



MINUTES

Legislative and Communications Committee Meeting

Committee Members Present

Shawn Nelson, Chairman
Barbara Delgleize
Al Murray
Tim Shaw
Gregory T. Winterbottom

Staff Present

Darrell E. Johnson, Chief Executive Officer
Ken Phipps, Deputy Chief Executive Officer
Laurena Weinert, Clerk of the Board
Sara Meisenheimer, Deputy Clerk of the Board
James Donich, General Counsel
OCTA Staff and Members of the General Public

Committee Members Absent

Michael Hennessey, Vice Chairman
Laurie Davies

Call to Order

The October 18, 2018 regular meeting of the Legislative and Communications Committee was called to order by Board Vice Chairman Shaw at 9:13 a.m.

Pledge of Allegiance

Director Winterbottom 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, Sacramento Advocate, reported on the following:

- The Legislature adjourned in August and the Governor has dispensed all bills that were given to him on September 30th.
- The Sacramento legislatures are waiting for the November election.
- Last year, the Orange County Transportation Authority (OCTA) sponsored the state audit of the Board of Equalization (BOE) related to sales tax revenues in the local transportation fund.
- Legislation changed the following BOE functions: tax collection, renitence, and allocation, which were then shifted to the California Department of Tax and Fee Administration (CDTFA).
- Ms. Topp and OCTA staff met with the leadership team of the CDTFA and discussed the Local Transportation Funds issues.
- The CDTFA is looking forward to a policy discussion in regards to the Wayfair vs. South Dakota (Wayfair) decision.



2. (Continued)

- Summary of the Wayfair decision and how California sales tax would be affected.
- A stakeholder's meeting with CDTFA was scheduled for the following week.
- Senate Bill (SB) 1119, OCTA's sponsored bill, which is related to Low Carbon Transit Operations Program was signed by the Governor and will take effect on January 1, 2019.
- The California Air Resources Board (CARB) had a board meeting to discuss the zero-emissions bus mandate and the final regulations will be adopted in January 2019.

Consent Calendar (Item 3)

3. Approval of Minutes

A motion was made by Director Murray, seconded by Director Delgleize, and declared passed by those present, to approve the minutes of the Legislative and Communications Committee meeting of September 20, 2018.

Regular Calendar

4. Federal Legislative Status Report

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

- The 2019 Federal Fiscal Year appropriations process.
- The transportation funding bill was not enacted by Congress before the end of the Federal Fiscal Year; therefore, a continuing resolution was issued and will expire on December 7th.
- Drafts of the transportation funding bill that have been proposed by the Senate and House both maintain the authorized levels for funding, including the Capital Investment Grants program and the Full-Funding Grant Agreements (funding for the OC Streetcar Project).
- Congress passed a bill to reauthorize the Federal Aviation Administration (FAA). It did not address issues related to sales tax measures.
- Several hearings over the last month related to:
 - Positive Train Control Implementation.
 - Autonomous vehicles and connected vehicle technology.
- CARB took action to reaffirm their commitment to additional vehicle emission reduction requirements.
- The purpose of the FAA diverting sales tax revenues from aviation fuel is to ensure it benefits the infrastructure at airports.

4. (Continued)

A discussion ensued regarding:

- Several supporters want to prevent the diversion of sales tax revenues, such as Congresswoman Napolitano and Congressman Lowenthal.
- The City of Huntington Beach has been impacted by traffic going into the Long Beach Airport.
- Concerns about voters who were made promises to vote on the sales tax and the FAA taking away their local preference.
- Issues with airplanes and airport noise nationally.
- A proposal for the federal government to charge zero-emission vehicles a road user fee.
- Drivers of alternate fuel vehicles, such as electric vehicles, do not pay taxes and this cannot be a sustainable model to fund roadways in California.
- Committee Chairman Nelson described his experience with talking to leaders from Washington, D.C., who are not from California and how they appreciate OCTA's perspective.

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

5. Agreement for Federal Legislative Advocacy and Consulting Services

Committee Chairman Nelson provided opening comments and excused himself from this item due to the Levine Act. Consequently, Board Vice Chairman Shaw chaired the meeting for this item.

Kristin Essner, Manager of State and Federal Relations, gave an overview on the background, procurement process, and the recommendations.

A discussion ensued regarding:

- Director Murray stated he met with the representatives from Potomac Partners DC in the past and commended their work.
- During the interview process with various firms, there was a discussion on a potential issue of conflict with the Transportation Corridor Agencies.

A motion was made by Director Murray, seconded by Director Delgleize, and declared passed by those present, to:

- A. Approve the selection of Potomac Partners DC to provide federal legislative advocacy and consulting services.

5. (Continued)

- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-1750 with Potomac Partners DC, in the amount of \$20,000 per month, for the period of January 1, 2019 to December 31, 2020, with two, two-year options, to perform federal legislative advocacy and consulting services.

Committee Chairman Nelson did not participate or vote due to the Levine Act.

Discussion Items

6. Chief Executive Officer's Report

Darrell E. Johnson, Chief Executive Officer, reported on the following:

- Updates to OC Flex service:
 - On Monday, October 15th, the OC Flex service was launched in Huntington Beach and Westminster.
 - Yesterday, Director Davies and he participated in a tour of the south county zone in Laguna Niguel, Mission Viejo, and Aliso Viejo, which will launch on Saturday.
 - The mobile app is now available in the Apple and Android store.
 - This is a pilot and OCTA is prepared to modify any “kinks” in the service.
- On Saturday, October 20th, there is an open space equestrian ride at the Trabuco Rose Preserve in Trabuco Canyon at 9:00 a.m.
- On Thursday, October 25th, from 5:30 p.m. to 7:30 p.m., OCTA is hosting a Public Hearing for the northbound State Route 57 Improvement Project from Orangewood Avenue to Katella Avenue. The Public Hearing will be in an open house format at the Portola Middle School in Orange.
- Last month, the Orange County Public Relations Society held its annual awards ceremony honoring the region’s top public relations professionals and campaigns in various categories. OCTA was acknowledged for the following awards:
 - The Protos award, the top honor, for the Interstate 405 (I-405) Improvement Project groundbreaking event and project interactive map/Waze integration;
 - An Award of Excellence for the Santa Ana Community College Pass Program; and
 - An Award of Excellence for the I-405 Improvement Project construction safety and coloring and activity book.



6. (Continued)

Committee Chairman Nelson inquired about the type of riders who are using OC Flex and how the service is being advertised. Mr. Johnson, CEO, stated there are two types of groups using the service: those using it for recreational activities and those using it for work and school. He also stated social media and those who already use public transportation have played a part in making people aware of the service.

Director Delgleize described how the OC Flex Service was promoted in Huntington Beach and asked about Marina High School.

Mr. Johnson, CEO, stated that the service goal is to try to match the service with the need of the communities.

7. Committee Members' Reports

There were no Committee Member's reports.

8. Closed Session

There were no Closed Session items scheduled.

9. Adjournment

The meeting adjourned at 9:50 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, November 15, 2018**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.

ATTEST

Shawn Nelson
Committee Chairman

Sahara Meisenheimer
Deputy Clerk of the Board