



# AGENDA

*Technical Advisory Committee*

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## **Committee Members**

Shaun Pelletier	<i>City of Aliso Viejo</i>
Rudy Emami	<i>City of Anaheim</i>
Tony Olmos	<i>City of Brea</i>
Nabil S. Henein	<i>City of Buena Park</i>
Raja Sethuraman	<i>City of Costa Mesa</i>
Nardy Khan	<i>County of Orange</i>
Doug Dancs	<i>City of Cypress</i>
Matthew Sinacori	<i>City of Dana Point</i>
Hye Jin Lee	<i>City of Fountain Valley</i>
Meg McWade	<i>City of Fullerton</i>
William Murray	<i>City of Garden Grove</i>
Tom Herbel	<i>City of Huntington Beach</i>
Jaimee Bourgeois	<i>City of Irvine</i>
Chris Johansen	<i>City of La Habra</i>
Michael Belknap	<i>City of La Palma</i>
Mark Trestik	<i>City of Laguna Beach</i>
Ken Rosenfield	<i>City of Laguna Hills</i>
Jacki Scott	<i>City of Laguna Niguel</i>
Akram Hindiyeh	<i>City of Laguna Woods</i>
Tom Wheeler	<i>City of Lake Forest</i>
Chris Kelly	<i>City of Los Alamitos</i>
Mark Chagnon	<i>City of Mission Viejo</i>
David Webb	<i>City of Newport Beach</i>
Christopher Cash	<i>City of Orange</i>
Luis Estevez	<i>City of Placentia</i>
Brendan Dugan	<i>City of Rancho Santa Margarita</i>
Tom Bonigut	<i>City of San Clemente</i>
Tom Toman	<i>City of San Juan Capistrano</i>
William Galvez	<i>City of Santa Ana</i>
Iris Lee	<i>City of Seal Beach</i>
Guillermo Perez	<i>City of Stanton</i>
Doug Stack	<i>City of Tustin</i>
Akram Hindiyeh	<i>City of Villa Park</i>
Marwan Youssef	<i>City of Westminster</i>
Jamie Lai	<i>City of Yorba Linda</i>
Tifini Tran	<i>Caltrans</i>

*Orange County Transportation Authority  
550 South Main Street  
Orange, California  
**October 28, 2020 1:30 p.m.***

*Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the Measure M2 Local Programs section, telephone (714) 560-5372, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.*



# AGENDA

## Technical Advisory Committee

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*Agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Committee may take any action which it deems to be appropriate on an agenda item and is not limited in any way by the notice of the recommended action.*

All documents relative to the items referenced in this agenda are available for public inspection at [www.octa.net](http://www.octa.net).

### **Guidance for Public Access to the Technical Advisory Committee (TAC) Meeting**

On March 12, 2020 and March 18, 2020, Governor Gavin Newsom enacted Executive Orders N-25-20 and N-29-20 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public to promote social distancing due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19).

In accordance with Executive Order N2920, and in order to ensure the safety of Orange County Transportation Authority (OCTA) TAC members and staff and for the purposes of limiting the risk of COVID19, in person public participation at public meetings of the OCTA will not be allowed during the time period covered by the above referenced Executive Orders.

Instead, members of the public can listen to AUDIO live streaming of the TAC meeting by clicking the below link:

[https://teams.microsoft.com/join/19%3ameeting\\_MTk5ZTIkYzQtMTdmOS00N2NkLTk4MDMtZGM0ZTEyYzNiMmJm%40thread.v2/0?context=%7b%22Tid%22%3a%221e952f6c-c8fc-4e38-b476-ab4dd5449420%22%2c%22Oid%22%3a%225c5345a6-9ae3-45f7-a37e-76f92d336966%22%2c%22IsBroadcastMeeting%22%3a%22true%7d](https://teams.microsoft.com/join/19%3ameeting_MTk5ZTIkYzQtMTdmOS00N2NkLTk4MDMtZGM0ZTEyYzNiMmJm%40thread.v2/0?context=%7b%22Tid%22%3a%221e952f6c-c8fc-4e38-b476-ab4dd5449420%22%2c%22Oid%22%3a%225c5345a6-9ae3-45f7-a37e-76f92d336966%22%2c%22IsBroadcastMeeting%22%3a%22true%7d)

Public comments may be submitted for the upcoming TAC meeting by emailing them to [cmorales@octa.net](mailto:cmorales@octa.net)

If you wish to comment on a specific agenda Item please identify the Item number in your email. All public comments that are timely received will be part of the public record and distributed to the TAC. Public comments will be made available to the public upon request.

In order to ensure that staff has the ability to provide comments to TAC Members in a timely manner, please submit your public comments **by 9:30 a.m. Wednesday, October 28, 2020.**

**Call to Order**

**Self-Introductions**

**1. Approval of Minutes**

Approval of the Technical Advisory Committee's regular meeting minutes from June 24, 2020.

**Regular Items**

**2. Comprehensive Transportation Funding Programs Semi-Annual Review – September 2020 – Charvalen Alacar**

***Overview***

The Orange County Transportation Authority recently completed the September 2020 semi-annual review of projects funded through the Comprehensive Transportation Funding Programs. This process reviews the status of Measure M2 grant-funded projects and provides an opportunity for local agencies to update project information and request project modifications. Recommended project adjustments are presented for review and approval.

***Recommendation***

Recommend Board of Directors approval of requested adjustments to proposed Comprehensive Transportation Funding Programs projects, Local Fair Share and Senior Mobility Program funds, and amendments to agreements for Project V services.

**3. 2021 Technical Steering Committee Membership Recommendations – Joe Alcock**

***Overview***

The Orange County Transportation Authority Technical Advisory Committee provides feedback and input on local streets and roads related items. To accomplish this, the committee relies on a Technical Steering Committee made up of nine representatives from local agencies to provide guidance on major technical items. Technical Steering Committee members serve two-year terms, with the exception of one-year terms for the chair and vice chair. This year, six positions are open for consideration, and proposed 2021 Technical Steering Committee membership recommendations are presented for review and approval.



## ***Recommendation***

Approve proposed 2021 Technical Steering Committee membership recommendations and further recommend Board of Directors approval.

## **4. OCTA's Draft 2020-2021 State and Federal Legislative Platforms – Dustin Sifford**

### ***Overview***

Initial drafts of the 2021-22 State and Federal Legislative Platforms have been prepared for consideration by the Board of Directors.

### ***Recommendation***

Receive and file as an information item.

## **Discussion Items**

### **5. OCTA's Technical Approach to SB 743 – Anup Kulkarni & Brian Smolke**

### **6. Correspondence**

OCTA Board Items of Interest – See Attachment A  
Announcements by Email – See Attachment B

### **7. Committee Comments**

### **8. Local Assistance Comments**

At Risk Preliminary Engineering - Felicia Haslem and Sujaya Kalainesan

### **9. Staff Comments**

### **10. Items for Future Agendas**

### **11. Public Comments**

### **12. Adjournment**



# AGENDA

*Technical Advisory Committee  
Item #1*

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## **Minutes from June 24, 2020**



# MINUTES

Technical Advisory Committee

Item# 1

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**Voting Representatives Present:**

Rudy Emami	City of Anaheim
Tony Olmos	City of Brea
Raja Sethuraman	City of Costa Mesa
Nardy Khan	County of Orange
Matthew Sinacori	City of Dana Point
Hye Jin Lee	City of Fountain Valley
Meg McWade	City of Fullerton
Tom Herbel	City of Huntington Beach
Mark Trestik	City of Laguna Beach
Ken Rosenfield	City of Laguna Hills
Tom Wheeler	City of Lake Forest
Chris Kelly	City of Los Alamitos
Mark Chagnon	City of Mission Viejo
Christopher Cash	City of Orange
Brendan Dugan	City of Rancho Santa Margarita
Tom Bonigut	City of San Clemente
Tom Toman	City of San Juan Capistrano
Iris Lee	City of Seal Beach
Guillermo Perez	City of Stanton
Doug Stack	City of Tustin
Marwan Youssef	City of Westminster
Jamie Lai	City of Yorba Linda
Tiffany Tran	Caltrans

Orange County Transportation Authority  
550 S. Main Street  
Orange, CA  
**June 24, 2020**

**Guests Present:**

Oliver Luu, Caltrans  
Neil Peacock, Caltrans

**Staff Present:**

Kia Mortazavi  
Kurt Brotcke  
Adriann Cardoso  
Harry W. Thomas  
Joe Alcock  
Alicia Tran  
Amy Tran  
Charvalen Alacar  
Cynthia Morales

**Voting Representatives Absent:**

Shaun Pelletier	City of Aliso Viejo
Nabil S. Henein	City of Buena Park
Doug Dancs	City of Cypress
William (Bill) Murray	City of Garden Grove
Jaimee Bourgeois	City of Irvine
Chris Johansen	City of La Habra
Michael Belknap	City of La Palma
Jacki Scott	City of Laguna Niguel
Akram Hindiyeh	City of Laguna Woods
David Webb	City of Newport Beach
Luis Estevez	City of Placentia
William Galvez	City of Santa Ana
Akram Hindiyeh	City of Villa Park



*The meeting was called to order by Mr. Wheeler at 1:30 p.m.*

## Self-Introductions

### CONSENT CALENDAR

**1. The Minutes for the April 22, 2020 meeting were approved.**

Mr. Stack motioned to approve the minutes.

Mr. Sethuraman seconded the motion

The Minutes were approved and there was no further discussion.

### REGULAR ITEMS

**2. Measure M2 Comprehensive Transportation Funding Programs Proposed Guidelines Modifications – Joseph Alcock**

Mr. Alcock presented OCTA proposed revisions to the Measure M (M2) Comprehensive Transportation Funding Programs (CTFP) Guidelines (Guidelines) for the 2021 O and P call for projects (call).

Mr. Alcock stated that for Project O, staff was recommending clarifications which included more accurately depicting project development processes, updating the sustainability scoring criteria, clarifying grading language, and revising the call amount from \$32 million to \$22 million.

With regard to Project P, Mr. Alcock noted that this Guidelines chapter had been reordered and clarified, in order to better specify eligibility requirements and focus on Project P's original intent (i.e. supporting regional signal synchronization projects that can be completed within a timely manner).

Chair Wheeler opened the floor for questions and Ms. Khan asked staff to identify where proposed grading language changes were made.

Mr. Alcock replied that the proposed changes were in Chapter 7.

Ms. Lai then asked for clarification on proposed bridge widening language changes.

Mr. Alcock stated that Project O funds widening of roadways to Master Plan of Arterial Highways (MPAH) cross sections, and noted that if bridge widening occurs outside of the MPAH footprint, then there is not an ability for OCTA to reimburse for that component of the work.

Next, Mr. Wheeler stated that grading that is required for building an MPAH road should be eligible for M2 funds. Mr. Wheeler asked if staff could explain the rationale behind its grading recommendations in Chapter 7.



# MINUTES

*Technical Advisory Committee*

*Item# 1*

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Mr. Alcock replied that the intent of the proposed language was to delineate grading that is eligible for M2 funds (i.e. tied to MPAH roadway needs) versus grading that may be needed to support other obligations.

Mr. Wheeler responded that he supported the logic but noted that it was not described that way in the Guidelines.

Ms. Khan stated that she agreed that grading must be tied to the roadway and that any external grading should not be included in M2 reimbursement requests. She then stated that her concern was that there have been cases (with large projects) where the local agency was required to grade outside of the roadway limits. She then stated that she was not comfortable with the language as it stood, with the implication that rough grading would be considered “generally ineligible.”

Mr. Alcock replied that OCTA staff viewed the proposed grading language changes as a liberalization of the prior policy.

Mr. Alcock then added that the proposed language changes provide an opening for local agencies to make their case(s) to OCTA during the application process. Mr. Alcock also mentioned that the overall intent was to provide local agencies with the level of flexibility that they are looking for, while at the same time, ensuring that other obligations are not supplanted with M2 funds.

Mr. Sethuraman stated that based upon previous experience, sometimes a local agency begins grading a Temporary Construction Easement and then ends up building out with additional grading. He asked if that would be considered eligible grading work.

Mr. Alcock stated that if it is directly linked to the needs of the roadway project and is a result of the roadway project, OCTA could potentially evaluate it and work with the local agency through the application process.

Ms. Khan stated that if that wording was in the Guidelines, it would be fine. However, she noted that the way it is worded in the Guidelines with reference to “generally ineligible,” a local agency would have to really ask for it and also convince OCTA staff. She stated that the rough grading language should be very clear stating that the intent is for anything related to the roadway to be covered.

Mr. Wheeler added “without usurping developer obligations.”

Mrs. Khan replied by stating anything outside of the MPAH footprint could lead to gray areas.

Mr. Alcock concurred and replied that for grading which is in a gray area, OCTA staff would need to evaluate and work with local agency on project specifics.





# MINUTES

## *Technical Advisory Committee*

### *Item# 1*

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Mr. Brotcke added that it is not only developer obligations that OCTA is concerned about. He also noted that non-MPAH roadways or other connecting roadways that are not related to the MPAH could also fall under this category. Mr. Brotcke stated these are some of the issues that OCTA has encountered in previous years and is the reason why there was a determination made to consider rough grading ineligible. He then said that the proposed Guidelines change conveys OCTA's intent to consider grading outside of the MPAH roadway but noted that OCTA's consideration would be entirely context sensitive and would need to be evaluated on a case by case basis.

Mr. Wheeler recalled that he was in a situation where he was trying to build something which ended up with grading outside of the roadway Right of Way (ROW) limits and noted that this became highly challenging in terms of getting reimbursed. He continued that these type of issues should be avoided, and also mentioned that it would be helpful to state in the Guidelines that OCTA's intent is to only fund work that supports buildout of the MPAH and does not usurp development obligations.

Mrs. Khan stated that OCTA's intent is perfectly stated and asked if the language could be modified in the Guidelines, so that it does not write off rough grading entirely as an ineligible item.

Mr. Alcock replied that OCTA was not entirely comfortable with removing the "ineligible" reference but noted that the inclusion of on a case by case basis should provide sufficient flexibility.

Mr. Wheeler stated that the intent is to support all costs associated with building the MPAH roadway itself and cost associated with grading outside of the roadway will be reviewed on a case by case basis.

Mr. Brotcke replied that grading outside of the MPAH ROW will generally be considered ineligible, but again noted that the proposed language would allow it to be considered on a case by case basis.

Mrs. Khan stated that inclusion of an intent statement specifying that grading to support costs associated with building out the MPAH would resolve most of her concerns.

Mr. Alcock stated the recommendation is for an intent statement on grading costs associated with building out the MPAH specifically.

Ms. McWade asked if the developer limitation language was still included in the proposed language.

Mr. Wheeler confirmed.

Ms. McWade motioned for approval of the item, and it was seconded by Ms. Lee.

The item passed with no further discussion.



### 3. **Comprehensive Transportation Funding Programs Semi – Annual Review – March 2020** – Charvalen Alacar

Ms. Alacar presented an overview of proposed Semi-Annual Review (SAR) CTFP project adjustment requests for March 2020. She stated that the March 2020 SAR cycle was heavily influenced by the COVID-19 pandemic, which resulted in significantly more project adjustment requests than are generally seen during a “typical” March SAR cycle.

Ms. Alacar then stated that in total, seventy-six project adjustment requests were being advanced for TAC (and ultimately OCTA Board consideration and approval). She then provided a summary of recommended project adjustment requests, which included.

- 19 delays;
- 11 timely-use of funds extension requests for CTFP projects;
- 15 timely-use of funds extension requests for Local Fair Share allocations;
- 4 scope changes;
- 24 transfers of savings;
- 1 cancellation; and
- 2 “other” requests

Ms. Alacar also noted that in order to accommodate some of the COVID-19 related project adjustment requests, that staff would be recommending approval of some one-time CTFP and/or M2 Eligibility Guidelines exceptions to the OCTA Board. Ms. Alacar then closed by stating that the majority of the guidelines exception requests were related to the timing of when documentation and/or submittals were due to OCTA.

Mr. Sethuraman motioned to approve staff’s recommendations.

The motion was seconded by Mr. Youssef and was passed by those present with no further discussion.

### **Discussion Item**

#### **4. Correspondence**

- OCTA Board Items of Interest – See Agenda
- Announcements Sent by Email – See Agenda

#### **5. Committee Comments** - No comments

#### **6. Caltrans Local Assistance Update** – Neil Peacock and Oliver Luu

Mr. Peacock provided an update on Caltrans’ efforts to apply a risk-based approach toward improving the National Environmental Policy Act’s environmental process for local agencies.



# MINUTES

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Mr. Luu then provided an overview of various upcoming Local Assistance related deadlines.

Next Mr. Luu stated that the State of California would be making Personal Protective Equipment (PPE) available to all local agency partners upon request and noted that requests could be made via the Resource Request Form that was previously sent by Caltrans.

Mr. Luu concluded his presentation by stating that local agencies remain obligated to comply with all Title VI requirements.

## **7. Staff Comments**

Mr. Mortazavi stated that on June 22, 2020, the OCTA Board approved an amendment to the Measure M Ordinance to modify the M2 Maintenance of Effort (MOE) requirement for Fiscal Year (FY) 19/20 and 20/21. He stated that Board took this action to provide local agencies with increased flexibility (in meeting M2 MOE requirements) during the COVID-19 pandemic.

