



AGENDA

Legislative and Communications Committee Meeting

Committee Members

Lisa A. Bartlett, Chairwoman
Gene Hernandez, Vice Chairman
Barbara Delgleize
Michael Hennessey
Mark A. Murphy
Harry S. Sidhu
Donald P. Wagner

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

Thursday, November 18, 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 business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Agenda Descriptions

Agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Committee may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

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 September 16, 2021, Governor Gavin Newsom signed into law AB-361 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 due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19).

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

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



AGENDA

Legislative and Communications Committee Meeting

Members of the public may address the Board of Directors regarding any item two ways:

Real-Time Comment

To provide a real-time public comment during the meeting, please access the Zoom at:

<https://us02web.zoom.us/j/82173189650>

Dial-In: (669) 900-6833
Webinar ID: 821 7318 9650

Speakers will be recognized by the Chairman at the time the agenda item is to be considered. A speaker's comments shall be limited to three minutes. Anyone causing disruption can be removed from the meeting at the discretion of the Chair.

Written Comment

Written public comments may also be submitted by emailing them to ClerkOffice@octa.net, and **must be sent 90 minutes prior to the start time of the meeting**. 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.

Call to Order

Roll Call

Pledge of Allegiance

Director Murphy

1. Public Comments

Special Calendar

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

An update of Legislative items in Sacramento will be provided.



Consent Calendar (Items 3 through 6)

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

3. Approval of Minutes

Approval of the minutes of the Legislative and Communications Committee meeting of October 21, 2021.

4. Performance Evaluation of Federal Legislative Advocate, Potomac Partners, DC Kristin Jacinto/Lance M. Larson

Overview

The firm Potomac Partners, DC provides federal legislative advocacy services for the Orange County Transportation Authority in Washington, DC. A staff evaluation of the services provided this legislative session is presented to the Board of Directors for consideration and further comment.

Recommendation

Receive and file the staff evaluation of the federal advocacy services of Potomac Partners, DC as an information item and provide any additional comments.

5. Performance Evaluation of State Legislative Advocate, Topp Strategies Kristin Jacinto/Lance M. Larson

Overview

The firm Topp Strategies provides state legislative advocacy services for the Orange County Transportation Authority. A staff evaluation of the services provided this legislative session is presented to the Board of Directors for consideration and further comment.

Recommendation

Receive and file the staff evaluation of the state advocacy services of Topp Strategies as an information item and provide any additional comments.



6. Status Report of State Legislation Enacted in 2021

Dustin J. Sifford/Lance M. Larson

Overview

At the conclusion of the 2021 state legislative session, 770 bills were signed into law by Governor Newsom and chaptered by the Secretary of State, while 66 bills were vetoed. A report containing an analysis of legislation relevant to the Orange County Transportation Authority is provided.

Recommendation

Receive and file as an information item.

Regular Calendar

7. 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. An update is provided on the House's approval of the Senate-passed infrastructure legislation, the Infrastructure Investment and Jobs Act, which also reauthorizes federal surface transportation programs for the next five years. This report outlines the benefits of the bill and the next steps for its implementation.

Recommendation

Receive and file as an information item.

8. Orange County Transportation Authority's 2021-22 State and Federal Legislative Platforms

Alexis Leicht/Lance M. Larson

Overview

Halfway through each legislative session, staff conducts a refresh to the Orange County Transportation Authority's State and Federal Legislative Platforms to ensure updates are provided on relevant issues that are anticipated to be of discussion for the upcoming year. The final drafts of the revised 2021-22 Orange County Transportation Authority State and Federal Legislative Platforms are submitted for consideration and adoption by the Orange County Transportation Authority Board of Directors.



Recommendations

- A. Adopt the revised final draft of the 2021-22 State and Federal Legislative Platforms.
- B. Direct staff to distribute the adopted platforms to elected officials, advisory committees, local governments, affected agencies, the business community, and other interested parties.

Discussion Items

9. 2021 Attitudinal and Awareness Survey Results

Alice T. Rogan/Maggie McJilton

A countywide survey of Orange County residents was recently conducted to gain an understanding of current attitudes and awareness of the Orange County Transportation Authority and its services, projects, and programs, as well as transportation priorities for the development of the 2022 Long Range Transportation Plan. True North Research, Inc. will present the results of the 2021 Countywide Attitudinal and Awareness Survey.

10. Marketing and Communications Update

Ryan Armstrong/Maggie McJilton

Staff will present an update on marketing programs for OCTA's multimodal transportation services and programs.

11. Chief Executive Officer's Report

12. Committee Members' Reports

13. Closed Session

There are no Closed Session items scheduled.

14. Adjournment

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, December 16, 2021**, at the Orange County Transportation Authority Headquarters, Conference Room 07, 550 South Main Street, Orange, California.



MINUTES

Legislative and Communications Committee Meeting

Committee Members Present

Lisa A. Bartlett, Chairwoman
Gene Hernandez, Vice Chairman
Barbara Delgleize
Michael Hennessey
Mark A. Murphy
Harry S. Sidhu
Donald P. Wagner

Staff Present

Jennifer L. Bergener, Deputy Chief Executive Officer
Gina Ramirez, Clerk of the Board Specialist, Senior
Sahara Meisenheimer, Clerk of the Board Specialist
OCTA Staff

Committee Members Absent

None

Via Teleconference

James Donich, General Counsel

Call to Order

The October 21, 2021, regular meeting of the Legislative and Communications (L&C) Committee was called to order by Committee Chairwoman Bartlett at 9:01 a.m.

Roll Call

Gina Ramirez, Clerk of the Board Specialist, Senior, conducted an attendance Roll Call and announced a quorum of the L&C Committee.

1. Public Comments

There were no public comments received.

Special Calendar

2. Conference Call with State Legislative Advocate Moira Topp

Moira Topp, State Legislative Advocate, provided a verbal report on this item.

Consent Calendar (Item 3)

3. Approval of Minutes

A motion was made by Director Hennessey, seconded by Hernandez, and following a roll call vote, declared passed 7-0, to approve the minutes of the Legislative and Communications Committee meeting of September 16, 2021.

Regular Calendar

4. Draft Revisions to the Orange County Transportation Authority's 2021-22 State and Federal Legislative Platforms

Lance Larson, Executive Director of Government Relations, provided opening comments and introduced Alexis Leicht, Associate Government Relations Representative, who provided a verbal report on this item.

A motion was made by Director Hernandez, seconded by Director Wagner, and following a roll call vote, declared passed 7-0, to direct staff to incorporate the recommended revisions to the 2021-22 Orange County Transportation Authority State and Federal Legislative Platforms and seek further feedback from the Orange County Transportation Authority Board of Directors, with subsequent drafts being brought forward for final consideration and adoption later this year.

5. Federal Legislative Status Report

Lance Larson, Executive Director of Government Relations, provided opening comments and introduced Dustin J. Sifford, Senior Government Relations Representative, who provided a verbal report on this item.

Chairwoman Bartlett inquired about any long-term funding for the highway trust fund.

Mr. Sifford responded that other than funding pilot programs to examine options, there is no long-term funding solution being discussed in connection with these bills. There may be some general fund transfers, and one of the bills left the highway trust fund unresolved.

Chairwoman Bartlett stated that it was unfortunate because pulling from the general fund is taking money out of reserves or the piggy bank and transferring it over to where it is needed. That number will increase over time if something is not done to replace the gas tax revenue stream.

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

6. Update on Diversity Outreach and Inclusion Efforts

Ted P. Nguyen, Senior Section Manager, provided a PowerPoint presentation on this item.

Chairwoman Bartlett thanked Mr. Nguyen for the update. She also stated that this was a very thorough campaign on the diversity outreach and inclusion efforts.

Director Delgleize acknowledged Mr. Nguyen for his enthusiasm during the presentation.

Chairwoman Bartlett stated that Mr. Nguyen's personal story is critical to the process relative to outreach.

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

Discussion Items

7. Chief Executive Officer's Report

Jennifer L. Bergener, Deputy Chief Executive Officer (DCEO), reported on the following:

- Darrell E. Johnson, Chief Executive Officer, is on vacation today and tomorrow.

Fifth District Mayors' Forum -

- Ms. Bergener, DCEO, thanked Directors Bartlett and Goodell for participating in the Fifth District Mayors' Forum that the Orange County Transportation Authority' (OCTA) staff hosted this past Monday.
- These forums are intended to provide the mayors, council members, and city staff with an update on OCTA's projects and programs and get input from the cities. The forum was well attended, and staff has received a lot of good feedback. OCTA staff is looking forward to hosting the Second District Mayors' Forum next week on October 27th.

LRTP & Mobility Hubs Roundtable -

- OCTA will host the second of two roundtables with community-based organizations to get feedback on OCTA's Long-Range Transportation Plan and the Mobility Hubs Study. The roundtable will be held via Zoom at 10:30 a.m.



8. Committee Members' Reports

There were no Committee Members' Reports

9. Closed Session

There were no Closed Session items scheduled.

10. Adjournment

The meeting adjourned at 9:42 a.m.

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

ATTEST

Lisa Bartlett
Committee Chairwoman

Gina Ramirez
Clerk of the Board Specialist, Senior



November 18, 2021

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Performance Evaluation of Federal Legislative Advocate,
Potomac Partners, DC

Overview

The firm Potomac Partners, DC provides federal legislative advocacy services for the Orange County Transportation Authority in Washington, DC. A staff evaluation of the services provided this legislative session is presented to the Board of Directors for consideration and further comment.

Recommendation

Receive and file the staff evaluation of the federal advocacy services of Potomac Partners, DC as an information item and provide any additional comments.

Background

Since 2003, the Orange County Transportation Authority (OCTA) has contracted with Potomac Partners, DC (PPDC) for federal legislative advocacy services. Most recently, on October 22, 2018, the OCTA Board of Directors (Board) approved a contract with PPDC to provide federal advocacy and consulting services for an initial term of two years through December 31, 2020, with two, two-year option terms. On June 22, 2020, the Board exercised the first two-year option term, which will expire on December 31, 2022. The federal legislative advocacy and consulting services provided by PPDC are led by Richard Alcalde and Daniel Feliz.

Discussion

The evaluation of federal legislative advocacy services covers major issues addressed and general services provided by PPDC, mirroring the process also used for state legislative advocacy services. Staff's evaluation of the services provided by PPDC is included in Attachment A. The major issues and general

services provided by PPDC have been evaluated based on effort and outcome using a rating of excellent, very good, good, fair, or poor.

Staff has rated PPDC's efforts overall as "very good" based on responsiveness, advancing OCTA's positions and policies, and assisting in building cooperative bipartisan relationships with members of Congress and the Administration. Staff has rated PPDC's outcomes overall as "excellent" based on the outcomes of the issues discussed.

Priorities for PPDC for next year will largely focus on implementation of the Infrastructure Investment and Jobs Act, in addition to any action on a potential reconciliation package. PPDC activities will largely focus on ensuring appropriations are consistent with the reauthorization bill, while maximizing funding for OCTA projects and programs. As part of this effort, if Congress continues to authorize member designated projects and community project funding requests in future appropriations bills, PPDC will also be focused on seeking opportunities to fund specific OCTA projects, consistent with Board priorities. In addition, PPDC will seek to advance OCTA's policy positions outlined in the 2021-22 OCTA Federal Legislative Platform, including informing any proposals that may impact formula funding or which may delay OCTA federal grants, efforts to attract increased transit ridership, including incentives to promote free or reduced fares, potential incentives for conversion to zero-emission transit, and streamlining and expansion of federal financing

To assist the Board in fully evaluating PPDC, the federal legislative advocate's current scope of work is included as Attachment B.

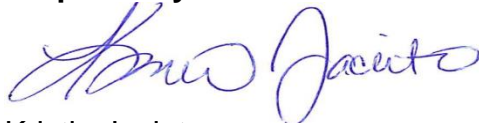
Summary

An evaluation of federal legislative advocacy services performed by Potomac Partners, DC is presented to the Board of Directors for information and further comment.

Attachments

- A. Staff Evaluation of Services Provided by Potomac Partners, DC for 2021
- B. Scope of Work Federal Legislative Advocates

Prepared by:



Kristin Jacinto
Manager, State and Federal Relations
Government Relations
(714) 560-5754

Approved by:



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

**Staff Evaluation of Services Provided by
Potomac Partners, DC for 2021**

The following narrative provides specific information with respect to major issues addressed by Potomac Partners, DC (PPDC) as the Orange County Transportation Authority's (OCTA) primary federal legislative advocate, in 2021. Each issue has been evaluated based on effort and outcome using a rating of excellent, very good, good, fair, or poor.

Coronavirus (COVID-19) Pandemic Response

Effort: Excellent; Outcome: Excellent

Discussions related to the COVID-19 response were again one of the dominant policy issues in 2021. While the passage of the Coronavirus Aid, Relief, and Economic Security (CARES) Act in 2020 provided significant relief for transit and transportation agencies, at the end of 2020 and beginning of 2021, renewed discussions took place about additional stimulus funding, recognizing that the funds provided by the CARES Act would not sustain various programs due to the unforeseen length of the pandemic. While OCTA worked with many trade coalitions to achieve policy outcomes, including the American Public Transportation Association (APTA) and the California Transit Association, PPDC was tasked with ensuring that OCTA's unique project and funding needs were readily understood by Orange County's delegation. This included regular communications from PPDC to not only Orange County's delegation, but also key members of Congressional leadership on the continued needs facing transit and transportation agencies, how various formulas would impact services, and sought to prevent any unnecessary hurdles to putting the funds to immediate use.

These communications were immensely successful in guiding the passage of two additional rounds of stimulus funding under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) and the American Recovery Plan Act of 2021 (ARPA). Between the transit operations funding provided under the CARES Act, CRRSAA, and ARPA, Orange County received a little over \$450 million in supplemental funding, allowing OCTA to sustain essential transit service through the pandemic and implement protective measures against COVID-19 for employees and customers.

Notably, unlike the CARES Act, CRRSAA also included \$10 billion in stimulus funding for the Highway Infrastructure Program, which was distributed by formula to the states. California received \$911.8 million in funding from this program, which was partially suballocated to the regions. In total, OCTA received about \$26.4 million, which was used to help fund the Transit Security and Operations Center and provide additional funding for local agencies to address road maintenance and repair needs. After the passage of the CARES Act, PPDC maintained in their communications to Congressional offices that while the funding provided for transit was critical, there were

also other transportation programs that needed address. These types of communications led to the creation of programs like this.

Finally, in the ARPA, new funding was included to address funding challenges for Capital Investment Grant projects. In initial drafts of the language, the OC Streetcar project, although not yet completed, would not have been eligible for these funds. Due to the work of PPDC to ensure the OC Streetcar was eligible, through conversations with members of the Orange County legislative delegation and leadership, the final language did include stimulus funding for the OC Streetcar project. In total, the project will receive an additional \$9.4 million from this program.

Policy Priorities in Reauthorization in Infrastructure Discussions

Effort: Excellent; Outcome: Excellent

Beyond COVID-19 response discussions, Congress was required to take action on several important transportation topics – namely work on surface transportation reauthorization, with the Fixing America's Surface Transportation (FAST) Act, which expired on September 30, 2020. Since the expiration, the FAST Act has undergone a number of short-term extensions to afford additional time to negotiate a long-term reauthorization bill. As of the writing of this review, the Infrastructure Investment and Jobs Act (IIJA), a bipartisan infrastructure bill that reauthorizes surface transportation programs for five years, was awaiting signature by the President. Negotiations continued on a reconciliation bill that includes a number of additional funding proposals. Within these discussions, PPDC worked to advance several OCTA policy priorities:

- Similar to the language secured in 2019 in the Senate Environment and Public Works Committee draft reauthorization legislation, PPDC was able to advance language to enact Transportation Infrastructure Finance and Innovation Act reforms in the IIJA, as requested by OCTA. While not all OCTA's requested reforms were included, the inclusion of the language in the IIJA could allow OCTA to more creatively pursue TIFIA loans in the future, including for master credit agreements. The ability to secure additional language also secures OCTA's voice as an agency expert on the use of TIFIA to deliver projects.
- Working with key delegation members to mold policy proposals related to mandates for zero-emission bus technology and transit security measures. In order to inform these efforts, PPDC worked to educate members of Congress on existing requirements under state and federal law, innovative approaches taken by OCTA, and floated revisions to these proposals that would allow transit agencies within California to best take advantage of these efforts. This included briefing OCTA's delegation offices on unique issues related to the use of hydrogen fuel as it pertains to taking advantage of the alternative fuel excise tax credit. Based on some of these discussions, language is included in IIJA which provides recognition to agencies in competitive grant programs where those agencies have zero-emission fleet conversion plans in place. In addition, work is being done with several Orange County delegation members to provide further incentives to fleet conversion. OCTA did work to try to include language which

would have also better tracked the performance of this technology and the associated incentive programs to ensure they were adequately funding the conversion and there were not unintended consequences. Unfortunately, such proposal was not successful this year.

- Informing discussions associated with proposed tolling provisions in the reauthorization bill. Such provisions presented significant challenges in the operation of existing facilities, the future of interoperability and development of future facilities. PPDC advised on the potential for future reforms and associated strategy and worked to understand the perspective of key members of Congress. Ultimately, minimal changes in the area of tolling were included in the IIJA, which is testament to the work done by PPDC and others to prevent overly cumbersome policy changes.

While not all OCTA policy propels were successful, the passage of the IIJA not only provides some certainty and stability to future federal transportation funding, but also provides significant new opportunities to advance OCTA projects and programs. Overall, there is approximately \$567 billion in funding for transportation programs over five years. Annual highway funding authorizations increase by \$115.75 billion, a 49 percent increase over current spending levels. Transit funding authorizations increase by \$42 billion, 65 percent more than current funding levels. The bill also provides a significant increase for federal rail programs, providing roughly equivalent transit and rail funding. Over the next five years, the bill provides a total of \$106.9 billion for transit programs and \$102 billion for rail. PPDC worked throughout the process to ensure these funds flowed through existing formulas to the maximum extent possible, without added, burdensome requirements. As the funding is appropriated, PPDC will need to work to ensure appropriations at least match authorized amounts and are not implemented in a manner inconsistent with the policies included in the IIJA.

Appropriations and Grant Funding Opportunities

Effort: Very Good; Outcome: Very Good

In a significant change in direction related to the use of earmarks in both reauthorization discussions and appropriations bills, both the House and Senate entertained requests for earmarks, rebranded as “member designated projects” or “community project funding” requests. Subject to added transparency requirements, and limitations on overall amounts a member could request, PPDC ensured OCTA projects and programs were included. Among the projects included in appropriations and reauthorization proposals were State Route 91 improvements, the Transit Security and Operations Center, signal synchronization, and an Orange County/Los Angeles Border Transit Study. While no vehicle that provides project-specific funding has passed, PPDC worked every step of the way to include OCTA priority projects in these proposals. This included drafting project submittals and support letters, sharing guidelines and other parameters for project submittals, and meeting with individual delegation offices to determine priorities.

Related to discretionary grants, PPDC again led efforts to secure support from delegation members for projects pursued by OCTA. While OCTA was not ultimately successful in receiving funding from these programs, Administration officials often cited strong delegation support as something that was rated very highly when reviewing OCTA grant applications. Further work will be necessary to position OCTA more competitively within these programs going forward, with PPDC helping to brainstorm ideas.

General Services

Effort: Very Good; Outcome: Good

With COVID-19 preventing travel by OCTA officials to Washington DC this year, normal PPDC processes to schedule face-to-face meetings with members of Congress, staff, and members of the Administration to discuss issues of importance to OCTA were put on hold. Given the challenges associated with COVID-19, PPDC has remained responsive to requests by OCTA, provided timely information, advice, and reports. While the bulk of PPDC's work for OCTA surrounded informing federal policy discussions, PPDC also worked on several other issues on behalf of OCTA including promptly responding to questions from federal delegation members and advising on new policy proposals. This included participating in meetings requested by Orange County delegation staff and in tracking policy proposals by transportation advocacy groups such as APTA and the International Bridge, Tunnel and Turnpike Association.

Earlier in 2021, PPDC also scheduled meetings with new and existing delegation members to brief them on OCTA programs and projects. Then throughout the year, PPDC continued to facilitate meetings with delegation offices to inform policies under discussion. While PPDC was not able to secure meetings with every delegation member, there continued to be conversations with those offices to promote OCTA interests.

Overall Rating

Effort: Very Good; Outcome: Excellent

PPDC's efforts overall are rated as very good based on responsiveness, time dedicated to advocating for and advancing of OCTA's positions and policies, timeliness of information, assisting in building cooperative relationships with Congress and members of the Administration, and availability. PPDC's outcomes overall are rated as very good based on the outcomes of the issues discussed.

**SCOPE OF WORK
FEDERAL LEGISLATIVE ADVOCATES**

I. General

The Orange County Transportation Authority (OCTA) is seeking a federal legislative advocate team (Consultant) to address a series of issues described in and will be organized around the federal goals and objectives of the OCTA Legislative Platform. The primary issues and objectives are summarized as follows:

1. Secure a stable and reliable long-term transportation reauthorization bill, and annual appropriations bills in accordance with current Legislative Platform and Board of Directors (Board)-approved project requests.
2. Advocate at the Congressional and Executive Branch levels for federal funding for OCTA capital projects, including fixed guideway projects.
3. Advocate on behalf of OCTA's position on Goods Movement.
4. Seek to maximize funding for all OCTA modal programs, but especially restoration of a well-funded bus discretionary program, in the next transportation reauthorization bill.
5. Seek to streamline and accelerate the delivery of federally funded projects with minimal federal requirements.
6. Advocate for funding of compliance costs for any new federally mandated requirements.
7. Advocate for federal intercity passenger rail funding in the San Luis Obispo-Los Angeles-San Diego (LOSSAN) corridor.

II. Coalition Activities

The Consultant shall build and sustain a strong federal coalition in support of OCTA.

1. OCTA Legislative Platform

- 1.1 Provide input to and implement OCTA-developed funding strategies for transportation projects described in the Information and Issues discussion and Legislative Platform, including bus, highway, intelligent transportation systems projects, and any other projects which may be appropriate to achieve OCTA legislative goals.

1.2 Recommend appropriate activities for OCTA Board members and local elected officials at various stages of the legislative process.

1.3 Provide general political and advocacy advice to OCTA.

2. Legislation, Regulations, and Policy

2.1 Notify OCTA of anticipated, newly introduced, or amended federal legislation, regulations, and administrative policy actions which could impact OCTA and provide a legislative analysis on how such action(s) may affect the interest of OCTA.

2.2 Work with OCTA, develop positions and tactics which implement OCTA's strategy objectives regarding the upcoming reauthorization of the transportation program.

2.3 Provide information and advice regarding upcoming legislative hearings which may impact policies and programs of OCTA.

2.4 Attend hearings and other public sessions of interest to OCTA.

2.5 Assist in the preparation of testimony before congressional committees and represent OCTA before such committees, including, but not limited to, the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, the Senate Committee on Banking and Urban Affairs, the Senate Commerce Committee and the Senate Committee on Environment and Public Works.

2.6 Assist in drafting legislative language, and other written materials deemed of interest to OCTA, to ensure that the goals and objectives of OCTA are fulfilled.

2.7 Assist in drafting responses to Federal Register notices and other federal public comment announcements.

2.8 Assist in preparation of appropriate written materials supporting OCTA legislative goals, including letters, talking points, bill summaries, and position papers.

3. Liaison and Advocacy Activities

3.1 Orange County Congressional Delegation

3.1.1 Maintain frequent formal and informal contact with the Orange County delegation members and staff to represent and advocate OCTA policies and positions.

3.1.2 Recommend when OCTA Board Members should be in direct contact with members of the Orange County delegation or their key legislative staff.

3.2 House and Senate

3.2.1 Maintain direct and frequent contact with key members and staff of appropriate Senate and House Committees to represent and advocate OCTA policies and positions.

3.2.2 Arrange meetings between key legislation members and OCTA personnel as appropriate in Washington, D.C. or Orange County. Provide logistical support for Washington, D.C. visits.

3.2.3 Recommend timing and nature of contacts with the Orange County delegation and other legislation members in Washington, D.C.

3.3 Executive Branch

3.3.1 Meet with and arrange meetings with appropriate White House officials and staff, as necessary, to represent and advocate OCTA policies and positions.

3.3.2 Meet with and arrange meetings with appropriate Department of Transportation officials and staff, and other federal agencies, as necessary, to represent and advocate OCTA policies and positions.

III. **Administrative Coordination**

The Consultant shall continuously coordinate with OCTA Board, Chief Executive Officer and staff.

1. Coordination

1.1 Coordinate all activities with the OCTA State and Federal Relations Manager and Executive Director, Government Relations as appropriate.

1.2 Coordinate with members of the OCTA Board, as appropriate.

1.3 Coordinate with other OCTA consultants, as appropriate.

2. Other Activities

2.1 Preparation of Materials, Conference Calls, Oral Reports, Written Reports, and Additional Assignments.

- 2.2 Participate via teleconference with the Manager of Grants and Federal Relations, other OCTA staff, and other consultants as necessary.
- 2.3 Provide on-site and in-person oral reports to the Board and meet with appropriate OCTA staff at the OCTA headquarters in Orange, California, as needed. The number of on-site reports is not expected to exceed four per year.
- 2.4 Submit a written monthly activity and status report, including key advocacy activities undertaken on behalf of OCTA during each month.
- 2.5 Undertake additional assignments that have been mutually agreed upon by both parties and are necessary to accomplish OCTA's objectives in Washington.



November 18, 2021

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Performance Evaluation of State Legislative Advocate, Topp Strategies

Overview

The firm Topp Strategies provides state legislative advocacy services for the Orange County Transportation Authority. A staff evaluation of the services provided this legislative session is presented to the Board of Directors for consideration and further comment.

Recommendation

Receive and file the staff evaluation of the state advocacy services of Topp Strategies as an information item and provide any additional comments.

Background

Since 2007, Moira Topp has served as the Orange County Transportation Authority's (OCTA) primary state legislative advocate through her former employment with Sloat Higgins Jensen and Associates, and then as a subcontractor on OCTA's prior contract Platinum with Platinum Advisors, LLC. On October 26, 2020, the OCTA Board of Directors (Board) awarded a new contract for state legislative advocacy services to Topp Strategies, with Platinum as a subcontractor. Under the new contract, Moira Topp continues in her role as lead state legislative advocate for OCTA. The new agreement took effect on January 1, 2021, for a two-year term, with two, two-year option terms. Staff annually reviews the performance of the firm. This review focuses on work conducted during the initial year of the contract with Topp Strategies.

Discussion

Annually, OCTA staff evaluates the services provided by the state legislative advocate with respect to major issues addressed and general services provided. Staff's evaluation of the services provided by Topp Strategies is

included in Attachment A. The major issues and general services provided by Topp Strategies have been evaluated based on effort and outcome using a rating of excellent, very good, good, fair, or poor.

Staff has rated Topp Strategies' efforts overall as "very good" based on responsiveness, advancing OCTA's positions and policies, and assisting in building cooperative relationships with legislators and members of various state departments, boards, and commissions. Staff has rated Topp Strategies' outcomes overall as "very good" based on the outcomes of the issues discussed.

Next year, the priority focus of Topp Strategies will be on state budget actions related to transportation funding, including efforts to provide additional funding for transit capital projects, active transportation and resiliency projects, and advocating to ensure OCTA receives funding through any available funding provided. In addition, priorities for Topp Strategies will include advancement of OCTA's positions on legislation and policy goals contained in the Board-adopted 2021-22 OCTA State Legislative Platform, engaging in legislation and policy discussions related to implementation of the Governor's executive orders related to greenhouse gas emission reductions and expanded use of zero-emission vehicle technology, including proposals on how to prioritize transportation funding expenditures and competitive grant awards, incentive programs to attract transit ridership, including funding to maintain free transit programs, implementation of zero-emission bus purchase requirements, and potential revisions to SB 375 (Chapter 728, Statutes of 2008) requirements related to regional greenhouse gas emission reduction targets.

To assist the Board in fully evaluating Topp Strategies, the legislative advocate's current scope of work is included as Attachment B.

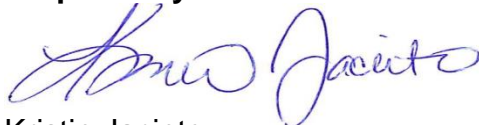
Summary

An evaluation of state legislative advocacy services performed by Topp Strategies is presented to the Board of Directors for information and further comment.

Attachments

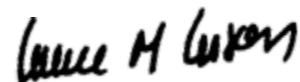
- A. Staff Evaluation of Services Provided by Topp Strategies for 2021
- B. Sacramento Legislative Advocacy and Consulting Services Scope of Work

Prepared by:



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Staff Evaluation of Services Provided by Topp Strategies for 2021

The following narrative provides specific information with respect to major issues addressed by Topp Strategies, with Moira Topp as the Orange County Transportation Authority's (OCTA) primary state legislative advocate in 2021, and general services provided. Each issue has been evaluated based on effort and outcome using a rating of excellent, very good, good, fair, or poor.

Coronavirus (COVID-19) Pandemic-Related Transit Policy Reforms

Effort: Excellent; Outcome: Excellent

Similar to the last legislative session, the Governor and State Legislature continued this year to focus on policies to assist response to COVID-19. While policies implemented through legislation and executive order focused on a broad array of issues, OCTA specifically worked with other transit agencies and the California Transit Association to seek policy reforms within transportation trailer bills to extend flexibilities related to the transit funding and the Transportation Development Act, including:

- Removal of financial penalties for failure to meet statutory required farebox recovery requirements and efficiency criteria,
- Continued ability for transit operators to use their formula share of funding from the SB 1 (Chapter 5, Statutes of 2017) State of Good Repair (SGR) funding for operations purposes,
- Continuation of a hold harmless provision, which extends the use of pre-COVID-19 ridership data to inform the formulas used to distribute State Transit Assistance, Low Carbon Transit Operations Program, and SGR funding.

