



**September 21, 2017**

**To:** Legislative and Communications Committee

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

**Subject:** Draft Revisions to Orange County Transportation Authority's 2017-18 State and Federal Legislative Platforms

### **Overview**

Initial draft revisions to the Orange County Transportation Authority's 2017-18 State and Federal Legislative Platforms have been prepared for consideration by the Board of Directors. These drafts will be revised as a result of feedback from the Orange County Transportation Authority Board of Directors, as well as further internal staff and advisory group input, before the final draft is considered for adoption.

### **Recommendation**

Authorize staff to integrate the recommended revisions to the Orange County Transportation Authority's 2017-18 State and Federal Legislative Platforms and seek further feedback from the Board of Directors, internal staff, and advisory groups, with subsequent drafts to be brought forward in November for final consideration and adoption.

### **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 session to reflect any significant changes since their initial adoption by the Board.

The draft mid-session revisions to the 2017-18 OCTA State and Federal Legislative Platforms are presented as Attachments A and B. The proposed changes are detailed in strikeout versions in Attachments C and D. In these attachments, the recommended revisions to the 2017-18 OCTA State and Federal Legislative Platforms initially adopted by the Board are designated by italicized and strikeout text.

The revisions incorporate initiatives suggested by OCTA staff and issues that are anticipated to be significant in the upcoming session. Prior to bringing final drafts to the Board, OCTA staff will continue to meet internally and with OCTA advisory groups for additional input. Next year, when developing the 2019-20 OCTA State and Federal Legislative Platforms, a more widespread input solicitation process will occur, with outreach to interested groups and individuals to allow a more comprehensive update for the next legislative session.

#### 2017-18 OCTA State Legislative Platform

The proposed revisions to the 2017-18 OCTA State Legislative Platform are outlined in detail below. Language was edited, amended, or removed as necessary to ensure grammatical and stylistic integrity. All textual references are to the clean copy of the proposed revisions (Attachment A).

- The introductory text in the Key Issues Section entitled “Transportation Funding” and Subsection (a) of that section were updated to reflect passage of SB 1 (Chapter 5, Statutes of 2017), the Road Repair and Accountability Act of 2017. Section I formerly discussed the need for more stable transportation funding. With the passage of SB 1, the focus will now be on maximizing the funding for Orange County and ensuring that this funding is not diverted away from transportation projects. The revisions are also meant to reflect that implementation of SB 1 will likely be a primary issue in the upcoming year.
- Subsection (f) of the Key Issues Section entitled “Transportation Funding” was also altered slightly to ensure that proposed legislation does not broaden the pool of applicants for Transportation Development Act funds.
- The introductory text to Section III, entitled “State Transportation Improvement Program Streamlining,” was edited to reflect the stability that SB 1 provides to the State Transportation Improvement Program. Subsection (a) of Section III was edited to remove the words “return to source” to allow for additional flexibility in maximizing Orange County’s share of formula funds. This change does not reflect a change in OCTA’s position.
- Subsection (i) of Section V, entitled “Roads and Highways,” was stricken to reflect the Transportation Corridor Agency’s (TCA) efforts to examine potential expansions to their toll road network. Once any project alignment is chosen, and vetted through a public process, language will again be brought for inclusion in the platform. This new language



provides for continued collaboration with TCA during both processes and mirrors the revision proposed in the Federal Platform.

- Subsection (q) of Section V, entitled “Roads and Highways,” was moved up from Subsection (s) for organizational clarity and expanded upon to support studying the development of a safe approach to both autonomous vehicles and the technologies related to autonomous vehicles.
- The introductory text to Section VI, entitled “91 Express Lanes/Managed Lanes,” was updated to discuss OCTA’s innovative financing approach to the I-405 Improvement Project.
- Subsection (b) of Section VI, entitled “91 Express Lanes/Managed Lanes,” was updated to reflect the completion of the extension of the 91 Express Lanes into Riverside County and the continued coordination with the Riverside County Transportation Commission that will take place.
- Subsection (g) of Section VI, entitled “91 Express Lanes/Managed Lanes,” was combined with what was Subsection (h) for purposes of concision. Subsection (h), which discussed toll violations due to protected plates, was a straightforward addition to Subsection (g), an item about toll agency enforcement efforts more broadly. No substantive change is intended.
- The introductory text in Section VII, entitled “Rail Programs,” was updated for purposes of accuracy. The first paragraph was updated only slightly to include the most accurate reference to the 91/Perris Valley Metrolink line. The second paragraph was updated so that the State Platform uses similar language to what was included in the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency annual Legislative Platform.
- The introductory text in Section VIII, entitled “Goods Movement,” was amended to include updated statistics and terminology regarding goods movement infrastructure.
- Section XIII, entitled “Transportation Security and Emergency Preparedness,” was edited to reflect recent trends in security-related funding. Specifically, the language now includes a reference to man-made as well as natural disasters and clearer language on OCTA’s compliance efforts. This language is intended to be more consistent with the recommended revision to the Federal Platform.