Mr. Mortazavi continued that for the current FY, the Board would allow actual expenditures reported on Expenditure Reports to satisfy meeting the MOE benchmark requirement, even if those expenditures are below the local agencies' actual MOE benchmark requirements.

For FY 2021, Mr. Mortazavi stated that the MOE benchmark could be met via traditional means (i.e. meeting the MOE benchmark dollar value) or by achieving a specified proportional share of MOE expenditures to FY 2018-19 general fund revenues.

Next, Mr. Alcock announced that M2 Project X Tier I call applications were due on June 25<sup>th</sup> and Project W call applications were due on June 30, 2020.

## **8. Public comments – None**

## **9. Items for Future Agendas - None**

## **10. The meeting was adjourned at 2:41 p.m.**



## **Agenda**

*Technical Advisory Committee*

*Item# 2*

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# **Comprehensive Transportation Funding Programs Semi-Annual Review – September 2020**



**October 28, 2020**

**To:** Technical Advisory Committee

**From:** Orange County Transportation Authority Staff

**Subject:** Comprehensive Transportation Funding Programs Semi-Annual Review – September 2020

### **Overview**

The Orange County Transportation Authority recently completed the September 2020 semi-annual review of projects funded through the Comprehensive Transportation Funding Programs. This process reviews the status of Measure M2 grant-funded projects and provides an opportunity for local agencies to update project information and request project modifications. Recommended project adjustments are presented for review and approval.

### **Recommendation**

Recommend Board of Directors approval of requested adjustments to proposed Comprehensive Transportation Funding Programs projects, Local Fair Share and Senior Mobility Program funds, and amendments to agreements for Project V services.

### **Background**

The Comprehensive Transportation Funding Programs (CTFP) is the mechanism which the Orange County Transportation Authority (OCTA) uses to administer funding for street, road, signal, transit, and water quality projects. The CTFP contains a variety of funding programs and sources, including Measure M2 (M2) revenues, State-Local Partnership Program funds, and Local Partnership Program funds. The CTFP provides local agencies with a comprehensive set of guidelines for administration and delivery of various transportation funding grants.

As needed, OCTA meets with representatives from local agencies to review the status of projects and proposed project changes. This process is known as the semi-annual review. The goals of the semi-annual review are to review project status, determine the continued viability of projects, address local agency issues and concerns as appropriate, confirm the availability of local match funds, and ensure timely closeout of all projects funded through the CTFP.

### ***Discussion***

The September 2020 semi-annual review proposed adjustments include seven timely-use of funds extensions for CTFP projects, nine timely-use of funds extensions for the Local Fair Share Program, twelve timely-use of funds extensions for the Senior Mobility Program, two scope changes, seven project transfers, two cancellations, and 26 other requests.

Local agencies identified several reasons for proposed project adjustments, which included the following:

- Extensions (COVID-19, landscaping, project closeout, permitting, contract change order, right-of-way issues and/or delays),
- Scope changes (technology upgrades/enhanced project benefits and/or design and construction issues),
- Transfer of funds (COVID-19 and project savings)
- Cancellations (insufficient community support and COVID-19).

### **Other Requests**

The COVID-19 pandemic continues to impact local agencies' ability to conduct normal business. This is especially true for transit services funded through the M2 Project V program. The majority of these services have not been operational since March. In recent discussions with local agencies, it became apparent that most will not be reinitiating Project V funded services until social distancing requirements are either lessened and/or removed entirely.

Given this finding, and the fact that all Project V services have fixed grant terms, it is recommended that an additional two-years be added to each active local agencies' grant term (22 services in total) via amendments to existing cooperative agreements. If approved, this adjustment will hold local agencies harmless for the period when they were essentially precluded from operating services due to the pandemic. This adjustment should also provide local agencies with sufficient flexibility in order to ramp-up and reinitiate services once the COVID-19 pandemic subsides.

There are several OCTA-led Project P signal synchronization projects which require a technical correction to properly program funds in order to reflect how they were used amongst the Implementation and Operations and Maintenance phases. These projects include 13-OCTA-TSP-3667 (Newport Avenue and Newport Boulevard Signal Synchronization (North), 15-OCTA-TSP-3783 (Chapman Avenue Corridor Traffic Signal Synchronization Project), and 15-OCTA-TSP (Westminster Avenue/17th Street Corridor Traffic Signal Synchronization), and approval of these technical corrections will clarify and finalize phase allocations and complete project closeout processes.

Finally, there was a clerical error that needs to be corrected for project number 20-IRVN-TSP-3974 (Barranca Parkway Traffic Signal Synchronization Project). An allocation of \$3,640,268 was programmed, but the amount should have been \$3,740,268. As such, a technical correction is required to modify this project's final programming amount in order to make it consistent with the originally intended programming amount.

For more detailed descriptions of proposed projects adjustment requests, see Attachments A and B.

### Next Steps

Staff is requesting that the Technical Advisory Committee (TAC) recommend OCTA Board of Directors (Board) approval of these proposed semi-annual review project adjustments. If these recommendations are approved by the Board, staff will amend the cooperative agreements for Project V changes and implement the other adjustments through the standard semi-annual review process. Staff will also continue to report on the status of these projects in future semi-annual review cycles and will monitor these projects through reimbursement efforts.

### **Summary**

OCTA has recently reviewed the status of 325 active project phases funded through the M2 CTFP. Approval of proposed project adjustments and amendments identified in this report is recommended for TAC and Board approval.

### **Attachments**

- A. Comprehensive Transportation Funding Programs, September 2020 Semi-Annual Review Adjustment Requests
- B. Comprehensive Transportation Funding Programs, September 2020 Semi-Annual Review Adjustment Request Descriptions

**Comprehensive Transportation Funding Programs**  
September 2020 Semi-Annual Review Adjustment Requests

**Attachment A**

Timely Use of Funds Extension Requests - CTFP Programs*									
No	Agency	Project Number	Project	Project Title	Phase	Current FY	Current Allocation	Proposed Time Extension (Months)	Proposed Expenditure Deadline
1	Fullerton	17-FULL-TSP-3874 <sup>1</sup>	P	Gilbert Street / Idaho Street Corridor RTSSP	IMP	17/18	\$ 862,560	24	2/6/2023
2	Fullerton	17-FULL-TSP-3874 <sup>1</sup>	P	Gilbert Street / Idaho Street Corridor RTSSP	O&M	18/19	\$ 54,720	24	6/1/2024
3	Irvine	16-IRVN-ACE-3806 <sup>2,3</sup>	O	University Drive Widening (MacArthur to Campus)	CON	17/18	\$ 4,016,606	24	2/9/2023
4	Irvine	18-IRVN-ICE-3899 <sup>1</sup>	O	Harvard Avenue at Michelson Drive Intersection Improvements	ENG	18/19	\$ 54,420	24	4/2/2024
5	Irvine	18-IRVN-ICE-3900 <sup>1</sup>	O	Culver Drive at Alton Parkway Intersection Improvements	ENG	18/19	\$ 194,047	24	4/8/2024
6	Santa Ana	13-SNTA-ECP-3680 <sup>4,5</sup>	X	Santa Ana Delhi Channel Diversion	CON	15/16	\$ 2,572,875	12	12/6/2021
7	Santa Ana	17-SNTA-ICE-3871 <sup>6</sup>	O	Bristol Street and Memory Lane Intersection Improvements	ROW	17/18	\$ 1,167,244	24	12/7/2022
<b>CTFP Timely Use of Funds Extensions (7) - Total Phase Allocations</b>							<b>\$ 8,922,472</b>		

**Reasons for Project Adjustments**

1. COVID-19 related
2. Landscaping delays
3. Project closeout delays
4. Delays in obtaining necessary permits
5. Contract change order delays
6. ROW issues

\*Once obligated, CTFP funds expire 36 months from the contract award date. Local agencies may request extensions up to 24 months.

**Acronyms**

- CTFP - Comprehensive Transportation Funding Programs
- FY- Fiscal Year
- RTSSP - Regional Traffic Signal Synchronization Program
- IMP - Implementation
- O&M - Operations and Maintenance
- CON - Construction
- ENG - Engineering
- ROW - Right-of-Way



**Comprehensive Transportation Funding Programs**  
September 2020 Semi-Annual Review Adjustment Requests

Timely Use of Funds Extension Requests - LFS*							
No	Agency	FY	Disbursement Date	Disbursement	Proposed Extension Amount	Proposed Interest Extension Amount	Extension Deadline
1-3	Brea	17/18	1/9/2018	\$ 176,977	\$ 176,977	\$ -	1/9/2023
			3/20/2018	\$ 158,775	\$ 158,775	\$ -	3/20/2023
			5/15/2018	\$ 151,296	\$ 151,296	\$ -	5/15/2023
4-6	Villa Park	17/18	1/9/2018	\$ 16,491	\$ 16,491	\$ -	1/9/2023
			3/20/2018	\$ 14,795	\$ 14,795	\$ -	3/20/2023
			5/15/2018	\$ 13,323	\$ 13,323	\$ -	5/15/2023
7-9	Yorba Linda	17/18	1/9/2018	\$ 189,826	\$ 189,826	\$ -	1/9/2023
			3/20/2018	\$ 170,302	\$ 170,302	\$ -	3/20/2023
			5/15/2018	\$ 149,822	\$ 149,822	\$ -	5/15/2023
<b>LFS Timely Use of Funds Extensions (9) - Total</b>					<b>\$ 1,041,607</b>		

\*Net revenues received by local jurisdictions through the LFS Program shall be expended or encumbered within three years. An extension may be granted but is limited to a total of five years from the date of receipt of funds. The Orange County Transportation Authority uses the check date as the date of receipt of funds. Requests for extensions must be submitted as part of the semi-annual review process prior to the end of the third year from the date of receipt of funds and must include a plan of expenditure.

**Acronyms**

LFS - Local Fair Share

**Comprehensive Transportation Funding Programs**  
September 2020 Semi-Annual Review Adjustment Requests

Timely Use of Funds Extension Requests - SMP*							
No	Agency	FY	Disbursement Date	Disbursement	Proposed Extension Amount	Proposed Interest Extension Amount	Extension Deadline
1-2	Dana Point	17/18	3/20/2018	\$ 8,429	\$ 7,790	\$ -	3/20/2023
			5/15/2018	\$ 7,629	\$ 7,629	\$ -	5/15/2023
3-6	Laguna Hills	17/18	11/7/2017	\$ 5,885	\$ 5,885	\$ -	11/7/2022
			1/9/2018	\$ 6,689	\$ 6,689	\$ -	1/9/2023
			3/20/2018	\$ 6,001	\$ 6,001	\$ -	3/20/2023
			5/15/2018	\$ 5,431	\$ 5,431	\$ -	5/15/2023
7-10	Laguna Niguel	17/18	11/7/2017	\$ 12,384	\$ 12,384	\$ -	11/7/2022
			1/9/2018	\$ 14,076	\$ 14,076	\$ -	1/9/2023
			3/20/2018	\$ 12,628	\$ 12,628	\$ -	3/20/2023
			5/15/2018	\$ 11,430	\$ 11,430	\$ -	5/15/2023
11-12	Mission Viejo	17/18	3/20/2018	\$ 19,799	\$ 1,125	\$ -	3/20/2023
			5/15/2018	\$ 17,920	\$ 17,920	\$ -	5/15/2023
<b>SMP Timely Use of Funds Extensions (12) - Total</b>					<b>\$ 108,988</b>		

\*Net revenues received by local jurisdictions through the SMP Program shall be expended or encumbered within three years. An extension may be granted but is limited to a total of five years from the date of receipt of funds. The Orange County Transportation Authority uses the check date as the date of receipt of funds. Requests for extensions must be submitted as part of the semi-annual review process prior to the end of the third year from the date of receipt of funds and must include a service plan.

**Acronyms**

SMP - Senior Mobility Program

**Comprehensive Transportation Funding Programs**  
September 2020 Semi-Annual Review Adjustment Requests

Scope Change Requests								
No	Agency	Project Number	Project	Project Title	Phase	Current FY	Current Allocation	Proposed Allocation
1	Fullerton	18-FULL-TSP-3896 <sup>1</sup>	P	Orangethorpe Avenue/Esperanza Road Corridor RTSSP	IMP	18/19	\$ 3,413,508	\$ 3,413,508
2	La Habra	15-LHAB-TSP-3773 <sup>2</sup>	P	Imperial Highway/SR-90 Corridor	IMP	15/16	\$ 2,547,918	\$ 2,547,918
<b>Scope Changes (2) - Total Phase Allocations</b>							<b>\$ 5,961,426</b>	<b>\$ 5,961,426</b>

Reasons for Project Adjustments

1. Technology upgrades/ enhanced project benefits
2. Design and construction issue

Acronyms

SR-90 - State Route 90

**Comprehensive Transportation Funding Programs**  
September 2020 Semi-Annual Review Adjustment Requests

Transfer Requests									
No	Agency	Project Number	Project	Project Title	Phase	Current FY	Current Allocation	Transfer Amount	Proposed Allocation
1	Dana Point	14-DPNT-CBT-3742 <sup>1</sup>	V	Summer Weekend Trolley/Harbor Shuttle	CAP	19/20	\$ -	\$ 18,039	\$ 18,039
					O&M	19/20	\$ 420,576	\$ (18,039)	\$ 402,537
					CAP	20/21	\$ -	\$ 108,234	\$ 108,234
					O&M	20/21	\$ 420,576	\$ (108,234)	\$ 312,342
					CAP	21/22	\$ -	\$ 90,195	\$ 90,195
				O&M	21/22	\$ 420,576	\$ (90,195)	\$ 330,381	
2	Dana Point	16-DPNT-CBT-3823 <sup>1</sup>	V	Dana Point PCH Trolley	CAP	19/20	\$ -	\$ 4,510	\$ 4,510
					O&M	19/20	\$ 129,424	\$ (4,510)	\$ 124,914
					CAP	20/21	\$ -	\$ 27,059	\$ 27,059
					O&M	20/21	\$ 129,424	\$ (27,059)	\$ 102,365
					CAP	21/22	\$ -	\$ 27,059	\$ 27,059
					O&M	21/22	\$ 129,424	\$ (27,059)	\$ 102,365
					CAP	22/23	\$ -	\$ 4,510	\$ 4,510
				O&M	22/23	\$ 129,424	\$ (4,510)	\$ 124,914	
3	OCTA	13-OCTA-TSP-3663 <sup>2</sup>	P	Adams Avenue Signal Synchronization (Lake Street to Fairview Road)	IMP	13/14	\$ 718,034	\$ (9,231)	\$ 708,803
				O&M	14/15	\$ 35,904	\$ 9,231	\$ 45,135	
4	OCTA	13-OCTA-TSP-3664 <sup>2</sup>	P	Antonio Parkway Signal Synchronization (Ortega Highway to Santa Margarita Parkway)	IMP	13/14	\$ 780,851	\$ (4,873)	\$ 775,978
				O&M	14/15	\$ 62,400	\$ 4,873	\$ 67,273	
5	OCTA	13-OCTA-TSP-3669 <sup>2</sup>	P	Jeronimo Road Signal Synchronization (Lake Forest Drive to Olympiad Road)	IMP	13/14	\$ 170,193	\$ (7,117)	\$ 163,076
				O&M	14/15	\$ 28,800	\$ 7,117	\$ 35,917	
6	OCTA	13-OCTA-TSP-3671 <sup>2</sup>	P	Trabuco Road Signal Synchronization (Paseo Sombra to Marguerite Parkway)	IMP	13/14	\$ 171,285	\$ (3,769)	\$ 167,516
				O&M	14/15	\$ 26,880	\$ 3,769	\$ 30,649	
7	OCTA	16-OCTA-TSP-3796 <sup>2</sup>	P	El Toro Road Traffic Signal Synchronization Project	IMP	17/18	\$ 1,074,047	\$ (4,472)	\$ 1,069,575
					O&M	19/20	\$ 38,400	\$ 4,472	\$ 42,872
<b>Transfer Requests (7) - Total Project Allocations</b>							<b>\$ 4,886,218</b>	<b>\$ -</b>	<b>\$ 4,886,218</b>

**Reasons for Project Adjustment**

1. COVID-19 related
2. Project savings in earlier phases can support work in later awarded phases

**Acronyms**

- CAP - Capital  
PCH - Pacific Coast Highway  
OCTA - Orange County Transportation Authority

**Comprehensive Transportation Funding Programs**  
September 2020 Semi-Annual Review Adjustment Requests

Cancellation Requests									
No	Agency	Project Number	Project	Project Title	Phase	Current FY	Current Allocation	Proposed Allocation	
1	Anaheim	16-ANAH-ACE-3801 <sup>1</sup>	O	Lincoln Avenue Widening from Harbor Boulevard to West Street	ROW	16/17	\$10,174,241	\$	-
2	Laguna Niguel	18-LNIG-ACE-3903 <sup>2</sup>	O	Crown Valley Parkway Westbound Roadway Widening Forbes Road to Cabot Road	ROW	18/19	\$ 51,750	\$	-
<b>Cancellations (2) - Total Phase Allocations</b>							<b>\$10,225,991</b>	<b>\$</b>	<b>-</b>