Notably, this year, the Governor also proposed, and the Legislature adopted, significant reforms to the calculation of farebox recovery, allowing transit agencies to exclude costs associated with allowing free transit fares, planning for the transition to zero-emission bus technology, the added costs of providing paratransit, and the use of federal transit funds. These changes do not sunset and therefore will provide significant flexibility for OCTA moving forward in meeting any farebox recovery requirement.

In each of these cases, Moira Topp, serving as OCTA's primary legislative advocate, interacted with members of OCTA's delegation and key members of the Legislature to communicate the support of OCTA for these reforms, and explain the benefits associated with these flexibilities. This included meeting with delegation staff, providing testimony at committee hearings, and sharing letters and other fact sheets with relevant offices. In each of these instances, these communications were done in a timely and effective manner, clearly conveying the impacts to transit services. Several of these policy changes had been repeatedly sought by OCTA in past legislative sessions to no avail, which demonstrates the effort and work put into allowing for the enactment of these changes this session.

Staff Evaluation of Services Provided by Topp Strategies for 2021

Bills Signed or Vetoed

Effort: Very Good; Outcome: Excellent

AB 1499 (Chapter 212, Statutes of 2021): Sponsored by the Self-Help Counties Coalition, and supported by OCTA, AB 1499 extended the design-build authority highway programs provided under AB 401 (Chapter 586, Statutes of 2013), to now sunset on January 1, 2034. AB 401 was originally sponsored by OCTA for use on the Interstate 405 Improvement Project. Given the historical involvement in this legislative language, Topp Strategies was one of the key resources used by Assembly Member Daly (D-Anaheim) in the authoring of AB 1499. Topp Strategies informed this bill by providing historical background on how this authority is being used on current projects and worked to ensure that carefully negotiated language was not disrupted in any extension. Unlike the controversies that existed when AB 401 was introduced, AB 1499 passed unanimously in every vote taken in the Legislature. This is a testament to not only the work done this year by Topp Strategies, but also the foundation that informed the original authority in AB 401.

SB 339 (Chapter 308, Statutes of 2021): Another bill supported by OCTA, SB 339 extended the Road Usage Charge Technical Advisory Committee (RUC TAC), and authorized a voluntary pilot program to test the revenue collection mechanisms of a road usage charge. This pilot program can then inform whether this is a viable alternative to the gas tax as a transportation funding source and identify any potential issues that may exist. OCTA has informed RUC TAC activities since its inception in 2013, closely monitoring the potential impacts on transportation funding. Through OCTA's support of this bill, Topp Strategies ensured OCTA is at the table as discussions take place about any changes in the way the State funds transportation improvements and was also able to highlight OCTA's ability to support efforts to find increased sustainability to transportation funding.

AB 1147 (Friedman, D-Glendale): While OCTA did not have a formal position on AB 1147, which sought to make various reforms to the SB 375 (Chapter 728, Statutes of 2008) planning process, Topp Strategies was able to secure several reforms to the bill through engagement at the staff level. While the author of the bill had the intent of trying to reform SB 375, and associated reporting requirements, to allow for increased funding for implementation and more realistic assumptions in the planning process, there could have been several unintended consequences based on the original iteration of the bill. Topp Strategies participated in several statewide meetings to draw attention to nuanced concerns about using vehicle miles traveled as a metric in planning documents, highlighting regional differences in governance structure, and worked to ensure regional transportation agencies would be at the table as SB 375 reports were developed. Ultimately, the Governor vetoed the bill, citing concerns that this bill was not necessary.

Staff Evaluation of Services Provided by Topp Strategies for 2021

Other Bills of Interest

Effort: Excellent; Outcome: Good

SB 261 (Allen, D-Santa Monica): This bill represented a continuation of the author's previous efforts to expand upon SB 375 requirements. The bill would have required that Metropolitan Planning Organizations meet greenhouse gas and new vehicle miles traveled reduction targets that were to be set by the California Air Resources Board. Similar to previous efforts by the author, Moira Topp proactively reached out to the author's office to express concerns with the provisions and the potential for unintended consequences. Because of the multitude of bills on this subject matter this session, SB 261 was ultimately held. However, Topp Strategies was able to create a strong coalition of interested parties to continue to inform not only this bill, but other bills on this subject. It is expected that prior to session starting again, there will be continued meetings with stakeholders, committee staff, and the author's office to inform any legislation that is taken up next year.

SB 623 (Newman, D-Fullerton): SB 623 represented a second attempt to clarify state rules related to interoperability and enforcement on toll facilities within the State. Similar to SB 664 (Allen, D-Santa Monica), the previous iteration of this proposal, SB 623 again encountered opposition from the consumer attorney organizations and privacy rights groups. Topp Strategies worked exhaustively to try to assuage concerns, including through meetings with the author's office, leadership of policy committees, and with stakeholders. Ultimately, compromise could not be reached, and the bill was held. Due to the repeated concerns related to this bill, and ongoing litigation, it is not expected that this bill will be pursued again next year.

Brown Act Legislation: Several bills were proposed this session to both allow the continuation of virtual public meetings post-pandemic, and also to reform the Brown Act to facilitate increased public participation. While OCTA did not have active positions on these bills at the end of session, Topp Strategies continued to communicate with OCTA staff regularly on pending amendments and bill progress so that OCTA could be prepared to adjust its meetings as necessary.

General Services

Effort: Very Good; Outcome: Very Good

Topp Strategies regularly scheduled meetings with legislators, committee consultants, Administration staff, and staff of various state departments, boards, and commissions to discuss issues of importance to OCTA. Topp Strategies has been responsive to requests by OCTA staff, provided timely information, advice and reports, and provided testimony in legislative committees that accurately reflected Board positions on legislation and policy issues. Topp Strategies also worked on a number of other issues on behalf of OCTA that were not necessarily contained in legislation, including setting up meetings with key staff within the Administration and Legislature, promptly responding to questions from state delegation members, and relaying important information related to appointments by the Governor.

Staff Evaluation of Services Provided by Topp Strategies for 2021

Specifically, this year, Topp Strategies arranged meetings with key members of the Legislature and Administration early in the year to brief newly-elected members of the Orange County delegation and newly-appointed Chairs of the Assembly and Senate Transportation Committees. While Topp Strategies was able to successfully secure meetings with most Orange County delegation members and the new Senate Transportation Committee Chair, some meetings were unable to be arranged. Overall, however, these meetings provided OCTA an opportunity to not only convey key policy priorities for this legislative session and highlight projects which OCTA would be pursuing state grant opportunities, but also educate members on unique OCTA programs and projects including its implementation of zero-emission technology and innovative transit pass programs. These meetings helped create a foundation for future legislative efforts and grant opportunities.

While COVID-19 continued to present challenges for communications with delegation offices, Topp Strategies has always remained in contact with key staff and afforded OCTA the ability to be at the table for critical conversations. This clearly demonstrates their previous ability to create strong foundational relationships before the pandemic, and use of innovative methods to develop relationships as the environment changes. Topp Strategies has also started preparing for more hybrid meetings, and strategizing for future communications as much of the Capitol building goes under construction.

Effort: Very Good; Outcome: Very Good

Topp Strategies efforts overall are rated as very good based on responsiveness, time dedicated to advocating for and advancing of OCTA's positions and policies, timeliness of information, assisting in building cooperative relationships with legislators and members of various state departments, boards, and commissions, and availability. Topp Strategies outcomes overall are rated as very good based on the outcomes of the issues discussed.

**Sacramento Legislative Advocacy and Consulting Services
Scope of Work**

Reporting Relationship

The Manager of State and Federal Relations and/or his/her designee will be the key contact and will coordinate the work of the CONSULTANT. The Orange County Transportation Authority (OCTA), at its sole discretion, may enter into more than one contract with additional firms with a Reporting Relationship of:



Role of the CONSULTANT

Under the coordination of the Manager of State and Federal Relations and/or his/her designee, the CONSULTANT shall be responsible for implementing the objectives described below.

Objectives

Objective 1: Maintain regular contact with the Governor's office; members of the Legislature and committee staff; and state departments, agencies, boards, commissions, committees, and staff to determine impending changes in laws, regulations, and funding priorities that relate to the OCTA.

- Meet with members of the Governor's office and Legislature to discuss policy issues affecting OCTA,
- Meet with members and staff of state agencies on issues that could impact the programming, delivery and funding of OCTA projects and services, including the California Transportation Commission; California State Transportation Agency; California Department of Transportation; California Air Resources Board,
- Track and attend meetings and actions by state agencies directly impacting transportation, including those associated with the Department of Finance; California Department of Tax and Fee Administration; Office of Planning and Research; California State Transportation Agency, Department of Transportation; California High-Speed Rail Authority; California Highway Patrol; California Department of Motor Vehicles; California Public Utilities Commission; California Environmental Protection Agency; and California Air Resources Board.

Objective 1 Deliverable:

- Electronic reports of issues that could affect OCTA projects or funding.

Objective 2: Notify OCTA of anticipated, newly introduced or amended state legislation and proposed regulations, which could impact OCTA.

- Provide bill number and brief summary of introduced or amended state legislation via e-mail,
- Provide information relative to legislative hearings,
- Provide information on bills' sponsors, supporters, and opponents,
- Advise OCTA of proposed transportation, environmental, employment, and safety related legislation and regulations which could impact OCTA and provide copies as requested.

Objective 2 Deliverables:

- Copies of legislation, committee analyses, and proposed regulations as requested,
- Electronic notification of introduced bills and amendments, with summaries,
- Notification of legislative hearings.

Objective 3: Advocate OCTA's legislative program and positions on legislation, proposed regulations, and funding and transportation programming priorities as adopted by the Board.

- Participate in the preparation of OCTA's legislative program by informing staff of upcoming legislative proposals, budget forecasts, and potential policy issues,
- Assist in securing authors and drafting language for sponsor bills,
- Assist in drafting amendments to legislation and regulations,
- Build coalitions to support OCTA's positions on significant legislation,
- Testify on behalf of OCTA on Board-adopted positions on legislation at committee and floor hearings, as appropriate,
- Provide copies of all written correspondence, testimony, and position papers given on behalf of OCTA,
- Schedule meetings with legislators, Governor's office, and state departments for OCTA Directors and staff to advocate legislative and funding priorities,
- Participate in transit and transportation lobbying coalitions,
- Analyze and prepare advice on the proposed state budget as it relates to transportation, including, but not limited to, identifying decreases/increases in existing programs, new funding sources, and strategies to enhance transportation funding for OCTA.

Objective 3 Deliverables:

- Copies of all written correspondence, testimony, and position papers given on behalf of OCTA,
- Schedule of meetings with legislators, Governor, and administration,
- Budget analyses.

Objective 4: Provide written and oral reports.

- While the Legislature is in session, highlight significant transportation and related issues in Sacramento of importance to OCTA as needed,
- Submit a monthly written report of advocacy activities and accomplishments,
- As needed, present an in-person report to the Board or the Legislative and Communications Committee during a regular meeting. At least one in-person meeting should occur to develop legislative strategy,
- Once per month, participate via telephone in the Legislative and Communications Committee meeting or other designated committee of the Board,
- Maintain close contact with the Manager of State and Federal Relations on issues of importance,
- Provide electronic updates via e-mail to designated recipients on meetings of the Legislature, transportation issues of importance, press releases, and other issues of importance to OCTA.

Objective 4 Deliverables:

- Written reports highlighting significant transportation and related developments in Sacramento, as needed,
- Monthly written report of advocacy activities and accomplishments,
- As needed, oral presentations to the Board or Legislative and Communications Committee,
- As needed, an in-person legislative strategy session with Members of the Board of Directors,
- Monthly conference calls with the Legislative and Communications Committee or other designated committee,
- Electronic updates on issues of importance.

Objective 5: Maintain Sacramento office.

- Maintain an office in Sacramento, convenient to the State Capitol,
- Provide briefings at office prior to meetings at the Capitol,
- Have available an office for use by Board Members and staff while performing OCTA business in Sacramento.

Objective 5 Deliverable:

- Office in Sacramento.

Objective 6: Provide monthly invoices of services,

- Provide a written summary of meetings attended on behalf of OCTA,
- Provide a list of issues advocated during the month and status.

Objective 6 Deliverable:

- Monthly invoice that includes a written summary of meetings attended on behalf of OCTA and a list and status of the issues advocated for OCTA during the month.



November 18, 2021

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Status Report of State Legislation Enacted in 2021

Overview

At the conclusion of the 2021 state legislative session, 770 bills were signed into law by Governor Newsom and chaptered by the Secretary of State, while 66 bills were vetoed. A report containing an analysis of legislation relevant to the Orange County Transportation Authority is provided.

Recommendation

Receive and file as an information item.

Discussion

2021 Legislative Session Adjourns

Following the State Legislature's adjournment on September 10, 2021, the Governor had until October 10, 2021, to either sign or veto all legislation submitted to his office. Of the 836 bills sent to the Governor this year, 66 bills were vetoed, or 7.9 percent of the total number of bills passed by the Legislature. The Governor acted on 408 more bills this year than last year.

The Orange County Transportation Authority (OCTA) Board of Directors, legislative staff, and advocates were successful in supporting and advancing many of OCTA's priorities in 2021. A detailed summary of legislation relevant to OCTA is included as Attachment A.

Status of Legislation Considered in 2021 – Notable Bills SignedAB 361 (Rivas, D-Salinas): Open Meetings: State and Local Agencies: Teleconferences
Position – Monitor

During the pandemic, the Governor issued executive orders to create flexibilities that allowed for public meetings to be held by teleconference in order to maintain public health and safety. Prior to Executive Orders N-29-20 and N-08-21, public meetings subject to the Ralph M. Brown Act (Brown Act) could only be held via teleconference pursuant to certain requirements. AB 361 made a variety of changes to the Brown Act in order to codify the Governor's executive order and allow local legislative bodies to continue conducting business remotely. Entities making use of the authority granted by AB 361 to operate by teleconference during a proclaimed state of emergency must comply with several requirements to maintain public access. Among the bill's requirements, an entity must take a majority vote, renewed every 30 days thereafter, stating the necessity of meeting virtually, provide an opportunity for real-time comments, and cease action on any items if the meeting is disrupted until the issue is resolved. AB 361 will sunset on January 1, 2024. As required by AB 361, OCTA will be allowed to continue adopting resolutions to detail the findings for teleconference meetings and provide an opportunity for real-time comments for each agenda item.

AB 1499 (Daly, D-Anaheim): Transportation: Design-Build: Highways
Position: Support

In 2013, OCTA sponsored AB 401 (Chapter 586, Statutes of 2013) to expand the use of the design-build procurement method. Specifically, AB 401 authorized unlimited use of design-build authority for state highway projects by regional transportation agencies and also authorized the California Department of Transportation (Caltrans) to utilize design-build for up to ten projects. The authority provided by AB 401 was scheduled to sunset on January 1, 2024. AB 1499 provides a clean extension of design-build authority until January 1, 2034, without making any significant policy changes. Since the enactment of AB 401, several highway projects have been eligible to utilize the design-build authority, including the Interstate 405 Improvement Project and projects undertaken by the Riverside County Transportation Commission and Caltrans. While OCTA does not have current projects lined up to utilize this procurement method, design-build authority remains a valuable option for future consideration.

SB 339 (Wiener, D-San Francisco): Vehicles: Road Usage Charge Pilot Program
Position: Support

In 2014, the Legislature approved SB 1077 (Chapter 835, Statutes of 2014), which required the California Transportation Commission (CTC) to establish a Road Usage Charge Technical Advisory Committee (RUC TAC). The RUC TAC was initially tasked with implementing a pilot program to evaluate a mileage-based revenue collection as an alternative to the gasoline tax funding source currently in place. SB 339 extends the responsibilities of the RUC TAC until January 1, 2027. The bill also requires that the RUC TAC make recommendations, by January 1, 2023, on a completely voluntary pilot program to test revenue collection. Following these recommendations, the California State Transportation Agency (CalSTA) is directed to work with relevant state agencies to create the pilot program. CalSTA, working with the CTC, must submit to the Legislature a report, by July 1, 2024, on the interim status of the program and a final report, by December 31, 2026, on the voluntary pilot program's findings. As the agency responsible for Orange County's transportation future, it is essential that there be a reliable long-term funding source to deliver transportation improvements and services. SB 339 provides the opportunity to further investigate one potential alternative revenue stream in an equitable and holistic manner, which can also help inform any correlating federal effort.

SB 640 (Becker, D-San Mateo): Transportation Financing: Jointly Proposed Projects

Position: Support

SB 1 (Chapter 5, Statutes of 2017) created the Road Maintenance and Rehabilitation Account (RMRA), a percentage of which is continuously appropriated funding to cities and counties on a formula basis under the Local Streets and Roads Program (LSR), for use on road rehabilitation, safety, and maintenance projects. SB 640 authorizes cities and counties to propose projects to be jointly funded by the cities and counties' apportionments of LSR funds. While current law does not explicitly prohibit eligible entities from pooling LSR resources, the CTC allocates funding to each individual entity, and each LSR recipient must separately report to the CTC on how the LSR funds are spent, causing cross-jurisdictional LSR improvements to be split into separate projects. SB 640 will streamline the process for jointly funded projects so that neighboring localities can collaborate most effectively to deliver LSR improvements. While OCTA does not itself receive funding, cities and the County of Orange could benefit from the flexibility provided by the bill.

SB 790 (Stern, D-Calabasas): Wildlife Connectivity Actions: Compensatory Mitigation Credits**Position: Support**

In 2017, AB 1282 (Chapter 643, Statutes of 2017) established a Transportation Permitting Task Force and requires a report to the Legislature on recommendations for permitting reform to advance transportation projects. SB 790 allows the California Department of Fish and Wildlife to approve compensatory mitigation credits for wildlife connectivity actions taken under two different programs. The first program is the Conservation and Mitigation Banking program, which is used to sell or transfer habitat credits to satisfy legal requirements and compensate for the environmental impacts of developmental projects. The second program is the Regional Conservation Investment Strategy program, which identifies and prioritizes regional conservation through a science-based public process while also encouraging investments in conservation through advance mitigation. SB 790 promotes the concept of advanced environmental mitigation, complementing the work OCTA is already undertaking. Staff will monitor the implementation of this program to determine if it would be effective for OCTA's use.

Additional Bills of Interest – Vetoed**AB 339 (Lee, D-Milpitas): Local Government: Open and Public Meetings****Position: Neutral (previously “Oppose Unless Amended”)**

AB 339 would have required that open and public meetings of city councils and boards of supervisors with populations greater than 250,000 include an opportunity for all persons to attend and make public comment via a two-way telephonic or internet-based service option. The city council or county board of supervisors would be required to continue providing video streaming if that technology had been utilized as of June 15, 2021. AB 339 would have further required open and public meetings to provide in-person public comment unless there are circumstances during a declared state or local emergency that prohibit in-person meetings. These provisions would have sunset on December 31, 2023. This bill would not have applied to OCTA. The Governor's veto message cited the potential for AB 339 to create a patchwork of public access requirements across the State while also limiting flexibility for localities trying to manage their meetings. Given the amount of interest on this subject from the Legislature, localities, and stakeholder organizations, additional legislative proposals on public meetings could continue to be proposed in the near future, especially as the impacts of the pandemic continue to linger.

AB 604 (Daly, D-Anaheim): Road Maintenance and Rehabilitation Account:
Apportionment of Funds: Accrued Interest

Position: Monitor

AB 604 would have directed interest earnings derived from revenues deposited in the RMRA to the State Highway Operation and Protection Program. Interest earnings have been an ongoing topic of discussion in recent years, especially since SB 1 and other transportation bills have not been overly clear on which accounts interest should be directed to. In his veto message, the Governor indicated that the state budget already appropriated revenue interest through 2028. The veto message went on to say that the Governor expects revenue interest and all outstanding transportation funding issues in this year's budget, including high-speed rail and projects for the 2028 Olympics, to be handled in a comprehensive transportation package early next year. Staff will continue to monitor any proposals and provide updates on relevant developments.

AB 1147 (Friedman, D-Glendale): Regional Transportation Plan: Active
Transportation Program

Position: Monitor

In 2008, SB 375 (Chapter 728, Statutes of 2008) was enacted and requires metropolitan planning organizations (MPO) like the Southern California Association of Governments, to develop a sustainable communities strategy (SCS) as part of their regional transportation plan, that demonstrates the ability to meet regional greenhouse gas (GHG) emission reduction targets. AB 1147 would have made several changes to the SB 375 planning process.

The bill would have expanded the scope of the Strategic Growth Council's (SGC) report on the California Transportation Plan to include a discussion of fiscal constraints on SCS implementation, barriers to achieving SB 375's GHG emission reduction targets, the unintended consequences of strategies intended to reduce vehicle miles traveled, and recommendations on tools and resources necessary to help SCS strategies achieve state goals. The bill language would have directed this report to consider the roles that the State, MPOs, regional transportation agencies, and localities play in SCS implementation, including mandatory stakeholder working groups on the subject.

In addition, AB 1147 would have also altered the statutory requirements of the report produced every four years by the California Air Resources Board (CARB) on the progress MPOs are making in reducing GHG emissions via the SB 375 process, including language on data-supported metrics and challenges faced by MPOs in meeting GHG reduction targets. AB 1147 would have also required local jurisdictions to report to the MPO on actions they have taken to implement or be consistent with the regional SCS and identify barriers to further

implementation. In addition, the bill language would have established “15-minute communities,” defined as a city or county unincorporated area where every resident has access to essential services within a 15-minute bicycle ride or public transit ride.

OCTA staff worked extensively with stakeholders to inform this legislative effort to ensure it maintains a flexible, bottoms-up approach to transportation planning while still maintaining the goals created in SB 375. Through this effort, the author did secure \$600 million through the budget process to aid in the planning and implementing of projects in the SCS that will reduce regional GHG emissions. While the funding could benefit transportation programs in Orange County and throughout Southern California, the substantive requirements in AB 1147 were vetoed by the Governor. The veto message cites the fact that the bill did not mandate or incentivize regional and local agencies to make land-use decisions to change development and transportation patterns. Without such requirements, the Governor vetoed the bill because the additional reporting requirements are duplicative of the various state agencies that are already collaborating on these issues. Given the Legislature’s interest in this subject, policy proposals similar to AB 1147 are expected to return in the coming years.

SB 792 (Glazer, D-Orinda): Sales and Use Tax: Returns: Online Transactions: Local Jurisdiction Schedule
Position: Monitor

SB 792 would have required retailers to include with their sales tax returns a schedule that reports the gross receipts from sales of property for each local jurisdiction where it shipped or delivered products in that jurisdiction. Pursuant to the bill, only retailers with more than \$50 million in online sales would have been subject to this new reporting requirement. The bill would not have altered sales tax collection in any way, instead seeking to ensure additional transparency in the distribution of sales tax revenues collected from online transactions. In vetoing the bill, the Governor’s message stated that this information is duplicative of information already available on the California Department of Tax and Fee Administration’s online portal. Moreover, the veto message cited the burden of the reporting requirement and declared this information unrelated to the tax obligations of retailers, ignoring the additional transparency this would have provided to public agencies like OCTA funded by sales tax revenue.

Additional Bills of Interest with OCTA Position – Two-Year BillsSB 261 (Allen, D-Santa Monica): Regional Transportation Plans: Sustainable Communities

Position: Oppose Unless Amended

SB 261 would require that CARB establish a process to require that an SCS be developed to 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. The bill is part of the author's ongoing efforts on this subject, including legislation introduced in four of the last five years. Additionally, the SCS reporting requirements in AB 1147, shows the Legislature's desire to take on issues related to transportation planning and SCS policies. It is expected that the author will continue to meet with interested stakeholders, prior to the Legislature returning next year, to try to address any concerns. The bill then is likely to again be taken up by the Legislature, perhaps in a revised format, next year.

SB 623 (Newman, D-Fullerton): Electronic Toll and Transit Fare Collection Systems

Position: Support

SB 623 would have clarified provisions related to toll facility interoperability and enforcement. While supported by toll agencies across the State, the bill again encountered opposition from customer attorney and privacy advocacy groups, similar to the previous iteration of this effort, SB 664 (Allen, D-Santa Monica). While a two-year bill, staff's understanding is that the bill will not proceed next year.

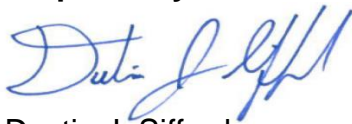
Summary

A report containing an analysis of legislation enacted in 2021 affecting OCTA is provided

Attachment


- A. Orange County Transportation Authority 2021 End of Year Legislative Report

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ORANGE COUNTY TRANSPORTATION AUTHORITY 2021 END OF YEAR LEGISLATIVE REPORT

LEGISLATION ENACTED

I. Active Transportation

SB 814 (Committee on Transportation) Transportation: Omnibus Bill (Chapter 311, Statutes of 2021)

SB 814 is the transportation omnibus bill, making a variety of small, noncontroversial changes. Of note to the Orange County Transportation Authority (OCTA), this year's omnibus bill expands the definition of pedicab and bicycle to include electric bicycles (e-bikes) and expands the definition of motorized scooter to include any two-wheeled device that has handlebars, a seat, and footrests in place of the floorboard. Expanding the definition of bicycles to include e-bikes clarifies that e-bikes must follow the same rules of the road as bicycles. E-bikes additionally have to follow further safety regulations and may only operate on certain bike paths.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. As transportation modes continue evolving, OCTA must monitor new technologies and coordinate with other entities to ensure safety.*

II. Audits, Records, Reports, and Litigation

AB 361 (Rivas, D-Salinas) Open Meetings: State and Local Agencies: Teleconferences (Chapter 165, Statutes of 2021)

During the coronavirus (COVID-19) pandemic, the Governor issued executive orders to create flexibilities to allow for public meetings to be held by teleconference in order to maintain public health and safety. Prior to Executive Orders N-29-20 and N-08-21, meetings subject to the Ralph M. Brown Act (Brown Act) could only be held via teleconference if certain requirements were met. AB 361 makes a variety of changes to the Brown Act in order to codify the Governor's executive order and allow local legislative bodies to continue conducting business remotely. Entities using the authority granted by AB 361 to operate by teleconference during a proclaimed state of emergency must comply with several requirements to maintain public access. Among the bill's requirements, an entity must take a majority vote, renewed every 30 days thereafter, stating the necessity of meeting virtually, provide an opportunity for real-time comments, and cease action on any items if the meeting is disrupted until the issue is resolved. AB 361 will sunset on January 1, 2024.

Urgency Bill – Effective Immediately

OCTA Position – Neutral

Impact on OCTA: *Given this legislation has become law, staff is working to interpret the provisions of these requirements to ensure consistency with existing practices. OCTA will continue to adopt resolutions to detail the findings required by AB 361 for teleconference meetings, so long as the agency continues to do so, and also provide an opportunity for real-time comments on each agenda item.*

**AB 1291 (Frazier, D-Fairfield) State Bodies: Open Meetings
(Chapter 63, Statutes of 2021)**

AB 1291 makes changes to public meetings held by state agencies. Specifically, it requires that if there is a time limit for public comment, the state body must require at least twice the allotted time to an individual who is using translation technology.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. While AB 1291 does not directly impact OCTA's public meetings, it could be incorporated into future legislation regarding the Brown Act.*

**SB 274 (Wieckowski, D-Fremont) Local Government Meetings: Agenda and Documents
(Chapter 763, Statutes of 2021)**

SB 274 requires a local agency with an internet website to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if someone requests that the items be delivered by email. Upon a determination that it is technologically infeasible to email such a link, this legislation would then require 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.

OCTA Position – Neutral

Impact on OCTA: *OCTA will need to update its current practices to align with this new legislation and send copies of meeting materials by email if requested and feasible.*

III. Broadband

**AB 41 (Wood, D-Mendocino) Broadband Infrastructure Deployment
(Chapter 69, Statutes of 2021)**

AB 41 requires the California Department of Transportation (Caltrans) to install conduit cable for fiber communications lines as part of the \$3.25 billion provided in this year's budget to construct an open-access, middle-mile broadband network. AB 41 requires that the Public Utilities Commission (PUC), in collaboration with relevant stakeholders and state agencies, maintain a publicly available, interactive map on broadband accessibility statewide, including information about the percentage of each census block that has broadband service meeting federal and state standards. The PUC may collect information from internet service providers to develop the map.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. AB 41 ensures that Caltrans installs conduit cable to help implement the broadband network funded by this year's state budget. In addition, the bill would require that PUC create a map of broadband service that could show where broadband projects will be delivered.*

AB 164 (Ting, D-San Francisco) Budget Act of 2021 (Chapter 84, Statutes of 2021)

AB 164 is the second budget bill detailing changes to the initial budget bill for fiscal year (FY) 2022-2023. This budget bill includes an allocation from the Coronavirus Fiscal Recovery Fund of 2021 of \$4.4 billion, and \$6 billion total over three years, to increase broadband accessibility and affordability. Of note, \$3.25 billion of this funding package will go through the State Highway Account to support Caltrans in the construction of middle-mile infrastructure on state rights of way and for technical assistance to local governments seeking to deploy and connect local broadband networks.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *OCTA should continue to monitor discussions as they relate to broadband infrastructure and transportation in order to align our projects with existing law.*

AB 955 (Quirk, D-Hayward) Highways: Encroaching Permits: Broadband Facilities (Chapter 670, Statutes of 2021)

AB 955 establishes additional requirements for Caltrans when it reviews an application for an encroachment permit for a broadband facility. Whereas current law creates a process for encroachment permits, AB 955 creates a specific set of additional requirements for broadband facilities. Pursuant to the bill, Caltrans must develop the permit application criteria for broadband purposes, although the bill does contain language saying it is the intent of the Legislature to create a streamlined, expeditious application process. Within 30 days of receiving an application, Caltrans must notify the applicant if the application is complete, and failure to notify the applicant within 30 days constitutes a finding that the application is complete. If an application is deemed incomplete, Caltrans must notify the applicant with a detailed explanation as to the supplemental information necessary to make the application complete. For incomplete applications, Caltrans must meet with the applicant within 14 days of a request by an applicant to discuss the application, and the applicant has 30 days to resubmit with supplemental information, at which time Caltrans has 30 days to approve the request.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. AB 955 is one of multiple bills showing the intent of the Legislature to expedite the delivery of broadband projects.*

SB 156 (Senate Budget & Fiscal Review Committee) Communications: Broadband (Chapter 112, Statutes of 2021)

SB 156 provides the statutory framework to implement the \$4.4 billion broadband package contained in this year's State budget, prioritizing a geographically diverse group of projects in rural and urban areas to achieve the greatest reduction in the amount of people unserved by broadband internet access service that meets federal and state standards. SB 156 provides a policy structure for the \$3.25 billion provided as part of the total broadband investment of \$4.4 billion in this year's budget to construct the State's open-access, middle-mile broadband network. This legislation outlines the roles of the Department of Technology, the PUC, and Caltrans in constructing middle-mile broadband projects funded by this year's state budget, including:

- Authorizing the use of the construction manager/general contractor method with no limit to the contract amount,
- Exempting middle-mile projects from the design-build procurement authorization limits after January 1, 2024, until the completion of the broadband network,
- Allowing for one or more contractors to be selected to build all or portions of the middle-mile network,
- Requiring Caltrans, specifically, to establish a procedure to prequalify job order contractors and prepare a set of documents for each job order contract that stipulate unit prices and job order contract specifications,
- Allowing the Office of Broadband and Digital Literacy, or Caltrans, to solicit competitive sealed bids from prequalified job order contractors for contracts lasting less than 12 months, with two additional 12-month extensions or renewals, and
- Creating California Environmental Quality Act (CEQA) exemption for private or non-profit corporations building broadband projects funded by this year's State budget and within 30 feet of any public road or highway that utilizes measures developed by PUC or Caltrans to measure the environmental impact of the project.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. SB 156 shows the Legislature's commitment to expediting the delivery of broadband projects funded by this year's State budget, some of which could impact Caltrans operations and properties.*

SB 378 (Gonzalez, D-Long Beach) Local Government: Broadband Infrastructure Development (Chapter 677, Statutes of 2021)

SB 378 requires localities to adopt policies or ordinances to allow fiber installers to use microtrenching as a method for installing fiber communications lines and related ancillary equipment, unless the locality makes a specified finding that permitting microtrenching would adversely impact public health and safety. Pursuant to the bill, a "microtrench" means a narrow, open excavation trench that is four inches or less wide and between 12 and 26 inches deep, created for the purpose of installing a subsurface pipe or conduit.

