



**Committee Members Present**

Laurie Davies, Chair  
Lisa A. Bartlett, Vice Chairwoman  
Barbara Delgleize  
Michael Hennessey  
Gene Hernandez

**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**

Donald P. Wagner  
Gregory T. Winterbottom

**Call to Order**

The February 20, 2020 regular meeting of the Legislative and Communications (L&C) Committee was called to order by Committee Vice Chairwoman Chair Davies at 9:12 a.m.

**Pledge of Allegiance**

Director Delgleize 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**

Lance Larson, Executive Director of Government Relations, provided opening comments and announced that Ms. Topp would not be able to present due to having the flu. Mr. Larson, Executive Director of Government Relations, introduced Kristin Jacinto, Manager of State and Federal Relations, who reported on the following:

- The deadline for bills introduction is this Friday and staff will inform the L&C Committee if any of the bills have direct impacts on the Orange County Transportation Authority (OCTA).
- The Governor gave his State of the State Address which primarily focused on homelessness and outlined a five-step plan.
- A memo will be sent out to the Board of Directors which details the Governor's speech.



**2. (Continued)**

A discussion ensued regarding:

- In regards to the California Environmental Act (CEQA) reform, the Governor cited a current exemption for emergency shelters that exists in Los Angeles county and the need to streamline the building of new affordable housing.
- Committee Vice Chairwoman Bartlett discussed the CEQA streamlining proposal and potential obligations on cities and counties.
- In the Governor's budget, there is a \$750 million proposal to help local governments with mental health related to homelessness.
- The Governor is focused on utilizing state properties for affordable housing and homelessness.
- The City of Huntington Beach has properties owned by the California Department of Transportation (Caltrans) and it is best to contact Caltrans District 12 about the use of any Caltrans-owned parcels.

**3. Committee Meeting 2020 Schedule**

Committee Vice Chairwoman Bartlett opened this item and there was no discussion.

A motion was made by Director Delgleize, seconded by Director Hennessey, and declared passed by those present, to approve the 2020 Legislative and Communications Committee meetings calendar.

Committee Chair Davies was not present to vote on this item.

**4. Roles and Responsibilities of the Legislative and Communications Committee**

Darrell E. Johnson, Chief Executive Officer (CEO), presented this item and stated that staff brings forward this item every year to provide guidance on how to schedule agenda items. There were no changes from the previous year.

A discussion ensued regarding the "Environmental Justice requirements" noted in Attachment A. Mr. Larson, Executive Director of Government Relations, explained that the requirements follow the Federal Transit Administration state requirements and the public outreach requirements as related to Title VI.

A motion was made by Director Hennessey, seconded by Director Delgleize, and declared passed by those present, to approve the 2020 Legislative and Communications Roles and Responsibilities.



**4. (Continued)**

Committee Chair Davies was not present to vote on this item.

**Consent Calendar (Items 5 and 6)**

**5. Approval of Minutes - January 16, 2020**

A motion was made by Director Delgleize, seconded by Director Hennessey, and declared passed by those present, to approve the minutes of the Legislative and Communications Committee meeting of January 16, 2020.

Committee Chair Davies was not present to vote on this item.

**6. Approval of Minutes - November 21, 2019**

A motion was made by Director Delgleize, seconded by Director Hennessey, and declared passed by those present, to approve the minutes of the Legislative and Communications Committee meeting of November 21, 2019.

Committee Chair Davies was not present to vote on this item.

**Regular Calendar**

**7. State Legislative Status Report**

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

- Briefing on the following bills: Assembly Bill (AB) 1350, AB 2012, and AB 2176.
- The bills mentioned above would allow free transit passes provided under the bills to count as full fares for purposes of calculating farebox recovery requirements.
- Federal requirements and how they are impacted by the bills will be a part of the discussion if these bills move forward.
- Attachment C of the staff report summarizes the potential issues that will need to be discussed with each of the author's office.
- According to the California Transit Association (CTA), it is likely that these bills will be formed into a policy and signed by the Governor.
- Highlighted the recommendations in the staff report.
- OCTA is estimating a \$7 million loss if required to offer free youth and senior passes and a \$2 million loss in fare revenue for college passes.
- A possible funding source to backfill lost fare revenue is cap-and-trade funding.

### **7. (Continued)**

- Funding concerns were addressed in a policy committee for AB 1350 and the author acknowledged a funding source would need to be identified before making its way to the Governor.

