



MINUTES

Legislative and Communications Committee Meeting

Committee Members Present

Lisa A. Bartlett, Chairwoman
Gene Hernandez, Vice Chairman
Michael Hennessey
Mark A. Murphy
Harry S. Sidhu
Donald P. Wagner

Staff Present

Jennifer L. Bergener, Deputy Chief Executive Officer
Gina Ramirez, Clerk of the Board Specialist, Senior
Allison Cheshire, Clerk of the Board Specialist, Senior

Committee Members Absent

Barbara Delgleize

Via Teleconference

Darrell E. Johnson, Chief Executive Officer
James Donich, General Counsel

Call to Order

The July 15, 2021 regular meeting of the Legislative and Communications (L&C) Committee was called to order by Committee Chairwoman Bartlett at 9:02 a.m.

Roll Call

Gina Ramirez, Clerk of the Board Specialist, Senior, conducted an attendance Roll Call and announced a quorum of the L&C Committee.

Pledge of Allegiance

Director Hernandez led in the Pledge of Allegiance.

1. Public Comments

There were no public comments received.

Special Calendar

2. Conference Call with State Legislative Advocate Moira Topp

Moira Topp, State Legislative Advocate, reported on the following:

- The Legislature is on summer recess until August 16th.
- The State Capitol re-opened with limitations to the public on June 15th, while some offices are still remote for meetings.
- The Legislature met the June 15th deadline to pass the state budget, but that did not include final negotiations on all issues. Since that time, negotiations have been completed in several areas.



2. (Continued)

- The Governor signed the budget package and an additional junior budget bill on July 12th.
- For transportation, it includes \$2.5 billion for the Transit and Intercity Rail Capital Program, \$500 million for the Active Transportation Program, and \$300 million for the New Climate Adaptation Program. All these programs were funded through a \$75 billion general fund surplus.
- Negotiations on several trailer bills continue, including those related to transportation and climate.
- Assembly Bill (AB) 917 (Bloom, D-Santa Monica), which the Orange County Transportation (OCTA) had taken a position on, provided enforcement capability for transit agencies to enforce the transit-only lanes. Los Angeles County Metropolitan Transportation Authority (LA Metro) supports AB 917.
- OCTA does not have a position on AB 1147 (Friedman, D-Glendale) presently. A funding program was initially attached to this but is now in a trailer bill. This bill requires additional data reporting on Senate Bill (SB) 375 (Chapter 728, Statutes of 2008), working with the author's staff and coalition to fine-tune the bill.

Director Wagner inquired on AB 917, which is also on the agenda today. He discussed his concerns on this bill. Discussion about the timing of the bill's introduction and OCTA's initial position on the bill before it received updated amendments.

Chairwoman Bartlett inquired when the most recent increase in the gas tax occurred under SB 1 (Chapter 5, Statutes of 2017). Mr. Johnson, CEO, responded that the most recent increase went into effect on July 1, 2021.

Chairwoman Bartlett commented on the potential for a future funding source based on Vehicle Miles Traveled (VMT) and zero-emissions technology's impacts on existing transportation funding sources.

Director Hennessey inquired on the indexing and cap of gas tax on the Consumer Price Index. Mr. Johnson, CEO, responded that there is no cap, and it is adjusted for inflation.



Consent Calendar (Item 3)

3. Approval of Minutes

A motion was made by Director Hennessey, seconded by Committee Vice Chairman Hernandez, and following a roll call vote, declared passed 6-0, to approve the minutes of the Legislative and Communications Committee meeting of June 17, 2021.

Regular Calendar

4. State Legislative Status Report

Lance Larson, Executive Director of Government Relations, provided opening comments and introduced Kristin Jacinto, Program Manager, who reported on the following:

- Background on AB-917 and how OCTA supported legislation according to its platform. The bill was amended following discussion at Senate Judiciary Committee and included changes.
- AB-917 has transparency requirements and requires transit agencies who use it through their law enforcement or contracting agency to make allowances for people who meet certain income thresholds.
- The bill is sponsored by the California Transit Association and is supported by various agencies across the state. It has passed the Senate Judiciary Committee and is pending the Senate currently.
- The transportation budget trailer bill has not been signed and is awaiting the Governor's approval.
- The bill includes various efficiencies related to the transportation development act and transit services, including suspension of the farebox recovery requirement and financial penalties associated with failure to meet the need for an extended period until the end of the fiscal year 2022-2023.
- The bill includes various other policies and efforts, including those led by the self-help counties coalition to limit how much the California Department of Transportation (Caltrans) can recover for indirect cost recovery. There is also removal of maintenance of effort requirement for local cities and counties to be eligible to receive local street and road funding due to shortfalls that may have existed due to coronavirus (COVID-19) impacts on funding sources.
- The bill also includes language, which will create a grant program administered by Caltrans that local agencies and transit agencies can apply.

4. (Continued)

Concerns were raised by Chairwoman Bartlett, Committee Vice Chairman Hernandez, and Director Wagner about recent amendments to AB 917 that allow for reduced penalties for certain income thresholds. A lengthy discussion ensued about the reasoning and timing of those amendments, the precedent it sets, and how it would be operationalized.

Mr. Johnson, CEO, noted that he agreed with the concerns and reservations about moving forward with a position in favor of the bill. Mr. Johnson stated OCTA does hold discretion about whether to use this authority if the bill moves forward. If that happens, the item will return to the Committee and Board for approval at the appropriate time if determined.

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

5. Federal Legislative Status Report

Lance Larson, Executive Director of Government Relations, provided opening comments and introduced Dustin J. Sifford, Senior Government Relations Representative, who reported on the following:

- An overview of the infrastructure package and surface transportation reauthorization bills in both the House and Senate.
- A proposal in the Senate would provide \$973 billion over five years, including \$579 billion in new funding. Of the new funding, \$312 billion would be for traditional transportation purposes. The other \$266 billion would be for other infrastructure purposes, including improvements to the power grid, water, and broadband. At the current moment, there is still a lack of detail regarding how funding will be administered.
- The Senate proposal is expected to be considered on the floor later this month, although the Senate has yet to draft a transit title. It is unclear how the two chambers will potentially compromise on a reauthorization proposal and how this will relate to broader infrastructure efforts.
- In addition, Congress must address the debt ceiling, and the statutory deadline expires on July 31, 2021.

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



Discussion Items

6. Chief Executive Officer's Report

Mr. Johnson, CEO, reported on the following:

- Provided an update on the efforts to introduce a Youth Ride Free Pass on the OC Bus System.
- On Monday, July 12th, the Board approved to expand the program to all youth 18 years old and under, there were continued efforts at the state level to secure funding.
- On Tuesday, July 13th, Caltrans and the California Air Resources Board gave approvals to expand the program's reach with funding from the California Climate Investments program. This is exciting news for OCTA and youth riders across the County. OCTA will plan to launch the Youth Ride Free Pass in September for the six-month promotional period.
- This pass will go a long way toward introducing new riders to the many benefits of public transportation, and OCTA is excited to offer the program. OCTA appreciates the state's partnership.

7. Committee Members' Reports

There were no Committee Member Reports.

8. Closed Session

There were no Closed Session items scheduled.

9. Adjournment

The meeting adjourned at 9:47 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, August 19, 2021**, at the Orange County Transportation Authority Headquarters, Conference Room 07, 550 South Main Street, Orange, California.

ATTEST

Lisa A. Bartlett
Committee Chairwoman

Gina Ramirez
Clerk of the Board Specialist, Senior