Reasons for Project Adjustments

1. Insufficient community support
2. COVID-19-related

**Comprehensive Transportation Funding Programs**  
September 2020 Semi-Annual Review Adjustment Requests

Other: CTFP Requests								
No	Agency	Project Number	Project	Project Title	Amount Awarded	Current Service End Date	Proposed Time Extension (Months)	Proposed Service End Date
1	Anaheim	20-ANAH-CBT-3958 <sup>1</sup>	V	Anaheim Canyon Circulator	\$ 1,141,864	6/30/2027	24	6/30/2029
2	County of Orange	16-ORCO-CBT-3822 <sup>1</sup>	V	Orange County RanchRide	\$ 2,041,547	6/30/2023	24	6/30/2025
3	Dana Point	14-DPNT-CBT-3742 <sup>1</sup>	V	Summer Weekend Trolley/Harbor Shuttle	\$ 2,456,511	6/30/2021	24	6/30/2023
4	Dana Point	16-DPNT-CBT-3823 <sup>1</sup>	V	Dana Point PCH Trolley	\$ 905,968	6/30/2023	24	6/30/2025
5	Dana Point	18-DNPT-CBT-3911 <sup>1</sup>	V	Dana Point Trolley Continuity and Expansion and Weekend Service	\$ 1,754,065	6/30/2024	24	6/30/2026
6	Dana Point	20-DNPT-CBT-3959 <sup>1</sup>	V	Dana Point Trolley Continuity Program	\$ 2,209,739	6/30/2027	24	6/30/2029
7	Huntington Beach	14-HBCH-CBT-3743 <sup>1</sup>	V	4th of July and US Open Shuttle	\$ 93,287	8/30/2020	24	8/30/2022
8	Huntington Beach	20-HBCH-CBT-3960 <sup>1</sup>	V	HB Southeast Rideshare Pilot Program	\$ 93,287	6/30/2022	24	6/30/2024
9	Irvine	16-OCTA-CBT-3833 <sup>1</sup>	V	Irvine iShuttle Route West - Tustin Station - Irvine Business Complex	\$ 2,705,984	Fall 2023	24	Fall 2025
10	Irvine	16-OCTA-CBT-3834 <sup>1</sup>	V	Irvine iShuttle Route East - Irvine Station - East	\$ 2,712,258	Fall 2023	24	Fall 2025
11	La Habra	16-OCTA-CBT-3835 <sup>1</sup>	V	La Habra Special Event Shuttle Services	\$ 96,810	6/30/2023	24	6/30/2025
12	La Habra	20-LHAB-CBT-3961 <sup>1</sup>	V	La Habra Community Special Event Shuttle	\$ 66,234	6/30/2027	24	6/30/2029
13	Laguna Beach	18-OCTA-CBT-3912 <sup>1</sup>	V	Summer Breeze Bus Service	\$ 634,357	6/30/2023	24	6/30/2025
14	Laguna Beach	20-LBCH-CBT-3962 <sup>1</sup>	V	Off-Season Weekend Trolley Service	\$ 3,850,000	6/30/2027	24	6/30/2029
15	Laguna Niguel	19-LNIG-CBT-3954 <sup>1</sup>	V	Laguna Niguel Summer Trolley - Southern Section	\$ 886,082	6/30/2025	24	6/30/2027
16	Mission Viejo	16-OCTA-CBT-3836 <sup>1</sup>	V	Mission Viejo Local Transit Circulator	\$ 3,332,879	6/30/2023	24	6/30/2025
17	Newport Beach	16-NBCH-CBT-3832 <sup>1</sup>	V	Balboa Peninsula Trolley	\$ 685,454	6/30/2023	24	6/30/2025
18	Newport Beach	18-NBCH-CBT-3913 <sup>1</sup>	V	The Balboa Peninsula Shuttle Expansion Program	\$ 278,400	6/30/2023	24	6/30/2025
19	San Clemente	16-SCLM-CBT-3840 <sup>1</sup>	V	San Clemente Summer Trolley	\$ 1,181,393	6/30/2023	24	6/30/2025
20	San Clemente	18-SCLM-CBT-3914 <sup>1</sup>	V	San Clemente Trolley Expansion	\$ 914,400	6/30/2023	24	6/30/2025
21	San Clemente	20-SCLM-CBT-3963 <sup>1</sup>	V	San Clemente Downtown Route Continuation	\$ 969,536	6/30/2027	24	6/30/2029
22	San Juan Capistrano	18-SJCP-CBT-3915 <sup>1</sup>	V	Special Event and Weekend Summer Trolley Service	\$ 958,642	6/30/2023	24	6/30/2025

**Reasons for Service Adjustment**

<sup>1</sup> COVID-19 related

**Acronyms**

CTFP - Comprehensive Transportation Funding Programs  
HB - Huntington Beach

**Comprehensive Transportation Funding Programs**  
September 2020 Semi-Annual Review Adjustment Requests

Other: CTFP Requests								
No	Agency	Project Number	Project	Project Title	Phase	Final Approved Application Request	Board Approved Amount	Technical Adjustment
1	Irvine	20-IRVN-TSP-3974 <sup>1</sup>	O	Barranca Parkway Traffic Signal Synchronization Project	IMP	\$ 3,740,268	\$ 3,640,268	\$ 100,000
						Current Allocation	Proposed Allocation	Technical Adjustment
2	OCTA	13-OCTA-TSP-3667 <sup>2</sup>	P	Newport Avenue and Newport Boulevard Signal Synchronization (North)	IMP	\$ 632,190	\$ 636,890	\$ 4,700
					O&M	\$ 59,904	\$ 55,204	\$ (4,700)
3	OCTA	15-OCTA-TSP-3783 <sup>2</sup>	P	Chapman Avenue Corridor Traffic Signal Synchronization Project	IMP	\$ 2,188,844	\$ 2,274,884	\$ 86,040
					O&M	\$ 155,200	\$ 69,160	\$ (86,040)
4	OCTA	15-OCTA-TSP-3786 <sup>2</sup>	P	Westminster Avenue / 17th Street Corridor Traffic Signal Synchronization	IMP	\$ 2,704,902	\$ 2,706,441	\$ 1,539
					O&M	\$ 115,200	\$ 113,661	\$ (1,539)

**Reason for Technical Adjustment**

<sup>1</sup> Clerical error

<sup>2</sup> Final closeout adjustment.

**Comprehensive Transportation Funding Programs  
September 2020 Semi-Annual Review Adjustment Request Descriptions**

**CTFP Timely Use of Funds Extensions**

Once obligated, CTFP funds expire 36 months from the contract award date. Local agencies may request an extension(s) of up to 24 months. During this semi-annual review cycle, the following CTFP timely use of funds extension requests were submitted:

The City of Fullerton is requesting a 24-month timely use of funds extension for both the implementation (IMP) and operation and maintenance (O&M) phases of the Gilbert Street/Idaho Street Corridor Regional Traffic Signal Synchronization Program (RTSSP) Project (17-FULL-TSP-3874) from February 2021 to February 2023 for the IMP phase and from June 2022 to June 2024 for the O&M phase. Additional time is required due to unforeseen delays and impacts caused by Executive Order N-33-20 issued in response to COVID-19, in order to finalize and implement the signal timing implementation and fine-tuning, travel time after study efforts, agency design review/approvals, and all construction-related activities.

The City of Irvine (Irvine) is requesting a 24-month timely use of funds extension for the construction (CON) phase of the University Drive Widening (MacArthur to Campus) Project (16-IRVN-ACE-3806) from February 2021 to February 2023. Additional time is required to develop the landscaping after construction is completed and to finalize project closeout.

Irvine is requesting a 24-month timely use of funds extension for the engineering (ENG) phase of the Harvard Avenue at Michelson Drive Intersection Improvements Project (18-IRVN-ICE-3899) from April 2022 to April 2024. Additional time is required to complete both the preliminary engineering and final design. This request is due to unforeseen delays and impacts caused by Executive Order N-33-20 issued in response to COVID-19.

Irvine is requesting a 24-month timely use of funds extension for the (ENG) phase of the Culver Drive at Alton Parkway Intersection Improvements Project (18-IRVN-ICE-3900) from April 2022 to April 2024. Additional time is required to complete both the preliminary engineering and final design. This request is due to unforeseen delays and impacts caused by Executive Order N-33-20 issued in response to COVID-19.

The City of Santa Ana (Santa Ana) is requesting a 12-month timely use of funds extension for the (CON) phase of the Santa Ana Delhi Channel Diversion Project (13-SNTA-ECP-3680) from December 2020 to December 2021. Additional time is required due to delays in obtaining necessary permits and finalizing contract change orders.



**Comprehensive Transportation Funding Programs  
September 2020 Semi-Annual Review Adjustment Request Descriptions**

Santa Ana is requesting a 24-month timely use of funds extension for the right-of-way (ROW) phase of the Bristol Street and Memory Lane Intersection Improvements Project (17-SNTA-ICE-3871) from December 2020 to December 2022. Additional time is required due to ongoing right-of-way ROW negotiations.

**Local Fair Share (LFS) Timely Use of Funds Extensions**

Once issued, LFS funds expire 36 months from the check issuance date. Local agencies may request an extension(s) of up to 24-months. During this semi-annual review cycle, the following timely use of funds LFS extension requests were submitted:

The City of Brea is requesting a 24-month timely use of funds extension for \$487,048. The funds being considered for extension were disbursed in three separate installments and must be expended by the extension deadlines provided in Attachment A. The City has indicated these funds will be directed towards traffic signal improvements and citywide street improvements.

- \$176,977, from January 2021 to January 2023
- \$158,775, from March 2021 to March 2023
- \$151,296, from May 2021 to May 2023

The City of Villa Park is requesting a 24-month timely use of funds extension for \$44,609. The funds being considered for extension were disbursed in three separate installments and must be expended by the extension deadlines provided in Attachment A. The City has indicated these funds will be directed towards citywide street improvements and slurry/seals.

- \$16,491, from January 2021 to January 2023
- \$14,795, from March 2021 to March 2023
- \$13,323, from May 2021 to May 2023

The City of Yorba Linda is requesting a 24-month timely use of funds extension for \$509,950. The funds being considered for extension were disbursed in three separate installments and must be expended by the extension deadlines provided in Attachment A. The City has indicated these funds will be directed towards traffic signal improvements, street maintenance, and projects to reduce road congestion.

- \$189,826, from January 2021 to January 2023
- \$170,302, from March 2021 to March 2023
- \$149,822, from May 2021 to May 2023

**Comprehensive Transportation Funding Programs  
September 2020 Semi-Annual Review Adjustment Request Descriptions**

**Senior Mobility Program (SMP) Timely Use of Funds Extensions**

Once issued, SMP funds expire 36 months from the check issuance date. Local agencies may request an extension(s) of up to 24-months. During this semi-annual review cycle, the following timely use of funds SMP extension requests were submitted:

The City of Dana Point is requesting a 24-month timely use of funds extension for \$15,419. The funds being considered for extension were disbursed in two separate installments and must be expended by the extension deadlines provided in Attachment A.

- \$7,790, from March 2021 to March 2023
- \$7,629, from May 2021 to May 2023

The City of Laguna Hills is requesting a 24-month timely use of funds extension for \$24,006. The funds being considered for extension were disbursed in four separate installments and must be expended by the extension deadlines provided in Attachment A.

- \$5,885, from November 2020 to November 2022
- \$6,689, from January 2021 to January 2023
- \$6,001, from March 2021 to March 2023
- \$5,431, from May 2021 to May 2023

The City of Laguna Niguel is requesting a 24-month timely use of funds extension for \$50,518. The funds being considered for extension were disbursed in four separate installments and must be expended by the extension deadlines provided in Attachment A.

- \$12,384, from November 2020 to November 2022
- \$14,076, from January 2021 to January 2023
- \$12,628, from March 2021 to March 2023
- \$11,430, from May 2021 to May 2023

The City of Mission Viejo is requesting a 24-month timely use of funds extension for \$19,045. The funds being considered for extension were disbursed in two separate installments and must be expended by the extension deadlines provided in Attachment A.

- \$1,125, from March 2021 to March 2023
- \$17,920, from May 2021 to May 2023

**Comprehensive Transportation Funding Programs  
September 2020 Semi-Annual Review Adjustment Request Descriptions**

**Scope Changes**

Local agencies may request minor scope changes for CTFP projects if they can assure that project benefits as committed to in the initial application can still be delivered. During this semi-annual review cycle, the following scope change requests were submitted.

The City of Fullerton (Fullerton), as administrative lead for the Orangethorpe Avenue/ Esperanza Road Corridor RTSSP (18-FULL-TSP-3896), is requesting a scope change to the (IMP) phase. The change includes communication media upgrades to fiber optic communications for specified intersections in Fullerton, the City of Placentia, and the City of Yorba Linda, as well as the installation of battery backup systems for Fullerton intersections. This scope change will support a more stable communications backbone for the corridor. No additional funding is being requested.

The City of La Habra (La Habra), as administrative lead for the Imperial Highway/ State Route 90 Corridor Project (15-LHAB-TSP-3773), is requesting a scope change to the (IMP) phase. During construction, existing signal interconnect conduits were found to be damaged and unable to house new fiber optic interconnect cable. The proposed change includes a hybrid traffic signal interconnect communication design wherein fiber optic cables will be installed in existing conduits with minor repairs, and the existing copper interconnect with ethernet communications will be used at other locations for a seamless transition. The necessary ethernet switches allowing for communication media change from fiber-to-copper and copper-to-fiber connections, will be included. To accommodate potential increases in expenses, certain proposed corridor improvements such as the quantity of cameras may be reduced, but only to the extent that will allow for the overall intent of the project to be met. The scope change is deemed beneficial to the project and will be accommodated within the existing approved grant allocation.

**Transfers**

The CTFP Guidelines allow agencies to request to transfer 100 percent of savings of funds between subsequent phases or years within a project. Funds can only be transferred to a phase or year that has already been awarded competitive funds. Such requests must be made prior to the acceptance of a final report and submitted as part of the semi-annual review process. During this review cycle, the following transfer requests were submitted either as a result of the impacts of COVID-19 or the need to transfer project savings.

**Comprehensive Transportation Funding Programs  
September 2020 Semi-Annual Review Adjustment Request Descriptions**

The City of Dana Point is requesting a transfer from the (O&M) phase to the (CAP) phase in order to cover vehicle lease costs which are accruing, while the service is currently suspended due to the pandemic:

- Summer Weekend Trolley/Harbor Shuttle (14-DPNT-CBT-3742)
- Dana Point PCH Trolley (16-DPNT-CBT-3823)

The Orange County Transportation Authority (OCTA), as administrative lead, is requesting transfers from the (IMP) phase to the (O&M) phase for the following five projects due to the accrual of project savings during the IMP phase and the desire to transfer these savings to support subsequent O&M phase work.

- Adams Avenue Signal Synchronization (Lake Street to Fairview Road) (13-OCTA-TSP-3663)
- Antonio Parkway Signal Synchronization (Ortega Highway to Santa Margarita Parkway) (13-OCTA-TSP-3664)
- Jeronimo Road Signal Synchronization (Lake Forest Drive to Olympiad Road) (13-OCTA-TSP-3669)
- Trabuco Road Signal Synchronization (Paseo Sombra to Marguerite Parkway) (13-OCTA-TSP-3671)
- El Toro Road Traffic Signal Synchronization Project (16-OCTA-TSP-3796)

**Cancellations**

Local agencies may request to cancel projects at any time for any reason. Cancelled projects are eligible to reapply upon resolution of the issues that led to the original project cancellation. During this review cycle, the following cancellation requests were received.

The City of Anaheim is requesting to cancel the (ROW) phase for the Lincoln Avenue Widening from Harbor Boulevard to West Street (16-ANAH-ACE-3801) due to insufficient community support for the project.

The City of Laguna Niguel is requesting to cancel the (ROW) phase for the Crown Valley Parkway Westbound Roadway Widening Forbes Road to Cabot Road (18-LNIG-ACE-3903) due to the financial impacts of COVID-19.

## **Comprehensive Transportation Funding Programs September 2020 Semi-Annual Review Adjustment Request Descriptions**

### **Other**

The COVID-19 pandemic continues to impact local agencies' abilities to conduct normal business. This is especially true for transit services funded through the M2 Project V program. The majority of these services have not been operational since March. In recent discussions with local agencies, it became apparent that most will not be reinitiating Project V services until social distancing requirements are either lessened and/or removed entirely.

Given this, and the fact that all Project V services have fixed grant terms, staff is recommending that all of the following active Project V services be granted (through amendments to existing cooperative agreements) an additional two-years to provide Project V funded services, so that they are held harmless for the period when they were precluded from operating Project V funded services.

