



# **MINUTES**

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

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### **Committee Members Present**

Laurie Davies, Chair  
Barbara Delgleize  
Michael Hennessey  
Gene Hernandez  
Donald P. Wagner

### **Staff Present**

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

### **Committee Members Absent**

Lisa A. Bartlett, Vice Chairwoman

### **Via Teleconference:**

James Donich, General Counsel

## **Call to Order**

The November 19, 2020, regular meeting of the Legislative and Communications (L&C) Committee was called to order by Committee Chair Davies at 9:02 a.m.

## **Roll Call**

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

## **Pledge of Allegiance**

Committee Chair Davies led in the Pledge of Allegiance.

### **1. Public Comments**

No public comments were received.

## **Special Calendar**

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

Moira Topp, State Legislative Advocate, reported on the following:

- With the election completed, there are still a couple of seats in the Assembly and Senate identified by the Secretary of State as close contests.
- If one assumes the seats goes to the incumbents who are leading right now, the legislative make-up will stay the same.
- December 7, 2020, is swearing-in day and this is also the first day that bills can be introduced in the new session.
- There will be a couple of special elections next year to fill vacancies created by the election.
- There won't be any future activity until early January and the Capital will continue to operate under the same COVID-19 rules.



**2. (Continued)**

- State budget discussions will officially kickoff at the beginning of session. Despite the pandemic and economic losses, the fiscal outlook looks strong for the State of California.
- The Legislative Analyst's Office (LAO) is projecting a \$26 billion one time surplus for the state in 2021-22. They also noted the following:
  - In the transportation arena, LAO notes that sales tax remains flat.
  - While there is a \$26 billion surplus in the current year, the LAO is projecting that there will be a significant budget deficit in the out years, up to \$17 billion in 2024 and 2025.
  - The LAO recommends that the Legislature and Governor put half of that amount into a rainy-day fund or use the other half towards the pandemic. The Governor is not obligated to adopt the LAO's recommendations,
- Most of the cuts in the current fiscal year budget were on the school side, deferrals in K-12 and K-14, state employees, and compensation.

**Consent Calendar (Item 3)**

**3. Approval of Minutes**

A motion was made by Director Hennessey, seconded by Director Wagner, and following a roll call vote, declared passed 5-0, to approve the minutes of the Legislative and Communications Committee meeting of October 15, 2020.

**Regular Calendar**

**4. Agreement for Website Maintenance Support Services**

Ryan Armstrong, Section Manager of Marketing and Customer Engagement, reported on the following:

- Background on the Orange County Transportation Authority's (OCTA) website, its purpose, and the website being an essential communication tool.
- Overview of the procurement process, evaluation criteria, and weightings.
- Summary of the recommendations.



**4. (Continued)**

A motion was made by Director Hennessey, seconded by Director Delgleize, and following a roll call vote, declared 5-0 to:

- A. Approve the selection of Web Advanced as the firm to provide website maintenance support services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2524 between the Orange County Transportation Authority and Web Advanced in the amount of \$900,000, for a four-year initial term with one, three-year option term, to provide website maintenance support services.

**5. Status Report of State Legislation Enacted in 2020**

Lance Larson, Executive Director of Government Relations, provided opening comments and introduced Kristin Jacinto, Manager of State and Federal Relations, who reported on the following:

- The Staff Report includes all bills that went to the Governor and impacted OCTA in some way.
- A total of 428 bills were sent to the Governor for consideration. This is 614 fewer bills that went to the Governor last year.
- Some of the major policy reforms were within trailer bills and included: a temporary forgiveness provision that removes any financial penalty for transit agency inability to meet farebox recovery requirements and the flexibility for transit agencies to use state of good repair dollars.
- Major bills signed this year beyond the budget trailer bills are: Senate Bill (SB) 1291 and SB 288.
- OCTA has been monitoring SB 1351 and SB 757 (vetoed by the Governor).
- There were several policy areas that did not move forward this year which includes: bills mandating free transit for certain populations like the elderly, the South Coast Air Quality Management District (AQMD) seeking authority on a sales tax authority jurisdiction, and bills related to SB 375 reform.
- Staff is working very closely with toll agencies on clarifications related to interoperability and enforcement provisions.