Local agencies, defined as cities, counties, special districts, or publicly-owned utilities, may charge a fee for the costs associated with permitting and inspecting the microtrench.

OCTA Position – Monitor

Impact on OCTA: *SB 378 requires that localities expedite the installation of fiber optic communications cables and equipment utilizing microtrenching. The required ordinances could expedite the use of microtrenches in and around OCTA's properties and projects, unless localities implement policies protecting ongoing construction projects or otherwise effectively resolve potential disputes with microtrenches near transportation projects.*

IV. Employment

AB 237 (Gray, D-Merced) Public Employment: Unfair Practices: Health Protection. (Chapter 740, Statutes of 2021)

AB 237 prohibits public employers from discontinuing employer contributions for health care for employees who fall below the minimum hours worked to qualify for such contributions throughout the duration of an authorized strike. The Public Employment Relations Board (PERB) will have jurisdiction over these violations.

OCTA Position – Monitor

Impact on OCTA: *OCTA should update its practices and procedures to ensure compliance with this legislation if there were to be an authorized strike.*

AB 654 (Reyes, D-San Bernardino) COVID-19: Exposure: Notification (Chapter 522, Statutes of 2021)

AB 654 makes clarifying changes to legislation enacted last year that requires employers to make certain notifications related to COVID-19 exposures at the workplace. More specifically, this legislation requires that employers notify the exclusive representative of both employees who had close contact with individuals at the workplace who have tested positive for COVID-19 so that the exclusive representative is monitoring the employer's contact tracing efforts. It further expands the authority of the California Division of Occupational Safety and Health (CalOSHA) to cite employers for COVID-19 health and safety violations and to suspend operations if COVID-19 creates an imminent hazard.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *Given this legislation had an urgency clause, staff is working to interpret its provisions and align its existing practices to this new law.*

AB 845 (Rodriguez, D-Chino) Disability Retirement: COVID-19: Presumption (Chapter 122, Statutes of 122)

AB 845 establishes a rebuttable presumption, until January 1, 2023, that a COVID-19 related disability is employment-related for purposes of determining a disability retirement for public retirement system members. The presumption may be rebutted by evidence to the contrary, but unless controverted, the applicable governing body of the public retirement system, subject to the California Public Employees' Pension Reform Act of 2013, shall be bound to find in accordance with the presumption.

OCTA Position – Monitor

Impact on OCTA: For informational purposes. AB 845 is modeled after SB 1159 (Chapter 85, Statutes of 2020), which created a rebuttable presumption, until 2023, that COVID-19 is an employment-related injury for purposes of workers compensation. This bill extends that same presumption to disability retirement findings.

ACR 30 (Medina, D-Riverside) COVID-19 Victims and Survivors Memorial Day (Chapter 13, Statutes of 2021)

ACR 30 recognizes the first Monday of March to be COVID-19 Victims and Survivors Memorial Day. The resolution also recognizes the need for residents to continue to follow public health orders and maintain vigilance to protect themselves and others.

OCTA Position – Monitor

Impact on OCTA: For informational purposes. As a public transit operator and an agency delivering public works projects, many OCTA employees and contractors have been on the frontlines of the COVID-19 pandemic, providing critical and essential service to the residents of Orange County.

SB 95 (Skinner, D-Berkeley) COVID-19: Supplemental Paid Sick Leave (Chapter 13, Statutes of 2021)

In response to COVID-19, the President signed the Families First Coronavirus Response Act, mandating COVID-19 related paid sick leave to all employers with fewer than 500 employees. This leave expired on December 31, 2020. In addition, certain employers could receive payroll tax credits for providing sick leave through December 31, 2020. The subsequent federal stimulus bills, the Coronavirus Response and Relief Supplemental Appropriations Act and the American Rescue Plan, extended these tax credits through September 30, 2021. The State established COVID-19 Supplemental Paid Sick Leave, granting two weeks of sick leave for reasons related to COVID-19. This leave expired on December 31, 2020. SB 95 reestablished the COVID-19 supplemental paid sick leave for employers with more than 25 employees, retroactively applying it from January 1, 2021, through September 30, 2021. This leave was also expanded to include the need for attending an appointment to receive a COVID-19 vaccine.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *Staff fully implemented these provisions, which have since expired as of the writing of this report.*

SB 270 (Durazo, D-Los Angeles) Public Employment: Labor Relations: Employee Information (Chapter 330, Statutes of 2021)

SB 270 authorizes public employee unions to file a special unfair labor practices charge before the PERB against public employers that fail to comply with existing law requiring disclosure of employee information to public employee unions. In order to do this, specific requirements must be met, including providing a written notice of the violation to the employer and then the employer failing to provide the employee information 20 calendar days after receiving the written notice. The public employer can only rectify this issue three times in a given 12-month calendar year after they receive a written notice regarding a violation related to not providing employee information to the union. Beyond that, they will not have that chance to rectify the issue and will be found in violation. If all of this is true, then the union can file an unfair practices charge. If found to have violated this requirement by PERB, the public employer must pay up to \$10,000 to be deposited in the State's General Fund depending on the employer's annual budget, severity of the violation, and prior history. SB 270 becomes effective on July 1, 2022.

OCTA Position – Monitor

Impact on OCTA: *OCTA will need to evaluate its existing practices in order to ensure compliance with this legislation in order to avoid these penalties.*

SB 278 (Leyva, D-Pomona) California Public Employees' Retirement System: Disallowed Compensation: Benefit Adjustments (Chapter 331, Statutes of 2021)

SB 278 requires that public employers cover the cost of certain pension benefit adjustments under the California Public Employees' Retirement System (CalPERS). When a retiree's CalPERS pension is reduced post-retirement for compensation later determined to be disallowed, the public employer must cover the difference between the original pension calculation and the reduced amount. For active members, disallowed contributions shall be credited against future contributions or returned to the member.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. The most common situation is for collectively bargained for compensation and the collective bargaining unit was not aware the compensation was disallowed, a situation explicitly mentioned in the bill language. That said, the bill does apply to all disallowed compensation.*

**SB 336 (Ochoa Bogh, R-Rancho Cucamonga) Public Health: COVID-19
(Chapter 487, Statutes of 2021)**

If orders or guidance are released related to preventing the spread of COVID-19, SB 336 requires the California Department of Public Health or a local health officer to publish the orders or guidance on its website. Additionally, there must be an opportunity for local entities to sign up for an email distribution list relative to changes such information.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *OCTA staff may wish to consult the information posted by health officers to keep up to date with latest practices and guidance to protect public health and safety.*

**SB 598 (Pan, D-Sacramento) Sacramento Regional Transit District: Employee Relations
(Chapter 492, Statutes of 2021)**

SB 598 gives exclusive employee organizations for the Sacramento Region Transit District (SacRT) the option of transferring jurisdiction over unfair labor practices for their bargaining units from the judicial system to the PERB. Specifically, the bill language gives the exclusive employee representatives for one or more of SacRT's bargaining units the option to irrevocably elect to be permanently subject to PERB jurisdiction. The bill language grants PERB the initial determination as to whether the charge of an unfair labor practice is justified and the appropriate remedy, except that PERB has no authority to award strike-preparation expenses or damages from an unlawful strike. SB 598 also allows for a writ of extraordinary relief to the appeals court and clarifies that its provisions shall not be interpreted to conflict with existing collective bargaining agreements.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**SB 606 (Gonzalez, D-Long Beach) Workplace Safety: Violations of Statutes: Enterprise-wide Violations: Egregious Violations
(Chapter 336, Statutes of 2021)**

SB 606 changes violation protocol for employers with multiple worksites. For written policies found to be in violation of Health and Safety Code or patterns of similar violations at multiple worksites, the violation applies to all the worksites, also referred to as enterprise-wide, is not limited to the location where the violation was found. The bill also establishes a rebuttable presumption for this enterprise-wide violation, authorizing CalOSHA to act more efficiently to prevent an egregious employer from continuing to operate multiple unsafe worksites. This legislation further defines "egregious violation" to mean a willful violation in an effort to codify federal law.

OCTA Position – Monitor

Impact on OCTA: *If OCTA's policies or practices violate the Health and Safety Code, it could be considered enterprise-wide under this legislation.*

SB 628 (Allen, D-Redondo Beach) California Creative Workforce Act of 2021 (Chapter 767, Statutes of 2021)

SB 628 creates a new grant program, effective upon appropriation by the Legislature, to promote employment and “earn and learn” job training opportunities for creative workers. The bill requires the California Arts Council, in consultation with the California Workforce Development Board, local governments, community nonprofit organizations, education institutions with arts programming, unions, and other stakeholders, to design program guidelines and administer the grant program, including developing relevant reporting requirements to evaluate grants. The grant program shall be operated and implemented locally or regionally by program grantees, and the earn and learn programs, as defined in current law, must be for a period of 12 to 24 months and pay a living wage. Pursuant to the bill, “creative work” is defined as work directly relevant to the creation, development, production, and marketing of visual, performance, and literary art, including, but not limited to, painting, mural-making, photography, music, performance art, acting, filmmaking, dancing, fashion design, graphic design, poetry, and creative writing.

OCTA Position – Monitor

Impact on OCTA: *These funds could provide resources to hire and retrain interns and employees with creative skillsets once the Legislature provides funding for the program.*

SB 657 (Ochoa Bogh, R-Rancho Cucamonga) Employment: Electronic Documents (Chapter 109, Statutes of 2021)

SB 657 allows employers physically posting information related to the workplace to also distribute the information by email with the documents attached. This legislation does not affect the employer’s obligation to physically display required postings. This information includes items such as the Fair Employment Standards Act, the Family Medical Leave Act, or the Equal Employment Opportunity Act, among others.

OCTA Position – Monitor

Impact on OCTA: *OCTA could evaluate whether it may be appropriate to supplement its physical posting of documents with additional distribution by email.*

V. Environment

AB 72 (Petrie-Norris, D-Irvine) Environmental Protection: Coastal Adaptation Projects: Natural Infrastructure: Regulatory Review and Permitting: Report (Chapter 369, Statutes of 2021)

AB 72 establishes a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects that use natural infrastructure, defined as projects near the shoreline, including in or under water, that rely on natural ecological systems or processes to reduce vulnerability to climate change-related hazards while increasing the

long-term adaptive capacity of coastal and inland areas by perpetuating or restoring ecosystem services. The California Natural Resources Agency will submit a report to the Legislature by July 1, 2023, with recommendations for improving and expediting the coordination between appropriate agencies in this effort.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. It may be informative for staff to review these recommendations to understand what OCTA projects, if any, may be impacted.*

**AB 819 (Levine, D-San Rafael) CEQA: Notices and Documents: Electronic Filing and Posting
(Chapter 97, Statutes of 2021)**

AB 819 creates new CEQA requirements. Specifically, it will provide the public with more access to CEQA records, by requiring notices and environmental review documents to be filed electronically and posted online.

OCTA Position – Monitor

Impact on OCTA: *OCTA will have to make changes to its CEQA processes, including posting notices and environmental documents on the OCTA website, submitting documents to the State Clearinghouse, filing a Notice of Determination electronically with the County Clerk, and filing Notices of Completion with the Office of Planning and Research (OPR) through an online process.*

**SB 1 (Atkins, D-San Diego) Coastal Resources: Sea Level Rise
(Chapter 236, Statutes of 2021)**

SB 1 creates the California Sea Level Rise State and Regional Support Collaborative at the Ocean Protection Council to help coordinate and fund efforts to prepare for sea level rise associated with climate change. This new body is tasked with coordinating with other state planning and coastal management agencies, including OPR, the Strategic Growth Council, the California Coastal Commission, and others, to administer grants and provide information to local, regional, and state agencies working to identify, assess, plan, and, where feasible, mitigate the adverse environmental, social, and economic effects of sea level rise within the coastal zone. Upon an appropriation from the Legislature, the bill directs \$100 million annually to local and regional governments updating land-use plans and making other investments related to sea level rise. The bill contains a \$500,000 set-aside directed to grants for agencies working to address and mitigate the effects of sea level rise in disadvantaged communities.

OCTA Position – Monitor

Impact on OCTA: *The bill provides funding and technical assistance for communities working to address the impacts of climate change. This new funding could help fund certain planning efforts by both OCTA and localities along the Orange County coastline.*

**SB 7 (Atkins, D-San Diego) Environmental Quality: Jobs and Economic Improvement Environmental Leadership Act of 2021
(Chapter 19, Statutes of 2021)**

AB 900 (Chapter 354, Statutes of 2011) established the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (Leadership Act), which expedited CEQA judicial review procedures for a limited number of projects certified by the Governor. These are known as environmental leadership development projects. The Leadership Act expired on January 1, 2021. There was an unsuccessful effort to restore the Leadership Act last year. This year, SB 7 was passed and became effective immediately to reenact the Leadership Act until January 1, 2024. This extension also included an expansion of eligible projects to include smaller housing projects.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**SB 44 (Allen, D-Santa Monica) CEQA: Streamlined Judicial Review: Environmental Leadership Transit Projects
(Chapter 633, Statutes of 2021)**

SB 44 creates expedited administrative and judicial review of environmental review and approvals granted for environmental leadership transit projects within Los Angeles County. In order to qualify for this expedited review the project must be to construct a fixed guideway and related fixed facilities that meet certain requirements. Among the requirements include that it operates at zero-emission, attains certain greenhouse gas (GHG) emission reductions, and reduces no less than 30,000 vehicle miles traveled in the corridor of the project. This legislation will become inoperative on January 1, 2025.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. While this legislation was significantly narrowed to only include projects within Los Angeles County, OCTA should monitor the effectiveness of this program and future legislation regarding environmental leadership transit projects and determine applicability, if any, to future OCTA projects.*

**SB 266 (Newman, D-Fullerton) State Park System: Chino Hills State Park: Expansion
(Chapter 760, Statutes of 2021)**

SB 266 requires the California Department of Parks and Recreation to provide assistance in acquiring and accepting land immediately adjacent to, and that expands, Chino Hills State Park, by transferring three specified properties into the state park system. It further requires the California Department of Parks and Recreation to manage the acquired properties and parcels with specified funds as part of the Chino Hills State Park. Specifically, 131 acres (Beattie property and the northern most 120-acre parcel of the First National Investment Properties) are to be managed as mitigation lands compliant

with the Metropolitan Water District of Southern California settlement agreement. The remaining shall be managed as additional parklands.

OCTA Position – Monitor

Impact on OCTA: OCTA's Environmental Mitigation Program preserved 1,300 acres and restored nearly 350 acres in Orange County. One acquisition, the 301-acre Eagle Ridge Preserve, is immediately adjacent to Chino Hills State Park. SB 266 builds on the existing conservation efforts that have been completed in the area. The Brea property, contained within the Conservation Plan area, supports both OCTA's preservation and restoration goals and the vision of Chino Hills State Park's General Plan.

SB 790 (Stern, D-Calabasas) Wildlife Connectivity Actions: Compensatory Mitigation Credits (Chapter 738, Statutes of 2021)

In 2017, AB 1282 (Chapter 643, Statutes of 2017) established a Transportation Permitting Task Force and required a report to the Legislature on recommendations for permitting reform to advance transportation projects. SB 790 allows the California Department of Fish and Wildlife to approve compensatory mitigation credits for wildlife connectivity actions taken under two different programs. The first is the Conservation and Mitigation Banking program, which is used to sell or transfer habitat credits to satisfy legal requirements and compensate for the environmental impacts of developmental projects. The second is the Regional Conservation Investment Strategy program, which identifies and prioritizes regional conservation through a science-based public process while also encouraging investments in conservation through advance mitigation.

OCTA Position – Support

Impact on OCTA: SB 790 promotes the concept of advanced environmental mitigation, complementing the work OCTA is already undertaking. OCTA should monitor the implementation of this program to determine if it would be effective for OCTA's use.

SB 596 (Becker, D-San Mateo) GHG: Cement Sector: Net-Zero Emissions Strategy (Chapter 246, Statutes of 2021)

By July 1, 2023, SB 596 requires the California Air Resources Board (CARB) to develop a comprehensive strategy for the cement sector to achieve net-zero emissions as soon as possible, but not later than December 31, 2045. In developing this strategy, CARB needs to come up with a GHG intensity metric to establish a baseline from which to measure GHG intensity reductions. In the interim, CARB is required to establish reduction targets for GHG intensity of cement used within the State relative to the average GHG intensity of cement used within the State during the 2019 calendar year, with the goal of reducing the GHG intensity of cement used within the state to 40 percent below the 2019 average levels by December 31, 2035. By July 1, 2028, CARB would need to evaluate the feasibility of these targets and make changes as needed to achieve these goals.

OCTA Position – Monitor

Impact on OCTA: *OCTA will need to monitor the development of this strategy by CARB so that it may be prepared to implement measures related to these targets.*

VI. Funding

AB 680 (Burke, D-Inglewood) Greenhouse Gas Reduction Fund: California Jobs Plan Act of 2021

(Chapter 743, Statutes of 2021)

AB 680 requires CARB to update the Greenhouse Gas Reduction Fund (GGRF) funding guidelines to meet certain standards by July 1, 2025. Applicants to these grant programs must meet fair and responsible employer standards, practice inclusive procurement policies, and provide prevailing wage for any construction work funded in part or in full by the grant. Applicants seeking over \$1 million in funding for construction projects must provide evidence of a community workforce agreement. Additionally, preference will be given to those applicants that create high-quality jobs and those that have a partnership with an educational institution or training programs for under-represented communities in the same region of the project. Certain exemptions are created, including applicants for projects that involve federal funding, technical assistance, or research, an applicant who is not an employer, and to a housing project that will have 100 percent affordable units.

OCTA Position – Monitor

Impact on OCTA: *Staff should monitor the implementation of these new GGRF requirements to ensure OCTA meets these updated guidelines if applying for a grant.*

AB 992 (Cooley, R-Rancho Cordova) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program

(Chapter 624, Statutes of 2021)

AB 992 specifies that peer-to-peer truck sharing platform demonstration is eligible for funding under the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

AB 1157 (Lee, D-Milpitas) Controller: Transportation Funds: Distribution and Reporting Requirements

(Chapter 205, Statutes of 2021)

AB 1157 makes changes to the State Transit Assistance (STA) reporting requirements to streamline transit operator reporting. Chiefly, it shifts the deadline for when a regional transportation agency must submit an STA eligibility report to the State Controller's Office (SCO) to within seven months of the end of each fiscal year instead of June 15. It further requires SCO to compile, publish, and make publicly available on its website the data and information of all transit operator financial transaction reports on or before November 1 of each year.

OCTA Position – Monitor

Impact on OCTA: *This bill will provide more transparency and allow more time for SCO staff to report discrepancies on the impacted reports.*

AB 1261 (Burke, D-Inglewood) State Air Resources Board: Greenhouse Gas Emissions: Incentive Programs (Chapter 714, Statutes of 2021)

Upon appropriation of the Legislature, AB 1261 places new requirements on incentive programs administered by CARB in order to assist the state in achieving its GHG reduction goals. These requirements include isolating the achieved GHG emission reductions for each of its incentive programs and identifying the effectiveness of each of the incentive programs. CARB must use the information collected to refine its incentive programs. Furthermore, CARB is required to develop a process to define, collect, and evaluate data that will translate to metrics demonstrating the socioeconomic benefits that result from each of its incentive programs. Given those results, CARB will make funding and design recommendations in its annual reports to the Legislature. This must all be completed three years following an appropriation from the Legislature.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. If an appropriation is made, OCTA should monitor the outcomes of these evaluations of the programs regarding their effectiveness.*

ACR 67 (Quirk-Silva, D-Fullerton) Tommy Lasorda Memorial Highway (Chapter 115, Statutes of 2021)

ACR 67 renames a portion of Interstate 5 after Tommy Lasorda, a longtime manager of the Los Angeles Dodgers and a lifelong Fullerton resident. Pursuant to the bill, the Legislature designates the portion of Interstate 5 from Ball Road, postmile 37.638, to the eastbound State Route 91 exit, postmile 42.671, as the Tommy Lasorda Memorial Highway. The resolution's language also requests that Caltrans determine the cost of appropriate signage and erect such signs upon receiving donations from nonstate sources sufficient to cover the cost of doing so.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. ACR 67 contains a relatively novel provision by requiring that Caltrans use private funds to cover the cost of renaming a section of the state highway system.*

SB 339 (Wiener, D-San Francisco) Vehicles: Road Usage Charge Pilot Program (Chapter 308, Statutes of 2021)

The Road User Charge Technical Advisory Committee (RUC TAC) was tasked through previous legislation to implement a pilot program to evaluate a mileage-based revenue collection as an alternative to the gasoline tax funding source currently in place. While the pilot program confirmed the viability of many aspects of the mileage-based revenue

collection as an alternative, it did not collect actual revenues. SB 339 supports the recommendations from the California's Road Charge Pilot Program Report in 2017 by extending the RUC TAC responsibilities, until January 1, 2027, and directing them to make recommendations to design a completely voluntary pilot program to test revenue collection, with an implementation date of January 1, 2023. Following their recommendations, the California Transportation Agency (CalSTA) will work with other relevant state agencies to create the pilot program and report back to the Legislature. CalSTA, working with the California Transportation Commission (CTC), must submit the first interim report on the status of the pilot program no later than July 1, 2024. By no later than December 31, 2026, CalSTA, working with the CTC, must prepare and submit a final report of its findings on the results of the pilot program to the appropriate policy and fiscal committees of the Legislature.

OCTA Position – Support

Impact on OCTA: As the transportation agency responsible for funding, planning, and operating multimodal transportation improvements in Orange County, it is imperative that there be a reliable long-term transportation funding future. SB 339 provides the opportunity to further investigate one potential alternative revenue stream in an equitable and holistic manner, which can help inform any correlating federal effort.

SB 640 (Becker, D-San Mateo) Transportation Financing: Jointly Funded Projects (Chapter 108, Statutes of 2021)

SB 640 authorizes cities and counties to propose projects to be jointly funded by the cities and counties' apportionments of SB 1's (Chapter 5, Statutes of 2017) Local Streets and Road Program (LSR) funds. SB 1 created the Road Maintenance and Rehabilitation Account, a percentage of which is continuously appropriated funding to cities and counties on a formula basis for LSR, for use on road rehabilitation, safety, and maintenance projects. SB 640 clarifies that two or more eligible LSR entities may propose a jointly funded project if each entity includes its participation in the joint project in the annual project lists submitted to the CTC. Pursuant to the bill language, each jointly funded project must be endorsed by a memorandum of understanding, approved by each participating entity, that identifies the project's lead agency and describes the contribution of each participating agency. Under the bill, participants in jointly funded projects must each submit documentation to the CTC about the project.

OCTA Position – Support

Impact on OCTA: For informational purposes. While current law does not explicitly prohibit eligible entities from pooling LSR resources, the CTC allocates funding to each individual entity, and each LSR recipient must separately report to the CTC on how the LSR funds are spent. As a result, cross-jurisdictional LSR improvements must be split into separate projects. SB 640 streamlines the process for jointly funded projects so that neighboring localities can collaborate most effectively to deliver LSR improvements. While OCTA does not itself receive funding, cities and the County of Orange could benefit from the flexibility provided by the bill.

SB 671 (Gonzalez, D-Long Beach) Clean Freight Corridor Efficiency Assessment (Chapter 769, Statutes of 2021)

SB 671 amends SB 1's Trade Corridor Enhancement Account to expand the types of eligible projects. Specifically, the bill makes two additional types of freight-related projects statutorily eligible for the Trade Corridor Enhancement Program (TCEP), projects that employ advanced and innovative technology to improve the flow of freight and projects that implement environmental and community mitigation efforts that reduce the impacts of freight movement on surrounding communities. SB 671 also requires that the CTC, in coordination with CARB, the PUC, the State Energy Resources Conservation and Development Commission, and the Governor's Office of Business and Economic Development, develop the Clean Freight Corridor Efficiency Assessment. The assessment is meant to identify freight corridors that will be priority candidates for the deployment of zero-emission medium- and heavy-duty vehicles, taking into consideration the potential for emission reductions, charging and fueling infrastructure, parking facilities, congestion reduction, road safety and resiliency, and impacts to neighboring communities. The bill language explicitly requires that the assessment identify the top five corridors for achieving these goals. In conducting this assessment, the CTC shall consult with Caltrans, local governments, metropolitan planning organizations (MPO), regional transportation agencies, and other stakeholders, including those from low-income and disadvantaged communities, environmental organizations, public health representatives, and academia. The assessment must be completed by December 1, 2023, and thereafter, the CTC and other agencies involved shall incorporate, to the extent feasible and applicable, its findings into funding programs and guideline documents related to freight infrastructure and technology. The bill also requires that projects identified in the Clean Freight Corridor Efficiency Assessment be described in the State Freight Plan.

OCTA Position – Monitor

Impact on OCTA: SB 671 creates a new freight assessment that will likely set new policy priorities for the CTC's funding programs. The bill language directly expands eligibility for the TCEP, although it does not otherwise amend the program requirements in existing law. SB 671 does, however, create the Clean Freight Corridor Efficiency Assessment that is explicitly intended to inform the CTC guideline development for all freight-related programs, which could be both TCEP and the other CTC competitive programs. The bill language does require the identification of five top freight corridors, which could impact the geographic distribution of certain funding awards.

VII. Housing

AB 68 (Quirk-Silva, D-Fullerton) California Statewide Housing Plan: Annual Reports (Chapter 341, Statutes of 2021)

AB 68 modernizes the quadrennial Statewide Housing Plan and expands the scope of the Department of Housing and Community Development's (HCD) annual report to the Governor and Legislature. There are two notable changes to HCD's annual report. First, the bill requires that HCD report annually on the number of land-use oversight actions

taken against cities and counties, the outcomes of these oversight actions, and the median time of a resolution of each action. Second, HCD must include information in the annual report about how long the agency takes to award grants and enter into agreements with grantees. The bill also makes some changes to the Statewide Housing Plan, including allowing it to be published on the HCD website. The bill also requires that each quadrennial Statewide Housing Plan published after January 1, 2023, must include an inventory of affordable housing units needed to meet the State's housing goals and also must contain recommendations for modernizing statutory and regulatory terminology.

OCTA Position – Monitor

Impact on OCTA: For informational purposes. These changes will provide more information on the State's housing goals, which have long-term implications for planning efforts by Orange County cities and OCTA. In addition, the annual report will contain information about the funding provided in the housing trailer bills.

AB 140 (Assembly Budget Committee) Housing Provisions (Chapter 111, Statutes of 2021)

AB 140, the first housing trailer bill, provides \$600 million for the Regional Early Action Planning (REAP) Grant Program for 2021. Also known as "REAP 2.0," HCD will administer this program, in collaboration with OPR, the Strategic Growth Council, and CARB. REAP 2.0 builds off of similar funding provided by the FY 2019-20 state budget, also known as REAP 1.0. REAP 2.0 will provide \$510 million of primarily federal stimulus funding to MPOs to be further suballocated based on geographic equity and to help meet the State's housing and transportation planning goals. The funding is to be used for "transformative planning and implementation activities," which are defined by the bill using specific language to encourage infill development, reduce per capita vehicle miles traveled, realize multimodal communities, and increase transit ridership. The bill language goes on to say that transformative planning and implementation activities must be in the furtherance of state goals, specifically listing state planning priorities, affirmatively furthering fair housing, housing element compliance, or through implementation of a sustainable communities strategy (SCS) or alternative planning strategy developed under the SB 375 (Chapter 728, Statutes of 2021) planning process. Regional transportation agencies like OCTA are explicitly listed as eligible for REAP 2.0 funding. For suballocated funding, each MPO must retain information about how the suballocated funding is used consistent with the State's goals, including language about outreach to disadvantaged and historically underserved communities. Under the bill, MPOs can advance ten percent of the suballocated funding, starting January 1, 2022.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: AB 140 provides the first-ever funding source for OCTA and other agencies to comply with SB 375's planning requirements. While not dedicated solely to transportation planning, REAP 2.0 could provide funding for transportation projects and programs. Based on the bill's geographic equity language, the Southern California

Association of Governments (SCAG) is expected to suballocate approximately \$246 million through the region. SCAG has indicated that this funding will be used for early action initiatives on the development of the region's 2024 regional transportation plan and SCS, as well as on housing and housing-supportive infrastructure. OCTA staff must continue to monitor both SCAG's guidelines for the program and those developed by HCD, anticipated in January of 2022, to ensure that funding is best utilized to improve mobility in Orange County.