- Anaheim Canyon Circulator (20-ANAH-CBT-3958)
- Orange County RanchRide (16-ORCO-CBT-3822)
- Summer Weekend Trolley/Harbor Shuttle (14-DPNT-CBT-3742)
- Dana Point PCH Trolley (16-DPNT-CBT-3823)
- Dana Point Trolley Continuity and Expansion and Weekend Service (18-DNPT-CBT-3911)
- Dana Point Trolley Continuity Program (20-DNPT-CBT-3959)
- 4th of July and US Open Shuttle (14-HBCH-CBT-3743)
- HB Southeast Rideshare Pilot Program (20-HBCH-CBT-3960)
- Irvine iShuttle Route West - Tustin Station - Irvine Business Complex (16-OCTA-CBT-3833)
- Irvine iShuttle Route East - Irvine Station – East (16-OCTA-CBT-3834)
- La Habra Special Event Shuttle Services (16-OCTA-CBT-3835)
- La Habra Community Special Event Shuttle (20-LHAB-CBT-3961)
- Summer Breeze Bus Service (18-OCTA-CBT-3912)
- Off-Season Weekend Trolley Service (20-LBCH-CBT-3962)
- Laguna Niguel Summer Trolley - Southern Section (19-LNIG-CBT-3954)
- Mission Viejo Local Transit Circulator (16-OCTA-CBT-3836)
- Balboa Peninsula Trolley (16-NBCH-CBT-3832)
- The Balboa Peninsula Shuttle Expansion Program (18-NBCH-CBT-3913)
- San Clemente Summer Trolley (16-SCLM-CBT-3840)
- San Clemente Trolley Expansion (18-SCLM-CBT-3914)
- San Clemente Downtown Route Continuation (20-SCLM-CBT-3963)
- Special Event and Weekend Summer Trolley Service (18-SJCP-CBT-3915)

**Comprehensive Transportation Funding Programs  
September 2020 Semi-Annual Review Adjustment Request Descriptions**

Approval of four technical corrections is also requested.

20-IRVN-TSP-3974 (Barranca Parkway Signal Synchronization Project). In Spring 2020, an allocation of \$3,640,268 was programmed for this project. However, the amount programmed should have been for \$3,740,268. As such, staff is requesting a technical correction to this project's final programming, in order to make it consistent with the original programming intent.

The Orange County Transportation Authority (OCTA), as administrative lead for the following projects, is requesting approval of technical corrections in order to clarify final phase allocations (reflecting how they were used) and complete project closeout processes.

- Newport Avenue and Newport Boulevard Signal Synchronization (North) (13-OCTA-TSP-3667)
- Chapman Avenue Corridor Traffic Signal Synchronization Project (15-OCTA-TSP-3783)
- Westminster Avenue/ 17th Street Corridor Traffic Signal Synchronization (15-OCTA-TSP-3786)



# **2021 Technical Steering Committee Membership Recommendations**



**October 28, 2020**

**To:** Technical Advisory Committee  
**From:** Orange County Transportation Authority Staff  
**Subject:** 2021 Technical Steering Committee Membership

**Overview**

The Orange County Transportation Authority Technical Advisory Committee provides feedback and input on local streets and roads related items. To accomplish this, the committee relies on a Technical Steering Committee made up of nine representatives from local agencies to provide guidance on major technical items. Technical Steering Committee members serve two-year terms, with the exception of one-year terms for the chair and vice chair. This year, six positions are open for consideration, and proposed 2021 Technical Steering Committee membership recommendations are presented for review and approval.

**Recommendation**

Approve proposed 2021 Technical Steering Committee membership recommendations and further recommend Board of Directors approval.

**Background**

The Orange County Transportation Authority (OCTA) Technical Advisory Committee (TAC) provides input regarding the allocation of Measure M2 competitive grant funds. The TAC also provides technical advice to staff on issues related to streets and roads planning. The TAC is comprised of representatives from all Orange County cities and the County of Orange (County). It also includes non-voting representatives from the California Department of Transportation and the Transportation Corridor Agencies. The TAC uses a Technical Steering Committee (TSC) to vet, review, and discuss major technical items prior to submittal to the TAC for final review and consideration. The chair and vice chair of the TAC also serve as the chair and vice chair of the TSC.



The TSC consists of a total of nine voting members recommended for approval by the TAC and appointed by the OCTA Board of Directors (Board). There is one position for each of Orange County's five supervisorial districts, two at-large positions, and the TSC chair and vice chair positions. The TSC membership selection process is administered by the President of the City Engineers Association of Orange County (CEAOC) and the TAC/TSC chair (with staff support from OCTA) before recommendations are advanced to the full TAC for consideration. In recommending and selecting TSC members, priority is given to maintaining a balance between small and large jurisdictions (small jurisdictions are currently defined as those with populations equal to/or less than 63,371). Balance among supervisorial districts and north/ south Orange County jurisdictions is also evaluated.

### ***Discussion***

In August 2020, OCTA solicited letters of interest from local jurisdictions to fill TSC vacancies for the 2021 calendar year. At that time, it was noted that six of the nine regular TSC positions were open for consideration and appointment. These positions included the Chair, Vice Chair, Second District, Third District, Fifth District, and one At-Large position. In September, letters of interest from seven eligible TAC members were received. In accordance with OCTA procedures for administering the TSC, the president of the CEAOC and the chair of the TSC/TAC reviewed all letters of interest and with input from OCTA, developed 2021 TSC membership recommendations (Attachment A).

Consistent with past practice, the vice chair is recommended to become the 2021 chair. In order to ensure that both north and south Orange County are represented in TSC leadership positions, the City of Aliso Viejo is being recommended for the 2021 vice chair position. The Second District position is recommended for reappointment by a representative from the City of Costa Mesa. The Third District seat is recommended to be filled by a representative of the City of Yorba Linda. The Fifth District seat is recommended to be filled by a representative of the City of Lake Forest, and the open At-Large position is recommended to be filled by a representative of the City of Mission Viejo.

In finalizing these recommendations, the president of the CEAOC and the TSC chair emphasized the need to maintain a strong balance between both small/large and north/south Orange County cities, and consensus recommendations are now recommended for consideration and approval.

***Summary***

The TSC provides guidance and direction on major technical issues before presentation to the full TAC. Members of the TSC serve two-year terms, with the exception of the chair and vice chair, who serve one-year terms. There are six positions recommended for appointment in the next calendar year. Presented for consideration and approval is a recommended list of 2021 TSC appointments.

***Attachments***

- A. Proposed 2021 Technical Steering Committee Membership List

**Proposed 2021 Technical Steering Committee Membership List†**

<b>NAME</b>	<b>AGENCY</b>	<b>2020* POPULATION</b>	<b>MEDIAN POPULATION SIZE</b>	<b>DISTRICT</b>	<b>NORTH/ SOUTH</b>	<b>SEAT EXPIRES</b>
Rudy Emami	Anaheim	357,325	Large	Chair	North	December 31, 2021
Shaun Pelletier	Aliso Viejo	50,044	Small	Vice Chair	South	December 31, 2021
Marwan Youssef	Westminster	92,421	Large	1	North	December 31, 2021
Raja Sethuraman	Costa Mesa	114,778	Large	2	North	December 31, 2022
Jamie Lai	Yorba Linda	68,650	Large	3	North	December 31, 2022
Luis Estevez	Placentia	51,494	Small	4	North	December 31, 2021
Tom Wheeler	Lake Forest	84,711	Large	5	South	December 31, 2022
Mark Chagnon	Mission Viejo	94,267	Large	At-Large	South	December 31, 2022
Nardy Khan	County of Orange	3,194,332	N/A	At-Large	North/ South	December 31, 2021

† Shading indicates positions recommended for consideration for the 2021 Technical Steering Committee.

\* State of California, Department of Finance, *E-1 Population Estimates for cities, counties, and the state with annual percent change — January 1, 2019 and 2020*. Sacramento, California, May 2020.



## **Agenda**

*Technical Advisory Committee*

*Item# 4*

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# **OCTA's Draft 2020-2021 State and Federal Legislative Platforms**



**October 28, 2020**

**To:** Technical Advisory Committee

**From:** Dustin J. Sifford

**Subject:** Draft 2021-22 State and Federal Legislative Platforms

### **Overview**

Initial drafts of the 2021-22 State and Federal Legislative Platforms have been prepared for consideration by the Board of Directors.

### **Recommendation**

Receive and file as an information item.

### **Background**

At the beginning of each legislative session, the Orange County Transportation Authority (OCTA) adopts State and Federal Legislative Platforms to guide the agency's advocacy activities for the upcoming legislative sessions in Sacramento and Washington, D.C., respectively. The most recent versions of the 2019-20 State and Federal Legislative Platforms were approved by the OCTA Board of Directors (Board) on November 25, 2019. Staff has prepared initial drafts of the 2021-22 State and Federal Legislative Platforms for the Board's consideration. In preparing these drafts, staff solicited feedback and suggestions from the following groups:

- OCTA Board
- OCTA advisory groups
- OCTA division directors, department managers, and staff
- Orange County legislative delegation
- Cities, chambers of commerce, and the County of Orange
- Orange County community-based organizations and associations
- Private business and industry groups

Staff will continue to consider any additional input received by all stakeholders prior to bringing final drafts back to the Board later this year. The staff report also

details how the initial drafts reflect the impact of the coronavirus (COVID-19) pandemic.

#### Draft 2021-22 State Legislative Platform

The initial draft of the 2021-22 State Legislative Platform is outlined below and further detailed in the attachments. Attachment A is a clean version of the initial draft, and Attachment B, reflects staff's recommended changes as a strikethrough version, with changes being designated by italicized and strikethrough text. Language was edited, amended, or removed as necessary to ensure accuracy and grammatical and stylistic integrity, both within the State Legislative Platform and between the State and Federal Legislative Platforms.

In order to allow the State Legislative Platform to be a better organized, more readable document, many minor edits were made to move provisions in the platform to more appropriate sections, update wording to better reflect current policy, and to eliminate duplicative principles. This includes the merging of duplicative issue areas sections, including those related to environmental policy and regulatory issues. None of these changes are intended to alter OCTA advocacy goals.

Staff is also recommending several substantive changes to the State Legislative Platform to position OCTA to inform expected legislative discussions in the upcoming legislative session. Specifically, staff is recommending reformatting of the Key Policy Issues section to focus on a streamlined list of policy priorities for the upcoming legislative session, as consistent with the Federal Legislative Platform. Many of the provisions previously under this section are now grouped with sections on related subjects. Beyond those edits substantive additions are discussed in detail below, with all changes referencing the language in Attachment B.

- Subsections (a), (b), and (c) of the section entitled, "Key Policy Issues in 2021-22," facilitate OCTA's continued response to the COVID-19 pandemic. The language is specifically intended to allow the agency to advocate for funding and policy solutions that benefit Orange County both throughout and after the COVID-19 pandemic, as well as language targeted towards improving transit ridership as pandemic recovery moves forward. All three of these subsections are verbatim of the language that is recommended to be added to the Federal Legislative Platform.
- Subsection (d) of the section entitled, "Key Policy Issues in 2021-22," would allow OCTA to engage in the increasingly important equity discussions taking place amongst policymakers, supporting efforts to be inclusive in outreach as projects and programs are developed and

delivered. This language is verbatim of the language that is recommended to be added to the Federal Legislative Platform.

- Subsection (f) of the section entitled, “Key Policy Issues in 2021-22,” related to maximizing OCTA’s share of state transportation funding, was broadened slightly to also seek a more equitable distribution within competitive grant programs.
- Subsection (i) of the section entitled, “Key Policy Issues in 2021-22,” would allow support for funding and other incentives to facilitate pilot programs to consider pursuing free- or reduced-fare pilot programs. With other transit agencies contemplating mandating free- or reduced-fares, staff is recommending language, modeled after the Board-adopted principles on this issue, that would allow OCTA to first pursue funding for a pilot program to determine if such an option merits broader adoption in Orange County.
- Subsection (j) of the section entitled, “Key Policy Issues in 2021-22,” broadens a previously included principle that encourages congestion relief programs, such as vanpooling and ridesharing, to also include incentives for teleworking. This language is verbatim of the language that is recommended for the Federal Legislative Platform.
- Subsection (k) of the section entitled, “Key Policy Issues in 2021-22,” seeks to support policies related to improved workforce development and training for transportation technologies and services, either structural or resulting from COVID-19, that might arise in these unprecedented times.

Beyond the Key Policy Issues section, substantive changes were made in the following areas:

- What were subsections (e), (f), and (g) of Section III, entitled “Fiscal Reforms and Issues,” related to matching funds for state competitive programs, federal performance measures for federal-aid highways, and the use of an interim exchange for the programming of funds, are recommended for removal. These issues are best addressed through funding guidelines and no legislative activity is anticipated related to these issues.
- Subsection (d) of Section V, entitled “Transit Programs,” combines all of the existing platform language related to the pursuit of funding for and testing of zero-emission bus technology into one, focused provision. No shift in advocacy goals is intended.

- What was subsection (e) of Section VII, entitled “Roles and Responsibilities,” related to the Orange County Taxi Administration Program is recommended for removal due to the phasing out of OCTA’s administration of the program.
- Subsection (d) of Section IX, entitled “Rail Programs,” related to Positive Train Control was broadened to ensure that OCTA’s advocacy efforts focus on its operation and maintenance, as opposed to the initial focus on equipment implementation. A similar change is recommended to the Federal Legislative Platform.
- What were subsections (f) and (g) of what was Section XII, previously entitled “Environmental Policies,” related to National Environmental Policy Act delegation for highway projects and the monitoring of the Air Quality Management Plan, are recommended for removal. The former objective was successfully enacted permanently via legislation and the latter is not related to any legislative activity.

In the final draft of the State Legislative Platform, staff may propose additional changes that are identified as staff works with stakeholders and internal departments. In addition, 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 exploring the need for potential sponsor opportunities and will provide an update to the Board for consideration on such possibilities.

#### Draft 2021-22 Federal Legislative Platform

The initial draft of the 2021-22 Federal Legislative Platform is outlined below and detailed in the attachments. Attachment C is a clean version of the initial draft, and Attachment D, reflects staff’s recommended changes as a strikethrough version, with changes being designated by italicized and strikethrough text. Language was edited, amended, or removed as necessary to ensure accuracy and grammatical and stylistic integrity, both within the Federal Legislative Platform and between the State and Federal Legislative Platform. An overview of the recommended changes is outlined below, with all textual references to the strikethrough draft in Attachment D.

- Subsections (a), (b), and (c) of the section entitled, “Key Policy Issues in the 117<sup>th</sup> Congress,” related to advocacy for funding and policy solutions to assist in responding to the COVID-19 pandemic and in recovery, including attracting transit ridership post-pandemic, are verbatim of the language that is recommended to be added to the State Legislative Platform.



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- Subsection (d) of the Section entitled, “Key Policy Issues in the 117<sup>th</sup> Congress,” related to equity is verbatim of the language that is recommended to be added to the State Legislative Platform.
  - Subsection (j) of the Section entitled, “Key Policy Issues in the 117<sup>th</sup> Congress,” related to commuter benefit policies was broadened to also include incentivizing teleworking. This language is verbatim of what is proposed for inclusion in the State Legislative Platform.
  - Subsection (k) of the Section entitled, “Key Policy Issues in the 117<sup>th</sup> Congress,” is language added to reflect the increased focus on tolling issues. Specifically, this language is borrowed, almost verbatim, from the State Legislative Platform’s principle on tolling interoperability, which is expected to become a highlighted topic during the 117<sup>th</sup> Congress.
  - What was subsection (o) of Section II, entitled “Reauthorization Priorities,” related to OCTA’s Breaking Down Barriers Report is recommended for removal because many of the policy suggestions have been adopted. The remaining policy issues can be addressed by other provisions in the Federal Legislative Platform.
  - What was subsection (f) of Section III, entitled “Implementing Federal Transportation Programs,” related to the administration of funding and evacuation routes, is recommended for removal because it is unclear that this will benefit OCTA’s funding and emergency response issues that are covered under other principles.
  - Subsection (e) of Section IV, entitled “Fiscal Reforms and Issues,” related to sales tax revenues from online purchase was amended slightly to ensure that the language remains relevant in the 117<sup>th</sup> Congress. While Congress could enact legislation affecting the State of California’s implementation of the *South Dakota v. Wayfair, Inc.* Supreme Court decision, OCTA will only recommend engagement should Congress take action that might undermine or materially change state law on this issue.
  - Subsections (a) and (b) in Section V, entitled “Rail Programs,” related to Positive Train Control (PTC) were streamlined. Subsection (a) was broadened to ensure that OCTA’s advocacy efforts on PTC focus on its operation and maintenance, as opposed to the initial focus on equipment implementation. A similar change is recommended to the State Legislative Platform.

- Section VIII, formerly entitled “Energy Issues,” was merged with what was Section IX, formerly entitled “Environmental Policy,” to form one, more concise set of streamlined provisions that comprehensively address energy and environmental issues affecting OCTA. The only two substantive changes to Section VIII, now entitled “Environmental and Energy Issues,” are outlined as follows:
  - What were subsections (a), (b), and (d) of Section VIII, related to engaging in advocacy associations to represent OCTA interests and in reporting on energy related legislation impacting OCTA, were stricken because all three described are routine staff activities, not advocacy goals.
  - Subsections (b) and (c) of Section VIII, related to incentives for alternative fuel technology, were amended slightly to reflect the mandate in state law that transit agencies adopt zero-emission bus technology and the need to expand incentives to include fuels associated with this technology.

***Summary***

Initial drafts of the 2021-22 State and Federal Legislative Platforms are provided.

***Attachments***

- A. Draft 2021-21 State Legislative Platform (clean copy)
- B. Draft 2021-22 State Legislative Platform (strikethrough version)
- C. Draft 2021-22 Federal Legislative Platform (clean copy)
- D. Draft 2021-22 Federal Legislative Platform (strikethrough version)

With over three million residents, Orange County is the third most populous county in California and the sixth most populous county in the nation. Orange County is one of the most densely populated areas in the country and is served by one of the nation's busiest transit systems. In addition, Orange County provides highway and rail corridors that facilitate the increasing level of international trade entering the Southern California ports.