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

**6. Final 2021-22 State and Federal Legislative Platforms**

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

- Due the pandemic, the level of outreach was done differently this year (most of the outreach was done virtually instead of in-person).
- References to the strikeouts in the Attachments of the Staff Report.
- Small changes were made to both platforms to remove any reference of supporting a specific bill or legislation and to broaden the language.
- The substantive changes made to the State and Federal Legislative Platforms are:
  - Language added to the State Legislative Platform to make sure that any transition to the sale of zero emission passengers' vehicles in California does not undermine the historic investment in transportation funding.
  - Additional language was added to the Federal Legislative Platform on tolling and resiliency.
- Overview of recommendations.

A discussion ensued regarding:

- The changes in day-to-day staffing within the modal agencies will have a huge impact on the policy direction that the federal government takes in delivering transportation programs. However, no rumors will facilitate a change to the Federal Legislative Platform.
- The Executive Order to phase out the sale of all gas-powered vehicles by 2035 does not create a mandate; it is simply a direction to the AQMD to start creating regulations. OCTA still needs the ability to obtain a waiver from the federal government to implement stronger regulations required under federal law.
- Staff will continue to monitor a lot of the Executive Orders in Sacramento and Washington, D.C.

A motion was made by Director Delgleize, seconded by Director Hernandez, and following a roll call vote, declared 5-0 to:

- A. Adopt the revised 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.



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

Lance Larson, Executive Director of Government Relations, provided opening comments and introduced Kristin Jacinto, Manager of State and Federal Relations, who reported on the following:

- Overview of the evaluation process of Potomac Partners, DC (PPDC), their ratings, and the outcome.
- Passage of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which allowed OCTA to maintain operations with the more than \$150 million provided for emergency relief.
- Examples of why PPDC received an overall very good rating, such as seeking proposed statutory changes to the Transportation Infrastructure Finance and Innovation Act loan process.
- A letter PPDC obtained from U.S. Congressman Lou Correa supporting an OCTA grant application.
- PPDC worked with Representative Harley Rouda to try to get an amendment to reauthorize a proposal that would have given funding advantages to agencies that have passed sales tax measures.
- Highlighted PPDC's efforts to stay engaged with the delegation offices and the administration, despite the impacts of the pandemic.

Director Hennessey thanked PPDC for their efforts, especially their involvement with the CARES Act funding.

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

**8. Performance Evaluation of Sacramento Legislative Advocate, Platinum Advisors, LLC**

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

- A rating of Very Good was given to State Advocate, Moira Topp, and Platinum Advisors, LLC for their efforts this year.
- Examples of Ms. Topp's accomplishments and her interaction with committee members.
- Earlier this year, staff had the opportunity to be in Sacramento with Mobility 21 and Ms. Topp coordinated individual meetings, including one with Mitch Weiss, California Transportation Commission Executive Director.
- Ms. Topp continues to coordinate virtual meetings with several delegation members as needed.

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

## **Discussion Items**

### **9. Marketing Update**

Stella Lin, Department Manager of Marketing and Customer Engagement, provided a PowerPoint presentation as follows:

- Coronavirus (COVID-19) Safety Communication & Education Campaigns OC Bus June – December 2020;
- October 2020 Service Change and Safety Guidelines;
- Orange County Health Care Agency Partnership;
- American Public Transportation Association National Health and Safety Commitment Campaign;
- College Bus Pass Program;
- Bike to Work (and for Fun) Week Campaign – September 21 – 27;
- Reimagining Rideshare;
- Metrolink Weekend “Daycations” Campaign; and
- Metrolink Campaigns.

Director Delgleize acknowledged Ms. Lin and her team and complimented the slides in the PowerPoint presentation.

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

Darrell E. Johnson, Chief Executive Officer (CEO), stated that this is the final L&C Committee meeting for Committee Chair Davies. Mr. Johnson, CEO, thanked her for being the Chair of the L&C Committee and for her four years of service on the OCTA Board of Directors. She will be recognized more at Monday's Board meeting. On behalf of OCTA, Mr. Johnson, CEO, wished her all the best in the State Assembly and he looks forward to continuing to work with her in her role representing the 73<sup>rd</sup> State Assembly District.

Committee Chair Davies thanked everyone for the opportunity.

### **11. Committee Members' Reports**

Directors Delgleize and Hennessey congratulated Committee Chair Davies on her success in the election and wished her all the best.



**12. Closed Session**

There were no Closed Session items scheduled.

**13. Adjournment**

The meeting adjourned at 10:01 a.m.

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

ATTEST

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Michael Hennessey  
Past Committee Vice Chair

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Sahara Meisenheimer  
Deputy Clerk of the Board