



# **MINUTES**

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

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### **Committee Members Present**

Michael Hennessey, Vice Chairman  
Laurie Davies  
Barbara Delgleize  
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**

None

### **Call to Order**

The January 17, 2019 regular meeting of the Legislative and Communications Committee was called to order by Committee Vice Chairman Hennessey at 9:02 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:

- Last Monday, January 7<sup>th</sup>, the Legislature returned, and the Governor and all the constitutional constitutes were sworn-in for their terms.
- On Thursday, January 10<sup>th</sup>, the Governor released his proposed 2019-20 budget which includes:
  - A \$209 billion budget;
  - To the general fund \$144 billion;
  - A 4.1 percent increase over last year's spending;
  - To pre-kindergarten, kindergarten, and childcare \$1.8 billion;
  - Includes a surplus of \$13 billion; and
  - Proposes \$1.3 billion towards housing and a half billion towards homelessness.
- On the transportation side, the Governor proposes \$4.8 billion of Senate Bill (SB) 1.



**2. (Continued)**

- The bill introduction deadline is February 22<sup>nd</sup> and up to 2,500 bills will be introduced.
- Assembly and Senate both released the committee assignments.
- In the Assembly Committee on Transportation, Assembly Member Daly remains on the committee (who is a member of the Orange County delegation).
- In the Senate, the transportation and housing committee was split into two committees again and Senator Tom Umberg, who is an Orange County delegation, is a member of both committees.
- In the Assembly, after the election, Republican Caucus made a leadership change and elected Assembly Member, Marie Waldron, as the Assembly Republican leader.
- In the Senate, Senator Shannon Grove was elected as the California Senate Republican leader.

A discussion ensued regarding:

- The Governor's proposal with SB 1 and applying it to cities' compliance with the Regional Housing Needs Assessment.
- The Governor and the administration are required to release their trailer bills that underly the budget at the end of the month.
- Summary of SB 50, the challenges the bill faces, and the bi-partisan support.
- The Orange County Transportation Authority (OCTA) is currently analyzing SB 50 and has not taken a position since OCTA has no land-use authority; yet, there is a transit component in the bill. OCTA will further analyze SB 50 and bring it back to the Legislative and Communications Committee for further consideration.

**Consent Calendar (Item 3)**

**3. Approval of Minutes**

A motion was made by Director Davies, seconded by Director Delgleize, and declared passed by those present, to approve the minutes of the Legislative and Communications Committee meeting of November 15, 2018.

## Regular Calendar

### 4. State Legislative Status Report

Kristin Essner, Manager of State and Federal Relations, reported on the following:

- Background on toll enforcement policies.
- SB 1268 and Assembly Bill 179 laid out processes to protect customer privacy information when processing toll violations; however, legislation did not anticipate several new ways of using data from toll facilities and the federal interoperability requirements.
- Since the passage of these bills, the federal law was changed to require all toll facilities to meet certain interoperability requirements.
- Further updates and clarification are needed to the toll code sections; within the statute authority, as to when to enforce paying penalties if a facility is being misused.
- OCTA plans to co-sponsor legislation with other toll operators within the state, including the Metropolitan Transportation Commission/Bay Area Toll Authority.
- Multiple avenues on clarifying toll enforcement policies could be handled in a stand-alone bill.
- Overview of the California Air Resources Board (ARB) Innovative Clean Transit Regulation (ICT). ARB unanimously adopted the ICT Regulation the previous month.
- OCTA requested ARB incentive funds to continue to be available for transit agencies through the life of the regulation but ARB was not willing to do that.
- An update on the Legislative Analyst's Office report discussing transportation, greenhouse gas emissions (GHG), and meeting the regional SB 375 GHG emissions reduction targets.

A discussion ensued regarding:

- OCTA's goal is to update technology and continue to maintain customer privacy requirements within toll enforcement policies.
- James Donich, General Counsel, stated the Board of Directors will receive an in-depth memo as a part of the January 28<sup>th</sup> Board Meeting Agenda (a closed session item).
- California has the toll interoperability under Title 21 to ensure OCTA can still do business transactions properly.
- OCTA will have several considerations as the long-term fleet plan is developed. It crosses all issues financially, operationally, and environmentally.



**4. (Continued)**

- Examples of how OCTA has experimented with different types of buses and how OCTA is currently experimenting with hydrogen fuel cell buses before making a purchase requirement decision.

A motion was made by Director Davies, seconded by Director Delgleize, and declared passed by those present, to amend the 2019-20 Orange County Transportation Authority State Legislative Platform to co-sponsor legislation to clarify roles and responsibilities related to toll enforcement policies to allow for interoperability between toll facilities while affirming user privacy protections.

**5. Federal Legislative Status Report**

Dustin Sifford, Senior Government Relations Representative, and Lance Larson, Executive Director of External Affairs, reported on the following:

- The background of the partial government shutdown which effects the Department of Transportation.
- OCTA's impacts with the government shutdown are seen through three specific model agencies: the Federal Highway Administration, the Federal Transit Administration, and the Federal Railroad Administration.
- Nicole R. Mason was nominated to serve as the Administrator of the Federal Highway Administration.
- Newly-elected Speaker of the House, Nancy Pelosi, is in the process of making committee assignments, and Congressman Harley Rouda of Orange County, will be assigned to the Transportation and Infrastructure Committee.

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

**Discussion Items**

**6. Chief Executive Officer's Report**

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

- Mr. Johnson, CEO, and staff were in Sacramento earlier this week to meet with several newly-elected officials and representatives from the California State Transportation Agency.



**6. (Continued)**

- The Interstate 405 (I-405) Improvement Project updates are as follows:
  - The Magnolia Street bridge is scheduled to close at 10:00 p.m. on Friday night until Saturday at 8:00 a.m. to allow crews to partially demolish the bridge.
  - On January 19<sup>th</sup> at 9:00 a.m. at Paularino Elementary school in Costa Mesa, OCTA's outreach team will host a neighborhood meeting regarding upcoming work on the Fairview Road bridge, which is expected to start next month.
  - A second neighborhood meeting is scheduled at 9:00 a.m. on January 26<sup>th</sup> at Wakeham Park in Costa Mesa.
- January is human trafficking awareness month and OCTA will have a booth at California State University Fullerton on Saturday at 1:00 p.m. to provide information about the *Be the One* campaign.
- On February 7<sup>th</sup> at 11:00 a.m. at Golden West College, OCTA will host a ribbon-cutting event for the newest Bravo Route 529 along Beach Boulevard.
- On February 9<sup>th</sup> at 8:00 a.m., OCTA will host the annual Lunar New Year celebration at the Irvine Metrolink Station.

**7. Committee Members' Reports**

Director Shaw inquired about how the storms are affecting transportation on the freeways.

Mr. Johnson, CEO, commented on the State Route 91 freeway incident, that there was an emergency closure due to flooding on the I-405, and concerns about the impacts to the open space property.

**8. Closed Session**

There were no Closed Session items scheduled.



**9. Adjournment**

The meeting adjourned at 9:45 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, February 21, 2019**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.

ATTEST

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Michael Hennessey  
Committee Vice Chairman

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Sahara Meisenheimer  
Deputy Clerk of the Board