**AB 175 (Assembly Budget Committee) Housing: Mortgages and Deeds of Trust: State Property
(Chapter 255, Statutes of 2021)**

AB 175, the second housing trailer bill, made a few clarifying changes to REAP 2.0 funding. First, AB 175 clarifies when REAP 2.0 funds must be obligated. AB 140 required MPOs to expend the entirety of the \$510 million in REAP 2.0 funds by June 30, 2024. AB 175 clarifies that the funds must be obligated by June 30, 2024, and expended by June 30, 2026, as consistent with federal guidelines on the stimulus funds directed to REAP 2.0. Second, AB 175 clarifies which MPOs can advance ten percent of the suballocated REAP 2.0 funds. While SCAG and other MPOs could advance funds under AB 140, AB 175 clarifies that MPOs in Santa Barbara, San Luis Obispo, Fresno, Kern, Kings, and San Joaquin Counties can also advance funds. Third, AB 175 adds another reporting requirement regarding disadvantaged communities. In addition to the language in AB 140, AB 175 requires that applications for REAP 2.0 funding must contain a description about how the funding will benefit disadvantaged and historically underserved communities. Finally, AB 175 grandfatheres the Metro North Hollywood Joint Development Project in Los Angeles County from AB 1486 (Chapter 664, Statutes of 2019) if there is an exclusive negotiating agreement or legally binding agreement to dispose of property by December 31, 2024, although this provision is also amended by SB 51.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: AB 175 made a few clarifying changes to the REAP 2.0 funding. In the SCAG region, the clarification on the obligation date alleviated a serious concern on how quickly projects and programs funded by REAP 2.0 must be delivered.

**AB 1029 (Mullin, D-San Mateo) Housing Elements: Pro-housing Local Policies
(Chapter 353, Statutes of 2021)**

AB 1029 adds the preservation of affordable housing units as a “pro-housing” policy that HCD can consider in developing the pro-housing designation authorized under current law. Specifically, the bill language cites the preservation of affordable housing units through the extension of existing project-based rental assistance covenants that prevent developers from converting affordable housing units, which would reduce the number of available affordable housing units statewide.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. AB 1029 expands the types of pro-housing policies that Orange County cities can pursue to receive HCD's pro-housing designation, which can result in that city being prioritized for funding awards in certain state programs.*

AB 1220 (Luz M. Rivas, D-Arleta) Interagency Council on Homelessness (Chapter 398, Statutes of 2021)

AB 1220 changes the name of the Homelessness Coordinating and Financing Council to the California Interagency Council on Homelessness (ICH) and makes other changes to the ICH statutory authorities. The bill reconstitutes the ICH membership so that the California Health and Human Services Agency and the Business, Consumer Services, and Housing Agency serve as co-chairs, requires that all agencies but the Department of Education be represented by a Director or Secretary rather than a representative, reorganizes the ICH member agencies to focus on state agencies, and removes other members appointed at the discretion of the Governor. AB 1220 also authorizes the ICH to require that state agencies administering a homeless program to, upon the request of the ICH, participate in ICH meetings and provide relevant information requested by the ICH. Finally, the bill requires that the ICH meet quarterly with a reconstituted advisory committee made of public stakeholders.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. AB 1220 does not change ICH membership, maintaining that Caltrans be involved in ICH functions. The bill does require that the Caltrans Director personally be involved. As a member agency of the ICH, the bill clarifies, in statute, that Caltrans can be required to participate in ICH meetings and provide information on state homelessness programs.*

SB 9 (Atkins, D-San Diego) Housing Development: Approvals (Chapter 162, Statutes of 2021)

SB 9 requires ministerial approval of a housing development of no more than two units in a single-family zone (also known as a duplex), the subdivision of a parcel zoned for residential use into two parcels (also known as a lot split), or both. A majority of the bill details the requirements for cities in ministerially approving duplexes and lot splits in certain communities, including protections to ensure that this authority is being used on properties desirable for housing production. Of note to OCTA, the bill prohibits localities from requiring more than one parking space per unit for either a proposed duplex or a proposed lot split, and localities may not impose any parking requirements if the parcel is located within one-half mile walking distance of either a high-quality transit corridor or a major transit stop, both as defined by current law. Similarly, localities may not enforce any parking minimums if there is a car share vehicle located within one block of the parcel. SB 9 also includes the ability for a locality to deny a housing project otherwise authorized by this bill if the building official makes a written finding based upon the preponderance of the evidence that the housing development project would have a specific, adverse

impact upon health and safety or the physical environment and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. SB 9 alters the way in which certain housing projects are approved, which will affect the development of future planning efforts under the SB 375 planning process. The bill language reduces allowable parking requirements within one-half mile of a high-quality transit corridor, defined in current law as a bus corridor with up to 15-minute service headways during peak commuting times, or major transit stops, defined in current law as any rail or bus rapid transit station, a ferry terminal served by bus or rail service, or the intersection of two bus routes with 15-minute headways. Amendments did provide cities with a process to prevent such ministerial approvals, but this bill is an indication of the Legislature's ongoing efforts to incentivize housing production. Similarly, the amendments removed the sunset on these authorities.*

SB 10 (Wiener, D-San Francisco) Planning and Zoning: Housing Development: Density (Chapter 163, Statutes of 2021)

SB 10 authorizes a locality to pass an ordinance, notwithstanding any local restrictions on zoning ordinances that limit the legislative body's ability to adopt zoning ordinances, to zone any parcel for up to ten units of residential density, at a height specified by the ordinance if the parcel is located in a transit-rich area or an urban infill site. The bill defines "transit-rich area" as a parcel within one-half mile of a major transit stop, as defined in current law, or a parcel on a high-quality bus corridor. The bill creates the definition of a high-quality bus corridor, which must meet all of the following criteria:

- 1) Average service intervals of no more than 15 minutes during the three peak hours between 6 a.m. to 10 a.m., inclusive, and the three peak hours between 3 p.m. and 7 p.m., inclusive, on Monday through Friday,
- 2) Average service intervals of no more than 20 minutes during the hours of 6 a.m. to 10 p.m., inclusive, on Monday through Friday, and
- 3) Average intervals of no more than 30 minutes during the hours of 8 a.m. to 10 p.m., inclusive, on Saturday and Sunday.

The bill has a definition for of urban infill site based on how the property is positioned within certain urbanized areas, as designated by the Census Bureau. SB 10 excludes parcels that are in certain fire hazard areas or near open spaces, and the bill language specifies that the ordinance itself is not a project for purposes of environmental approvals. Finally, SB 10 includes a sunset of January 1, 2029, but the bill does authorize an ordinance adopted pursuant to this bill to extend beyond January 1, 2029.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. SB 10 allows localities to adopt ordinances that incentivize infill development. Consistent with the direction of the State's goals, infill*

development is seen as a way of incentivizing housing production and reducing car travel. Similar to SB 9, this bill could impact planning efforts by both cities and OCTA in the coming years. Unlike SB 9, the authority granted by SB 10 applies to a slightly different set of properties, creating a new definition of “high-quality bus corridor,” creating potential confusion with other terminology in statute.

**SB 51 (Durazo, D-Los Angeles) Surplus Residential Property
(Chapter 130, Statutes of 2021)**

SB 51 encourages the sale of homes owned by Caltrans through property acquisitions as part of freeway project along the State Route 710 corridor near El Sereno that is no longer proceeding. The bill language offers ownership to current tenants, creates low- and moderate-income housing, and amends the Surplus Land Act for an unrelated project in Los Angeles County. Pursuant to the bill, income-qualified current tenants in good standing in the corridor will have the first option to purchase their homes, in “as is” condition, at fair market value. If not purchased by the tenant, properties must then be offered to other housing-related entities with a covenant against the property to ensure it remains affordable housing. SB 51 creates an exception to this process for properties near certain historic sites. The bill also requires that Caltrans promulgate regulations within six months of the bill’s enactment to implement the bill’s provisions. Finally, the bill also amends a provision in AB 175 that grandfathers the Metro North Hollywood Joint Development Project in Los Angeles County from the requirements of AB 1486, changing the statutory deadline from December 31, 2024, to December 31, 2022.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: For informational purposes. SB 51 is part of ongoing discussions between Caltrans and property owners along the State Route 710 corridor near El Sereno. This controversial issue resulted in the wide-ranging bill dictating how Caltrans will resolve the property acquired for a project that is no longer moving forward.

**SB 791 (Cortese, D-Campbell) State Surplus Land Unit
(Chapter 336, Statutes of 2021)**

SB 791 creates the Surplus Land Unit within HCD. Subject to appropriation by the Legislature, the Surplus Land Unit is tasked with facilitating the development and construction of housing on local surplus property, as governed by the Surplus Land Act. Specifically, SB 791 dictates that the Surplus Land Unit will provide technical assistance to housing developers and local agencies relating to disposition of surplus land, available funding and financing instruments, and construction of housing on local surplus land. The bill language prevents the Surplus Land Unit from acquiring property by eminent domain and requires an annual report to the Legislature and Governor.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. Recent changes to the Surplus Land Act have caused a significant increase in the amount of surplus land transactions and issues, and many stakeholders have encountered difficulties trying to get assistance from HCD. SB 791 does not alter the substantive requirements of the Surplus Land Act, instead providing resources for agencies trying to comply with recent changes to state law in the disposition and handling of surplus property.*

XIII. Planning

AB 43 (Friedman, D-Glendale) Traffic Safety (Chapter 690, Statutes of 2021)

AB 2363 (Chapter 650, Statutes of 2018) established the Zero Traffic Fatalities Task Force in order to develop policies to reduce traffic fatalities to zero in California. In January 2020, CalSTA issued the Zero Traffic Fatalities Task Force Report, as required by AB 2363, that recommended policies related to establishing speed limits. Based on the report's recommendations, AB 43 provides local governments with more flexibilities to change speed limits. Under current law, if the speed limit is 45 miles per hour (mph), using the existing 85th percentile standard, a local entity may establish a lower speed limit of 40 mph. This bill now allows local authorities to reduce the 40-mph speed limit an additional five mph to 35 mph if it determines it is a high injury street. Furthermore, this legislation adds business activity districts as prima facie speed limit eligible. These business activity districts are defined as a central or neighborhood downtown, urban village, or zoning designation that prioritizes commercial land-uses at the downtown or neighborhood scale with specified conditions. Therefore, it authorizes a local authority to declare a 25 mph or 20 mph speed limit in a business activity district when the highway has a maximum of four traffic lanes.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. OCTA should be aware that cities in Orange County may utilize this authority to lower speed limits. It may be of interest to monitor the affect this law will have on traffic fatalities.*

AB 773 (Nazarian, D-Van Nuys) Street Closures and Designations (Chapter 587, Statutes of 2021)

AB 773 authorizes localities to implement a “Slow Streets Program” to close or limit vehicular traffic on certain local streets and defines the requirements for doing so. Under the authority provided by the bill, localities may adopt an ordinance that closes or limits vehicle traffic with connections to citywide bike networks if the locality meets all of the following conditions:

- 1) Conducts an outreach and engagement process to notify residents and property owners considered for inclusion in program,
- 2) Determines that the Slow Streets Program leaves a sufficient portion of the streets in the surrounding area for other public uses,
- 3) Provides advance notice of any closures,

- 4) Clearly demonstrates signage in compliance with the California Manual on Uniform Traffic Control Devices,
- 5) Determines that the closures or traffic restrictions are necessary for the safety and protection of the people who will use the closed or restricted street, and
- 6) Maintains a public website with information about the Slow Streets Program.

OCTA Position – Monitor

Impact on OCTA: *AB 773 clarifies how localities can permanent limiting street traffic. Some Orange County cities did so on a temporary basis during the pandemic, and this bill gives localities the ability in state law to adjust traffic patterns to limit vehicle traffic.*

SB 214 (Bates, R-Laguna Niguel) Neighborhood Electric Vehicles: County of Orange (Chapter 101, Statutes of 2021)

SB 214 makes permanent the authority in state law for the Rancho Mission Viejo neighborhood electric vehicle (NEV) plan. Under current law, Orange County has until January 1, 2022, to establish a NEV plan for Rancho Mission Viejo. SB 214 removes the sunset, granting permanent authority to continue executing its NEV plan.

OCTA Position – Monitor

Impact on OCTA: *This bill removes the statutory deadline for Rancho Mission Viejo's NEV plan because the County of Orange submitted a report that found little to no impact on NEV usage in the area.*

IX. Public Works/Procurement

AB 712 (Calderon, D-Whittier) Local Agency Public Construction Act: Change Orders: County of Los Angeles (Chapter 95, Statutes of 2021)

AB 712 temporarily increases the limits that apply to change orders for certain contracts in Los Angeles County. Under current law, the Los Angeles County Board of Supervisors can delegate the county engineer or other officers to authorize change orders up to a certain amount of the total contract cost. AB 712 allows Los Angeles County to increase the limits in current law until January 1, 2027. While in effect, Los Angeles County may delegate change order authority on a limited number of contracts for up to \$400,000 in extra work for contracts exceeding \$25 million and up to \$750,000 for contracts exceeding \$50 million. If the authority is utilized, Los Angeles County must provide a report to the Assembly Local Government Committee and the Senate Governance and Finance Committee by July 1, 2026. Starting in 2027, the thresholds in current law are reinstated, notably for much smaller contracts. The delegated authority that will be in effect after the sunset date would be for contracts exceeding \$250,000, and the calculation formula will allow for a maximum delegated change order of \$210,000.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

AB 811 (Luz M. Rivas, D-Arleta) Los Angeles County Metropolitan Transportation Authority: Contracting (Chapter 414, Statutes of 2021)

AB 811 modifies a required finding that the Los Angeles County Metropolitan Transportation Authority (LA Metro) must make before entering design-build contracts for transit projects. Under current law, LA Metro must find, by a two-thirds vote of the Board of Directors, that the contract will achieve certain private sector efficiencies in the integration of design, project work, and components. The bill streamlines this provision, instead only requiring a two-thirds vote to find that the contract will achieve a more competitive solicitation process with respect to quality, timeliness, price, and other private sector efficiencies.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. AB 811 streamlines the design-build contracting process for LA Metro on transit projects in hopes of expediting the delivery of transit improvements leading up to 2028 Olympic Games. Effectively, the bill retains the two-thirds vote requirement for LA Metro to enter into the design-build contract, but the finding in state law that triggers the two-thirds vote requirement will not be necessary on as many subsequent actions.*

AB 1023 (Flora, R-Ripon) Contractors and Subcontractors: Records: Penalties (Chapter 326, Statutes of 2021)

AB 1023 authorizes the Labor Commissioner to impose a penalty on a contractor or subcontractor on a public works project for failure to furnish payroll records within 14 days of the disclosure requirements in state law. The bill specifies that the penalty is \$100 per day for failing to disclose the records, with a maximum penalty of \$5,000 per project. Penalties may only be assessed to the contractors or subcontractor who fails to furnish payroll records. The penalties shall be deposited into the State Public Works Enforcement Fund to be used for such purposes. AB 1023 also clarifies in statute that contractors and subcontractors submitting records on a monthly basis must do so every 30 days and specifies that the Labor Commission must post the records on its website.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. The bill clarifies the process for furnishing payroll records on public works projects and authorizes penalties for failing to do so.*

AB 1499 (Daly, D-Anaheim) Transportation: Design-Build: Highways (Chapter 212, Statutes of 2021)

In 2013, OCTA sponsored AB 401 (Chapter 586, Statutes of 2021) to expand the use of design-build for highway projects after estimating that this method would create significant time and cost savings for the Interstate 405 Improvement Project. AB 1499 extends the use of the design-build procurement method for projects on the state highway system

until January 1, 2034. Since the initial authorization, several other entities have used this statewide authority, including the Riverside County Transportation Commission and Caltrans, to successfully implement projects. Design-build provides for the delivery of public works projects from a single entity, streamlining the traditional design-bid-build process by combining project design, permit, and construction schedules.

OCTA Position – Support

Impact on OCTA: *Although at this time OCTA has not identified additional projects to use this authority, extending the design-build authority may afford expedited delivery of highway projects and provides a valuable project delivery option moving forward.*

SB 333 (Eggman, D-Stockton) San Joaquin Regional Transit District: Procurement (Chapter 217, Statutes of 2021)

SB 333 changes the contracting requirements for the San Joaquin Regional Transit District (RTD). Under current law, contracts over \$50,000 must be contracted to the lowest responsible bidder. SB 333 amends this provision so that RTD can award contracts over \$75,000 to either the lowest responsible bidder or based on “best value,” defined by the bill language as the combination of quality, price, and other elements of a proposal that provide the greatest overall benefit relative to the requirements described in the solicitation. Under the bill, RTD must obtain, to the extent practicable on contracts between \$5,000 and \$75,000, a minimum of three quotes in order to best compare the prices and terms for the procurement.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

X. State Budget

AB 128 (Ting, D-San Francisco) Budget Act of 2021 (Chapter 21, Statutes of 2021)

AB 128 provides \$195.5 billion in total General Fund expenditures for FY 2021-22. For FY 2021-22, the state budget estimates General Fund revenues of approximately \$177.5 billion. The budget reflects an unprecedented budget surplus of \$38 billion, particularly because of larger income tax collections from high-income earners. This budget transfers more than \$3.4 billion into the Budget Stabilization Account/Rainy Day Fund, resulting in a balance of \$15.9 billion for FY 2021-22. In addition, the state budget includes \$3.9 billion for the Special Fund for Economic Uncertainties.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: *AB 128 reflects a significant shift in revenue predictions than the previous FY, resulting in an unprecedented budget surplus. In total, the state budget*

anticipates \$786.1 million in STA funding for FY 2021-22, compared to \$663.1 million in FY 2020-21. Therefore, Orange County's share would be about \$42.5 million.

OCTA receives funding from SB 1's State of Good Repair (SGR) program via the STA formula. Funded via the Transportation Improvement Fee, OCTA is expected to receive approximately \$6.3 million through the SGR program for FY 2021-22, a slight increase over last year's funding level of \$6.2 million.

Because of the unprecedented surplus, the Legislature deferred action on a variety of transportation stimulus proposals and the California High-Speed Rail Authority's request to release the \$4.2 billion balance from Proposition 1A, until further negotiations could take place.

AB 149 (Assembly Budget Committee) Transportation (Chapter 81, Statutes of 2021)

AB 149 serves as the primary budget trailer bill related to transportation and extends flexibilities enacted last year related to the Transportation Development Act (TDA) to provide relief to transit agencies across the state as they recover from the impacts of the COVID-19 pandemic. Specifically, AB 149 includes the following provisions:

- Extends the hold harmless provision for calculation and allocation of the STA, SGR, and Low Carbon Transit Operations Program through FY 2022-23,
- Extends the suspension of the financial penalties imposed on a transit operator that is unable to meet its farebox recovery requirement until FY 2022-23
- Extends the suspension of the financial penalties associated with the STA Program's efficiency standards, with each agency able to utilize funding for either operating or capital purposes until FY 2022-23,
- Institutes a review of TDA performance audit requirements to identify opportunities for streamlining,
- Revises 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, integration with other operators and agencies, zero-emission transition, compliance with state and federal mandates, security services and public safety contracts, and specified post-employment benefits,
- Authorizes discount and fare-free transit passes to be counted at their full retail value for the purposes of calculating TDA farebox recovery,
- Authorizes federal funds to be counted as "local funds" for the purposes of calculating TDA farebox recovery and STA efficiency criteria, and
- Suspends, until July 1, 2026, TDA farebox recovery requirements and STA efficiency criteria for transit agencies demonstrating they maintained their existing commitments of local funds for transit operations at an amount not less than the expenditures from local funds for transit operations during FY 2018-19.

Beyond the transit provisions in the transportation trailer bill, other notable policies enacted include:

- Extends sunset on the prohibition for Caltrans to charge self-help counties more than ten percent for administration indirect cost recovery until January 1, 2023,
- Removes the maintenance of effort (MOE) requirement for cities and counties to remain eligible to receive their LSR funding for FY 2019-20. To remain eligible for FY 2020-21 and 2021-22 LSR funds, the MOE requirement would be adjusted in proportion to any decrease in taxable sales within the applicable city or county in the specified timeframe,
- Extends National Environmental Protection Act delegation authority for any railroad, public transportation, or multimodal project undertaken by state agencies until January 1, 2025,
- Establishes the Clean California State Beautification Program of 2021, a new Caltrans grant program, to fund, upon appropriation by the Legislature, projects led by transit agencies, local and regional public agencies, and tribal governments that beautify and clean up local streets and roads, tribal lands, parks, pathways, transit centers and other public spaces,
- Authorizes Caltrans to use job order contracting for projects funded by the Clean California State Beautification Program, and
- Authorizes a Department of Motor Vehicles pilot program to evaluate optional mobile or digital alternatives to driver's licenses and identification cards.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: With more flexibility in using state transit funding, OCTA has been able to utilize these regulatory relief measures to continue to provide transit service. Specifically, OCTA will not need to meet the 20 percent farebox recovery requirement, or the efficiency criteria as required in the TDA while the exemption from financial penalties is in place. Furthermore, this legislation will assist in staving off long-term disruption of future STA formula distribution by maintaining the ridership numbers prior to the COVID-19 pandemic. Additionally, as a self-help county, OCTA has experienced previous cost savings from the indirect cost recovery cap of ten percent in delivering capital projects. The extension of this cap is likely to lead to additional cost savings. Finally, OCTA paralleled the State's MOE flexibility by amending the Measure M2 MOE requirements to address the impacts to Orange County cities' general fund revenues as a result of the pandemic.

SB 129 (Skinner, D-Berkeley) Budget Act of 2021 (Chapter 69, Statutes of 2021)

SB 129 makes a variety of changes to the budget as it relates to education, childcare, resources, health, developmental services, social services, and more. The amended budget also includes \$2.3 billion for a zero-emission vehicles and infrastructure package. Within that package, \$70 million, through the Hybrid and Zero-Emission Truck and Bus

Voucher Incentive Project is set aside for zero-emission transit buses, and \$29.7 million is set aside for charging and refueling infrastructure for the deployment of zero-emission transit buses. Finally, \$600 million is also included for REAP 2.0, as administered under the provisions in the housing trailer bills.

This secondary budget measure detailed major investments in transit, including \$2.48 billion for the Transit and Intercity Rail Capital Program (TIRCP), which was anticipated to be used for projects benefitting the 2028 Olympic and Paralympic Games in the City of Los Angeles, grade separations, priority transit and rail projects, and \$500 million for the Active Transportation Program (ATP). This amended budget also included \$300 million in climate adaptation grants, with \$150 million of that going directly to local entities. However, indicating a lack of consensus between the Legislature and the Administration, the funding provided in this budget bill for TIRCP, ATP, and climate adaptation grants was all contingent on future legislation to determine how specifically it will be allocated by October 10, 2021. No such legislation was enacted this session.

OCTA Position – Monitor

Impact on OCTA: While not all of the transportation funding proposals made it through this legislative session, OCTA still stands to benefit from the increased funding for zero-emission transit buses. REAP 2.0 could also provide funding for transportation projects and programs. OCTA staff must continue to monitor both SCAG's guidelines for the program and those developed by HCD, anticipated in January of 2022, to ensure that funding is best utilized to improve mobility in Orange County.

SB 155 (Committee on Budget and Fiscal Review) Public Resources Trailer Bill (Chapter 258, Statutes of 2021)

SB 155 is the public resources trailer bill. This legislation contains several provisions related to the environment, resiliency, and sustainability, including CEQA exemptions for biodiversity, as well as programs related to extreme heat, recycling, and water. Of particular interest includes funding for Healthy Forest and Fire Protection Program, which provides \$200 million through the GGRF until 2029 for programs and projects that improve forest health and other fuel reduction projects. Of note, the bill includes funding for grants for the protection and restoration of coastal and ocean resources from the impacts of sea level rise through the State Conservancy and establishes the Community Resilience Centers grant program for the purpose of construction or retrofit of facilities that mitigate the public health impacts of extreme heat and other emergency situations exacerbated by climate change. SB 155 also changes the name of the Alternative and Renewable Fuels and Vehicle Technology program to the Clean Transportation program and allows native tribes to compete for funding.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: For informational purposes. OCTA may wish to consider applying for these grants where applicable. The ongoing appropriation for the Healthy Forest and Fire

Protection Program will further reduce available GGRF funding for discretionary programs funded via cap-and-trade.

**SB 162 (Committee on Budget and Fiscal Review) Community Economic Resilience Fund Program
(Chapter 259, Statutes of 2021)**

SB 162 is a budget trailer bill that creates the Community Economic Resilience Fund Program within the Employment Development Department. The Inter-Agency Leadership Team, comprised of the Labor and Workforce Development Agency, OPR, and the Governor's Office of Business and Economic Development, will award planning grants on a competitive basis to each region in order to establish high road transition collaboratives for economic recovery and transition strategies. The regions will be identified in forthcoming stakeholder meetings. A high road transition collaborative is defined as broad-based regional groups convened by a skilled and impartial intermediary to plan for economic recovery and a sustainable, equitable economic future. These collaboratives must prioritize equity, sustainability, and job quality while advancing a shared prosperity where workers and communities across California's diverse regions share equally in the benefits of a carbon-neutral future. A report must be submitted to the Legislature annually, starting December 31, 2022, regarding grant awards and progress on program objectives related to high road metrics, including equity, job quality and sustainability, job creation, wage increases, and job retention. Additionally, a supplemental annual report must be provided to the Legislature starting on June 31, 2023, regarding key findings on regional trends in sustainable economic recovery and common challenges in the development and implementation of high road strategies. This program will be funded with \$600 million federal funds from the Coronavirus Fiscal Recovery Fund of 2021.

Urgency Bill – Effective Immediately

OCTA Position – Monitor

Impact on OCTA: OCTA should monitor and engage, when appropriate, with the process to define the regions described in the bill. Many transportation agencies are currently facing workforce shortages. It may behoove OCTA to strategize on how to incentivize workforce development in the transportation sector through this program.

XI. Transit

**AB 302 (Ward, D-San Diego) San Diego Metropolitan Transit Development Board: Regulation of For-hire Vehicle and Passenger Jitney Services
(Chapter 89, Statutes of 2021)**

AB 302 allows the San Diego Metropolitan Transit System (MTS) to enter into contracts to regulate for-hire vehicle transportation services outside of its current service area, specifically anywhere in San Diego County. Doing so allows San Diego MTS to be a one-stop permit shop in San Diego County, reducing the administrative burden on for-hire vehicle services. Pursuant to the bill, for-hire vehicle services are defined as vehicles, other than public transportation vehicles, transporting passengers over public

streets for compensation, including taxicabs, passenger jitney service, low-speed vehicles, charters, sightseeing vehicles, and nonemergency medical vehicles over which the PUC does not already have regulatory authority. The authority granted to San Diego MTS also explicitly exempts out public transportation services operated by the North County Transit District (NCTD).

OCTA Position – Monitor

Impact on OCTA: For informational purposes. The bill gives San Diego MTS regulatory authority over for-hire vehicles in all of San Diego County, including the NCTD service area. NCTD supported the arrangement because they do not regulate for-hire vehicles and prefer one regulatory authority for all of San Diego County.

AB 580 (Rodriguez, D-Chino) Emergency Services Vulnerable Populations (Chapter 744, Statutes of 2021)

AB 580 requires the California Office of Emergency Services (CalOES) to coordinate with representatives of the access and functional needs population and to review local emergency plans. The bill clarifies that CalOES must appoint a majority of representatives from the access and functional needs population to serve on its advisory committees. While the bill does not change the definitions of access and functional needs populations, it specifies that a majority of the appointees must represent those who are blind or visually impaired, have sensory or cognitive disabilities, or physical disabilities. The bill requires that each county send a copy of its emergency plan to CalOES by March 1, 2022, and all updates thereafter, so CalOES can review how each county's emergency plan adheres to the best practices and trainings available from the Federal Emergency Management Agency in serving the needs of, among other factors, individuals with access and functional needs.

OCTA Position – Monitor

Impact on OCTA: For informational purposes. While OCTA does not prepare the emergency plan for Orange County, it does work closely with County of Orange to inform how the access and functional needs population is served during emergencies. AB 580 adjusts the public involvement process for emergency plan development and seeks to ensure that counties are using federal recommendations in doing so.

AB 917 (Bloom, D-Santa Monica) Vehicles: Video Imaging of Parking Violations (Chapter 709, Statutes of 2021)

Until January 1, 2027, AB 917 expands current state law to authorize transit agencies to use camera technology to discourage illegal parking in transit-only lanes and at transit stops where parking is already prohibited under existing law. This authority is indefinitely extended for the City and County of San Francisco. Under AB 917, transit agencies would be authorized to install forward-facing cameras on their transit vehicles to collect images of parking violations that occur in transit-only lanes and at transit stops. The parking citations do not negatively impact a driver's record, carry the same fine as a parking ticket, and can be appealed, reduced, or waived if certain determinations are met. The

legislation ensures privacy protections and sets noticing requirements for this new program. Finally, AB 917 also requires a public transit operator utilizing this program to report to legislative committees to evaluate its effectiveness, costs, and privacy impacts.

OCTA Position – Support

Impact on OCTA: If the OCTA Board of Directors is inclined to use this authority in the future, AB 917 could provide a tool to discourage parking within transit-only lanes or at transit stops. If a parked vehicle is blocking the operation of such transit services, it could effectively stop the operation of the transit service until the vehicle is moved and create safety concerns for passengers attempting to board a transit vehicle unable to load at a transit stop. This reduces transit system reliability by slowing down transit vehicle speeds and negatively impacts transit riders.

