
Completion of Draft Environmental Document	Spring 2023
Completion of Draft Project Report	Spring 2023
Public Circulation of Environmental Document	Spring 2023
Public Hearing	Spring 2023
Final Environmental Document/Project Report	Fall 2023

Public Outreach



- Outreach support consultant on board by fall 2021
- Public scoping meeting anticipated in July 2022
- Continuing coordination with City of San Clemente and Caltrans



Questions?