A discussion ensued regarding:

- Possible reasons for making the bus service free for the younger population.
- OCTA has not taken a position yet (it would go through the L&C Committee first). The bill is likely to pass and OCTA needs to be at the table as discussions take place.
- Concerns about fraud, how OCTA will monitor other people using the free transit passes, and an example of veterans using toll ways in Texas for free.
- Other transit agencies are considering the free fare model.
- If the Board of Directors approves the recommendations, the next step would be to authorize OCTA Sacramento Advocate, Moira Topp, to start discussions with the author's office.

A motion was made by Director Hernandez, seconded by Director Hennessey, and declared passed by those present, to approve a set of principles that should be considered for any legislation which seeks to require or facilitate programs to provide free transit fares for youth or seniors.

Committee Chair Davies was not present to vote on this item.

### **8. Federal Legislative Status Report**

Dustin Sifford, Senior Government Relations Representative, reported on the following:

- Summary of the Fixing America's Surface Transportation (FAST) Act, which expires in September, and the Highway Trust Fund running out of money.
- The FAST Act authorizes \$300 billion for all transportation programs over the course of five years.
- The Congressional Budget Office estimates that the Highway Trust Fund will need nearly \$200 billion to cover existing programs over the next 10 years.
- Policy considerations in Transportation Infrastructure Finance and Innovation Act streamlining, improvements to the discretionary grant process, zero emission bus implementation, and concerns on local control that could shift southern California projects.

### **8. (Continued)**

- Ranking Member of the House Transportation and Infrastructure Committee, Sam Graves, emphasizes a Road User Charge system.
- Referenced Attachments A and B of the staff report.

A discussion ensued regarding:

- Director Hennessey commended Representative J. Luis “Lou” Correa for helping OCTA point out the Opportunity Zone.
- Highlighted the Opportunity Zone concept and how it relates to transportation projects.
- Overview of the recommendation in the staff report.
- Committee Vice Chairwoman Bartlett discussed California’s role as a leader in implementation of Road User Charge system, gave an example of a Road Usage Charge and federal inoperability in Washington, D.C., and being behind in implementing a pilot program.
- The principles are based on the platform and if anything needs to be added to the principles, staff will bring the item back to the L&C Committee.

A motion was made by Director Hennessey, seconded by Director Davies, and declared passed by those present, to adopt the proposed Principles for Surface Transportation Reauthorization Legislation and direct staff to take necessary and appropriate actions in furtherance of these goals in Washington, D.C.

### **9. Agreement for Public Communications and Community Outreach Consultant Services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605**

Chris Boucly, Section Manager of Public Outreach, reported on the following:

- Background of the Interstate 405 Improvement Project between the State Route 73 and Interstate 605 freeway and the ongoing construction of bridges, sound walls, and building structures.
- Processes and tools have been put in place for public outreach during the long-term freeway and ramp closures.
- Highlighted the procurement approach and staff’s recommendations.

A discussion ensued regarding the sub-contractors of Kleinfelder Construction Services, Inc., the difference in project hours, and the benefit to having an Orange County based firm.



**9. (Continued)**

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

- A. Approve the selection of Kleinfelder Construction Services, Inc., as the firm to provide public outreach consulting services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1571 between the Orange County Transportation Authority and Kleinfelder Construction Services, Inc., in the amount of \$3,326,544, for a four-year term, effective May 1, 2020, through April 30, 2024, with an option term of up to 24 months, to provide public outreach consulting services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605.

**Discussion Items**

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

Darrell E. Johnson, CEO, reported on the following:

- A Transportation Needs Assessment survey was recently launched to gauge people's opinions on the public transit system in Orange County. This is an online survey available in seven languages and available through the end of March at [OCTAsurvey.com](http://OCTAsurvey.com).
- Last Sunday, February 16<sup>th</sup>, Mr. Johnson, CEO, attended the Presidential Candidate Forum as a part of the American Public Transportation Association on infrastructure. The takeaway is that infrastructure is important, and eventually, OCTA will have to look for reauthorization when the six-year transportation bill ends.

**11. Committee Members' Reports**

There were no Committee Members' Reports.

**12. Closed Session**

There were no Closed Session items scheduled.



**13. Adjournment**

The meeting adjourned at 10:07 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, March 19, 2020**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.

ATTEST

---

Laurie Davies  
Committee Chair

---

Sahara Meisenheimer  
Deputy Clerk of the Board