AB 1337 (Lee, D-Milpitas) Transportation: San Francisco Bay Area Rapid Transit District: Policing Responsibilities (Chapter 534, Statutes of 2021)

AB 1337 extends the authority of the San Francisco Bay Area Rapid Transit District (BART) to issue prohibition orders to include the property, facilities, and vehicles where they owe policing responsibilities to a local government. This legislation was pursued by BART because, currently, they only have the authority to issue prohibition orders on BART-owned property. This legislation expands the authority to areas where BART has an operating agreement but does not own the land, specifically for the new BART extension in Santa Clara County.

OCTA Position – Monitor

Impact on OCTA: For informational purposes.

SB 372 (Leyva, D-Pomona) Medium- and Heavy-Duty Fleet Purchasing Program (Chapter 639, Statutes of 2021)

SB 372 requires the California Pollution Control Financing Authority to establish a program to make financing tools and technical assistance available to the operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles. The bill creates the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program within CARB's Air Quality Improvement Program, and the bill lays out the process through which CARB and the California Pollution Control Financing Authority must develop the program. Pursuant to the bill language, the program must include input from stakeholders, including environmental justice organizations, coordinate different types of financial assistance, develop a data collection strategy to facilitate more informed decision-making, ensure that 75 percent of the financing products are directed to underserved communities, and create a "one-stop shop" to provide information about and help obtain financing for zero-emission medium- and heavy-duty vehicles, the definition of which includes buses. The bill language mentions buses in the definition of "medium- and heavy-duty vehicle."

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. Since buses are included in the bill's definition, the new program could help provide OCTA with the information and resources necessary to help facilitate the adoption of zero-emission bus technology.*

SB 643 (Archuleta, D-Norwalk) Fuel Cell Electric Vehicle Fueling Infrastructure (Chapter 646, Statutes of 2021)

SB 643 requires that the State Energy Resources Conservation and Development Commission, in consultation with CARB and the PUC, prepare a statewide assessment of the fuel cell electric vehicle fueling infrastructure and fuel production necessary to adopt zero-emission vehicles at levels necessary for the State to meet the state's goals, including any CARB regulatory action on heavy-duty zero-emission vehicles. The bill language requires that the assessment consider all necessary fuel production and distribution infrastructure, list synergies between industries, and estimate the impact of hydrogen to reduce emissions in certain sectors, specifically mentioning the bus sector. SB 643 also requires that the State Energy Resources Conservation and Development Commission regularly seek data from relevant stakeholders, explicitly mentioning transit agencies and hydrogen fuel cell vehicle manufacturers. The assessment must be completed and posted online by December 31, 2023, and it must be updated every three years until January 1, 2030, when these provisions expire.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. The findings of the assessment could identify the advantages or disadvantages with specific zero-emission technologies.*

XII. Other Legislation

AB 761 (Chen, R-Brea) County Employees' Retirement: Personnel: Orange County (Chapter 26, Statutes of 2021)

AB 761 authorizes the Orange County Employees Retirement System Board of Retirement to appoint an expanded number of non-civil service employees, including an additional assistant administrator and an additional subordinate investment officer next in line of authority to the chief investment officer. The bill also changes the reporting relationship of senior management employees in the investment office so that they would report to the subordinate investment officers next in line of authority to the chief investment officer, one of the new positions authorized by this bill, instead of directly to the chief investment officer.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**AB 784 (Quirk, D-Hayward) Alameda-Contra Costa Transit District
(Chapter 200, Statutes of 2021)**

AB 784 updates statutory provisions governing the Alameda-Contra Costa Transit District (AC Transit). The bill specifies that AC Transit shall continue in existence until dissolved and designates the agency as a rapid transit district. AB 784 specifies that board nominations must be signed by 50 votes if elected by ward or 100 votes if elected at-large, the nomination paper must include a filing fee of \$150 in lieu of signatures, and all nomination filings and fees shall be processed with the county elections official in the county or counties in which the candidate is running. The bill gives AC Transit 90 days to fill a vacancy instead of the 60 days in current law. AB 784 also allows for digital signatures by officers, employees, or members of the retirement board. The bill also prevents appointive officers from engaging in other business during their service, unless permitted by the AC Transit Board of Directors, and finally, the bill clarifies that for former employees elected as Board Members, the retirement system shall not apply to their Board of Directors service.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**AB 1196 (Cooley, D- Rancho Cordova) Sacramento Regional Transit District
(Chapter 272, Statutes of 2021)**

AB 1196 changes the voting structure of the SacRT Board of Directors. The bill specifies that each Board Member shall have one vote and deletes various provisions in existing law allowing for a weighted voting structure. AB 1196 also clarifies that a majority of the SacRT Board of Directors constitutes a quorum and requires that all official Board of Directors acts require a majority vote. SacRT is also required to post these voting procedures on their website.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**SB 69 (McGuire, D-Eureka) Great Redwood Trail Agency: Right-of-Way
(Chapter 423, Statutes of 2021)**

SB 69 reorganizes the North Coast Rail Authority into the Great Redwood Trail Agency (GRTA) and transfers certain authority related to rail and freight to the Sonoma-Marín Area Rail Transit District (SMART). The bill language establishes GRTA's new mission of developing the Great Redwood Trail. In cooperation with CalSTA, GRTA may acquire property, operate railroads, and execute other actions related to the Great Redwood Trail in Mendocino County. The bill transfers to SMART all rights, privileges, and the title for the rail right-of-way in Sonoma County. The language also clarifies that SMART may operate, manage, and maintain a freight rail system, in addition to passenger rail. Under the bill, SMART must designate a single point of contact for GRTA.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes.*

**SB 500 (Min, D-Irvine) Autonomous Vehicles: Zero Emissions
(Chapter 277, Statutes of 2021)**

Beginning on January 1, 2030, SB 500 would prohibit operation of any new autonomous vehicles that are not zero emission, to the extent allowable by federal law. This provision only applies to vehicles with a gross vehicle weight of 8,501 or less. The Department of Motor Vehicles would be authorized to begin rulemaking to implement this legislation on January 1, 2027.

OCTA Position – Monitor

Impact on OCTA: *For informational purposes. OCTA should monitor the impacts of autonomous vehicles on the transportation system.*



November 18, 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. An update is provided on the House's approval of the Senate-passed infrastructure legislation, the Infrastructure Investment and Jobs Act, which also reauthorizes federal surface transportation programs for the next five years. This report outlines the benefits of the bill and the next steps for its implementation.

Recommendation

Receive and file as an information item.

Discussion

Bipartisan Infrastructure Bill

On November 5, 2021, the House of Representatives passed the \$1.2 trillion bipartisan infrastructure bill, the Infrastructure Investment and Jobs Act (IIJA), by a vote of 228 to 206. House passage came after months of delay on this bill due to ongoing negotiations over other infrastructure spending in the reconciliation bills. The Senate had previously passed the IIJA by a vote of 69 to 30 on August 10, 2021. As of the writing of this staff report, the IIJA was expected to be signed into law on November 15, 2021.

As previously reported to the Legislative and Communications Committee, the IIJA provides significant federal funding for surface transportation programs that help rebuild highways, roads, and bridges as well as improve transit and rail systems. The IIJA reauthorizes federal transportation programs for the next five years. The timing of the IIJA is especially important because the previous authorizing bill, the Fixing America's Surface Transportation (FAST) Act, was

operating under a series of short-term extensions. In addition to reauthorizing annual transportation funding, the IIJA provides \$550 billion in new infrastructure funding above existing levels, almost half of which directly benefits transportation programs. A majority of the new transportation funding is directed to existing programs, funding them above authorized levels by the FAST Act. In total, the bill provides approximately \$567 billion in funding for transportation over five years, although this estimate varies based on how funding is categorized. The bill also provides significant funding to modernize the power grid and invest in water, airport, broadband, and electric vehicle projects.

IIJA Funding Structure

The IIJA results in significant increases for formula programs on which the Orange County Transportation Authority (OCTA) relies on each year to improve mobility. Annual highway funding authorizations increase by \$115.75 billion, a 49 percent increase over current spending levels. Transit funding authorizations increase by \$42 billion, 65 percent more than current spending levels. The bill also provides a significant increase for federal rail programs, providing roughly equivalent transit and rail funding. Over the next five years, the bill provides a total of \$106.9 billion for transit programs and \$102 billion for rail. The bill's astronomical increase for federal rail programs, and all programmatic changes that benefit OCTA's programs and operations, are discussed in greater detail below.

The bill's funding increases are partially paid for through an assortment of revenue mechanisms, including a transfer of \$118 billion from the General Fund, redirecting unspent emergency stimulus dollars, repurposing unemployment insurance funds, a change to Medicare rebates, and other fees, none of which are transportation related. According to the Congressional Budget Office, the infrastructure bill is expected to add approximately \$256 billion to the budget deficit over the next decade. Congress will have transferred approximately \$271.8 billion from the General Fund into the Highway Trust Fund (HTF) over the last 13 years, however the IIJA does not address the HTF's continued long-term structural revenue deficit. The bill does include funding for a national, voluntary per-mile user fee pilot program to examine the policy implications of potential HTF solutions, which closely mirrors the California Road Charge Pilot program. The national pilot does not itself institute any transportation funding mechanism, instead studying options to recommend policy solutions for Congress to consider. In addition, the bill also includes funding for state pilots that could benefit the California Road Charge Pilot program.

Programmatic Funding Changes

The IIJA bill reauthorizes federal highway and transit programs well above FAST Act levels. The bill increases the largest highway formula program, the

National Highway Performance Program, by 27 percent over FAST Act levels. The bill also provides a 23 percent increase for the Surface Transportation Block Grant (STBG) program and a ten percent increase for the Congestion Mitigation and Air Quality program, both compared to the FAST Act. The IIJA also codifies the Bridge Investment Program and provides a total of \$40 billion over five years. Bridge funding accounts for the third largest source of Federal Highway Administration funding over the life of the bill, and the complicated program will likely give the states significant discretion in its implementation.

While Federal Transit Administration (FTA) formula programs receive increases, the bill's most notable transit investments are in zero-emission bus funding and the Capital Investment Grant (CIG) program. The IIJA doubles the size of the CIG program, providing \$23 billion over five years compared to the \$11.5 billion investment made by the FAST Act. The bill also authorizes \$5.6 billion for the Low or No Emission Vehicle program over five years, an exponential increase over the FAST Act's five-year total of \$275 million. The FTA Section 5307 Urbanized Area Formula Grants program only receives a six percent increase compared to the FAST Act, largely because the stimulus bills provided tens of billions of dollars through this program. The FTA Section 5337 State of Good Repair Grants program receives a 78 percent increase over FAST Act levels, the bill's largest transit formula funding increase.

The IIJA provides \$91.8 billion for federal rail programs, compared to the FAST Act's \$10.3 billion total. The largest rail funding increase focuses on the Federal Rail Administration's Federal-State Intercity Passenger Rail Partnership program, which invests in new intercity rail service. The IIJA also provides significant five-year increases for Amtrak's National Network at \$28.6 billion, and the Northeast Corridor at \$12.6 billion. Proportionally, Amtrak's National Network receives a slightly larger increase than the Northeast Corridor.

New Funding Programs

The bipartisan IIJA does create some new funding programs to achieve the Administration's policy goals, including:

- \$13.72 billion through two new highway formula programs aimed at carbon reduction and infrastructure resiliency, specifically through electric vehicle infrastructure, evacuation routes, at-risk coastal infrastructure, and other purposes consistent with the Administration's policy goals;
- \$7.5 billion directed explicitly to electric vehicle charging infrastructure to facilitate broader adoption of zero-emission passenger vehicles;

- \$5 billion for multimodal national transportation priorities, which are informally being called “megaprojects” that can be funded through multiyear grant agreements, similar to the CIG program;
- \$5 billion for a new Safe Streets and Roads for All program aimed at improving street safety through “Vision Zero” safety plans that reduce and eliminate fatalities for all transportation users;
- \$1.4 billion for a competitive grant program aimed at infrastructure resiliency, with criteria similar to the formula funding described in the first bullet in this list;
- \$1 billion for a pilot program reconnecting neighborhoods adversely affected by previous transportation investments;
- \$400 million aimed at reducing emissions at ports through electrification and emerging technologies that reduce emissions from idling trucks; and
- \$250 million for a new program specifically dedicated to multimodal congestion relief solutions in large urbanized areas.

OCTA will be eligible to compete for most of this new funding. Many of the new programs are aimed at projects and programs that have not traditionally been addressed through federal transportation funding sources; however, the new programs do not reduce funding for or otherwise add new policy conditions to existing surface transportation programs.

Notable Policy Changes

While the IIJA does not make sweeping policy changes, there are some provisions that will affect federal transportation funding, such as:

- Transportation Infrastructure Finance and Innovation Act (TIFIA) Amendments – The legislation includes changes to the 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 OCTA made to Senator Diane Feinstein (D-San Francisco), a member of the Senate Environment and Public Works Committee. Among the IIJA’s TIFIA streamlining provisions, the bill removes 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 IIJA also extends the statutory timeframe for the inclusion of multiple projects into a TIFIA Master Credit Agreement from the three-year window in current

law to five years, which will allow OCTA to bundle more projects into one TIFIA instrument and maximize savings to taxpayers. Both of these changes are based on policy recommendations made by OCTA.

- **One Federal Decision** – The IIJA codifies the One Federal Decision policy, building off OCTA’s previous advocacy efforts through the Breaking Down Barriers Report and Follow-on Study. The One Federal Decision policy aims to streamline project delivery approvals without undercutting environmental protections, specifically by ensuring the completion of the environmental process within two years of the project sponsor’s original submittal and also encourages federal agencies to issue all applicable authorizations or approvals within 90 days.
- **Buy America Provisions** – The IIJA establishes the Made in America Office within the Office of Management and Budget and requires that each federal agency submit a report on funding programs considered deficient in Buy America compliance. The bill specifies definitions for deficient programs regarding the production of iron and steel, manufactured products, and construction materials, excluding cement, gravel, and aggregate binding agents from the definition of construction materials. Finally, the IIJA requires regulations, within one year, to standardize and simplify how agencies comply with and enforce the Buy American Act.
- **Low or No Emission Vehicles Funding** – In conjunction with the significant funding increase for FTA’s Low or No Emission Vehicle program, the bill requires that at least 25 percent of this funding go towards buses that are not zero-emission technology.
- **Zero-Emission Fleet Transition Plans** – The IIJA requires recipients of FTA’s competitive bus funding, either Low or No Emission Vehicle funding or a Bus and Bus Facilities competitive award, have a zero-emission fleet transition plan.
- **Zero-Emission Bus Workforce Training** – Five percent of FTA funding related to zero-emission buses must be used for workforce training.
- **Coach Operator Safety Provisions** – The bill adds coach operator safety requirements to FTA’s transit safety plans, specifically to include information about driver protection technology, de-escalation trainings, and other safety education efforts. In addition, transit agencies must submit data on coach operator assaults to the National Transit Database.
- **Tolling Provisions** – Any toll facility built after the IIJA’s enactment must allow high-occupancy, transit, and paratransit vehicles to use the tolled

facility at a discount or for free, unless the Secretary of Transportation determines that doing so affects the travel time reliability of the facility.

- **STBG Active Transportation Set-aside** – The bill increases the amount of STBG funding set aside for active transportation purposes and also increases the percentage of the STBG active transportation set-aside distributed by population, from 50 percent in current law to 59 percent. The bill also includes a mechanism allowing up to 100 percent of this funding to be distributed by population if the Secretary approves state plans to do so, pursuant to certain reporting requirements in the bill.
- **CIG Changes** – Aside from doubling the size of the CIG program, the IIJA makes some minor changes to the CIG program. Notably, the bill raises the Small Starts thresholds to \$400 million in total capital cost and \$150 million in CIG share, increases over the \$300 million and \$100 million thresholds, respectively, in current law. The bill also requires a public CIG dashboard that must be placed in an easily identifiable location on the FTA website, similar to the CIG transparency mechanisms OCTA has previously advocated for.
- **Office of Multimodal Freight Infrastructure and Policy** – The bill creates a new office within the Office of the Secretary to plan, fund, and deliver multimodal freight projects. The newly created Office of Multimodal Freight Infrastructure and Policy will administer multimodal freight grants, including those in the Infrastructure for Rebuilding America (INFRA) grant program. While not exactly clear what role this new office will play in grant administration, staff will continue to monitor its impact on INFRA funding or any other discretionary funding program.

Next Steps

In becoming law, the IIJA ushers in the federal transportation policy paradigm for the next five years. The State has already initiated conversations about the implementation of some of the IIJA's provisions. Certain programs, like the bridge program and various climate programs, will likely necessitate either state legislation or significant guideline development, or both, to implement the funding in Orange County and across the State. Staff will continue analyzing the bill language and working with stakeholders to ensure as much of the bill's funding as possible benefits OCTA's projects and programs.

Moreover, the appropriations process will play a role in the delivery of these funds. The IIJA provides three different types of funding – authorizations for mandatory spending from the HTF, funding authorizations subject to the annual appropriations process, and one-time advance appropriations for lump sum increases for specific programs. Transportation stakeholders that OCTA works

closely with have already started to seek clarity from appropriators on the role that annual funding bills might play in affecting the implementation of the IIJA. Staff will continue monitoring these developments as part of its routine updates on the appropriations process.


Finally, Congress is still debating a solution to the statutory debt ceiling, the potential for additional spending via the reconciliation process, and a yearlong funding bill for the current fiscal year. The debt ceiling and current continuing resolution must be acted on by early December. Staff will continue to monitor these negotiations and provide update on any significant developments.

Summary

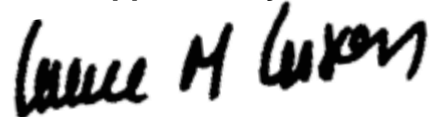
An update is provided on the reauthorization and infrastructure bill passed by Congress.

Attachment

A. Potomac Partners DC, Monthly Legislative Report – October 2021

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Monthly Legislative Report – October 2021

October Advocacy Meetings

Chairman Peter DeFazio (D-OR) – We met with Congressman DeFazio, Chairman of the House Transportation and Infrastructure Committee, again this month to discuss the timeline for passing the Infrastructure Investment and Jobs Act (IIJA) and the Build Back Better Act negotiations in the House. We also discussed the likelihood of a longer surface transportation extension.

Ranking Member Sam Graves (R-MO) – We met with Congressman Graves, Ranking Member of the House Transportation and Infrastructure Committee, and his senior committee staff to discuss the outlook for the IIJA in the House, and the budget reconciliation package negotiations. We also discussed the Committee's planned schedule for December and potential Committee hearings for the rest of the year.

House Ways and Means Committee – We met with senior staff on the House Ways and Means Committee majority and minority this month to discuss an extension of the Alternative Fuels Tax Credit.

Congressman Vern Buchanan (R-FL) – We met with Vern Buchanan and this staff this month to discuss the budget reconciliation process and support for extending the Alternative Fuels Tax Credit.

Office of Senator Joe Manchin (D-WV) – We met with Senator Manchin's senior legislative staff this month to discuss the budget reconciliation process, and the likelihood for an agreement before the end of the calendar year.

Senate Appropriations Committee – We met with Majority and Minority staff directors for the Senate Appropriations Committee this month to discuss FY22 appropriations. We discussed the timeline for an omnibus spending package, or set of minibuses packages, and the likelihood that Congress will pass another Continuing Resolution (CR) to extend government funding through the end of the calendar year.

Congressman Garret Graves (R-LA) – We followed-up with Congressman Garret Graves, another senior T&I Member, this month to discuss the outlook and timing of the infrastructure package in the House.

Congressman Lou Correa (D-CA) – We continued to meet with Congressman Correa and his staff this month to discuss FY22 appropriations, IIJA, and key budget reconciliation provisions for transportation.

Office of Congresswoman Katie Porter (D-CA) – We met with senior staff in the Office of Katie Porter to discuss zero emission bus legislation. We also discussed the Administration’s climate goals and possible new funding for transit providers that are pursuing those goals.

Office of Congressman Alan Lowenthal (D-CA) – We met with Congressman Lowenthal’s senior staff to discuss House negotiations and the revised budget reconciliation bill. We also discussed the outlook of the IIJA in November and Democratic caucus negotiations on topline budget reconciliation spending.

Office of Congressman Mike Levin (D-CA) – We have been in contact with Congressman Levin’s office to discuss the infrastructure package, and the budget reconciliation process. We also discussed the FY22 appropriations bills and the likelihood they will be packaged into an omnibus with other items like a debt ceiling increase.

Office of Congresswoman Linda Sanchez (D-CA) – We met with Congresswoman Sanchez’s staff this month to discuss FY22 appropriations and the budget reconciliation negotiations in the Democratic caucus.

Office of Congressman Pete Aguilar (D-CA) – We met with Congressman Aguilar and his senior staff to discuss FY22 appropriations and the timeline for conference negotiations with the Senate. We also discussed the likelihood of another CR if negotiations are not completed by December 3rd.

Office of Congresswoman Young Kim (R-CA) – We met with Congresswoman Kim’s senior staff to discuss the FY22 appropriations process and the likelihood of GOP support for the IIJA in the House, which could bypass progressive opposition.

Office of Senator Dianne Feinstein (D-CA) – We met with Senator Feinstein’s office to discuss the timeline for FY22 appropriations in the Senate. We also discussed budget reconciliation negotiations and the projected timeline for an agreement.

Office of Senator Alex Padilla (D-CA) – We have been in contact with Senator Padilla’s senior transportation staff to discuss on going updated for the budget reconciliation process.

DOT Intergovernmental Affairs – We met with senior Intergovernmental Affairs Official at the Department of Transportation in person this month to discuss potential discretionary grant opportunities for 2022. During that discussion we were told that a top priority for DOT at this time is supply chain issues.

November Congressional Schedule & FY22 Appropriations

In October, the House was in session for a total of 15 days. During this period, the House Democratic Caucus was primarily focused on negotiating an agreement to pass the Infrastructure Investments and Jobs Act (IIJA) and the budget reconciliation package.

In November, there are 13 legislative session days in the House before Friday, December 3rd. On December 3rd, the current CR that extended funding for the federal government will

expire, along with the Surface Transportation Extension. Congress will also need to raise the debt ceiling again before the end of the year, since the limited extension in mid-October did not provide for a long-term debt ceiling increase. The priority for House and Senate Democrats will continue to be Budget Reconciliation negotiations, which are taking place exclusively behind closed doors. As a consequence, FY22 appropriations may need to be extended with another CR at the end of November if budget reconciliation continues to dominate the legislative agenda.

On Monday, October 18th, the Senate Appropriations Committee Democrats released the texts, summaries, and committee reports of the nine remaining appropriations bills. Overall, the draft bills would provide a 13% increase in non-defense discretionary spending, and a 5% increase for defense programs. Increasing defense spending by 5%. Republicans released a statement shortly after the bill texts were posted opposing the bills, citing a number of “poison pills” like insufficient spending for Defense and the removal of the Hyde Amendment. Now that the Senate has released the text of their FY22 appropriations bills, the Committee is expected to begin an expedited approval/markup that may circumvent subcommittee hearings in some or all cases. A topline summary of all nine bills prepared by the Senate Democrats is available [HERE](#).

The legislative text, explanatory statement, and a summary for each of the newly released FY22 appropriations bills is included below. Congressionally Directed Spending (earmarks) can be found in the explanatory statements.

1. Transportation, Housing and Urban Development, and Related Agencies

- [Bill Text](#)
- [Explanatory Statement](#)
 - Includes Senator Feinstein’s request for \$750,000 to fund the West Santa Ana Branch High Capacity Transit Study.
- [Bill Summary](#)

2. Commerce, Justice, Science, and Related Agencies

- [Bill Text](#)
- [Explanatory Statement](#)
- [Bill Summary](#)

3. Defense

- [Bill Text](#)
- [Explanatory Statement](#)
- [Bill Summary](#)

4. Financial Services and General Government

- [Bill Text](#)
- [Explanatory Statement](#)
- [Bill Summary](#)

5. Homeland Security

- [Bill Text](#)
- [Explanatory Statement](#)
- [Bill Summary](#)

6. Interior, Environment, and Related Agencies

- [Bill Text](#)
- [Explanatory Statement](#)
- [Bill Summary](#)

7. Labor, Health and Human Services, Education, and Related Agencies

- [Bill Text](#)
- [Explanatory Statement](#)
- [Bill Summary](#)

8. Legislative Branch

- [Bill Text](#)
- [Explanatory Statement](#)
- [Bill Summary](#)

9. State, Foreign Operations, and Related Programs

- [Bill Text](#)
- [Explanatory Statement](#)
- [Bill Summary](#)

Budget Reconciliation & Infrastructure Bill

With the FAST Act's surface transportation extension expiring on October 31st, House Democrats released a revised framework of the budget reconciliation bill on October 28th, and announced plans to vote on the *Infrastructure Investments and Jobs Act (IIJA)* that night. However, House progressives remained opposed to passing the infrastructure package until both bills could be passed simultaneously. As a result, the House passed another short-term FAST Act extension by a vote of 358-59. The Senate agreed by unanimous consent to deem the measure passed once received. The extension will last until December 3rd (text [here](#)).

Budget Reconciliation

As mentioned above, on October 28th, President Biden unveiled a revised Build Back Better Framework (available [here](#)), representing a significantly pared down version of the \$3.5 trillion reconciliation bill initially drafted by the House Committees. The updated text available is available [here](#) and a section-by-section summary is available [here](#).

The Rules Committee met for five hours to debate the updated bill text, although Committee Chairman Jim McGovern (D-MA) acknowledged that the bill text was likely to change and as such the Committee would reconvene the first week of November for further debate.

Of particular note, the framework released by the White House omitted several policy/funding proposals sought by the Progressive Caucus, including funding for tuition-free community college, paid family and medical leave, the Clean Energy Production Program (CEPP), Medicare expansion to include dental and vision, and infrastructure for public schools. The framework also includes reduced funding levels for housing, home healthcare, and higher education, and workforce development programs. A large majority of spending would be used for six years of affordable childcare as well as universal pre-K for 3- and 4-year-olds. Clean energy and climate investments would also make up a bulk of the

bill, including \$320 billion for clean energy tax credits, \$105 billion in investments to address extreme weather and climate resilience, \$110 billion for clean energy technology, manufacturing and supply chain investments, and \$20 billion for clean energy procurement. The framework would also extend the Affordable Care Act (ACA) premium tax through 2025 and make it available to individuals in uncovered states, as well as extend the enhanced Child Tax Credit (CTC) for one year (instead of through 2025 as proposed in House Democrats reconciliation bill), with advance payments available to individuals who make up to \$75,000 per year, heads of household who earn up to \$112,500 and married couples filing jointly with up to \$150,000 in income. Those income levels would also be used to determine when the credit would begin to phase-out.

On the issue of pay-fors, the White House contends that the framework would be fully paid for, despite dropping the proposed 26.5% top corporate tax rate, the individual income rate of 39.6% starting at \$400,000, and savings from drug pricing negotiations. Instead, those policies were replaced with a 15% corporate minimum tax rate on large corporations, a 1% surcharge on corporate stock buybacks, a new surtax on multi-millionaires and billionaires, and closing the Medicare self-employment tax loophole for those making over \$400,000. The framework would still invest in Internal Revenue Service (IRS) enforcement and repeal the prescription drug rebate rule. A summary of the potential overall spending, the (unscored) offset estimates, and some notable provisions that being negotiated at the time of this report are included below:

Build Back Better Act - Spending	\$ In Billions
Child Care and Preschool	400
Home Care	150
Child Tax & Earned Income Tax Credits	200
Clean Energy and Climate Investments	555
ACA Credits, Including in Uncovered States	130
Medicare Hearing	35
Housing	150
Higher Ed and Workforce	40
Equity & Other Investments	90
Total	1,750
<i>Immigration</i>	<i>100</i>

Unscored Offset Estimates	\$ In Billions
15% Corporate Minimum Tax on Large Corporations	325
Stock Buybacks Tax	125
Corporate International Reform to Stop Rewarding Companies That Ship Jobs and Profits Overseas	350
AGI Surcharge on the Top 0.02%	230
Close Medicare Tax Loophole for Wealthy	250
Limit Business Losses for the Wealthy	170
IRS Investments to Close the Tax Gap	400
Prescription Drugs: Repeal Rebate Rule	145
Up to a Total of:	1,995

Affordable Housing Access Program (HUD & FTA)

- \$10 billion – Department of Housing and Urban Development & Federal Transit Administration.
 - To support access to affordable housing and enhance mobility for low-income individuals and residents of disadvantaged or persistent poverty communities.
 - Funds will be administered through a competitive process jointly established by the HUD and the FTA to support projects that provide
 - access to affordable housing,
 - improve mobility for low-income riders, and
 - enhance access to job and educational opportunities and community services.
 - Funds provided under the program will support the establishment of new transit routes; the expansion of service areas; improved frequency on existing routes; the provision of fare-free and reduced-fare transit service; state of good repair for transit facilities; research and training activities; route planning; and projects to improve accessibility.

Passenger Rail Improvement, Modernization, and Emissions Reduction Grants.

- \$10 billion for high-speed rail corridor assistance under Chapter 261 of Title 49, supporting the planning and development of public high-speed rail projects.

Advanced Technology Vehicle Manufacturing.

- \$3 billion to the Secretary of Energy for the costs of providing direct loans under Energy Independence and Security Act section 136, known as the Advanced Technology Vehicles Manufacturing program.
- To produce advanced technology medium and heavy-duty vehicles, trains or locomotives, maritime vessels, aircraft, or hyperloop technology.
- This section also removes the cap on the amount of direct loans the Secretary can issue under this program.

Department of Transportation Climate Adaptation and Resilience Plan

On October 7th, the Department of Transportation released a climate adaptation and resilience plan aimed at “ensuring that Federally supported transportation infrastructure—as well as USDOT programs, policies, and operations— both consider climate change impacts and incorporate adaptation and resilience solutions whenever possible.”