The 2021-22 State Legislative Platform serves as a framework document to guide the Orange County Transportation Authority's (OCTA) legislative, regulatory, and administrative activities in the coming legislative session. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the upcoming legislative session. The later sections present guiding policy statements for other major issue areas that may arise during the session. Positions on individual items not directly in this document will be brought to the OCTA Board of Directors (Board) for formal action.

### **Key Policy Issues in 2021-22**

A number of significant transportation issues are expected to be discussed in the 2021-22 legislative session. OCTA will focus its advocacy efforts on the following principles.

- a) Support funding and policy flexibilities that allow OCTA to provide essential multimodal mobility improvements and services during the unprecedented coronavirus (COVID-19) pandemic;
- b) Encourage policies and guidance that rebuild public confidence in public transit, as well as other measures that both protect the public health and facilitate essential transit trips;
- c) Support transportation funding investments, economic stimulus measures, and other recovery efforts that will prepare OCTA to meet the changing mobility needs of Orange County after the COVID-19 pandemic subsides;
- d) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serve all residents of Orange County;
- e) Support flexibility in the application of "disadvantaged" and "low-income" communities to ensure that transportation funding flows to each region's most impacted areas, allowing OCTA to best meet the needs of its local communities;
- f) Support efforts to maximize OCTA's share of transportation and transit funding, especially through distribution formulas and more equitable competitive funding processes;
- g) Oppose efforts to link or reprioritize local and state transportation funding to programs not primarily intended to help the State meet its transportation needs;

- h) Support efforts to maintain the promises self-help counties have made to taxpayers in the implementation of local sales tax measures, specifically regarding the sequencing and delivery of transportation improvements;
- i) Support funding and incentives to develop or phase-in free- or reduced-fare transit pilot programs, that comply with all statutory and regulatory requirements, in order to encourage an increase in transit ridership;
- j) Support policies that encourage ridesharing, teleworking, vanpool and related congestion relief programs for Orange County commuters;
- k) Support workforce development and training policies that allow OCTA to hire and retain personnel ready to implement the next generation of mobility;
- l) Monitor implementation of Executive Order N-19-19, and any related legislative or regulatory efforts, to ensure that transportation funds are used for their intended purposes.

## **I. IMPLEMENTATION OF ENVIRONMENTAL POLICIES**

In order to ensure that the State's environmental regulations and cap-and-trade program are implemented in an equitable manner, which will both help to reduce emissions and encourage the development of necessary infrastructure to serve California's growing population, OCTA will:

- a) Support efforts to ensure local flexibility in meeting the goals of the State's greenhouse gas reduction initiatives, including the creation of incentive-based measures and grant programs to assist with compliance;
- b) Support the creation of formula-based cap-and-trade programs, including maintaining on-going appropriations for transit, and the prioritization of cap-and-trade funding for transportation projects that achieve greenhouse gas emission reduction;
- c) Support legislation to streamline the environmental review and permitting processes for transportation projects and programs to avoid potentially duplicative and unnecessary analysis, while still maintaining traditional environmental protections;
- d) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements;
- e) Oppose efforts to lengthen the California Environmental Quality Act process in a manner that would delay mobility improvements;

- f) Oppose legislation that restricts road construction by superseding existing broad-based environmental review and mitigation processes;
- g) Oppose legislation that would limit lead agency discretion in the management and oversight of lands set aside for environmental mitigation purposes, while encouraging policies that promote advance mitigation planning programs.

## **II. TRANSPORTATION FUNDING**

As the Legislature continues to move forward in developing solutions to close the State's structural deficit, OCTA continues to monitor the status of transportation funding in California, promoting the continued stability of existing programs and efforts to address future funding deficiencies to meet transportation infrastructure needs. As a proven method to help rebuild the economy through investments in vital transportation infrastructure projects and critical transit services, OCTA will also work to promote methods of expediting such projects to allow for such stimulus. Key actions include:

- a) Oppose unfunded mandates for transportation agencies, transit providers, and local governments in providing transportation improvements and services;
- b) Oppose cost shifts or changes in responsibility for projects funded by the State to the local transportation entities;
- c) Support legislation to treat the property tax of single-county transit districts the same as multi-county districts and correct other Educational Revenue Augmentation Fund inequities between like agencies;
- d) Support the constitutional protection of all transportation funding resources;
- e) Support legislation protecting or expanding local decision-making in programming expenditures of transportation funds;
- f) Oppose efforts to reduce local prerogative over regional program funds;
- g) Support legislation to involve county transportation commissions in the development and prioritization of State Highway Operation and Protection Program projects;
- h) Oppose efforts to redirect or reclassify transportation revenue sources, including earned interest, for anything other than their intended purposes;
- i) Support the implementation of federal transportation programs in an equitable manner that promotes traditional funding levels, programming roles, and local discretion in allocation decisions;

- j) Oppose policies that significantly increase costs, threatening OCTA's ability to deliver projects and provide transit service;
- k) Support removing the barriers for funding transportation projects, including allowing local agencies to advance projects with local funds when state funds are unavailable due to budgetary reasons, and allowing regions to pool federal, state, and local funds in order to limit lengthy amendment processes and streamline project delivery time.

### **III. FISCAL REFORMS AND ISSUES**

In recent years, the Legislature and Governor have worked collaboratively during the budget process to pass funding bills in a timely manner. Unfortunately, uncertainties over future changes remain due to a continued structural deficit and the economic consequences resulting from COVID-19. Therefore, OCTA will:

- a) Monitor the study and development of alternative transportation funding proposals, including the State's road charge pilot program and ensure that efforts are made to address concerns related to equity, privacy, and public support of such proposals;
- b) Oppose levying new and/or increase in gasoline taxes or user fees, including revenue increases on fuel consumption categorized as charges, fees, revenue enhancements, or similar classifications. Consideration of such efforts shall occur when a direct nexus is determined to exist between revenues and transportation projects, and additional revenues are to be controlled by the county transportation commission;
- c) Oppose efforts to decrease the voter threshold requirement for local tax measures for transportation purposes and/or mandating specific uses of future local sales tax revenues;
- d) Oppose efforts to increase administrative fees charged by the California Department of Tax and Fee Administration on the collection of local sales tax measures;
- e) Support efforts that ensure that all users of the State's transportation system pay their "fair share" to maintain and improve the system;
- h) Support efforts to restore equity with regards to the generation and disbursement of sales tax revenues that support the Local Transportation Fund;
- i) Support the retention of existing and future local revenue sources.

### **IV. STATE TRANSPORTATION IMPROVEMENT PROGRAM**

The State Transportation Improvement Program (STIP), substantially amended by SB 45 (Chapter 622, Statutes of 1997), is a programming document that establishes the funding priorities and project commitments for transportation capital improvements in California. SB 45 placed decision-making authority closest to the problem by providing project selection for 75 percent of the funding in the Regional Transportation Improvement Program (RTIP). This funding is distributed to counties based on an allocation formula. The remaining 25 percent of the funds is programmed by the California Department of Transportation (Caltrans) in the Interregional Transportation Improvement Program (ITIP). OCTA will seek to ensure that the regional focus of the program is preserved. Key provisions to be sought by OCTA include:

- a) Support maintaining the current STIP formula, which provides 75 percent of STIP funding to the locally-nominated RTIP and 25 percent to the ITIP;
- b) Support legislation that maintains equitable allocations of transportation funding, such as the north/south formula distribution of county shares and ITIP allocations;
- c) Support legislation to clarify that programming of current period county shares has priority over advancement of future county shares;
- d) Support a formula-based guaranteed disbursement of the ITIP;
- e) Support efforts to allow a mode-neutral STIP;
- f) Support increased flexibility for the use of STIP funds to support alternative projects, including, but not limited to, transit and goods movement improvement projects.

## **V. TRANSIT PROGRAMS**

OCTA will continue with its focus on providing safe, reliable, and efficient transit services in Orange County. While state transit funding has recently become more stable, future demand increases due to environmental regulations and increased fuel prices may put further strain on existing resources. Thus, OCTA will make every effort to minimize additional state obligations to transit operations which lack a sufficient and secure revenue source. To that end, OCTA will focus on the following:

- a) Advocate for a continued strong state role in providing funding for transit operations rather than shifting responsibility to local transportation entities. No additional requirements should be created for operation levels beyond existing capacity, unless agreed to by that entity or otherwise appropriately funded;
- b) Support the development of greater efficiencies within the Transportation Development Act's performance metrics while maintaining existing eligibility parameters and realigning administrative rules and farebox recovery requirements

to eliminate any unnecessary or overly burdensome mandates in order to streamline the administration of transit funding;

- c) Flexibility should be included in state transit funding sources, allowing transit operators to use the funding for both operations and capital expenditures;
- d) Support efforts to mitigate costs associated with the development, testing, purchase, and operation of zero-emission transit buses, including an alternative electricity rate structure, tax incentives, and other forms of financial assistance;
- e) Seek additional funding for paratransit operations and transit accessibility capital improvements that support persons with disabilities and senior citizens;
- f) Support legislation to encourage and incentivize the interoperability of transit and rail systems within California;
- g) Support legislation to limit the liability of transit districts for the location of bus stops (*Bonanno v. Central Contra Costa Transit Authority*);
- h) Support the citing of transit-oriented development projects (i.e., authorize extra credit towards housing element requirements for these developments), including incentives for development;
- i) Support legislation and or/regulations which aim to enhance transit services, and the overall safety and security of transit riders, coach operators, and on-road vehicles.

## **VI. ROADS AND HIGHWAYS**

OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes and the use of design-build authority on the State Route 22 project and Interstate 405 (I-405) Improvement Project. OCTA will continue to seek new and innovative ways to deliver road and highway projects to the residents of Orange County and, to that end, OCTA will focus on the following:

- a) Oppose efforts to create a conservancy that would inhibit the delivery of transportation projects under study or being implemented in the region;
- b) Support efforts to expand, extend, and preserve new and existing alternative project delivery methods such as design-build, public-private partnership authority, and construction manager/general contractor authority, including expanding mode and funding eligibility, while allowing the appropriate balance of partnership between the State and local agencies;



- c) Support legislation that would authorize local agencies to advertise, award, and administer contracts for state highway projects;
- d) Oppose duplicative reporting mandates and efforts to impose additional requirements, beyond what is required in statute, on lead agencies awarding contracts using alternative project delivery mechanisms;
- e) Support streamlining of the Caltrans review process for projects, simplification of processes, and reduction of red tape, without compromising environmental safeguards;
- f) Support administrative policy changes to lower the oversight fee charged by Caltrans to ensure that project support costs are equivalent whether the project is administered by Caltrans or a local agency;
- g) Support policies that improve signal synchronization programs in order to facilitate street signal coordination, prioritization, and preemption, as well as encouraging the use of intelligent transportation system measures;
- h) Support policies that expand utilization of continuous access of high-occupancy vehicle (HOV) lanes;
- i) Monitor efforts to increase fines for HOV lane violations and, if implemented, ensure fines are dedicated to enforcement purposes;
- j) Support legislation that provides for equitable enforcement of regulations governing transportation network companies;
- k) Support efforts to study the development and safe operation of autonomous vehicles and related technologies;
- l) Oppose legislation that fails to preserve local discretion and flexibility in the development of the congestion management program.

## **VII. ROLES AND RESPONSIBILITIES**

In recent years, there have been many efforts to reorganize or restructure transportation programs and local agency responsibilities. OCTA will continue to monitor legislation or regulations that would significantly affect the way in which it operates, with a focus on the following principles:

- a) Support efforts to preserve the role of county transportation commissions, as consistent with existing law, in the administration of transportation programs;

- b) Oppose proposals that reduce the rights and responsibilities of county transportation commissions in planning, funding, and delivering transportation programs;
- c) Oppose efforts to unnecessarily subject projects to additional reviews and project selection approvals that could adversely affect delivery timelines and processes;
- d) Support efforts to facilitate a partnership with alternative mobility providers that allows for adequate information sharing while also respecting the planning efforts of local agencies;
- e) Support efforts to increase the flexibility of funds used for motorist service programs.

### **VIII. 91 EXPRESS LANES/MANAGED LANES**

OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes, a ten-mile managed lane facility on State Route 91 (SR-91), extending from State Route 55 to the Orange/Riverside County line. Since its purchase in 2003, the 91 Express Lanes has provided drivers an alternative mobility option between Orange and Riverside counties, while also allowing for investment in multimodal improvements throughout the SR-91 corridor.

As transportation demands continue to increase, innovative tools must be available to ensure transportation infrastructure projects continue to be built in a reliable, prompt, and efficient manner. OCTA took advantage of one such tool by securing a \$629 million federal loan to supplement state and local funds on the I-405 Improvement Project. The loan, obtained through the Transportation Infrastructure Finance and Innovation Act (TIFIA), will save taxpayers approximately \$300 million in the decades to come. As the TIFIA loan illustrates, OCTA is committed to improving mobility for Orange County residents using the innovative tools and approaches that are allowing transportation agencies to stretch their dollars further than ever before.

Many agencies are discussing the increased use of managed lane facilities. To ensure not only the continued success of the 91 Express lanes, but also to ensure managed lane policy moving forward allows for local flexibility and input, OCTA will:

- a) Support legislation to ensure revenues from managed lane facilities remain within the corridor from which they are generated, opposing efforts to divert revenues from managed lane facilities for state purposes;
- b) Support policies that allow OCTA and the Riverside County Transportation Commission to efficiently operate and maintain the 91 Express Lanes into Riverside County;

- c) Support efforts to preserve local flexibility in the administration of toll lanes;
- d) Oppose state efforts to construct or operate managed lane facilities that are established without an adopted statewide managed lane strategy or plan;
- e) Oppose state efforts to construct or operate managed lane facilities that fail to respect existing local transportation projects and funding programs;
- f) Support customer privacy rights while maintaining OCTA's ability to effectively communicate with customers and operate the 91 Express Lanes;
- g) Support the use of innovative means to enhance toll agency enforcement efforts, including ways to address toll violations due to protected plates;
- h) Support collaborative solutions to address the degradation of HOV lanes that respect local transportation funding sources and programs, have the support of the relevant regional transportation planning agency, do not redirect existing local transportation funding sources, and analyze the effect of single-occupant, low-emission vehicles, including associated federal requirements triggered by their access allowance.
- i) Support efforts to improve the interoperability of the different toll systems across the State in order to ensure fair and efficient toll operations while affirming user privacy protections.

## **IX. RAIL PROGRAMS**

Metrolink is Southern California's commuter rail system that links residential communities to employment and activity centers. Orange County is served by three Metrolink lines: the Orange County Line, the Inland Empire-Orange County Line, and the 91/Perris Valley Line. In support of these routes, OCTA owns 48 miles of rail right-of-way in Orange County on which Metrolink operates. OCTA's rail capital budget supports improvements to the regional commuter rail system in Orange County, and under existing policy, OCTA is the primary construction lead on major capital improvements to the regional commuter rail system on its right-of-way.

In addition to Metrolink services, Orange County is also served by the state-supported Pacific Surfliner intercity passenger rail service traveling between San Luis Obispo and San Diego. The Pacific Surfliner is operated by Amtrak and managed by the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency (LOSSAN Agency). OCTA has served as the managing agency for the LOSSAN Agency since 2013 and assumed full administrative and management responsibility for the Pacific Surfliner service in June 2015 via an interagency transfer agreement with the State. OCTA continues to serve in this capacity, providing all necessary administrative support to the LOSSAN Agency.

Other rail systems could also travel through Orange County at some point in the future, including additional intercity rail service. While the status and future of these programs is uncertain, OCTA will be watchful to ensure that funding for these rail systems does not impact other transportation funding sources. Key advocacy efforts will emphasize the following:

- a) Support legislation that encourages commercial, commuter-based development around passenger rail corridors that includes permanent job creation;
- b) Support efforts to create additional efficiency in rail program oversight, including consideration of possible program consolidation;
- c) Monitor and evaluate plans and progress of high-speed rail and its funding;
- d) Support efforts to provide resources for safety improvements on the rail network in Southern California, including for the implementation, operation, and maintenance of Positive Train Control safety technology;
- e) Support studying the policies, funding options, and need for rail/highway grade separations, including any impact on existing state highway and transit funding sources;
- f) Support policies that facilitate the development and construction of needed infrastructure projects that support modernization, connectivity, and general system-wide improvements to California's rail network.

## **X. GOODS MOVEMENT**

The Ports of Los Angeles and Long Beach, the nation's two busiest ports, are vital to California's economy and the surrounding region because goods are shipped to and through the surrounding counties. While the State's goods movement system is the most robust in the nation, it is continually challenged by competing goods movement systems in other states. In order to continue to compete and engage in the global marketplace, California must continue to enhance its goods movement system, while at the same time be cognizant of taking the necessary actions to mitigate any negative impacts to local communities. Key positions include:

- a) Support improvements in major trade gateways in California to facilitate the movement of intrastate, interstate, and international trade beneficial to the State's economy;
- b) Support legislation that will aid in the development, approval, and construction of projects to expand goods movement capacity and reduce congestion;
- c) Ensure that control of goods movement infrastructure projects and funding retained at the local level;

- d) Seek mitigation for the impacts of goods movement on local communities;
- e) Pursue ongoing, stable sources of funding for goods movement infrastructure.

