



October 17, 2019

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Draft Revisions to Orange County Transportation Authority's 2019-20 State and Federal Legislative Platforms

Overview

Initial draft revisions to the Orange County Transportation Authority's 2019-20 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 Board of Directors, as well as further internal staff and advisory group input, before being presented for final adoption.

Recommendation

Authorize staff to integrate the recommended revisions to the Orange County Transportation Authority's 2019-20 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 initial draft of mid-session revisions to the 2019-20 State and Federal Legislative Platforms is presented as Attachments A and B. The proposed changes are detailed in strikethrough versions in Attachments C and D, with the recommended revisions to the Board-adopted 2019-20 State and Federal Legislative Platforms designated by italicized and strikethrough 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. When developing the 2021-22 State and Federal Legislative Platforms next year, 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.

2019-20 OCTA State Legislative Platform

The proposed revisions to the 2019-20 OCTA State Legislative Platform are outlined in detail below. Language was edited, amended, or removed as necessary to ensure grammatical and stylistic integrity.

- Subsection (f) of the Key Issues Section entitled “Transportation Funding” was updated to streamline the provisions pertaining to the Transportation Development Act (TDA). Legislation affecting TDA performance measures is expected in the next session, and the changes proposed by staff are meant to provide one clear, concise goal for any such effort, as opposed to having multiple platform provisions on the subject. As such, Subsection (d) of Section IV, entitled “Transit Programs,” was removed since the substance of that provision is incorporated into the new TDA provision.
- Subsection (h) of the Key Issues Section entitled “Implementation of Environmental Regulations and Cap-and Trade” was altered to broaden the types of financial assistance that OCTA can pursue in mitigating the cost of zero-emission bus implementation. While OCTA continues to support additional predictability in electricity prices for transit purposes, any and all types of financial assistance are necessary to reduce the cost of procuring this new technology.
- Subsection (j) of Section II, entitled “Fiscal Reforms and Issues,” was edited to remove the provision supporting legislation to implement the U.S. Supreme Court’s *South Dakota v. Wayfair, Inc.* decision due to the signing of AB 147 (Chapter 5, Statutes of 2019), which OCTA supported. As such, OCTA no longer requires this provision in the State Legislative Platform. A similar provision is not being removed from the Federal Legislative Platform in case Congress considers legislation that would impact the provisions enacted by AB 147.
- Subsection (g) was added to Section VI, entitled “Roles and Responsibilities,” to ensure that self-help counties can deliver on the promises made to taxpayers when implementing local sales tax measures.

- Subsection (e) was added to Section XIII, entitled “Employment Issues,” to support efforts to streamline workforce development processes in order to ensure that OCTA can efficiently recruit, hire, and retain the highest caliber people to work at the agency.

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 reviewing existing sponsor bill ideas and exploring the need for any potential sponsor bills needed for the remainder of the session. As of the writing of this staff report, the Governor was still considering signing or vetoing legislation that may impact OCTA’s advocacy goals; as such, staff is recommending that any changes to the sponsor bill section wait until final revisions to the 2019-20 State Legislative Platform are considered in November.

2019-20 OCTA Federal Legislative Platform

The proposed revisions to the 2019-20 OCTA Legislative Platform are outlined in detail below. Language was edited, amended, or removed as necessary to ensure grammatical and stylistic integrity.

- Subsection (g) was added to the Section entitled “Key Policy Issues in the 116th Congress” in order to address the ongoing development of, and potential consequences stemming from, changes to tailpipe emissions standards and California’s Clean Air Act pre-emption waiver. This provision is meant to ensure that any changes to air quality law do not reduce funding for OCTA or make it more difficult to deliver transportation improvements in Orange County.
- Subsection (d) was added to Section VI, entitled “Transportation Security and Emergency Preparedness”, to add a provision supporting policies and funding incentives that help provide for the safety of OCTA’s coach operators and transit personnel.

Summary

Upon approval, the mid-session revisions to the 2019-20 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 2019-20 State Legislative Platform (Clean)
- B. Draft Orange County Transportation Authority 2019-20 Federal Legislative Platform (Clean)
- C. Draft Orange County Transportation Authority 2019-20 State Legislative Platform (Strikethrough)
- D. Draft Orange County Transportation Authority 2019-20 Federal Legislative Platform (Strikethrough)

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