Among the priorities included in the USDOT Climate Adaptation and Resilience Plan:

- Incorporate resilience into USDOT grantmaking programs
- Enhance resilience through the project planning and development process
- Ensure resiliency of USDOT facilities and thousands of operational assets

- Ensure climate-ready services and supplies
- Improve climate education and research on resilience

This plan was directed by Executive Order 14008 on January 28th, 2021. The EO directs 23 federal agencies to develop an adaptation and resilience plan to address their most significant climate risks. All 23 plans can be found [here](#).

COVID-19 Public Health Emergency Extended

The Department of Health and Human Services (HHS) Secretary Becerra extended the COVID-19 public health emergency for an additional 90 days. Many healthcare programs, regulatory streamlining provisions, and other programs that provide targeted funding flexibilities to state and local governments are set to expire at the end of the Public Health Emergency. Congressional leaders and the Administration would like to extend some of the more popular elements of those programs beyond the emergency designation and the extra 90 days will allow time for Congress to act.

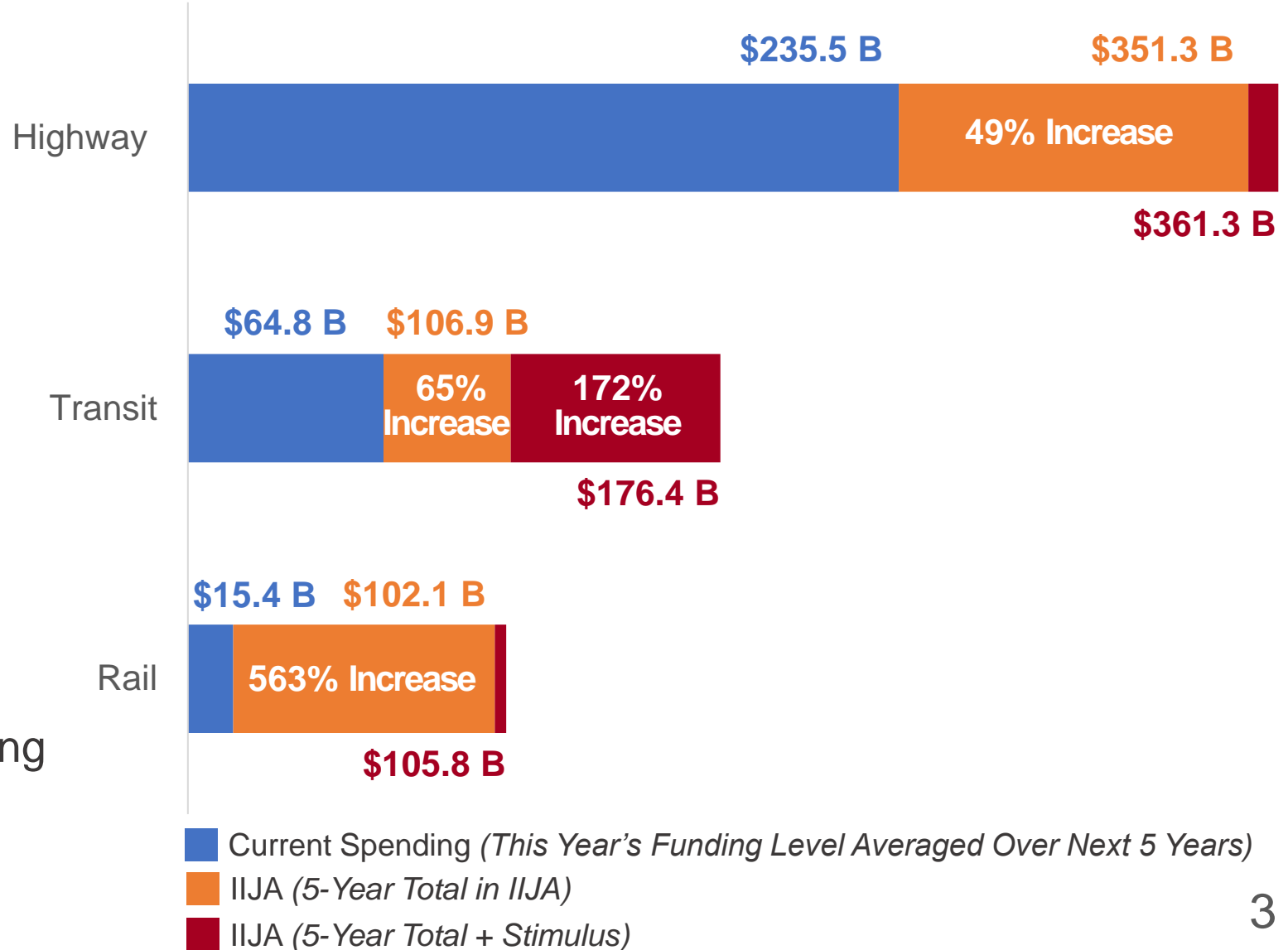
Federal Legislative Status Report



Infrastructure Investment and Jobs Act (IIJA)

IIJA Funding Overview

- \$1.2 trillion over 5 years
- \$550 billion in new spending
- Approximately \$567 billion for transportation programs
- Over 5 years, California will receive:
 - \$9.45 billion in transit funding
 - \$29.96 billion in highway funding





\$62.8 Billion Formula Funding for Urban Transit Systems

- In addition to the \$62.1 B in formula transit funds for urban systems provided by the three stimulus bills



\$43.5 Billion for Intercity Rail Service

- In addition to Amtrak funding increases
- Total rail investment=last 18 years of funding



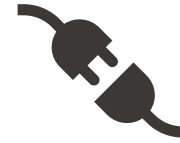
\$40 Billion Bridge Program

- Third largest federal highway program



\$23 Billion for the Capital Investment Grants (CIG) Program

- Doubles size of the program



\$5.6 Billion for Low or No-Emission (Low-No) Bus Grant Program

- Compared to \$275 million in previous bill



\$118 Billion General Fund Transfer

- No long-term Highway Trust Fund solution



New Programs

- \$15 billion – climate programs
- \$7.5 billion – electric vehicles
- \$5 billion – “megaprojects”
- \$1 billion – community connectivity pilot program



TIFIA

- Removes secured loan requirements on future loans
- Extends Master Credit Agreement timeframe to 5 years



Active Transportation

- Increased suballocation authority



Codifies One Federal Decision

- Streamlines environmental approvals



Buy America

- Potentially creates changes for certain parts of the transportation supply chain



CIG Changes

- Raises Small Starts thresholds to \$400 million total cost & \$150 million CIG share
- Establishes CIG dashboard



National Transit Database

- Transit agencies must submit coach operator assault data



Zero-Emission Bus (ZEB) Policies

- At least 25% of Low-No funding must go toward non-ZEBs
- 5% of FTA funding must be used for workforce training
- Required ZEB fleet transition plan, similar to California law



November 18, 2021

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Orange County Transportation Authority's 2021-22 State and Federal Legislative Platforms

Overview

Halfway through each legislative session, staff conducts a refresh to the Orange County Transportation Authority's State and Federal Legislative Platforms to ensure updates are provided on relevant issues that are anticipated to be of discussion for the upcoming year. The final drafts of the revised 2021-22 Orange County Transportation Authority State and Federal Legislative Platforms are submitted for consideration and adoption by the Orange County Transportation Authority Board of Directors.

Recommendations

- A. Adopt the revised final draft of the 2021-22 State and Federal Legislative Platforms.
- B. Direct staff to distribute the adopted platforms to elected officials, advisory committees, local governments, affected agencies, the business community, and other interested parties.

Background

At the beginning of each legislative session, the Orange County Transportation Authority (OCTA) adopts updated legislative platforms to guide OCTA's state and federal advocacy activities for the duration of the upcoming session. With each session covering a two-year period, revisions to the legislative platforms are presented to the Board of Directors (Board) midway through the sessions to reflect any significant changes since adoption by the Board. Official OCTA legislative positions not directly addressed by the legislative platforms will be brought to the Board for separate action during the legislative sessions.

The initial drafts of the 2021-22 State and Federal Legislative Platforms were reviewed and approved for further circulation by the Legislative and

Communications Committee on October 21, 2021, and by the Board on October 25, 2021. After receiving additional feedback, the State and Federal Legislative Platforms have been refined further and are included as Attachments A and B. The recommended revisions are designated by italicized and strikethrough text.

When developing the 2023-24 State and Federal Legislative Platforms next year, a more widespread input solicitation process will occur, with outreach to interested groups, stakeholders, and individuals to allow for a more comprehensive update for the next legislative session.

2021-22 OCTA State Legislative Platform

The final proposed revisions to the 2021-22 OCTA State Legislative Platform are summarized below. Language was edited, amended, or removed as necessary to ensure grammatical and stylistic integrity.

- A principle is recommended to be added under the section entitled, "Transportation Funding" related to project delivery and funding for the 2028 Olympic and Paralympic Games in Los Angeles (Olympics). For context, this year, the Governor and the Legislature proposed additional transportation funding to be funneled through the Transit and Intercity Rail Corridor Program for rail and transit priority projects to support the Olympics. However, this funding did not materialize because it was contingent on subsequent legislation to provide further details on how this funding would be administered. No legislation to take such action was introduced because the Administration and the Legislature were unable to come to an agreement on a funding plan for the California High-Speed Rail Authority. It is anticipated that further negotiations will take place to finalize details for this additional transportation funding throughout the fall and into early next year. OCTA should remain engaged in these conversations to ensure its projects are considered for funding and any streamlined project delivery solutions.
- Subsection (h) of the section entitled, "Fiscal Reforms and Issues," is recommended to be added relating to supporting extensions of sales tax incentives for zero-emission buses. AB 784 (Chapter 684, Statutes of 2019) authorized a sales and use tax exemption for zero-emission transit buses until January 1, 2024. In 2022, it is anticipated that the California Transit Association will sponsor legislation to extend the sunset date of this exemption. This will result in cost savings to OCTA in its effort to comply with the Innovative Clean Transit regulation that requires transit agencies to transition their fleets to zero emission.

-
- Revisions to subsection (b) of the section entitled, "Roads and Highways," are included to add progressive design build (PDB) as an alternative delivery method OCTA could support for future transportation projects. PDB is a delivery method where the contractor and their designer are brought in early to progress the design of a project from approximately 30 percent to around 95 percent. This allows for the contractor to have an opportunity to better understand the details of the project and prepare risk mitigation strategies.
 - The addition of a principle is recommended as subsection (m) of the section entitled, "Roads and Highways," regarding opposing burdensome procurement practices, including those that may conflict with federal requirements. As a public agency, OCTA has a duty to the taxpayers of Orange County to deliver multi-modal transportation improvements. It is anticipated there will be further discussions next year regarding additional requirements being placed on transportation infrastructure-related contracts that may require local agencies to weigh contracts differently, interfering with local control. OCTA must engage to ensure these do not contradict federal procurement laws or the ability for transportation agencies to receive competitive bids.
 - Subsection (f) of the section entitled, "Goods Movement," is proposed to be added relating to existing supply chain concerns. On October 20, 2021, the Governor issued Executive Order N-29-21. This executive order is intended to ease shipping logjams by strengthening the transportation network and supporting improved goods movement. While OCTA supports the Governor's direction to use existing legal and financial authority to expedite transportation projects to address these supply chain issues, it is anticipated more actions will be pursued next year. To that end, OCTA should advocate for projects to be considered for streamlined project delivery and preferential funding in an effort to improve goods movement.
 - Per input received from the Board, revisions were made to subsection (b) of the section entitled, "Active Transportation," in order to include flood channels as an area to promote creative use of bicycle trails and pedestrian paths. This should be done in conjunction with local entities who have jurisdiction over those properties to ensure feasibility.
 - Revisions were made to subsection (c) of the section entitled, "Active Transportation." This principle has been updated to reflect ongoing conversations related to the safe operation of electric bicycles on Orange County's multimodal system. OCTA has already prepared materials and safety videos related to electric bicycles, but it may be of

interest to support future funding as well as programs or policies that encourage safety throughout the transportation network, especially with emerging technologies like electric bicycles.

Sponsor Bills

OCTA often encounters specific legislative issues requiring sponsor legislation, prompting OCTA to take the lead in developing legislative language and securing an author. Staff is currently exploring the need for any potential sponsor bills that may be useful for the remainder of the session. Staff is recommending that should any need arise for a sponsor bill, it be considered by the Board through committee at a later date.

2021-22 OCTA Federal Legislative Platform

At the time of drafting the final revisions to the Federal Legislative Platform, the timing and direction of any action by Congress to reauthorize transportation funding was not clear; and therefore, revisions to the reauthorization principles were not made. However, on November 5, 2021, Congress approved the \$1.2 trillion bipartisan infrastructure bill, also known as the Infrastructure Investment and Jobs Act. Staff is currently evaluating its impacts and will bring amended principles to the Board to outline OCTA's priorities for implementation of such at a later date. Otherwise, the following edits were made:

- The addition of a principle under the section entitled, "Transportation Funding," is included to support funding and policies for OCTA's projects relating to the Olympics is recommended. Similar to the principle in the State Legislative Platform, OCTA anticipates the federal government will discuss the potential of providing supplemental funding or project delivery tools to prepare the Southern California region for the Olympics in 2028. Using this principle can help ensure OCTA's projects and programs are eligible within these funding streams or project authorities.
- A principle is recommended to be added under the section entitled, "Transportation Funding," to address existing state suballocation formulas. As any conversation takes place to potentially alter longstanding formula distribution practices within the state, OCTA should advocate to maintain existing state suballocation formulas so that it receives its current formula share of federal funding.
- Revisions to the description of the FAST Act are included to accommodate for the evolving nature of the status of reauthorization. It is currently unknown how long the FAST Act will remain extended.

Summary

The 2021-22 OCTA State and Federal Legislative Platforms are presented for consideration and adoption. Staff may return after further vetting the necessity for a sponsor bill and with amendments to the State and Federal Legislative Platforms depending on future action taken by the federal government.

Attachments

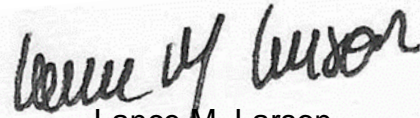
- A. Final Draft Orange County Transportation Authority 2021-22 State Legislative Platform
- B. Final Draft Orange County Transportation Authority 2021-22 Federal Legislative Platform

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Final Draft Orange County Transportation Authority 2021-22 State Legislative Platform

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

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

Key Policy Issues in 2021-22

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

- a) Support transportation funding investments and policy flexibilities that allow OCTA to provide essential, multimodal mobility improvements and services in order to meet the mobility needs of Orange County;
- b) Encourage policies and guidance that restore and increase public transit ridership;
- c) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serve all residents of Orange County;
- d) Support flexibility in the application of "disadvantaged" and "low-income" communities to ensure that transportation funding flows to each region's most impacted areas, allowing OCTA to best meet the needs of its local communities;
- e) Support efforts to maximize OCTA's share of transportation and transit funding, especially through distribution formulas and more equitable competitive funding processes;
- f) Oppose linking or reprioritizing local and state transportation funding to programs not primarily intended to help the State meet its transportation needs;
- g) Support efforts to maintain the promises self-help counties have made to taxpayers in the implementation of local sales tax measures, specifically regarding the sequencing and delivery of transportation improvements;

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- h) Support funding and incentives to develop free- or reduced-fare transit pilot programs that comply with all statutory and regulatory requirements, in order to encourage an increase in transit ridership;
- i) Support policies that encourage ridesharing, teleworking, vanpool, and related congestion relief programs for Orange County commuters;
- j) Support workforce development and training policies that allow OCTA to hire and retain personnel ready to implement the next generation of mobility.

I. IMPLEMENTATION OF ENVIRONMENTAL POLICIES

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

- a) Support efforts to ensure local flexibility in meeting the goals of the State's greenhouse gas reduction initiatives, including the creation of incentive-based measures and grant programs to assist with compliance;
- b) Support the creation of formula-based cap-and-trade programs, including maintaining ongoing appropriations for transit, and the prioritization of cap-and-trade funding for transportation projects that achieve greenhouse gas emission reduction;
- c) Support streamlined environmental review and permitting processes for transportation projects and programs to avoid potentially duplicative and unnecessary analysis, while still maintaining traditional environmental protections;
- d) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements;
- e) Monitor the State's transition to zero-emission vehicle technology to ensure that any corresponding policies adequately address the impact to long-term transportation funding stability;
- f) Oppose lengthening the California Environmental Quality Act process in a manner that would delay mobility improvements;
- g) Oppose efforts to restrict road construction by superseding existing broad-based environmental review and mitigation processes;

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- h) Oppose policies that would limit lead agency discretion in the management and oversight of lands set aside for environmental mitigation purposes while promoting advance mitigation planning programs.

II. TRANSPORTATION FUNDING

As the Legislature continues to navigate the economic recovery post the coronavirus (COVID-19) pandemic, OCTA will monitor the status of transportation funding in California, promoting the continued stability of existing programs and efforts to address future funding deficiencies to meet transportation infrastructure needs. As a proven method to help rebuild the economy through investments in vital transportation infrastructure projects and critical transit services, OCTA will also work to promote methods of expediting such projects to allow for such stimulus.

Furthermore, there have been two Executive Orders that will impact OCTA's programs and services, which will be closely monitored to ensure that transportation funds are used for their intended purposes. First, Executive Order N-79-20 requires all passenger vehicles and light trucks sold in California to be zero-emission by 2035, and the same for medium- and heavy-duty trucks by 2045. And secondly, Executive Order N-19-19, directed the California State Transportation Agency to review requirements for discretionary transportation investments to ensure consistency with state emission reduction goals. As a result, the State developed the Climate Action Plan for Transportation Infrastructure which detailed recommendations for administering state funds related to transportation in a way that helps the State reach its goals related to climate change. Key actions to continue to inform the State's goals include:

- a) Oppose unfunded mandates for transportation agencies, transit providers, and local governments in providing transportation improvements and services;
- b) Oppose cost shifts or changes in responsibility for projects funded by the State to the local transportation entities;
- c) Support efforts to treat the property tax of single-county transit districts the same as multi-county districts and correct other Educational Revenue Augmentation Fund inequities between like agencies;
- d) Support the constitutional protection of all transportation funding resources;
- e) Support protecting or expanding local decision-making in programming transportation funds;
- f) Oppose efforts to reduce local prerogative over regional program funds;
- g) Support efforts to involve county transportation commissions in the development and prioritization of State Highway Operation and Protection Program projects;

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- h) Oppose redirecting or reclassifying transportation revenue sources, including earned interest, for anything other than their intended purposes;
- i) Support the implementation of federal transportation programs in an equitable manner that promotes traditional funding levels, programming roles, and local discretion in allocation decisions;
- j) Oppose policies that significantly increase costs, threatening OCTA's ability to deliver projects and provide transit service;
- k) Support removing the barriers for funding transportation projects, including allowing local agencies to advance projects with local funds when state funds are unavailable due to budgetary reasons, and allowing regions to pool federal, state, and local funds in order to limit lengthy amendment processes and streamline project delivery time-;
- l) *Seek to ensure OCTA's projects and programs related to the 2028 Olympic and Paralympic Games in Los Angeles are eligible for any related funding incentives and project delivery tools.*

III. FISCAL REFORMS AND ISSUES

In recent years, the Legislature and Governor have worked collaboratively during the budget process to pass funding bills in a timely manner. While the State enjoyed an unprecedented budget surplus in fiscal year 2021-22, uncertainties over future funding levels remain. . Therefore, OCTA will:

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

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- e) Support policies that ensure all users of the State's transportation system pay their "fair share" to maintain and improve the system;
- f) Support efforts to restore equity with regards to the generation and disbursement of sales tax revenues that support the Local Transportation Fund;
- g) Support the retention of existing and future local revenue sources-;
- h) *Support the extension of the state sales tax exemption for the purchase of zero-emission buses.*

IV. STATE TRANSPORTATION IMPROVEMENT PROGRAM

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

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

V. TRANSIT PROGRAMS

OCTA will continue with its focus on providing safe, reliable, and efficient transit services in Orange County. While state transit funding has recently become more stable, future demand increases due to environmental regulations and increased fuel prices may put

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further strain on existing resources. Thus, OCTA will make every effort to minimize additional state obligations to transit operations which lack a sufficient and secure revenue source. To that end, OCTA will focus on the following:

- a) Advocate for a continued strong state role in providing funding for transit operations rather than shifting responsibility to local transportation entities. No additional requirements should be created for operation levels beyond existing capacity, unless agreed to by that entity or otherwise appropriately funded;
- b) Support the implementation of the Transportation Development Act flexibilities enacted as a result of impacts from the COVID-19 pandemic while continuing to seek improvements to eligibility parameters and administrative rules to eliminate any unnecessary or overly burdensome mandates in order to streamline the administration of transit funding;
- c) Flexibility should be included in state transit funding sources, allowing transit operators to use the funding for both operations and capital expenditures;
- d) Support efforts to mitigate costs associated with the development, testing, purchase, and operation of zero-emission transit buses, including an alternative electricity rate structure, tax incentives, and other forms of financial assistance;
- e) Seek additional funding for paratransit operations and transit accessibility capital improvements that support persons with disabilities and senior citizens;
- f) Support efforts to encourage and incentivize the interoperability of transit and rail systems within California;
- g) Support limiting the liability of transit districts for the location of bus stops (*Bonanno v. Central Contra Costa Transit Authority*);
- h) Support the citing of transit-oriented development projects (i.e., authorize extra credit towards housing element requirements for these developments), including incentives for development;
- i) Support policies that aim to enhance transit services and the overall safety and security of transit riders, coach operators, and on-road vehicles.

VI. ROADS AND HIGHWAYS

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

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- a) Oppose the creation of a conservancy that would inhibit the delivery of transportation projects under study or being implemented in the region;
- b) Support new and existing alternative project delivery methods, such as design-build, public-private partnership authority, ~~and~~ construction manager/general contractor authority, *and progressive design build*, through expanding mode and funding eligibility while also allowing the appropriate balance of partnership between the State and local agencies;
- c) Support authorizing local agencies to advertise, award, and administer contracts for state highway projects;
- d) Oppose duplicative reporting mandates and efforts to impose additional requirements, beyond what is required in statute, on lead agencies awarding contracts using alternative project delivery mechanisms;
- e) Support streamlining of the Caltrans review process for projects, simplification of processes, and reduction of red tape, without compromising environmental safeguards;
- f) Support administrative policy changes to lower the oversight fee charged by Caltrans to ensure that project support costs are equivalent whether the project is administered by Caltrans or a local agency;
- g) Support policies that improve signal synchronization programs in order to facilitate street signal coordination, prioritization, and preemption, as well as encouraging the use of intelligent transportation system measures;
- h) Support the expanded utilization of continuous access of high-occupancy vehicle (HOV) lanes;
- i) Monitor efforts to increase fines for HOV lane violations and, if implemented, ensure fines are dedicated to enforcement purposes;
- j) Support the equitable enforcement of regulations governing transportation network companies;
- k) Support studying the development and safe operation of autonomous vehicles and related technologies;
- l) Support preserving local discretion and flexibility in the development of the congestion management program-;
- m) *Oppose policies that create undue burden on transportation procurement practices and those that conflict with federal compliance requirements.*

VII. ROLES AND RESPONSIBILITIES

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

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

VIII. 91 EXPRESS LANES/MANAGED LANES

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

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

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

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

IX. RAIL PROGRAMS

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

In addition to Metrolink services, Orange County is also served by the state-supported Pacific Surfliner intercity passenger rail service traveling between San Luis Obispo

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and San Diego. The Pacific Surfliner is operated by Amtrak and managed by the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency (LOSSAN Agency). OCTA has served as the managing agency for the LOSSAN Agency since 2013 and assumed full administrative and management responsibility for the Pacific Surfliner service in June 2015 via an interagency transfer agreement with the State. OCTA continues to serve in this capacity, providing all necessary administrative support to the LOSSAN Agency.

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

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

X. GOODS MOVEMENT

The Ports of Los Angeles and Long Beach, the nation's two busiest ports, are vital to California's economy and the surrounding region because goods are shipped to and through the surrounding counties. While the State's goods movement system is the most robust in the nation, it is continually challenged by competing goods movement systems in other states. In order to continue to compete and engage in the global marketplace, California must continue to enhance its goods movement system, while at the same time

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be cognizant of taking the necessary actions to mitigate any negative impacts to local communities. Key positions include:

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

XI. ACTIVE TRANSPORTATION

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

- a) Support policies to increase the visibility and safety of users engaged in active transportation;
- b) Support creative use of paths, roads, *flood channels*, and abandoned rail lines using existing established rights-of-way to promote bike trails and pedestrian paths, *in coordination with any local agency with jurisdiction over those properties*;
- c) Support *funding and programs* or policies that encourage the safe ~~interaction and~~ operation of *an* integrated multi-modal systems, *which includes the interaction between including* roadways, rail lines, bikeways, and pedestrian ways, and the users of those facilities, *such as those utilizing electric bicycles*;
- d) Support streamlined active transportation funding programs;

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

XII. ADMINISTRATION/GENERAL

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

- a) Oppose policies adversely affecting OCTA's ability to efficiently and effectively contract for goods and services, conduct business of the agency, and limit or transfer the risk of liability;
- b) Support efforts to provide greater protection of OCTA's computer and information security systems;
- c) Support establishing reasonable liability for non-economic damages in any action for personal injury, property damage, or wrongful death brought against a public entity based on principles of comparative fault;
- d) Support consistent campaign contribution limits as applied to both elected and appointed bodies;
- e) Monitor proposed changes related to the Ralph M. Brown Act, and other statutes governing public meetings, including the expanded use of technology.

XIII. EMPLOYMENT ISSUES

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

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

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- e) Support workforce development policies that facilitate a more efficient talent acquisition process.

XIV. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS

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

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

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

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

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

Key Policy Issues in the 117th Congress

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

- a) Support transportation funding investments and policy flexibilities that allow OCTA to provide essential, multimodal mobility improvements and services in order to meet the mobility needs of Orange County;
- b) Encourage policies and guidance that restore and increase public transit ridership;
- c) Enact and implement long-term surface transportation reauthorization legislation that provides sustainable funding levels for transportation programs in order to meet our county's critical infrastructure needs;
- d) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serves all the residents of Orange County;
- e) Seek responsible revenue solutions to fund future transportation projects without adversely affecting an agency's ability to provide services;
- f) Advocate for full funding of transportation programs without placing new limitations or conditions on the distribution of funds that would impede the delivery of infrastructure projects;
- g) Ensure that funding for any new infrastructure initiatives does not replace or adversely affect existing transportation programs;

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- h) Ensure that Highway Trust Fund (HTF) revenues continue to be used for transit expenditures;
- i) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements;
- j) Support policies that encourage ridesharing, teleworking, vanpool and related congestion relief programs for Orange County commuters;
- k) Support efforts to clarify roles and responsibilities related to toll enforcement policies to allow for interoperability between toll facilities while affirming user privacy;
- l) Support funding and incentives to develop free- or reduced-fare transit pilot programs, that comply with all statutory and regulatory requirements, in order to encourage an increase in transit ridership.

I. TRANSPORTATION FUNDING

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

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

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

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- f) Support funding for regional and intercity passenger rail corridors in California;
- g) Support funding to develop bus maintenance training information for the transit agencies;
- h) *Seek to ensure OCTA's projects and programs related to the 2028 Olympic and Paralympic Games in Los Angeles are eligible for any related funding incentives and project delivery tools;*
- i) *Monitor the distribution of federal formula funding in order to ensure that existing state suballocation processes are utilized.*

II. REAUTHORIZATION PRIORITIES

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

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

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

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- h) Ensure fair suballocations of funding to account for additional costs, increased administrative responsibilities, and the potential for increased liabilities to which the agency may be subject;
- i) Support efforts to ensure that all users of the national transportation system pay their “fair share” to maintain and improve the system;
- j) Oppose limitations or other arbitrary conditions on discretionary transportation grant programs that prevent an equitable distribution of transportation resources;
- k) Support efforts to clarify roles for state and local transportation agencies, as well as for the private sector, in developing innovative approaches to improving mobility;
- l) Encourage policies on the planning, delivery, and operation of tolling projects that are aligned with the flexibility provided in California State law;
- m) Support additional funding flexibility to facilitate the use of alternative mobility providers;
- n) Support policies to encourage the safe development, demonstration, deployment, and operation of connected and automated vehicle technologies;
- o) Support a collaborative approach to understanding the capital infrastructure and operational needs of local and state transportation agencies, as well as those of private sector partners, in the testing and deployment of autonomous vehicles and related technologies;
- p) Oppose rescissions or other arbitrary funding cuts to transportation programs.

III. IMPLEMENTING FEDERAL TRANSPORTATION PROGRAMS

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

- a) Oppose any effort to further reduce transportation funding for OCTA or California, advocating for a fair and equitable share;
- b) Pursue continued eligibility of Congestion Mitigation Air Quality program funding for three-to-five years of operating expenses associated with any fixed-guideway or eligible bus projects;

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

IV. FISCAL REFORMS AND ISSUES

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

- a) Oppose policies that would divert revenues generated by locally-approved sales taxes to programs and projects that are not included in the sales tax ordinance;

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

V. RAIL PROGRAMS

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

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

Other rail systems could also travel through Orange County at some point in the future, including additional intercity rail service. OCTA will continue to monitor the

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development of additional service to ensure that it does not adversely affect other transportation funding sources. Other rail policy priorities include the following:

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

VI. GOODS MOVEMENT

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

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

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- e) Support local control of goods movement infrastructure and freight mobility projects;
- f) *Support additional funding and policy reforms to aid in expediting transportation projects to address supply chain concerns.*

VII. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS

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

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

VIII. ENVIRONMENTAL AND ENERGY ISSUES

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

- a) Seek opportunities to expedite and improve the efficiency of the environmental process without impairing substantive environmental requirements;
- b) Seek funding to meet state and local environmental quality requirements, including requirements for zero-emission buses, alternative fueling stations, and future greenhouse gas reduction requirements;

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- c) Support the continuation and expansion of tax incentives for using compressed natural gas, hydrogen, and other zero-emission transit fuels;
- d) Monitor proposals to address the environmental impacts of greenhouse gases to ensure that any new environmental requirements are accompanied by additional funding necessary to implement those requirements;
- e) Support expedited review for project development, right-of-way acquisition, and construction activities;
- f) Ensure adequate flexibility in the application of resiliency, natural infrastructure, or other climate-related policies to the delivery of mobility improvements, as opposed to mandates that would constrain transportation resources;
- g) Monitor policies regarding zero-emission transit fuels to ensure they remain technology neutral.