## **XI. ACTIVE TRANSPORTATION**

Active transportation projects and programs, which encourage greater mobility through walking and bicycling, have grown in popularity due to the environmental, health, and cost savings benefits. Through local planning efforts such as Orange County's Regional Bikeways Planning Collaborative, the Pacific Coast Highway Corridor Study, and the development of OCTA's Commuter Bikeways Strategic Plan, OCTA continues to study, plan, and fund active transportation projects and programs as part of its mission to provide Orange County with an efficient and multi-modal transportation system. Key positions include:

- a) Support legislation that increases the visibility and safety of users engaged in active transportation;
- b) Support creative use of paths, roads, and abandoned rail lines using existing established rights-of-way to promote bike trails and pedestrian paths;
- c) Support policies that encourage the safe interaction and operation of integrated multi-modal systems, including roadways, rail lines, bikeways, and pedestrian ways, and the users of those facilities;
- d) Support efforts to streamline active transportation funding programs;
- e) Support legislation and regulatory changes to streamline and simplify the review and approval by the California Public Utilities Commission of lease agreements between sponsors of active transportation projects and public utility companies.

## **XII. ADMINISTRATION/GENERAL**

General administrative issues arise every session that could impact OCTA's ability to operate efficiently. Key positions include:

- a) Oppose legislation and regulations adversely affecting OCTA's ability to efficiently and effectively contract for goods and services, conduct business of the agency, and limit or transfer the risk of liability;
- b) Support legislation to provide greater protection of OCTA's computer and information security systems;

- c) Support legislation that establishes reasonable liability for non-economic damages in any action for personal injury, property damage, or wrongful death brought against a public entity based on principles of comparative fault;
- d) Support legislation that would provide for consistency of campaign contribution limits applied to both elected and appointed bodies;
- e) Monitor the effect of Brown Act legislation on OCTA Board operations as it relates to the use of new technologies for communication with the public.

### **XIII. EMPLOYMENT ISSUES**

As a public agency and one of the largest employers in Orange County, OCTA balances its responsibility to the community and the taxpayers to provide safe, reliable, cost-effective service with its responsibility of being a reasonable, responsive employer. Key advocacy positions include:

- a) Oppose efforts to impose state labor laws on currently exempt public agencies;
- b) Oppose legislation that circumvents the collective bargaining process;
- c) Oppose legislation and regulations adversely affecting OCTA's ability to efficiently and effectively deal with labor relations, employee rights, benefits including pension benefits, Family Medical Leave Act, and working conditions, including health, safety, and ergonomic standards for the workplace;
- d) Support legislation that reforms and resolves inconsistencies in the workers' compensation and unemployment insurance systems, and labor law requirements that maintain protection for employees and allow businesses to operate efficiently;
- e) Support workforce development policies that facilitate a more efficient talent acquisition process.

### **XIV. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS**

As natural and man-made disasters continue to threaten transportation systems around the world, significant improvements have been, and continue to be, carried out to enhance the safety, security, and resilience of transportation infrastructure in the United States. As Orange County's bus provider and a Metrolink partner, OCTA comprehends the importance of ensuring the safety and security of our transportation network and protecting our customers. Presently, OCTA maintains a partnership with the Orange County Sheriff's Department to provide OCTA Transit Police Services for the bus and train systems in Orange County and continues to be actively involved in a variety of state and regional preparedness exercises in support of first responders. OCTA is also currently working with its community partners on an effort to install video surveillance systems at Metrolink stations and on its fleet of buses and throughout its bus facilities.

The development of a new Transit Security and Operations Center is also underway to enhance security efforts and further the resiliency of the Orange County transit system.

Heightened security awareness, an active public safety campaign, and greater surveillance efforts, all require additional financial resources. Consequently, OCTA's advocacy positions will highlight:

- a) Support state homeland security and emergency preparedness funding and grant programs to local transportation agencies to alleviate financial burden placed on local entities;
- b) Support legislation that balances retention mandates of video surveillance records to reflect current reasonable technological and fiscal capabilities;
- c) Support the use of new technology to increase the safety of public transportation passengers and operators.

With over three million residents, Orange County is the third most populous county in California and the sixth most populous county in the nation. Orange County is one of the most densely populated areas in the country and is served by one of the nation's busiest transit systems. In addition, Orange County provides highway and rail corridors that facilitate the increasing level of international trade entering the Southern California ports.

The 20219-220 State Legislative Platform serves as a framework document to guide the Orange County Transportation Authority's (OCTA) legislative, regulatory, and administrative activities in the coming legislative session. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the upcoming legislative session. The later sections present guiding policy statements for other major issue areas that may arise during the session. Positions on individual items not directly in this document will be brought to the OCTA Board of Directors (Board) for formal action.

## **Key Policy Issues in 20219-220**

A number of significant transportation issues are expected to be discussed in the 20219-220 legislative session. *OCTA will focus its advocacy efforts on the following principles. A few of these key issues are highlighted in this section, including: Transportation Funding and the Implementation of Environmental Regulations and Cap-and-Trade.*

### **Transportation Funding**

*Securing stable transportation funding that provides long-term operational certainty continues to be one of OCTA's top priorities. It is anticipated that transportation funding will be affected by legislative and regulatory efforts requiring OCTA's close attention in the upcoming session. As such, OCTA will:*

- a) Support funding and policy flexibilities that allow OCTA to provide essential multimodal mobility improvements and services during the unprecedented coronavirus (COVID-19) pandemic;*
- b) Encourage policies and guidance that rebuild public confidence in public transit, as well as other measures that both protect the public health and facilitate essential transit trips;*
- c) Support transportation funding investments, economic stimulus measures, and other recovery efforts that will prepare OCTA to meet the changing mobility needs of Orange County after the COVID-19 pandemic subsides;*
- d) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serve all residents of Orange County;*



- e) *Support flexibility in the application of “disadvantaged” and “low-income” communities to ensure that transportation funding flows to each region’s most impacted areas, allowing OCTA to best meet the needs of its local communities; (moved from subsection (i))*
- fa) *Support efforts to maximize OCTA’s share of transportation and transit funding, especially through distribution formulas and more equitable competitive funding processes;*
- ~~b) *Advocate for a continued strong state role in providing funding for transit operations rather than shifting responsibility to local transportation entities. No additional requirements should be created for operation levels beyond existing capacity, unless agreed to by that entity or otherwise appropriately funded; (moved to Section V)*~~
- ~~c) *Oppose efforts to divert or reclassify transportation revenue sources for other purposes, such as General Fund transfers or for debt service; (moved to Section II)*~~
- gd) *Oppose efforts to link or reprioritize local and state transportation funding to programs not primarily intended to help the State meet its transportation needs;*
- h) *Support efforts to maintain the promises self-help counties have made to taxpayers in the implementation of local sales tax measures, specifically regarding the sequencing and delivery of transportation improvements; (moved from Section VII)*
- i) *Support funding and incentives to develop or phase-in free- or reduced-fare transit pilot programs, that comply with all statutory and regulatory requirements, in order to encourage an increase in transit ridership;*
- j) *Support policies that encourage ridesharing, teleworking, vanpool and related congestion relief programs for Orange County commuters;*
- k) *Support workforce development and training policies that allow OCTA to hire and retain personnel ready to implement the next generation of mobility;*
- ~~e) *Support legislation to implement the provisions of the federal reauthorization, Fixing America’s Surface Transportation Act, in an equitable manner that promotes traditional funding levels, programming roles, and local discretion in allocation decisions; (moved to Section II)*~~
- ~~f) *Support the development of greater efficiencies within the Transportation Development Act’s performance metrics while maintaining existing eligibility parameters and realigning administrative rules and farebox recovery requirements to eliminate any unnecessary or overly burdensome mandates in order to streamline the administration of transit funding; (moved to Section V)*~~

- g) ~~Support legislation protecting or expanding local decision-making in programming expenditures of transportation funds; (moved to Section II)~~
- h) ~~Support the retention of existing and future local revenue sources; (moved to Section III)~~
- i) ~~Support efforts to develop alternative definitions of “disadvantaged” and “low-income” communities to ensure that transportation funding flows to each region’s most impacted areas; (moved to subsection (e))~~
- j) ~~Support maintaining the current State Transportation Improvement Program (STIP) formula, which provides 75 percent of the STIP funding to the locally nominated Regional Transportation Improvement Program (RTIP) and 25 percent to the Interregional Transportation Improvement Program (ITIP) Program; (moved to Section IV)~~
- k) ~~Support efforts to provide secure transit funding for capital and operating expenses;~~
- l) ~~Flexibility should be included in any state transit funding source, allowing transit operators to use the funding for both operations and capital expenditures; (moved to Section V)~~
- m) ~~Monitor the study and development of alternative transportation funding proposals, including the state’s road charge pilot program and ensure that efforts are made to address concerns related to equitability, privacy, and public support of such proposals; (moved to Section III)~~
- lA) Monitor implementation of Executive Order N-19-19, and any related legislative or regulatory efforts, to ensure that transportation funds are used for their intended purposes.

## **I. IMPLEMENTATION OF ENVIRONMENTAL *POLICIES* Regulations and Cap-and-Trade**

~~In 2016, the state expanded upon its greenhouse reduction initiatives with the passage of SB 32 (Chapter 249, Statutes of 2016) and AB 197 (Chapter 250, Statutes of 2016), which set a new statewide emissions target of 40 percent below 1990 levels by the year 2030. In 2017, the state continued its commitment to these strategies with the passage of AB 398 (Chapter 135, Statutes of 2017), extending the market-based cap-and-trade system until January 1, 2031. The passage of AB 398 ensures the long-term stability of the cap-and-trade system. However, approximately 40 percent of annual cap-and-trade revenues are still subject to annual appropriations. As such, OCTA will advocate for as much transportation funding as possible from these revenues.~~

In order to ensure that the State's environmental regulations and cap-and-trade program are implemented in an equitable manner, which will both help to reduce emissions and encourage the development of necessary infrastructure to serve California's growing population, ~~in 2019-20~~ OCTA will:

- a) Support efforts to ensure local flexibility in meeting the goals of the State's greenhouse gas reduction initiatives, including the creation of incentive-based measures and grant programs to assist with compliance;
- b) Support *the creation of formula-based cap-and-trade programs, including maintaining on-going appropriations for transit, and the prioritization of cap-and-trade funding for transportation projects that achieve greenhouse gas emission reduction* ~~the eligibility of the transportation sector and inclusion of county transportation commissions as eligible recipients of any funding mechanism created for implementation of the State's greenhouse gas reduction initiatives, including the cap-and-trade program; (combined with subsections (d) and (g))~~
- ~~c) Support efforts to ensure the availability of proven technology and adequate funding prior to the implementation of any mandated purchase requirements for zero-emission bus technology; (combined into Section V, subsection (d))~~
- ~~d) Support the prioritization of transportation projects and programs that achieve greenhouse gas emissions reductions for cap-and-trade funding while maintaining ongoing appropriations for transit; (combined into subsection (b))~~
- ~~e) Oppose policies that significantly increase costs, threatening OCTA's ability to deliver projects and provide transit service; (moved to Section II)~~
- cf) Support legislation to streamline the environmental review and permitting processes for transportation projects and programs to avoid potentially duplicative and unnecessary analysis, while still maintaining traditional environmental protections;
- ~~g) Support the creation of formula-based funding programs under the cap-and-trade program to assist with compliance of any adopted regulations; (combined into subsection (b))~~
- ~~h) Support efforts to mitigate costs associated with the operation of zero-emission transit buses, including an alternative electricity rate structure, tax incentives, or other forms of financial assistance; (combined into Section V, subsection (d))~~
- d4) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements;-

- e) *Oppose efforts to lengthen the California Environmental Quality Act process in a manner that would delay mobility improvements; (moved from what was Section XII)*
- f) *Oppose legislation that restricts road construction by superseding existing broad-based environmental review and mitigation processes; (moved from what was Section XII)*
- g) *Oppose legislation that would limit lead agency discretion in the management and oversight of lands set aside for environmental mitigation purposes, while encouraging policies that promote advance mitigation planning programs. (moved from what was Section XII)*

### **Sponsored Legislation**

~~Each year, OCTA may consider sponsoring legislation to clarify or address various transportation policy areas that require additional attention. This session, the following major initiative will be emphasized as sponsor legislation:~~

- a) ~~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. (moved to Section VIII)~~

### **~~II. I. TRANSPORTATION FUNDING STATE BUDGET~~**

~~As the Legislature continues to move forward in developing solutions to close the State's structural deficit, OCTA continues to monitor the status of transportation funding in California, promoting the continued stability of existing programs and efforts to address future funding deficiencies to meet transportation infrastructure needs. As a proven method to help rebuild the economy through investments in vital transportation infrastructure projects and critical transit services, OCTA will also work to promote methods of expediting such projects to allow for such stimulus. Key actions by OCTA will include:~~

- a) ~~Oppose unfunded mandates for transportation agencies, transit providers, and local governments in providing transportation improvements and services;~~
- b) ~~Oppose cost shifts or changes in responsibility for projects funded by the State to the local transportation entities;~~
- c) ~~Support legislation to treat the property tax of single-county transit districts the same as multi-county districts and correct other Educational Revenue Augmentation Fund inequities between like agencies;~~
- d) ~~Support the constitutional protection of all transportation funding resources;~~

- e) *Support legislation protecting or expanding local decision-making in programming expenditures of transportation funds; (moved from “Key Policy Issues in 2021-22” Section)*
- f) *Oppose efforts to reduce local prerogative over regional program funds; (moved from Section III)*
- g) *Support legislation to involve county transportation commissions in the development and prioritization of State Highway Operation and Protection Program projects; (moved from Section IV)*
- ~~e) *Seek additional funding for paratransit operations and transit accessibility capital improvements that support persons with disabilities and senior citizens; (moved to Section V)*~~
- h) *Oppose efforts to redirect or reclassify transportation revenue sources, including earned interest, for anything other than their intended purposes; (moved from “Key Policy Issues” Section)*
- i) *Support the implementation of federal transportation programs in an equitable manner that promotes traditional funding levels, programming roles, and local discretion in allocation decisions; (moved from “Key Policy Issues” Section)*
- j) *Oppose policies that significantly increase costs, threatening OCTA’s ability to deliver projects and provide transit service; (moved from what was Section XII)*
- kf) *Support removing the barriers for funding transportation projects, including allowing local agencies to advance projects with local funds when state funds are unavailable due to budgetary reasons, and allowing regions to pool federal, state, and local funds in order to limit lengthy amendment processes and streamline project delivery time.*

### **III. II. FISCAL REFORMS AND ISSUES**

In recent years, the Legislature and Governor have worked collaboratively during the budget process to pass funding bills in a timely manner, ~~providing some degree of certainty to the state-funded programs that OCTA relies upon.~~ Unfortunately, uncertainties over future changes remain due to a continued structural deficit and the ~~potential for an economic downturn~~ *consequences resulting from COVID-19.* Therefore, OCTA will:

- ~~a) *Oppose efforts to reduce local prerogative over regional program funds; (moved Section II)*~~

- a) *Monitor the study and development of alternative transportation funding proposals, including the State's road charge pilot program and ensure that efforts are made to address concerns related to equity, privacy, and public support of such proposals; (moved from "Key Policy Issues" Section)*
- b) Oppose levying new and/or increase in gasoline taxes or user fees, including revenue increases on fuel consumption categorized as charges, fees, revenue enhancements, or similar classifications. Consideration of such efforts shall occur when a direct nexus is determined to exist between revenues and transportation projects, and additional revenues are to be controlled by the county transportation commission;
- c) Oppose efforts to decrease the voter threshold requirement for local tax measures for transportation purposes and/or mandating specific uses of future local sales tax revenues;
- d) Oppose efforts to increase administrative fees charged by the California Department of Tax and Fee Administration on the collection of local sales tax measures;
- ~~e) Support efforts to ease or simplify local matching requirements for state and federal grants and programs;~~
- ~~f) Support legislation to protect the flexibility of the federal aid highway funds by requiring state compliance with federal highway safety requirements;~~
- ~~g) Support flexibility for obligating regional federal transportation funds through interim exchange instead of loss of the funds by the local agency;~~
- ~~eh)~~ Support efforts that ensure that all users of the State's transportation system pay their "fair share" to maintain and improve the system;
- ~~hi)~~ Support efforts to restore equity with regards to the generation and disbursement of sales tax revenues that support the Local Transportation Fund;:-
- i) *Support the retention of existing and future local revenue sources. (moved from "Key Policy Issues" Section)*

#### **IV. III. STATE TRANSPORTATION IMPROVEMENT PROGRAM STREAMLINING**

The *State Transportation Improvement Program (STIP)*, substantially amended by SB 45 (Chapter 622, Statutes of 1997), is a programming document that establishes the funding priorities and project commitments for transportation capital improvements in California. SB 45 placed decision-making authority closest to the problem by providing project selection for 75 percent of the funding in the *Regional Transportation Improvement Program (RTIP)*. This funding is distributed to counties based on an allocation formula.

The remaining 25 percent of the funds is programmed by the California Department of Transportation (Caltrans) in the *Interregional Transportation Improvement Program* (ITIP). ~~SB 1 is expected to promote increased stability for future STIP fund estimates.~~ OCTA will seek to ensure that the regional focus of the program is preserved. Key provisions to be sought by OCTA include:

- a) *Support maintaining the current STIP formula, which provides 75 percent of STIP funding to the locally-nominated RTIP and 25 percent to the ITIP; (moved from "Key Policy Issues" Section with updated parenthetical references)*
- ba) Support legislation that maintains equitable allocations of transportation funding, such as the north/south formula distribution of county shares and ITIP allocations;
- cb) Support legislation to clarify that programming of current period county shares has priority over advancement of future county shares;
- de) Support a formula-based guaranteed disbursement of the ITIP;
- ~~d) Support legislation to involve county transportation commissions in the development and prioritization of State Highway Operation and Protection Program projects; (moved to Section II)~~
- e) Support efforts to allow a mode-neutral STIP;
- f) Support increased flexibility for the use of STIP funds to support alternative projects, including, but not limited to, transit and goods movement improvement projects.