The Section entitled “Implementation of Environmental Regulations and Cap-and-Trade” was not amended despite passage of legislation to extend the cap-and-trade program – AB 398 (Chapter 135, Statutes of 2017). At the time the staff report was prepared, the Legislature, which was still in session, was debating expenditure plans pertaining to the cap-and-trade program. This section, and any other affected by legislation passed before the end of the session, will be updated for the Board in November.

#### **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 needed for the remainder of the session and will provide an update to the OCTA Board when the final revisions to the 2017-18 OCTA State Legislative Platform are considered in November.

#### **2017-18 OCTA Federal Legislative Platform**

The proposed revisions to the 2017-18 OCTA Federal Legislative Platform are outlined in detail below. Language was edited, amended, or removed as necessary to ensure grammatical and stylistic integrity. All textual references are to the clean copy of the proposed revisions (Attachment B).

- The introductory text of Section I, entitled “Annual Transportation Funding,” was updated to remove references to multiyear surface transportation legislation predating the Fixing America’s Surface Transportation (FAST) Act (Pub. L. No. 114-94). These changes are only stylistic and do not reflect any change in OCTA’s positions.
- Subsection (a) of Section I, entitled “Annual Transportation Funding,” is language that was moved from Section III to Section I. This Subsection, which clearly articulates broad funding principles, was formerly in the Section entitled, “Economic Impact Legislation Regulations.” While previously limited to transit funding, the language now addresses both transit funding and broader funding goals for transportation funding.
- Subsection (c) of Section I, entitled “Annual Transportation Funding,” was broadened to give OCTA the ability to pursue emergency preparedness funds from any available safety and security grant program, rather than limiting it to specific programs as provided under the existing language.



- Subsection (e) of Section II, entitled “Advocacy Efforts for Implementation of Existing and Planned Federal Highway and Transit or Rail Programs,” was edited to streamline all references to the OCTA Breaking Down Barriers Report and Follow-on Study. This change is not substantive and is solely intended to make the document more readable. Similarly, all references to the OCTA Breaking Down Barriers Report were adjusted slightly to include reference to the Follow-on Study presented to the Board in 2014.
- Subsection (q) of Section II, entitled “Advocacy Efforts for Implementation of Existing and Planned Federal Highway and Transit or Rail Programs,” was amended to align with the language in the State Platform, and will be adjusted when TCA takes action to approve any expansion of their existing toll facilities through a public process. This new language provides for continued collaboration with TCA during this process..
- Section III, entitled “Economic Impact Legislation and Regulations,” includes a new Subsection (f) to support bipartisan efforts to address the Highway Trust Fund’s (HTF) structural deficit, following upon efforts earlier this year on this issue. On June 30, 2017, OCTA sent a letter in support of the bipartisan effort led by Congressman Sam Graves (R-MO) and Congresswoman Eleanor Holmes Norton (D-DC) to include a long-term fix for the HTF structural revenue deficit in tax reform legislation.
- The introductory text of Section IV, entitled “Reauthorization of the Highway and Transit Programs,” was edited to remove references to multiyear transportation bills predating the FAST Act. Section IV was also reformatted to be consistent with the rest of the Federal Platform.
- Sections V and VI, concerning goods movement and transportation security, respectively, were edited to reflect the latest statistics and terminology for each issue. Similar changes were proposed to the State Platform.

***Summary***

Upon approval, the mid-session revisions to the 2017-18 OCTA State and Federal Legislative Platforms will be circulated for additional review and will return to the Board in November for final consideration and adoption.

***Attachments***

- A. Draft Orange County Transportation Authority 2017-18 State Legislative Platform (clean copy)
- B. Draft Orange County Transportation Authority 2017-18 Federal Legislative Platform (clean copy)
- C. Draft Orange County Transportation Authority 2017-18 State Legislative Platform (strikeout version)
- D. Draft Orange County Transportation Authority 2017-18 Federal Legislative Platform (strikeout version)

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