IX. REGULATORY REQUIREMENTS

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

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

Attitudinal and Awareness Survey Results

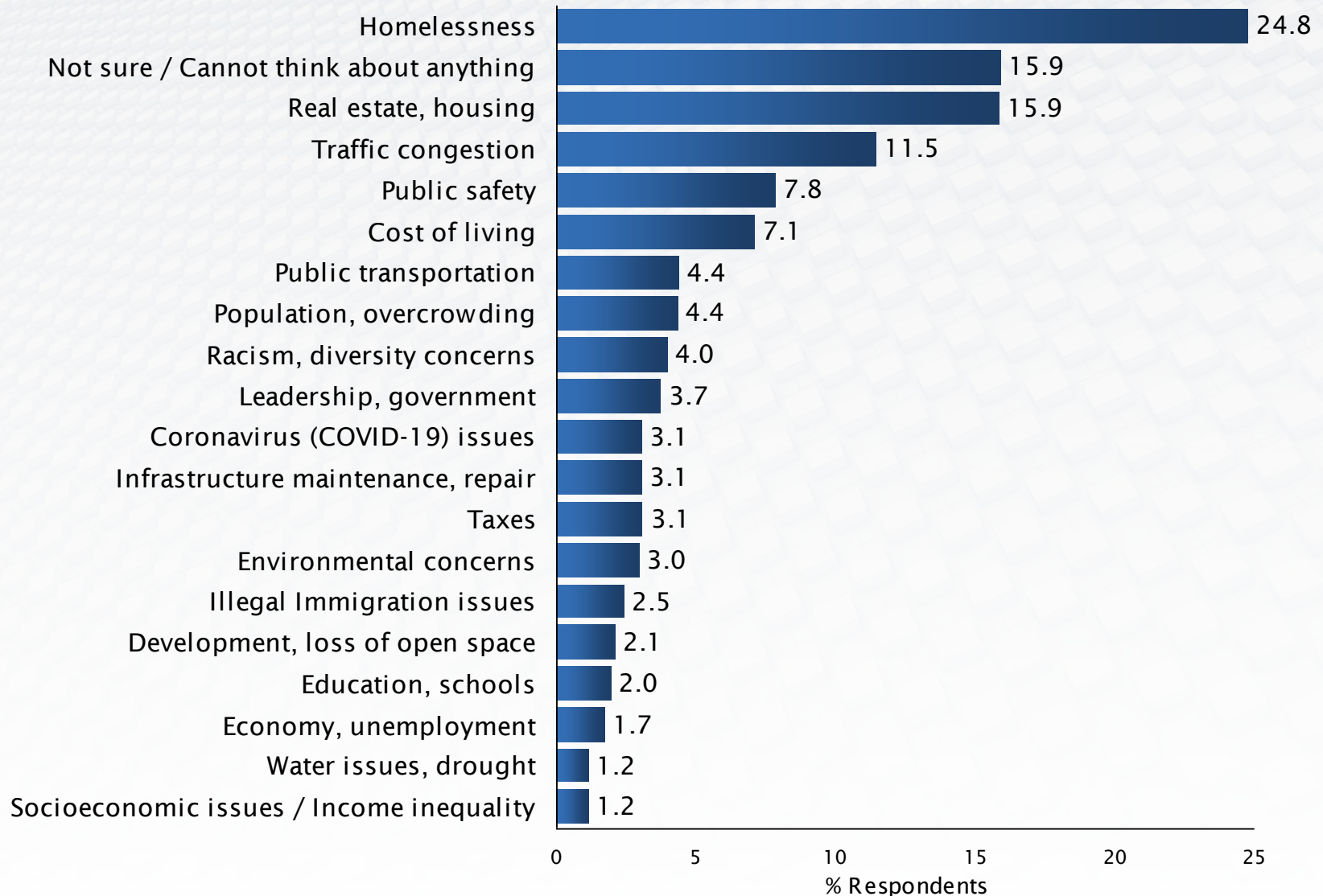
Purpose of Study

- Measure awareness and perceptions of Orange County Transportation Authority (OCTA)
- Gather input on strategies and priorities for the Long Range Transportation Plan (LRTP)
- Profile resident use of the transportation system, communications preferences, and relevant demographics/background information

Methodology of Study

- Conducted June 3rd to June 27th, 2021
- Mixed-methodology survey
 - Stratified random sample of Orange County households
 - Multiple recruiting methods (telephone and email) and data collection options (telephone and online)
 - Completed 2,564 interviews
 - English, Spanish, and Vietnamese
- Overall margin of error: ± 1.9 percent

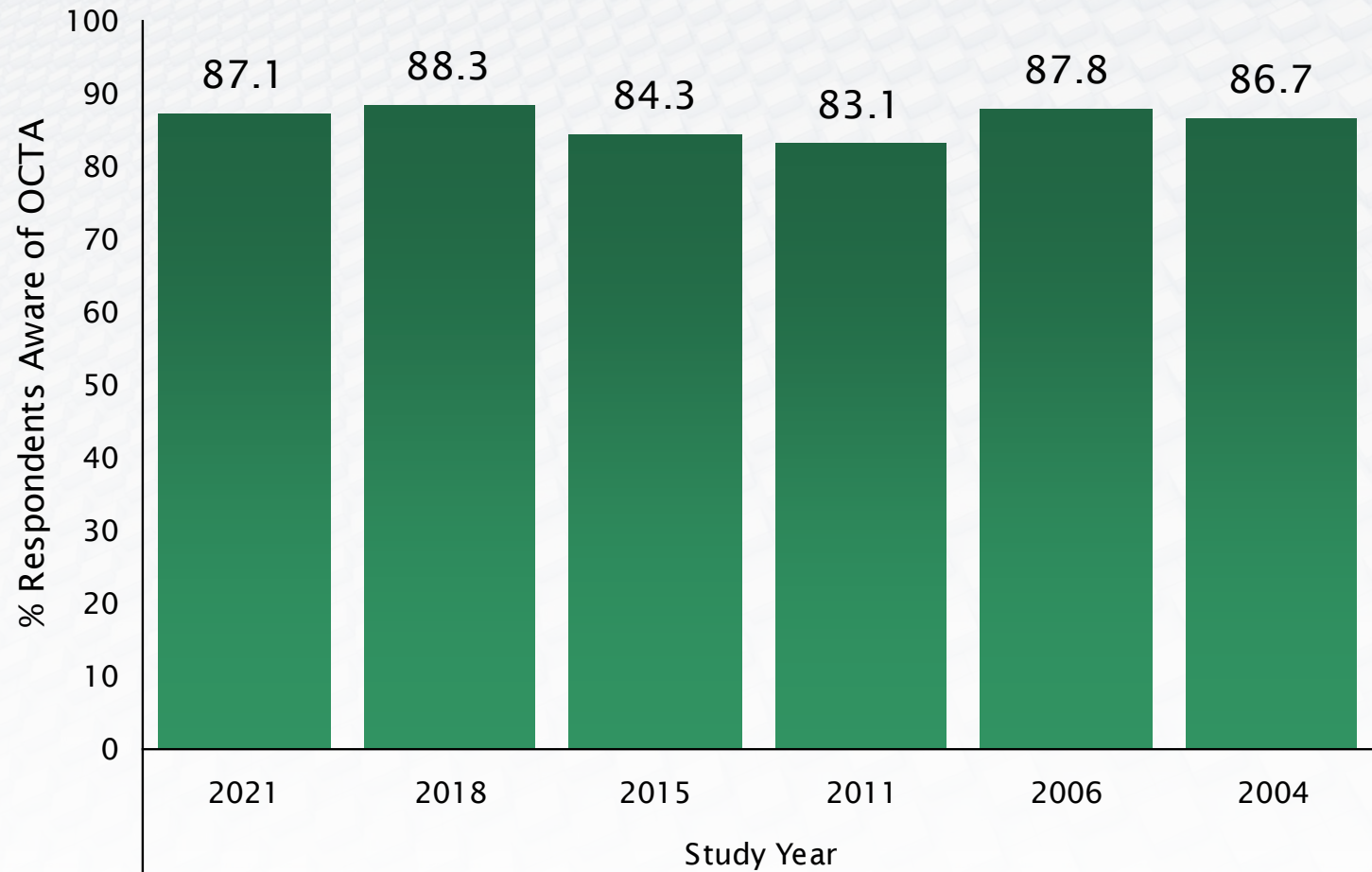
Most Important Issues



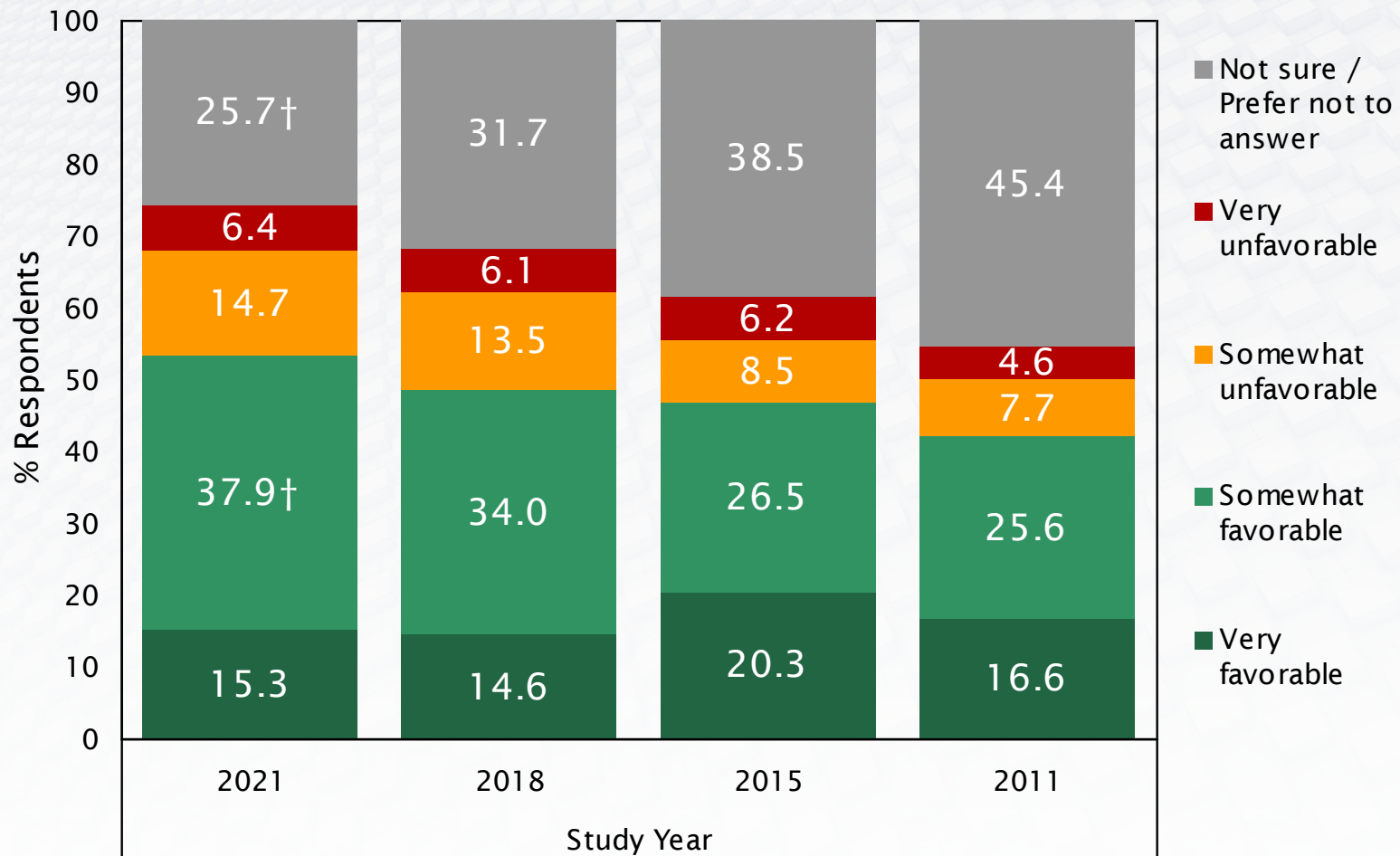
Comparison of Issues

Study Year			
2021	2018	2015	2011
Homelessness	Homelessness	Water issues, drought	Economy, unemployment
Not sure / Can't think of anything	Real estate, housing	Not sure / Can't think of anything	Not sure / Can't think of anything
Real estate, housing	Not sure / Can't think of anything	Traffic	Education, schools
Traffic congestion	Traffic congestion	Economy, unemployment	Traffic
Public safety	Cost of living	Real estate, housing	Public safety / Crime
Cost of living	Population, overcrowding	Cost of living	Budget, spending
Public transportation	Illegal immigration issues	Public safety	Real estate, housing
Population, overcrowding	Public transportation	Population, overcrowding	Transportation infrastructure
Racism, diversity concerns	Public safety	Education, schools	Population, overcrowding
Leadership, government	Infrastructure maintenance, repair	Homelessness	Cost of living

Awareness of OCTA

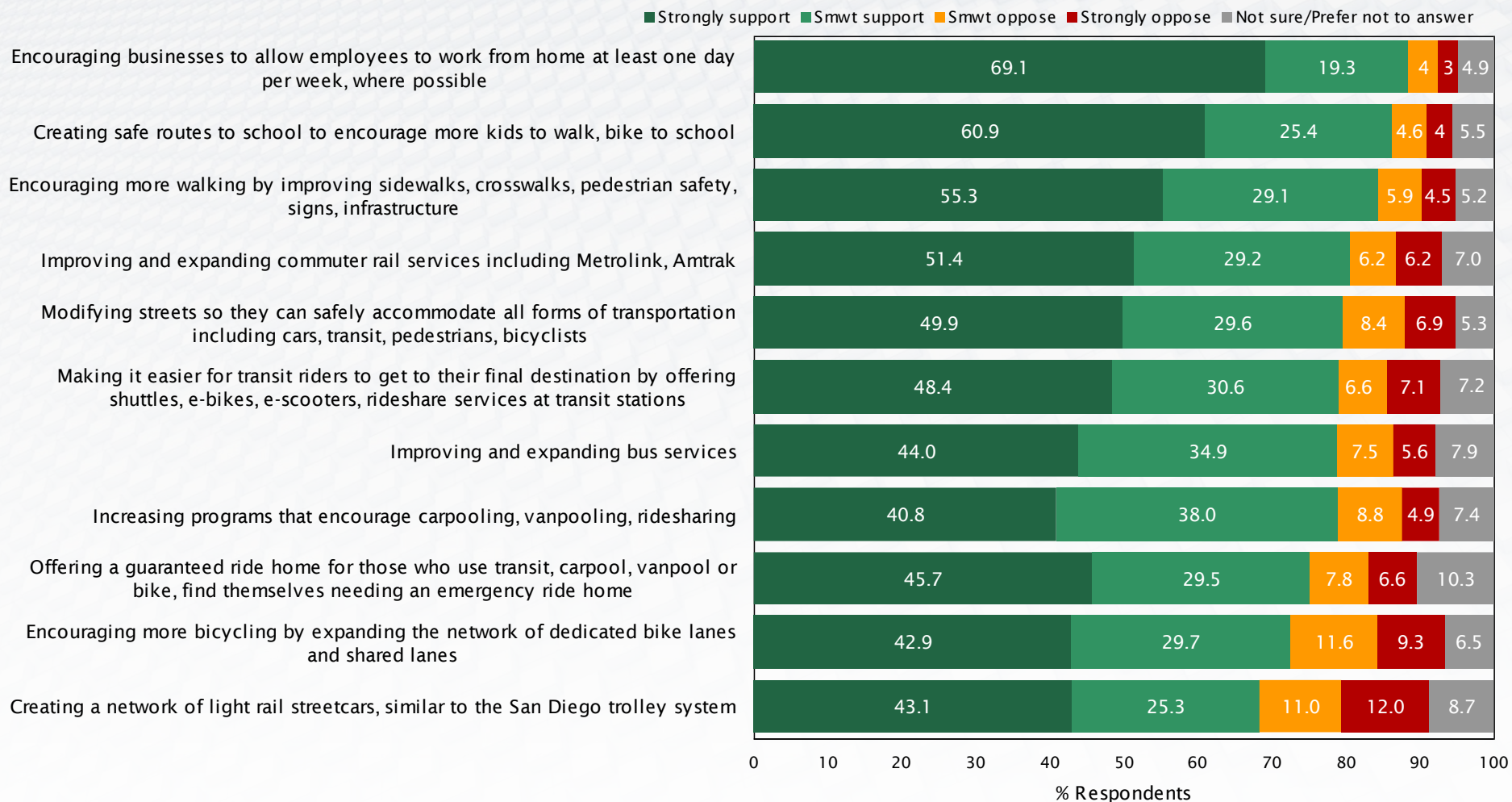


Overall Opinion of OCTA

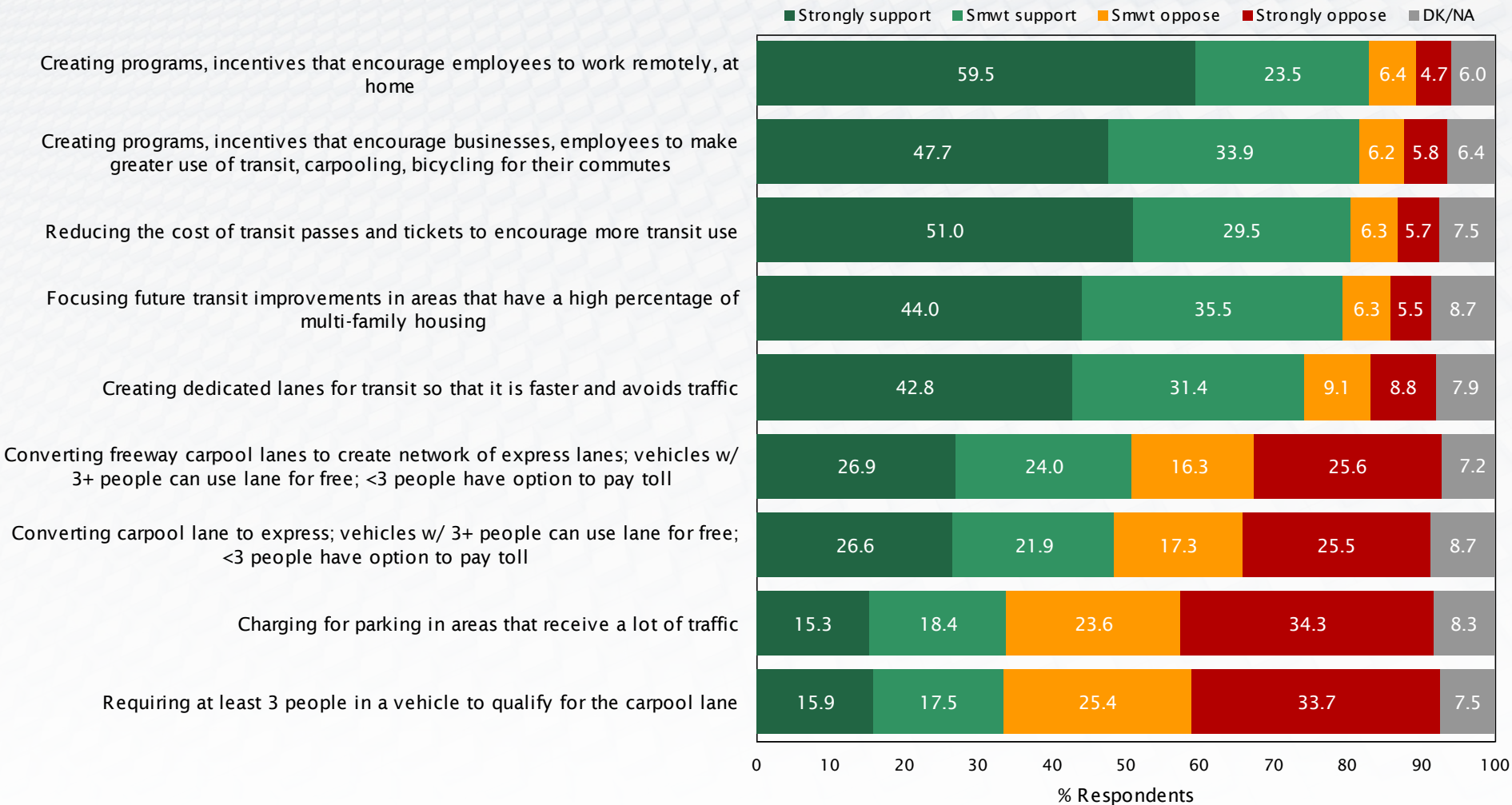


† Statistically significant difference ($p < 0.05$) between the 2018 and 2021 studies.

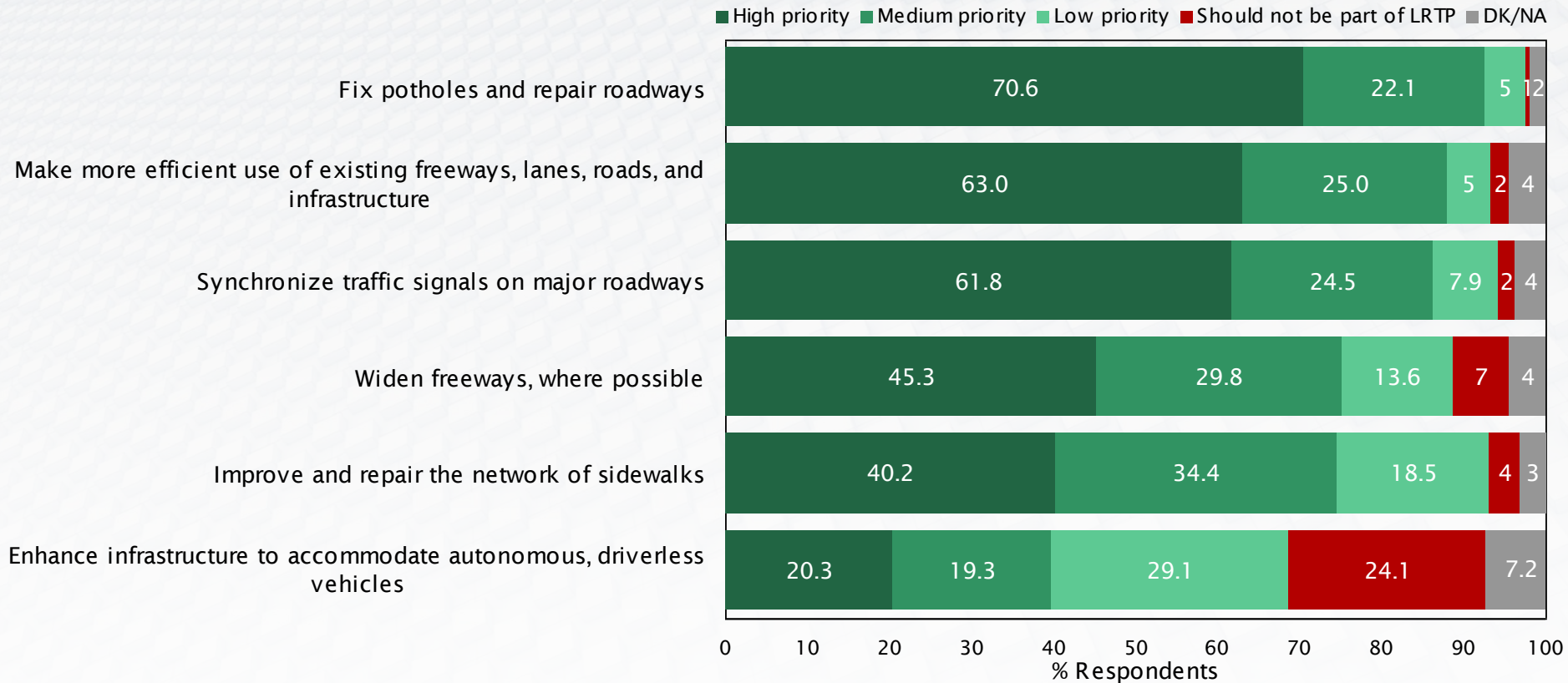
Vehicle Trip and Vehicle Miles Traveled (VMT) Reducing Strategies



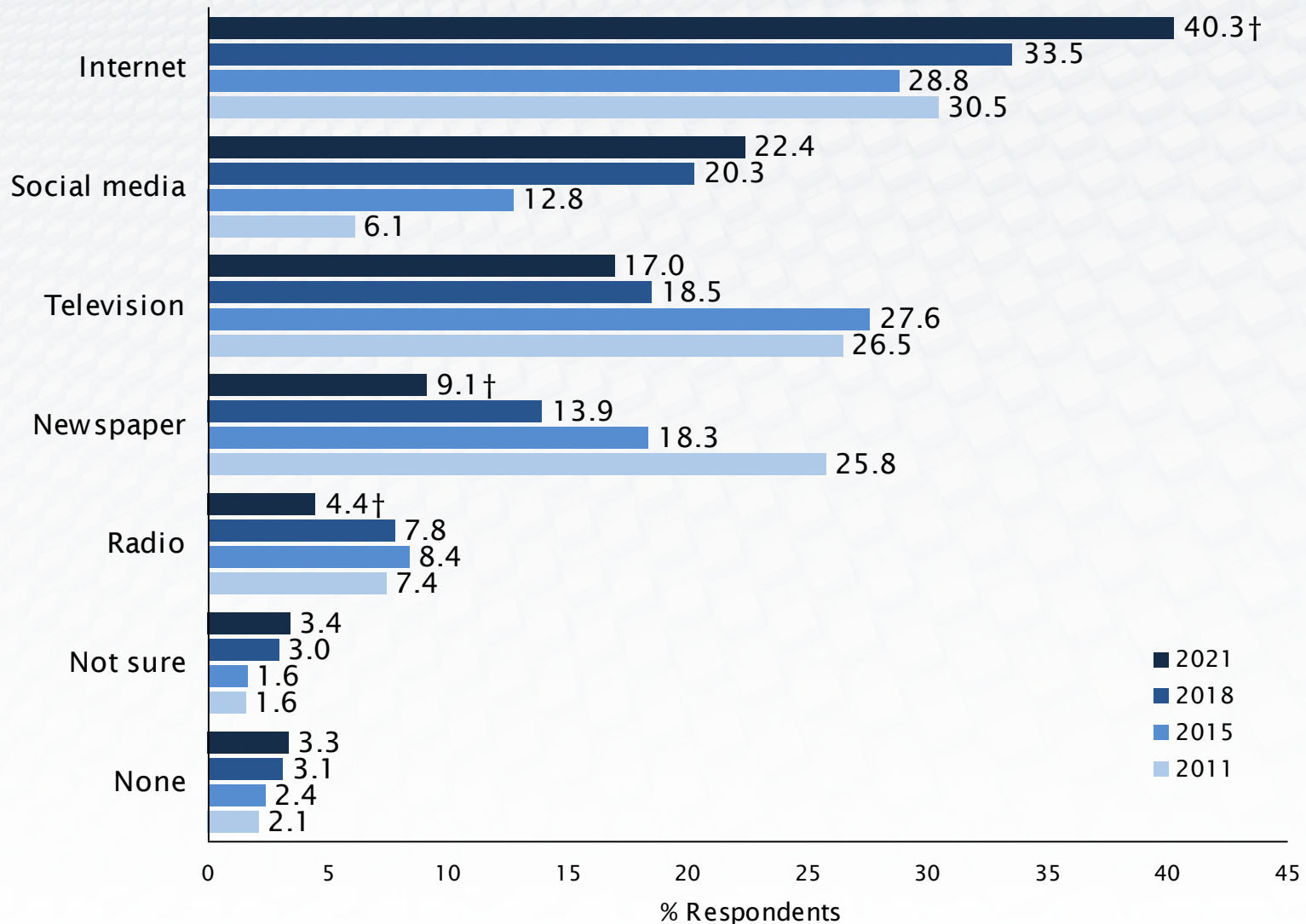
Support for Pricing and Policy Strategies



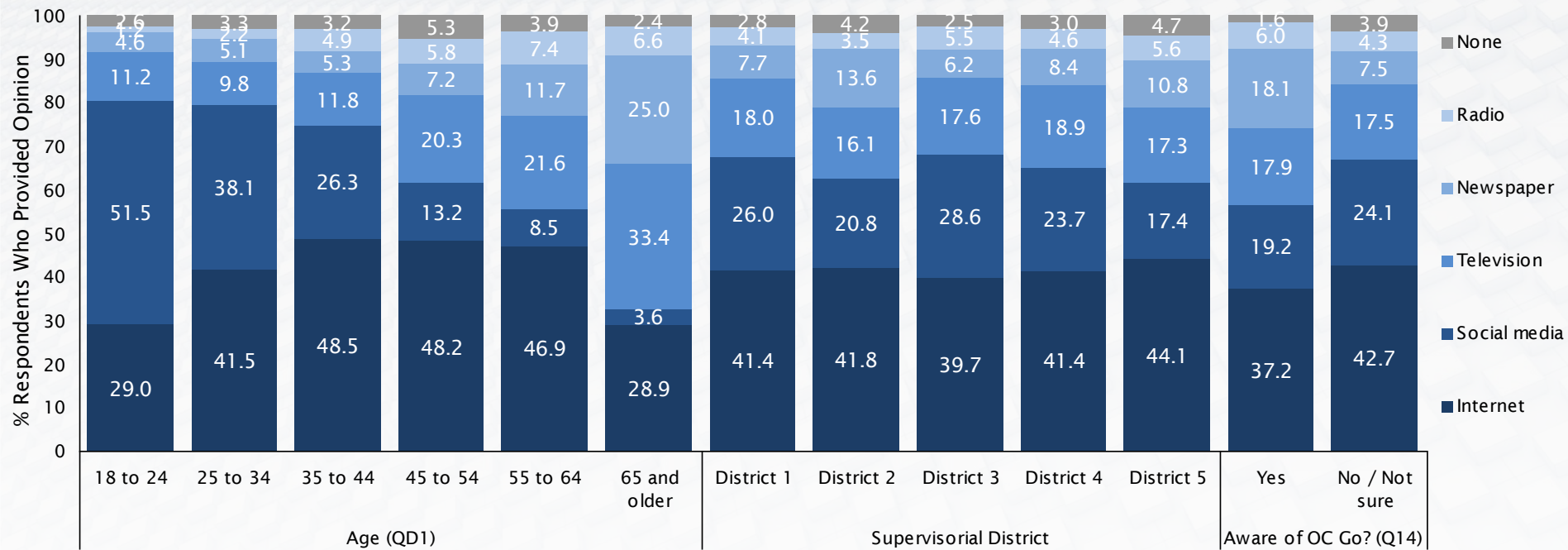
Capacity and Infrastructure



Primary Source for OC News



Primary Source by Age, District, and OC Go Awareness



Key Takeaways – Perceptions of OCTA

- Nearly 9 in 10 residents are aware of OCTA
- The percentage of residents with an opinion of OCTA has increased steadily over the past decade – from 55 percent (2011) to 74 percent (2021)
- Among those with an opinion of OCTA, favorable opinions outnumber unfavorable 2.5 to 1

Key Takeaways - LRTP

Widespread support for all strategies designed to reduce vehicle trips, VMT, and congestion

- Strongest support for:
 - Encouraging remote work
 - Creating safe routes to school
 - Infrastructure improvements to promote walking
 - Improving/expanding commuter rail
 - Complete streets

Key Takeaways - LRTP

Pricing and policy strategies to reduce congestion received mixed reactions

- Strong support for:
 - *Positive* incentives and programs to promote remote work, transit, active transportation
 - Infrastructure improvements to make transit faster and focused in areas with multi-family housing
- Mixed opinions regarding:
 - Converting carpool lanes to express lanes
- Little support for:
 - Charging for parking in highly congested areas
 - Requiring three people for carpool

Key Takeaways - LRTP


Infrastructure repair/maintenance and capacity enhancements remain popular

- Residents prioritize:
 - Fixing potholes and repairing roadways
 - Making more efficient use of existing freeways, lanes, roads, and infrastructure
 - Synchronizing traffic signals on major roadways
- Although still a priority for 75 percent of OC residents, the percentage who rated widening freeways a *high* priority declined significantly in past three years



Marketing and Communications Update

Welcome Pass



Save 40%
with the NEW OC Bus
Welcome Pass

[Español](#) | [Tiếng Việt](#)

Our new Welcome Passes offer two ways to save:

- Get five one-day Welcome Passes for only \$15 (\$10 savings)
- Get a 30-day Welcome Pass for only \$40 (\$29 savings)

And now, they're available via the OC Bus Mobile App and at retail outlets. Welcome Passes are only good for use between August 15 and November 15, 2021. Once activated, the 30-day Welcome Pass must be used for 30 consecutive days during this time period.