#### **V. IV. TRANSIT PROGRAMS**

~~In 2019-20,~~ OCTA will continue with its focus on providing safe, reliable, and efficient transit services in Orange County. While state transit funding has recently become more stable, future demand increases due to environmental regulations and increased fuel prices may put further strain on existing resources. Thus, OCTA will make every effort to minimize additional state obligations to transit operations which lack a sufficient and secure revenue source. To that end, OCTA will focus on the following:

- a) *Advocate for a continued strong state role in providing funding for transit operations rather than shifting responsibility to local transportation entities. No additional requirements should be created for operation levels beyond existing capacity, unless agreed to by that entity or otherwise appropriately funded; (moved from "Key Policy Issues" Section)*
- b) *Support the development of greater efficiencies within the Transportation Development Act's performance metrics while maintaining existing eligibility parameters and realigning administrative rules and farebox recovery requirements*

*to eliminate any unnecessary or overly burdensome mandates in order to streamline the administration of transit funding; (moved from “Key Policy Issues” Section)*

- c) *Flexibility should be included in state transit funding sources, allowing transit operators to use the funding for both operations and capital expenditures; (moved from “Key Policy Issues” Section)*
- d) *Support efforts to mitigate costs associated with the development, testing, purchase, and operation of zero-emission transit buses, including an alternative electricity rate structure, tax incentives, and other forms of financial assistance; (combined with what was Section XII, subsections (c) and (d))*
- e) *Seek additional funding for paratransit operations and transit accessibility capital improvements that support persons with disabilities and senior citizens; (moved from Section II)*
- fa) Support legislation to encourage and incentivize the interoperability of transit and rail systems within California;
- gb) Support legislation to limit the liability of transit districts for the location of bus stops (Bonanno v. Central Contra Costa Transit Authority);
- he) Support the citing of transit-oriented development projects (i.e. authorize extra credit towards housing element requirements for these developments), including incentives for development;
- id) Support legislation and or/regulations which aim to enhance transit services, and the overall safety and security of transit riders, coach operators, and on-road vehicles.

## **VI. V. ROADS AND HIGHWAYS**

OCTA’s commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes and the use of design-build authority on the State Route 22 project and Interstate 405 (I-405) Improvement Project. OCTA will continue to seek new and innovative ways to deliver road and highway projects to the residents of Orange County and, to that end, in 2019-20, OCTA will focus on the following:

- a) Oppose efforts to create a conservancy that would inhibit the delivery of transportation projects under study or being implemented in the region;
- b) Support efforts to expand, extend, and preserve new and existing alternative project delivery methods such as design-build, public-private partnership authority, and construction manager/general contractor authority, including expanding mode



and funding eligibility, while allowing the appropriate balance of partnership between the State and local agencies;

- c) Support legislation that would authorize local agencies to advertise, award, and administer contracts for state highway projects;
- d) Oppose duplicative reporting mandates and efforts to impose additional requirements, beyond what is required in statute, on lead agencies awarding contracts using alternative project delivery mechanisms;
- e) Support streamlining of the Caltrans review process for projects, simplification of processes, and reduction of red tape, without compromising environmental safeguards;
- f) Support administrative policy changes to lower the oversight fee charged by Caltrans to ensure that project support costs are equivalent whether the project is administered by Caltrans or a local agency;
- ~~g) Support studying the policies, funding options, and need for rail/highway grade separations, including any impact on existing state highway and transit funding sources; (moved to Section IX)~~
- g~~h~~) Support policies that improve signal synchronization programs in order to facilitate street signal coordination, prioritization, and preemption, as well as encouraging the use of intelligent transportation system measures;
- h~~i~~) Support policies that expand utilization of continuous access of high-occupancy vehicle (HOV) lanes;
- i~~j~~) Monitor efforts to increase fines for HOV lane violations and, if implemented, ensure fines are dedicated to enforcement purposes;
- j~~k~~) Support legislation that provides for equitable enforcement of regulations governing transportation network companies;
- k~~l~~) Support efforts to study the development and safe operation of autonomous vehicles and related technologies;
- l~~m~~) Oppose legislation that fails to preserve local discretion and flexibility in the development of the congestion management program.

## **VII. VI. ROLES AND RESPONSIBILITIES**

In recent years, there have been many efforts to reorganize or restructure transportation programs and local agency responsibilities. ~~In 2019-20~~, OCTA will continue to monitor

legislation or regulations that would significantly affect the way in which it operates, with a focus on the following principles:

- a) Support efforts to preserve the role of county transportation commissions, as consistent with existing law, in the administration of transportation programs;
- b) Oppose proposals that reduce the rights and responsibilities of county transportation commissions in planning, funding, and delivering transportation programs;
- c) Oppose efforts to unnecessarily subject projects to additional reviews and project selection approvals that could adversely affect delivery timelines and processes;
- d) Support efforts to facilitate a partnership with alternative mobility providers that allows for adequate information sharing while also respecting the planning efforts of local agencies;
- ~~e) Support efforts to improve local oversight and create operational improvements in the administration of the Orange County Taxi Administration Program;~~
- ef) Support efforts to increase the flexibility of funds used for motorist service programs.;
- ~~g) Support efforts to maintain the promises self-help counties have made to taxpayers in the implementation of local sales tax measures, specifically regarding the sequencing and delivery of transportation improvements. (moved to "Key Policy Issues" Section)~~

#### **VIII. VII. 91 EXPRESS LANES/MANAGED LANES**

OCTA's commitment to continuously improve mobility in Orange County is reflected through a dynamic involvement in such innovative highway endeavors as the ownership of the 91 Express Lanes, a ten-mile managed lane facility on State Route 91 (SR-91), extending from State Route 55 to the Orange/Riverside County line. Since its purchase in 2003, the 91 Express Lanes has provided drivers an alternative mobility option between Orange and Riverside counties, while also allowing for investment in multi-modal improvements throughout the State Route 91 corridor.

As transportation demands continue to increase, innovative tools must be available to ensure transportation infrastructure projects continue to be built in a reliable, prompt, and efficient manner. OCTA took advantage of one such tool by securing a \$629 million federal loan to supplement state and local funds on the Interstate 405 Improvement Project. The loan, obtained through the Transportation Infrastructure Finance and Innovation Act (TIFIA), will save taxpayers approximately \$300 million in the decades to come. As the TIFIA loan illustrates, OCTA is committed to improving mobility for Orange

County residents using the innovative tools and approaches that are allowing transportation agencies to stretch their dollars further than ever before.

Many agencies are discussing the increased use of managed lane facilities. To ensure not only the continued success of the 91 Express lanes, but also to ensure managed lane policy moving forward allows for local flexibility and input, ~~in 2019-20~~, OCTA will:

- a) Support legislation to ensure revenues from managed lane facilities remain within the corridor from which they are generated, opposing efforts to divert revenues from managed lane facilities for state purposes;
- b) Support policies that allow OCTA and the Riverside County Transportation Commission to efficiently operate and maintain the 91 Express Lanes into Riverside County;
- c) Support efforts to preserve local flexibility in the administration of toll lanes;
- d) Oppose state efforts to construct or operate managed lane facilities that are established without an adopted statewide managed lane strategy or plan;
- e) Oppose state efforts to construct or operate managed lane facilities that fail to respect existing local transportation projects and funding programs;
- f) Support customer privacy rights while maintaining OCTA's ability to effectively communicate with customers and operate the 91 Express Lanes;
- g) Support the use of innovative means to enhance toll agency enforcement efforts, including ways to address toll violations due to protected plates;
- h) Support collaborative solutions to address the degradation of HOV lanes that respect local transportation funding sources and programs, have the support of the relevant regional transportation planning agency, do not redirect existing local transportation funding sources, and analyze the effect of single-occupant, low-emission vehicles, including associated federal requirements triggered by their access allowance.
- i) Support efforts to improve the interoperability of the different toll systems across the State in order to ensure fair and efficient toll operations, ~~including enforcement mechanisms, throughout California~~ *while affirming user privacy protections. (combined with language in "Sponsored Legislation" section)*

## **~~IX. VIII.~~ RAIL PROGRAMS**

Metrolink is Southern California's commuter rail system that links residential communities to employment and activity centers. Orange County is served by three Metrolink lines: the Orange County Line, the Inland Empire-Orange County Line, and the 91/Perris Valley

Line. In support of these routes, OCTA owns 48 miles of rail right-of-way in Orange County on which Metrolink operates. OCTA's rail capital budget supports improvements to the regional commuter rail system in Orange County, and under existing policy, OCTA is the primary construction lead on major capital improvements to the regional commuter rail system on its right-of-way.

In addition to Metrolink services, Orange County is also served by the state-supported Pacific Surfliner intercity passenger rail service traveling between San Luis Obispo and San Diego. The Pacific Surfliner is operated by Amtrak and managed by the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency (LOSSAN Agency). OCTA has served as the managing agency for the LOSSAN Agency since 2013 and assumed full administrative and management responsibility for the Pacific Surfliner service in June 2015 via an interagency transfer agreement with the State of California. OCTA continues to serve in this capacity, providing all necessary administrative support to the LOSSAN Agency.

Other rail systems could also travel through Orange County at some point in the future, including additional intercity rail service. While the status and future of these programs is uncertain, OCTA will be watchful to ensure that funding for these rail systems does not impact other transportation funding sources. Key advocacy efforts will emphasize the following:

- a) Support legislation that encourages commercial, commuter-based development around passenger rail corridors that includes permanent job creation;
- b) Support efforts to create additional efficiency in rail program oversight, including consideration of possible program consolidation;
- c) Monitor and evaluate plans and progress of high-speed rail and its funding;
- d) Support efforts to provide resources for safety improvements on the rail network in Southern California, including for the implementation, *operation, and maintenance* of Positive Train Control safety technology;
- e) *Support studying the policies, funding options, and need for rail/highway grade separations, including any impact on existing state highway and transit funding sources; (moved from Section VI)*
- f) Support policies that facilitate the development and construction of needed infrastructure projects that support modernization, connectivity, and general system-wide improvements to California's rail network.

## **X. IX. GOODS MOVEMENT**

The Ports of Los Angeles and Long Beach, the nation's two busiest *ports in terms of container volume and value*, are vital to California's economy and the surrounding region

because goods are shipped to and through the surrounding counties. ~~Our state's goods movement-related industries account for more than \$700 billion in revenue and more than five million jobs.~~ While the State's goods movement system is the most robust in the nation, it is continually challenged by competing goods movement systems in other states. In order to continue to compete and engage in the global marketplace, California must continue to enhance its goods movement system, while at the same time be cognizant of taking the necessary actions to mitigate any negative impacts to local communities. Key positions ~~for 2019-20~~ include:

- a) Support improvements in major trade gateways in California to facilitate the movement of intrastate, interstate, and international trade beneficial to the State's economy;
- b) Support legislation that will aid in the development, approval, and construction of projects to expand goods movement capacity and reduce congestion;
- c) Ensure that control of goods movement infrastructure projects and funding retained at the local level;
- d) Seek mitigation for the impacts of goods movement on local communities;
- e) Pursue ongoing, stable sources of funding for goods movement infrastructure.

## **~~XI. X.~~ ACTIVE TRANSPORTATION**

Active transportation projects and programs, which encourage greater mobility through walking and *bicycling*, have grown in popularity due to the environmental, health, and cost savings benefits. Through local planning efforts such as Orange County's Regional Bikeways Planning Collaborative, the Pacific Coast Highway Corridor Study, and the development of OCTA's Commuter Bikeways Strategic Plan, OCTA continues to study, plan, and fund active transportation projects and programs as part of its mission to provide Orange County with an efficient and multi-modal transportation system. Key positions include:

- a) Support legislation that increases the visibility and safety of users engaged in active transportation;
- b) Support creative use of paths, roads, and abandoned rail lines using existing established rights-of-way to promote bike trails and pedestrian paths;
- c) Support policies that encourage the safe interaction and operation of integrated multi-modal systems, including roadways, rail lines, bikeways, and pedestrian ways, and the users of those facilities;
- d) Support efforts to streamline active transportation funding programs;

- e) Support legislation and regulatory changes to streamline and simplify the review and approval by the California Public Utilities Commission of lease agreements between sponsors of active transportation projects and public utility companies.

## **XII. XI. ADMINISTRATION/GENERAL**

General administrative issues arise every session that could impact OCTA's ability to operate efficiently. Key positions include:

- a) Oppose legislation and regulations adversely affecting OCTA's ability to efficiently and effectively contract for goods and services, conduct business of the agency, and limit or transfer the risk of liability;
- b) Support legislation to provide greater protection of OCTA's computer and information security systems;
- c) Support legislation that establishes reasonable liability for non-economic damages in any action for personal injury, property damage, or wrongful death brought against a public entity based on principles of comparative fault;
- d) Support legislation that would provide for consistency of campaign contribution limits applied to both elected and appointed bodies;
- e) Monitor the effect of Brown Act legislation on OCTA Board operations as it relates to the use of new technologies for communication with the public.

## **~~XII. ENVIRONMENTAL POLICIES~~**

~~Changes in environmental laws can affect OCTA's ability to plan, develop, and build transit, rail, and highway projects. While OCTA has been a leading advocate for new, cleaner transit technologies and the efficient use of transportation alternatives, it also remains alert to new, conflicting, or excessive environmental statute changes.~~

~~Key positions include:~~

- ~~a) Oppose efforts to grant special interest groups or new bureaucracies control, oversight, or influence over the California Environmental Quality Act process; (moved to Section I)~~
- ~~b) Oppose legislation that restricts road construction by superseding existing broad-based environmental review and mitigation processes; (moved to Section I)~~
- ~~c) Support incentives for development, testing, and purchase of clean fuel commercial vehicles; (combined into Section V, subsection (d))~~

- d) ~~Support efforts to seek funding and flexibility for the retrofit or re-powering of transit buses and locomotives with cleaner engines to attain air quality standards; (combined into Section V, subsection (d))~~
- e) ~~Oppose legislation that would limit lead agency discretion in the management and oversight of lands set aside for environmental mitigation purposes, while encouraging policies that promote advance mitigation planning programs; (moved to Section I)~~
- f) ~~Support efforts to ensure that Caltrans can continue to review and approve transportation projects under the National Environmental Policy Act;~~
- g) ~~Monitor the development, adoption, and implementation of the Air Quality Management Plan (AQMP) to avoid cost increases and prevent any potential conflicts between AQMP implementation, the adopted Regional Transportation Plan, and OCTA's projects or programs.~~

### **XIII. EMPLOYMENT ISSUES**

As a public agency and one of the largest employers in Orange County, OCTA balances its responsibility to the community and the taxpayers to provide safe, reliable, cost-effective service with its responsibility of being a reasonable, responsive employer. Key advocacy positions include:

- a) Oppose efforts to impose state labor laws on currently exempt public agencies;
- b) Oppose legislation that circumvents the collective bargaining process;
- c) Oppose legislation and regulations adversely affecting OCTA's ability to efficiently and effectively deal with labor relations, employee rights, benefits including pension benefits, Family Medical Leave Act, and working conditions, including health, safety, and ergonomic standards for the workplace;
- d) Support legislation that reforms and resolves inconsistencies in the workers' compensation and unemployment insurance systems, and labor law requirements that maintain protection for employees and allow businesses to operate efficiently;
- e) Support workforce development policies that facilitate a more efficient talent acquisition process.

### **XIV. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS**

As natural and man-made disasters continue to threaten transportation systems around the world, significant improvements have been, and continue to be, carried out to enhance the safety, security, and resilience of transportation infrastructure in the United States. As Orange County's bus provider and a Metrolink partner, OCTA comprehends the

importance of ensuring the safety and security of our transportation network and protecting our customers. Presently, OCTA maintains a partnership with the Orange County Sheriff's Department to provide OCTA Transit Police Services for the bus and train systems in Orange County and continues to be actively involved in a variety of state and regional preparedness exercises in support of first responders. OCTA is also currently working with its community partners on an effort to install video surveillance systems at Metrolink stations and on its fleet of buses and throughout its bus facilities. The development of a new Transit Security and Operations Center is also underway to enhance security efforts and further the resiliency of the Orange County transit system.

Heightened security awareness, an active public safety campaign, and greater surveillance efforts, all require additional financial resources. Consequently, in 2019-20, OCTA's advocacy positions will highlight:

- a) Support state homeland security and emergency preparedness funding and grant programs to local transportation agencies to alleviate financial burden placed on local entities;
- b) Support legislation that balances retention mandates of video surveillance records to reflect current reasonable technological and fiscal capabilities;
- c) Support the use of new technology to increase the safety of public transportation passengers and operators.



With over three million residents, Orange County is the third most populous county in California and the sixth most populous county in the nation. Orange County is one of the most densely populated areas in the country and is served by one of the nation's busiest transit systems. In addition, Orange County provides highway and rail corridors that facilitate the increasing level of international trade entering the Southern California ports.