[Start Saving](#)

Welcome Passes are part of California Climate Investments, a statewide initiative that puts billions of Cap-and-Trade dollars to work reducing greenhouse gas emissions, strengthening the economy, and improving public health and the environment — particularly in disadvantaged communities.

Use your Welcome Pass to enjoy additional bus trips and more frequent service as part of the August Service Change, including:

- 289 additional bus trips throughout the county
- Improved frequency of service on 14 routes
- Improved hours of operation with earlier and/or later service on 19 routes
- Restored two routes that were suspended due to the COVID-19 pandemic

Tiết Kiệm 40% với vé Welcome Pass Mới của OC Bus

- Mua năm vé Welcome Pass một ngày chỉ với **\$15**
(tiết kiệm \$10)
- Mua một vé Welcome Pass dùng 30 ngày chỉ với **\$40**
(tiết kiệm \$29)

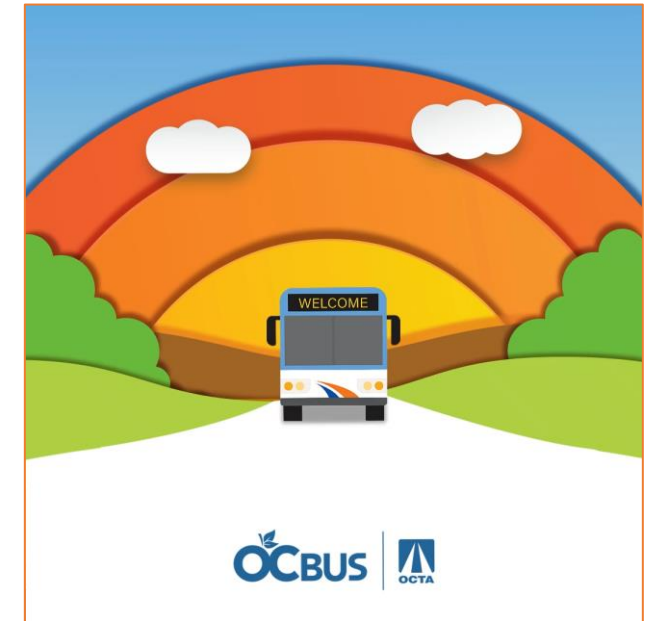


Vé Welcome Pass chỉ có hiệu lực sử dụng từ ngày 15 tháng 8 đến ngày 15 tháng 11 năm 2021. Quý vị có thể mua vé Welcome Pass qua Ứng Dụng OC Bus hoặc tại các cửa hàng bán lẻ bắt đầu từ ngày 4 tháng 8.

[OCbus.com/Welcome](https://ocbus.com/Welcome) | (714) 636-RIDE

OCBUS | **OCTA** | **Caltrans** | **Calaveras**

SỰ AN TOÀN CỦA QUÝ VỊ LÀ ƯU TIÊN CỦA CHÚNG TÔI



Ahorra 40% con el nuevo “Welcome Pass” de OC Bus

- Recibe 5 pases de un día por tan solo **\$15** (ahorra \$10)
- Recibe un pase de 30 días por tan solo **\$40** (ahorra \$29)



[OCbus.com/Welcome](https://ocbus.com/Welcome) | (714) 636-RIDE

OCBUS | **OCTA** | **Caltrans** | **Calaveras**

SU SEGURIDAD ES NUESTRA PRIORIDAD

August Service Change

OCbus.com/August2021

BEGINNING AUGUST 15TH

MORE

SERVICE IMPROVEMENTS
CONVENIENCE
SAVINGS



- 289 ADDED TRIPS ON POPULAR ROUTES
- 14 ROUTES WITH IMPROVED FREQUENCY
- 19 ROUTES WITH EXPANDED HOURS
- 2 ROUTES RETURNING 150 & 560
- 40% SAVINGS WITH NEW WELCOME PASS

OCBUS | OCTA
YOUR SAFETY IS OUR PRIORITY

OCbus.com/August2021

BẮT ĐẦU TỪ NGÀY 15 THÁNG 8

THÊM

DỊCH VỤ
CẢI THIỆN
THUẬN TIỆN
TIẾT KIỆM



- 289 CHUYẾN ĐƯỢC BỔ SUNG TRÊN NHỮNG TUYẾN XE PHỔ BIẾN
- 14 TUYẾN XE VỚI TẦN SUẤT ĐƯỢC CẢI THIỆN
- 19 TUYẾN XE VỚI SỐ GIỜ HOẠT ĐỘNG MỞ RỘNG
- 2 TUYẾN XE TRỞ LẠI 150 & 560
- 40% TIẾT KIỆM VỚI VÉ WELCOME PASS MỚI

OCBUS | OCTA
SỰ AN TOÀN CỦA QUÝ VỊ LÀ ƯU TIÊN CỦA CHÚNG TÔI


A PARTIR DEL 15 DE AGOSTO

MÁS

SERVICIO
MEJORAS
CONVENIENCIA
AHORROS

Bắt đầu từ ngày 15 tháng 8, OC Bus sẽ có thêm nhiều dịch vụ, cải tiến, tiện lợi và tiết kiệm!

- 289 MÁS VIAJES EN RUTAS POPULARES
CHUYẾN ĐƯỢC BỔ SUNG TRÊN NHỮNG TUYẾN XE PHỔ BIẾN
- 14 RUTAS CON MEJORES FRECUENCIAS
TUYẾN XE VỚI TẦN SUẤT ĐƯỢC CẢI THIỆN
- 19 RUTAS CON HORARIOS EXTENDIDOS
TUYẾN XE VỚI SỐ GIỜ HOẠT ĐỘNG MỞ RỘNG
- 2 RUTAS VUELVEN A OPERAR: 150 Y 560
TUYẾN XE TRỞ LẠI 150 & 560
- 40% AHORRA 40% CON EL NUEVO WELCOME PASS
TIẾT KIỆM VỚI VÉ WELCOME PASS MỚI



OCBUS | OCTA
YOUR SAFETY IS OUR PRIORITY

Routes & Schedules June 2021

Spanish

BEGINNING AUGUST 15TH

MORE

SERVICE IMPROVEMENTS
CONVENIENCE
SAVINGS



- 289 ADDED TRIPS ON POPULAR ROUTES
- 14 ROUTES WITH IMPROVED FREQUENCY
- 19 ROUTES WITH EXPANDED HOURS
- 2 ROUTES RETURNING 150 & 560
- 40% SAVINGS WITH NEW WELCOME PASS

View and download the entire bus book, or individual routes and schedules, or create a personalized Bus Book with the bus and train routes you use the most. Last updated: August 15, 2021.

[CLICK HERE](#) To view August 15th Service Change Highlights

Download Full Bus Book

- ✓ All routes and schedules
- ✓ All fare information
- ✓ All connecting transit information

[DOWNLOAD FULL BUS BOOK](#)

Create Your Own Bus Book

- ✓ Choose from individual routes and schedules
- ✓ Personalize and download your own Bus Book
- ✓ Includes fares, connecting transit info, riding tips

[CHOOSE YOUR ROUTES](#)

Youth Ride Free



GIỚI THIỆU VÉ YOUTH RIDE FREE PASS

BẮT ĐẦU TRONG THÁNG CHÍN



CÁC CHUYẾN XE MIỄN PHÍ CHO THANH THIẾU NIÊN TỪ 6 ĐẾN 18 TUỔI

Vé Youth Ride Free mới sẽ cho phép thanh thiếu niên từ 6 đến 18 tuổi đi miễn phí trên tất cả các dịch vụ tuyến cố định của OC Bus mỗi ngày trong thời gian khuyến mãi từ tháng Chín đến gần 28 tháng Hai, 2022.

MỘT CÁCH ĐI LẠI AN TOÀN

Được vận hành bởi Orange County Transportation Authority (OCTA, Cơ Quan Vận Tải Quận Cam), OC Bus là cách an toàn và tiện lợi để đi khắp Quận Cam. Đây là tùy chọn tuyệt vời cho học sinh để đi đến trường, tham gia các hoạt động sau giờ học, làm việc và nhiều hoạt động khác.

PHẢI CÓ SỰ CHẤP THUẬN CỦA PHỤ HUYNH

Vé Youth Ride Free sẽ có sẵn theo yêu cầu của phụ huynh bắt đầu từ tháng Chín. OCTA hiện đang hợp tác cùng các trường học từ cấp Mẫu Giáo đến lớp 12 (K-12) ở Quận Cam để phân phối các biểu mẫu và vé xe.

CÁCH THỨC NHẬN VÉ YOUTH RIDE FREE

Hãy liên lạc với trường học của con em quý vị hoặc truy cập octa.net/YouthRideFree để tìm hiểu thêm!





YOUTH RIDE FREE 推廣通行證

「Youth Ride Free」推廣通行證理由 Orange County Transportation Authority (OCTA, 橙縣交通局) 提供。從 2021 年 9 月開始到 2022 年 2 月 28 日, 橙縣 6 至 18 歲青少年可使用通行證, 免費享受所有 OC Bus 固定路線服務。


它是青少年上學、上班或娛樂的一種出行選擇。

如想為您的孩子申請 Youth Ride Free 通行證, 僅需填寫此表格並將其返回至您孩子所在的學校。

由於 California Climate Investments (加州氣候投資) 提供補助資金, OCTA 能夠提供 Youth Ride Free 通行證, 以幫助減少溫室氣體排放、強化經濟並改善公眾健康和環境。

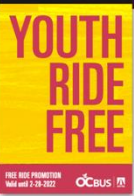






YOUTH RIDE FREE


QUICK GUIDE FOR SCHOOL ADMINISTRATORS



The Orange County Transportation Authority (OCTA) is excited to announce the new "Youth Ride Free" promotional pass. This pass will allow youth ages 6 to 18 to ride all OC Bus fixed-route buses every day for free during a six-month promotion.


In order to distribute this pass to as many youth as possible, OCTA is offering the Youth Ride Free pass in partnership with Orange County K-12 schools. Schools are being asked to collect parental request forms and distribute the passes to students - this allows students to receive their free passes as quickly as possible.

The Youth Ride Free pass is available starting in September and will be available until February 28, 2022.



YOUR ROLE AS A PARTNER

We need your support and that of your school to help make this program a success and to provide the free pass to as many youth as possible. Your role would include handling parental request forms and distributing the passes to students. See below for details.



REVIEW THE PROGRAM GUIDE FOR SCHOOLS

Please review the program guide and contact OCTA with any questions. OCTA staff is available by email at YouthRideFree@octa.net or contact Ryan Maloney, Marketing Section Manager at (714) 560-5451. The latest information on the Youth Ride Free program, including this guide and other school materials, is available at [OCTA.net/YouthRideFree](https://octa.net/YouthRideFree).




IDENTIFY A POINT OF CONTACT FOR YOUR SCHOOL

Please identify staff at your school or school district who can serve as a point of contact for this program. This will be the individual(s) who collects request forms and provides passes. If parents from your school contact OCTA directly, they will be directed to this contact. Please email YouthRideFree@octa.net with your preferred point of contact(s).



SHARE INFORMATION ABOUT THE PROGRAM


Help share information about the Youth Ride Free promotional pass with your students, parents and faculty. To help spread the word, OCTA has developed a digital toolkit, including a fact sheet, graphics, email blasts, and social media posts. The toolkit is available online at [OCTA.net/YouthRideFree](https://octa.net/YouthRideFree).



DISTRIBUTE PASSES TO STUDENTS; COLLECT AND STORE PARENTAL REQUEST FORMS


Distribute, collect and store completed parental request forms during the promotional period and provide the Youth Ride Free passes to students.

Produced August 2021



YOUTH RIDE FREE

홍보용 승차권



"Youth Ride Free" 홍보용 승차권을 이제 오렌지 카운티 교통국(Orange County Transportation Authority, OCTA)에서 구할 수 있습니다.

이 승차권을 이용하여, 2021년 9월부터 2022년 2월 28일까지 오렌지 카운티의 6세에서 18세 어린이와 청소년들이 모든 고정 노선 OC 버스를 무료로 이용할 수 있습니다.

아이들이 학교나 직장, 여가를 즐기러 가는 데 쓸 수 있는 옵션이 생긴 것입니다.

자녀를 위해 Youth Ride Free 승차권을 요청하려면, 이 양식을 기입하여 자녀가 다니는 참여 학교에 제출하면 됩니다.

OCTA는 온실 가스 배출을 줄이고, 경제를 강화하며, 대중 보건과 환경 개선을 위해 노력하는 캘리포니아 기후 투자 자금 덕분에 Youth Ride Free 승차권을 제공할 수 있게 되었습니다.

주요 내용

- Youth Ride Free 승차권은 2021년 9월부터 자녀가 다니는 오렌지 카운티의 참여 학교에서 구할 수 있습니다. Youth Ride Free 승차권은 2022년 2월 28일까지 유효합니다.
- 이행 계획 수립과 버스 시간표 조회 등 편리한 OC 버스 이용에 관해 여기에서 더 알아보세요. 주소: [OCbus.com](https://octa.net)
- Youth Ride Free 승차권 또는 OC 버스 이용 관련 문서는 octa.net/YouthRideFree를 방문하거나 OCTA 고객 정보 센터 (714) 636-RIDE(7433)로 전화 주시면 정성껏 도와드리겠습니다. 업무시간: 주중(7am - 7pm), 주말(8am - 6pm), 휴일(8am - 5pm).

학부모 요청 양식

(Youth Ride Free 승차권을 받으려면 이 양식을 작성하여 자녀 학교에 제출하세요)

부모 / 법정 후견인 이름 _____

학생 이름 _____

학교 _____

☐ 저희 아이는 6세에서 18세 사이이며 현재 상기 학교에 재학 중입니다.

네, 저희 아이에게 Youth Ride Free 무료 승차권을 주시기 바랍니다.

부모 / 법정 후견인 서명 _____

일자 _____

직인 사인만

모든 승객들의 안전과 편의를 위하여, 모든 OC 버스 승객들은 고객 행동 지침(OCTA.net/conduct)에서 볼 수 있습니다. OC 버스의 기차실 좌석을 준수하여 앉고, OCTA의 차량을 손상시키지 않는 청소년에게만 Youth Ride Free 승차권을 발행할 권리가 있습니다. 불요한 경우, OC 버스는 승객에게 Youth Ride Free 승차권 대상 여부를 확인하기 위하여 안전 점검을 수행할 수 있습니다.




YOUTH RIDE FREE QUICK GUIDE

PROGRAM GUIDE FOR SCHOOLS

OCTA will provide a quantity of Youth Ride Free passes and Parental Request Forms to interested schools starting in September 2021.

The initial quantity of passes provided to each school is based on overall school enrollment and participation in the low or no-cost school lunch program. Schools are welcome to request additional passes from OCTA if needed during the promotional period.



College Pass Program: Irvine Valley College

NEW BEGINNING FALL 2021

IRVINE VALLEY COLLEGE

STUDENTS RIDE FREE

IRVINE VALLEY COLLEGE STUDENTS RIDE FREE

Download the  app to start riding!

[OCbus.com/IVC](https://ocbus.com/IVC)

RIDE OC BUS TO SCHOOL, WORK, SHOPPING AND THE BEACH FOR FREE.

With unlimited rides on all OC Bus local fixed routes*, it's easy and convenient to get to IRVINE VALLEY COLLEGE.

Relax in our air-conditioned buses and avoid paying parking costs. You can ride safely and with peace of mind knowing that you're contributing to a healthier and greener environment.

*Additional fare applies for OC Express & Express Routes



OC Bus
Published by Sprinklr Prod2 - September 14

Most Orange County community colleges are now part of OCTA program offering unlimited rides and better access to education.

IRVINE VALLEY COLLEGE STUDENTS RIDE FREE

IRVINE VALLEY COLLEGE

BLOG.OCTA.NET
Irvine Valley College Students Join OC Bus Free Ride Program



IRVINE VALLEY COLLEGE

STUDENTS RIDE FREE

[OCbus.com/IVC](https://ocbus.com/IVC)

IRVINE VALLEY COLLEGE STUDENTS RIDE FREE

Download the  app to start riding!

October Service Change

OCbus.com/October2021

GRATIS
LOS JOVENES MENORES DE 19 AÑOS
VIAJAN GRATIS
(hasta el 10/10/2021)

100+
MÁS VIAJES
EN RUTAS
POPULARES

A PARTIR DEL 10 DE OCTUBRE
CAMBIOS EN EL SERVICIO DE OTOÑO

21
RUTAS
CON
HORARIOS
EXTENDIDOS

10
RUTAS
CON MEJORES
FRECUENCIAS

OCBUS | **OCTA**
YOUR SAFETY IS OUR PRIORITY

OCbus.com/October2021

BÁT ĐẦU TỪ NGÀY
10 THÁNG 10

**CÁC THAY
ĐỔI VỀ
DỊCH VỤ
MÙA THU**

MIỄN PHÍ
MIỄN PHÍ CHO THANH THIẾU NIÊN TỪ
13 TUỔI TRỞ LÊN
(hingga 10/10/2021)

10
TUYẾN XE VỚI
TẦN SUẤT ĐƯỢC
CẢI THIỆN

100+
CHUYẾN ĐƯỢC BỎ
SÚNG TRÊN NHỮNG
TUYẾN XE PHỔ BIẾN

21
TUYẾN XE
VỚI
SỐ GIỜ CHẠY
ĐƯỢC MỞ RỘNG

OCBUS | **OCTA**
YOUR SAFETY IS OUR PRIORITY

OCbus.com/October2021

STARTING OCTOBER 10TH

**FALL
SERVICE
CHANGES**

Cambios de Servicio de Otoño
Comenza 10 de Octubre

Bắt đầu từ ngày 10 tháng 10
Thay đổi dịch vụ mùa thu

10
ROUTES
WITH
IMPROVED
FREQUENCY

FREE
YOUTH 19 & UNDER
RIDE FREE
Details at ocba.net/YouthRideFree

21
ROUTES
WITH
EXPANDED
HOURS

100+
ADDED
TRIPS ON
POPULAR
ROUTES

OCBUS | **OCTA**
YOUR SAFETY IS OUR PRIORITY

Routes & Schedules October 2021

STARTS OCT. 10

**FALL
SERVICE
CHANGES**

10
RUTAS
CON MEJORES
FRECUENCIAS

FREE
YOUTH 19 & UNDER
RIDE FREE
Details at ocba.net/YouthRideFree

21
RUTAS
CON
HORARIOS
EXTENDIDOS

100+
MÁS VIAJES
EN RUTAS
POPULARES

View and download the entire bus book, or individual routes and schedules, or create a personalized Bus Book with the bus and train routes you use the most. Last updated: August 15, 2021.

[CLICK HERE](#) To view August 15th Service Change Highlights

Download Full Bus Book

- ✓ All routes and schedules
- ✓ All fare information
- ✓ All connecting transit information


[DOWNLOAD FULL BUS BOOK](#)

Create Your Own Bus Book

- ✓ Choose from individual routes and schedules
- ✓ Personalize and download your own Bus Book
- ✓ Includes fares, connecting transit info, riding tips

[CHOOSE YOUR ROUTES](#)

Metrolink Daycations



Enter to Win a beach getaway


You deserve a getaway, and beautiful Oceanside is just the place. Our Metrolink Daycation Sweepstakes includes:

- 2 Metrolink roundtrip tickets
- A one-night stay at Springhill Suites Marriott Oceanside
- Dinner for two at Hello Betty Fish House
- 3-hour bike rental from the Board House SpringHill Suites Oceanside


Relax on a clean, safe Metrolink train journey to your delightful beach hotel, just a short walk from the station. Enter today!

Bon voyage.

[Enter Now](#)




You deserve a beach getaway at the lovely Springhill Suites Marriott, dinner at Hello Betty Fish House and a bike rental from the Board House, all accessible by a safe, clean Metrolink train journey. Enter today.



Enter to Win a beach getaway

Enter to Win a Metrolink Daycation Getaway in Oceanside! [ENTER NOW](#)
metrolinkweekend.com



One night stay at SpringHill Suites Oceanside [ENTER NOW](#)
metrolinkweekend.com

9 3 Comments 2 Shares

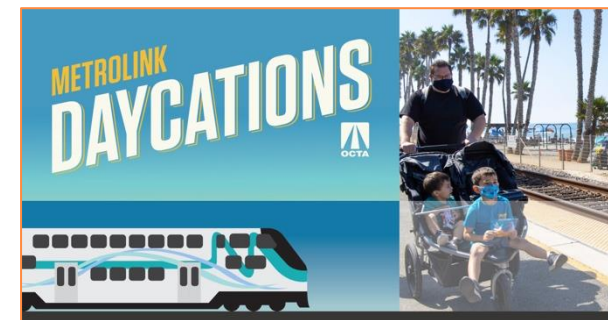
Like Comment Share



Dinner for two at Hello Betty Fish House [ENTER NOW](#)
metrolinkweekend.com



3-hour bike or scurry rental from the Board House [ENTER NOW](#)
metrolinkweekend.com



Rideshare Week

OCTOBER 4-8
RIDESHARE WEEK
DRIVE LESS, SMILE MORE

Rideshare Week 2021

PLEDGE TELEWORK TRANSIT ACTIVE CARPOOL/VANPOOL EMPLOYERS

OCTOBER 4-8
RIDESHARE WEEK
DRIVE LESS, SMILE MORE

Pledge Now to Enter!

Pledge to rideshare during Rideshare Week 2021 for a chance to win great prizes! Eligible activities include teleworking, taking the bus or train, carpooling, vanpooling, biking or walking. They all reduce congestion and pollution. Safety across all modes of transportation is OCTA's highest priority. Pledge for one day or the whole week!

Apple Watch SE - \$279 retail value
AirPods Pro - \$249 retail value

[PLEDGE NOW](#)

Telework

Even if you're teleworking and still working from home, you are taking cars off the road and qualify for our promotion.

[LEARN MORE](#)

Bus and Train

The amount of money and stress you can save by taking the bus or train is sure to put a smile on anyone's face!

[LEARN MORE](#)

Active Transportation

Human-powered mobility by walking or biking results in increased fitness levels which will have you smiling more by keeping a healthy body and mind!

[LEARN MORE](#)

Vanpooling and Carpooling

Smile more when you spend less time in the driver's seat by sharing the ride. Team up with 3 or more coworkers to get a vanpool going! Can't find enough riders? Get carpooling today!

[LEARN MORE](#)

OCTA
Just now · 🌐

Pledge to use an alternate commute mode (including telework!) during Rideshare Week 2021 from 10/4 to 10/8 for a chance to win an Apple Watch SE or AirPods Pro! Save money, time and stress.

OCTA
OCTOBER 4-8
RIDESHARE WEEK
DRIVE LESS, SMILE MORE

Pledge for a chance to WIN
Apple Watch SE or AirPods Pro!

[LEARN MORE](#)

New OC Bus App



Phiên bản thay thế của Ứng Dụng Di Động OC Bus sẽ ra mắt vào ngày 10 tháng 11.

OCTA sẽ phát hành ứng dụng di động OC Bus cải tiến mới vào ngày 10 tháng 11. Ứng dụng này sẽ thay thế cho ứng dụng di động OC Bus hiện tại. Quý vị sẽ cần tải về ứng dụng mới trước khi ứng dụng hiện tại hết hạn vào ngày 31 tháng 12 năm 2021.

Để biết thêm chi tiết, hãy truy cập OCbus.com/NewApp




La nueva aplicación móvil OC Bus estará disponible el 10 de noviembre.

OCTA lanzará una nueva aplicación móvil, OC Bus el 10 de noviembre. Esta reemplazará su aplicación OC Bus actual. Deberá descargar la nueva aplicación antes del vencimiento de la actual el 31 de diciembre.

Para más detalles, visite OCbus.com/NewApp




Coming November 10th





La nueva aplicación móvil OC Bus estará disponible el 10 de noviembre.

OCTA lanzará una nueva aplicación móvil, OC Bus el 10 de noviembre. Esta reemplazará su aplicación OC Bus actual. Deberá descargar la nueva aplicación antes del vencimiento de la actual el 31 de diciembre.

Para más detalles, visite OCbus.com/NewApp

Phiên bản thay thế của Ứng Dụng Di Động OC Bus sẽ bắt đầu phát hành vào ngày 10 tháng 11.

OCTA sẽ bắt đầu ra mắt ứng dụng di động OC Bus mới vào ngày 10 tháng 11. Ứng dụng này sẽ thay thế cho ứng dụng di động OC Bus hiện tại. Quý vị sẽ cần tải về ứng dụng mới trước khi ứng dụng hiện tại hết hạn vào ngày 31 tháng 12 năm 2021.

Để biết thêm chi tiết, hãy truy cập vào trang mạng OCbus.com/NewApp

25 de octubre	Nueva actualización de la aplicación móvil actual disponible con información importante.	Ngày 25 tháng 10	Cập nhật mới cho ứng dụng di động hiện tại với các tin tức quan trọng.
10 de noviembre	La nueva aplicación OC Bus Mobile está disponible para descargar.	Ngày 10 tháng 11	Có thể bắt đầu tải về ứng dụng di động OC Bus mới.
29 de noviembre	Último día para comprar pases en la aplicación actual.	Ngày 29 tháng 11	Ngày cuối để mua vé với ứng dụng hiện tại.
31 de diciembre	Vencen los pases en la aplicación actual.	Ngày 31 tháng 12	Các vé xe buýt có trên ứng dụng hiện tại sẽ hết hạn.
1 de enero	La aplicación móvil actual dejará de funcionar.	Ngày 1 tháng 1	Ứng dụng di động hiện tại sẽ không còn sử dụng được nữa.

Fechas claves para la transición

Siga este calendario de sucesos para asegurar una transición fácil a la nueva aplicación móvil.

Descargar es fácil de hacer

- Descargue la aplicación de Apple App Store o Google Play.
- Siga las indicaciones que aparecen en la pantalla para configurar la cuenta.
- Para una transición sin problemas, use la misma dirección de correo electrónico que utiliza para la aplicación actual.
- Ingrese una tarjeta de débito o tarjeta de crédito.

La nueva aplicación ofrecerá los mismos tipos de pases que la aplicación móvil actual.

Các ngày chuyển đổi quan trọng

Hãy thực hiện theo lịch trình dưới đây để bảo đảm việc chuyển đổi sang ứng dụng di động mới được suôn sẻ.

Tải Ứng Dụng Mới rất dễ dàng

- Tải về ứng dụng từ Apple App Store hoặc Google Play.
- Thực hiện theo các lời chỉ dẫn trên màn hình để tạo tài khoản mới.
- Sử dụng lại cùng địa chỉ email đã dùng trên ứng dụng hiện tại để chuyển đổi suôn sẻ.
- Đăng ký một thẻ ngân hàng, thẻ tín dụng.

Ứng dụng mới sẽ có cùng các loại vé xe buýt như ứng dụng di động hiện tại.