The 2021-22 Federal Legislative Platform serves as a framework document to guide the Orange County Transportation Authority's (OCTA) statutory, regulatory, and administrative goals and objectives in Washington, D.C. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the 117<sup>th</sup> Congress, and the later sections present guiding policy statements for the other major issues that may arise. Positions on individual items not directly addressed in this document will be brought to the OCTA Board of Directors for formal action.

### **Key Policy Issues in the 117<sup>th</sup> Congress**

A number of significant transportation issues will be discussed in the 117<sup>th</sup> Congress. OCTA will focus its advocacy efforts on the following principles:

- a) Support funding and policy flexibilities to support OCTA in providing essential multimodal mobility improvements and services during the unprecedented coronavirus (COVID-19) pandemic;
- b) Encourage policies and guidance that rebuild public confidence in public transit, as well as other measures that both protect the public health and facilitate essential transit trips;
- c) Support transportation funding investments, economic stimulus measures, and other recovery efforts that will prepare OCTA to meet the changing mobility needs of Orange County after the COVID-19 pandemic subsides;
- d) Enact and implement long-term surface transportation reauthorization legislation that provides sustainable funding levels for transportation programs in order to meet our county's critical infrastructure needs;
- d) Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serves all the residents of Orange County;
- e) Seek responsible revenue solutions to fund future transportation projects without adversely affecting an agency's ability to provide services;
- f) Advocate for full funding of transportation programs without placing new limitations or conditions on the distribution of funds that would impede the delivery of infrastructure projects;

- g) Ensure that funding for any new infrastructure initiatives does not replace or adversely affect existing transportation programs;
- h) Ensure that Highway Trust Fund (HTF) revenues continue to be used for transit expenditures;
- i) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements.
- j) Support policies that encourage ridesharing, teleworking, vanpool and related congestion relief programs for Orange County commuters;
- k) Support efforts to clarify roles and responsibilities related to toll enforcement policies to allow for interoperability between toll facilities while affirming user privacy.

## **I. TRANSPORTATION FUNDING**

Current federal law does not require the appropriation of authorized HTF dollars. Therefore, the annual appropriations process will continue to play an important role in funding OCTA's programs and projects. OCTA will continue to advocate for the largest possible amount and share of appropriations funding to ensure adequate resources to meet the infrastructure needs of Orange County.

OCTA will continue to aggressively pursue discretionary funding for transportation projects within the statutory and regulatory requirements of funding programs and the current funding status of OCTA's capital program. Other funding priorities for OCTA include:

- a) Support sustainable transportation funding levels that allow OCTA to continue to improve mobility in and around Orange County;
- b) Oppose efforts to redirect, reduce, or eliminate existing transportation funding programs;
- c) Support funding for the Capital Investment Grants program to allow for an expansion of bus and rail transit projects;
- d) Ensure that federal funding is available for capital purposes to the extent not needed for direct operating costs;
- e) Support funding, with increased flexibility, for safety and security grant programs in order to protect Orange County's transportation system, including highways, transit facilities, rail lines, and related software systems;

- f) Support funding for regional and intercity passenger rail corridors in California;
- g) Support funding for the Southern California Regional Training Consortium to develop bus maintenance training information for the transit agencies throughout Southern California.

## **II. REAUTHORIZATION PRIORITIES**

The Fixing America's Surface Transportation (FAST) Act (Pub. L. No. 114-94) authorized \$305.5 billion over five years for public transportation, rail, highway, safety, research, and technology programs. The legislation preserved the federal focus on safety, kept intact the established structure of the various highway programs, and continued efforts to streamline project delivery.

The FAST Act was extended through September 30, 2021. In the 117<sup>th</sup> Congress, OCTA will focus much of its advocacy efforts on enacting long-term reauthorization legislation that allows state and local government agencies to move forward with a federal partner on critical transportation projects. As such, OCTA will advocate for the following policies:

- a) Support the greatest possible share of funding for California and OCTA, focusing on increasing formula funds;
- b) Support increased flexibility in transportation funding programs to promote greater local decision-making in the planning process;
- c) Ensure a long-term partnership with the federal government that helps OCTA address capital and operating revenue shortfalls;
- d) Support a stable source of proposed future revenues that provides adequate resources for future transportation needs;
- e) Oppose efforts to subject public transportation providers to gas tax liability or other fees that increase operating costs;
- f) Oppose unfunded federal mandates that further stretch the resources of state and local transportation agencies;
- g) Oppose policies that undermine or limit local control over land use decisions;
- h) Ensure fair suballocations of funding to account for additional costs, increased administrative responsibilities, and the potential for increased liabilities to which the agency may be subject;

- i) Support efforts to ensure that all users of the national transportation system pay their “fair share” to maintain and improve the system;
- j) Oppose limitations or other arbitrary conditions on discretionary transportation grant programs that prevent an equitable distribution of transportation resources;
- k) Support efforts to clarify roles for state and local transportation agencies, as well as for the private sector, in developing innovative approaches to improving mobility;
- l) Support additional funding flexibility to facilitate the use of alternative mobility providers;
- m) Support policies to encourage the safe development, demonstration, deployment, and operation of connected and automated vehicle technologies;
- n) Support a collaborative approach to understanding the capital infrastructure and operational needs of local and state transportation agencies, as well as those of private sector partners, in the testing and deployment of autonomous vehicles and related technologies;
- o) Oppose rescissions or other arbitrary funding cuts to transportation programs.

### **III. IMPLEMENTING FEDERAL TRANSPORTATION PROGRAMS**

In the 117<sup>th</sup> Congress, OCTA will continue to support finalizing the implementation of the FAST Act while finding ways to complement the programs and provisions authorized under federal law. During this time, OCTA will advocate for the following issues:

- a) Oppose any effort to further reduce transportation funding for OCTA or California, advocating for a fair and equitable share;
- b) Pursue continued eligibility of Congestion Mitigation Air Quality program funding for three-to-five years of operating expenses associated with any fixed-guideway or eligible bus projects;
- c) Support expanded use of alternative delivery methods for federally-funded transportation projects;
- d) Support environmental process improvements and stewardship efforts by the relevant federal agencies to expedite project delivery and accelerate the creation of jobs;

- e) Support expedited review and payments to local agencies and their contractors for project development, right-of-way acquisition, and construction activities;
- f) Support efforts to authorize, fund, and streamline the delivery of bicycle and pedestrian projects in Orange County;
- g) Advocate for policies to encourage, when possible, a “complete streets” approach to multimodal project planning in order to expedite project delivery;
- h) Encourage the Federal Highway Administration (FHWA) to utilize the Regional Transportation Plan (RTP) as a long-range planning and vision document rather than a detailed 30-year financial plan;
- i) Support shifting the approval of RTP amendments involving Transportation Control Measures from the Environmental Protection Agency back to the FHWA while allowing for an adequate consultation process;
- j) Support flexibility and increased local decision-making authority regarding the operation of high-occupancy vehicle (HOV) lanes in order to reduce or eliminate the unintended consequences resulting from Section 166 of the Federal Highway Act or any similar policy regulating degradation of HOV lanes;
- k) Encourage cooperation between state and federal partners to mitigate or eliminate any policy that requires direct actions within 180 days of realized degradation on federally-funded highways;
- l) Support streamlining of Federal Buy America requirements to increase certainty while also advocating for greater flexibility in their application.

#### **IV. FISCAL REFORMS AND ISSUES**

Several legislative and regulatory proposals would have economic impacts, both positive and negative, affecting the delivery of transportation infrastructure projects that create jobs and spur further business development in Orange County. Regarding these developments, OCTA will:

- a) Oppose legislation and regulations that would divert revenues generated by locally-approved sales taxes to programs and projects that are not included in the sales tax ordinance;
- b) Support removing barriers to the release of transportation funding, including allowing local agencies to advance projects with local funds in order to limit lengthy amendment processes that delay project delivery;

- c) Support expansion, streamlining, and further development of innovative project finance methods, including the Transportation Infrastructure Finance and Innovation Act loan program;
- d) Support fiscally sound legislation that adequately addresses the HTF's structural deficit, including initiatives to address the impact of low- and zero-emission vehicles on transportation funding;
- e) Support the equitable collection and distribution of sales tax revenue from out-of-state, online retailers (*South Dakota v. Wayfair, Inc.*);
- f) Support tax policies that reduce costs or provide additional flexibility in OCTA's financial and operational activities;
- g) Support legislation or regulations that expedite the delivery of transportation improvements or the development of business opportunities in order to create jobs and economic activity in Southern California.

## **V. RAIL PROGRAMS**

Metrolink is Southern California's commuter rail system that links residential communities to employment and activity centers. Orange County is served by three Metrolink lines: the Orange County Line, the Inland Empire-Orange County Line, and the 91/Perris Valley Line. OCTA owns 48 miles of rail right-of-way in Orange County on which Metrolink operates. OCTA's rail capital budget supports improvements to the regional commuter rail system in Orange County, and under existing policy, OCTA is the primary construction lead on major capital improvements to the regional commuter rail system on its right-of-way.

In addition to Metrolink services, Orange County is also served by the state-supported Pacific Surfliner intercity passenger rail service traveling between San Luis Obispo and San Diego. The Pacific Surfliner is operated by Amtrak and managed by the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency (LOSSAN Agency). OCTA has served as the managing agency for the LOSSAN Agency since 2013 and assumed full administrative and management responsibility for Pacific Surfliner service in June 2015 via an interagency transfer agreement with the State of California. OCTA continues to serve in this capacity, providing all necessary administrative support to the LOSSAN Agency.

Other rail systems could also travel through Orange County at some point in the future, including additional intercity rail service. OCTA will continue to monitor the development of additional service to ensure that it does not adversely affect other transportation funding sources. Other rail policy priorities include the following:

- a) Support funding for rail safety programs, including funding for implementation, operation, and maintenance of Positive Train Control (PTC) safety technology and other safety enhancements;
- b) Support efforts to ensure that any alternative safety technology is interoperable with, and contains the same safety benefits as, the PTC system implemented on passenger rail corridors in Southern California;
- c) Support the availability of technical resources, such as wireless spectrum, to fully implement rail safety technology;
- d) Oppose increasing the current rail passenger liability cap and work with regional partners to ensure that any changes to the cap take into account the limited resources of passenger rail providers.

## **VI. GOODS MOVEMENT**

The twin Ports of Los Angeles and Long Beach are considered “America’s Gateway” and the nation’s busiest ports. The maintenance and improvement of our region’s goods movement infrastructure must continue to be a national priority if our region is to remain competitive with the rest of the world and responsive to the consumer needs of Southern California. The need for the Southern California region to remain competitive is further underscored by the expansion and modernization efforts of foreign competitors. Even though the FAST Act provided dedicated funding for goods movement projects and programs, revenue streams remain insufficient to fund the projects needed to offset the costs of moving these goods considering the many years of underinvestment. OCTA’s advocacy efforts regarding goods movement will continue to emphasize the following:

- a) Pursue new, stable, dedicated, and secure sources of funding for goods movement infrastructure;
- b) Ensure that the benefits of newly-funded projects also take into account mitigation factors to impacted communities;
- c) Support a collaborative approach, including engaging with private sector partners, in developing and implementing the needed sustainable goods movement infrastructure programs and projects;
- d) Support regionally-significant grade separation projects that improve the flow of goods and people throughout Southern California;
- e) Support local control of goods movement infrastructure and freight mobility projects.

## **VII. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS**

OCTA continues cooperative efforts with neighboring transit agencies, Urban Area Security Initiative partners, state and federal Homeland Security and Emergency Preparedness grant partners, and local jurisdictions to enhance the security and resiliency of Orange County's transportation system. OCTA will pursue the following priorities to ensure that the agency's safety, security, and emergency preparedness needs are met:

- a) Support increased funding for training, increased surveillance, and emergency preparedness improvements with adequate flexibility to ensure that local agencies can effectively use the resources to ensure a more resilient transportation system;
- b) Support a funding distribution that considers all risk threats, including natural disasters, acts of terrorism, and other man-made disasters, as estimated by the Department of Homeland Security, in cooperation with state and local officials;
- c) Support programs that facilitate cooperation with security and emergency preparedness officials to refine and improve information exchange protocols, emergency preparedness systems, and regional data coordination.
- d) Support efforts to provide funding incentives and policy flexibility to facilitate programs to provide safe working conditions for coach operators and transit personnel.

## **VIII. ENVIRONMENTAL AND ENERGY ISSUES**

Federal environmental policies affecting OCTA include the National Environmental Protection Act, the Clean Air Act, the Clean Water Act, and the Endangered Species Act. Therefore, legislation or regulations to further develop environmental goals and energy-efficient policies will likely have an impact on OCTA's operations. With such proposals in mind, OCTA will:

- a) Seek opportunities to expedite and improve the efficiency of the environmental process without impairing substantive environmental requirements;
- b) Seek funding to meet state and local environmental quality requirements, including requirements for zero-emission buses, alternative fueling stations, and future greenhouse gas reduction requirements;
- c) Support the continuation and expansion of tax incentives for using compressed natural gas, hydrogen, and other zero-emission transit fuels;
- d) Monitor proposals to address the environmental impacts of greenhouse gases to ensure that any new environmental requirements are accompanied by additional funding necessary to implement those requirements;



- e) Support expedited review for project development, right-of-way acquisition, and construction activities.

## **IX. REGULATORY REQUIREMENTS**

OCTA must also monitor several other administrative requirements, including new and expanded regulatory definitions that may affect the agency's operations. As such, OCTA will:

- a) Oppose regulatory efforts to extend the statutory requirements of the Americans with Disabilities Act;
- b) Support expedited and improved federal reporting and monitoring requirements to ensure efficiency and usefulness of data while also eliminating redundant state and federal requirements;
- c) Oppose regulatory proposals that unreasonably subject OCTA to burdensome bureaucratic requirements or increase operational costs, making it harder to deliver projects and improve mobility in Orange County.
- d) Oppose policies adversely affecting the agency's ability to effectively address labor relations, employee rights, benefits, and working conditions, such as health, safety, and ergonomic standards;
- e) Oppose policies that limit state or local pension benefit reforms.

With over three million residents, Orange County is the third most populous county in California and the sixth most populous county in the nation. Orange County is one of the most densely populated areas in the country and is served by one of the nation's busiest transit systems. In addition, Orange County provides highway and rail corridors that facilitate the increasing level of international trade entering the Southern California ports.

The 2021-22 Federal Legislative Platform serves as a framework document to guide the Orange County Transportation Authority's (OCTA) statutory, regulatory, and administrative goals and objectives in Washington, D.C. The Key Policy Issues section offers guidance on the policy issues that will likely be the focus of the 117<sup>th</sup> Congress, and the later sections present guiding policy statements for the other major issues that may arise. Positions on individual items not directly addressed in this document will be brought to the OCTA Board of Directors (~~Board~~) for formal action.

### **Key Policy Issues in the 117<sup>th</sup> Congress**

A number of significant transportation issues will be discussed in the 117<sup>th</sup> Congress. OCTA will focus its advocacy efforts on the following principles:

- a) *Support funding and policy flexibilities to support OCTA in providing essential multimodal mobility improvements and services during the unprecedented coronavirus (COVID-19) pandemic;*
- b) *Encourage policies and guidance that rebuild public confidence in public transit, as well as other measures that both protect the public health and facilitate essential transit trips;*
- c) *Support transportation funding investments, economic stimulus measures, and other recovery efforts that will prepare OCTA to meet the changing mobility needs of Orange County after the COVID-19 pandemic subsides;*
- d) *Enact and implement long-term surface transportation reauthorization legislation that provides sustainable funding levels for transportation programs in order to meet our county's critical infrastructure needs;*
- e) *Support equitable policies to ensure that the inclusive public engagement, planning, and delivery of mobility improvements best serves all the residents of Orange County;*
- f) *Seek responsible revenue solutions to fund future transportation projects without adversely affecting an agency's ability to provide services;*
- g) *Advocate for full funding of transportation programs without placing new limitations or conditions on the distribution of funds that would impede the delivery of infrastructure projects;*

- gd) Ensure that funding for any new infrastructure initiatives does not replace or adversely affect existing transportation programs;
- he) Ensure that Highway Trust Fund (*HTF*) revenues continue to be used for transit expenditures;
- fi) Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements.
- j) *Support policies that encourage ridesharing, teleworking, vanpool and related congestion relief programs for Orange County commuters; (moved from what was Section XI)*
- k) *Support efforts to clarify roles and responsibilities related to toll enforcement policies to allow for interoperability between toll facilities while affirming user privacy.*

## **I. TRANSPORTATION FUNDING**

Current federal law does not require the appropriation of authorized ~~Highway Trust Fund~~ *HTF* dollars. Therefore, the annual appropriations process will continue to play an important role in funding OCTA's programs and projects. OCTA will continue to advocate for the largest possible amount and share of appropriations funding to ensure adequate resources to meet the infrastructure needs of Orange County.

~~Funding limitations enacted with bipartisan support effectively prohibit funding specifically directed to individual projects, commonly called earmarks. It is expected that appropriators will continue this practice for the foreseeable future. Accordingly, this platform does not contain any earmark requests. Should Congress once again allow earmarks, OCTA staff will seek the guidance from the Legislative and Communications Committee regarding project requests.~~

~~Even in the absence of earmarks, OCTA will continue to aggressively pursue discretionary funding for transportation projects within the statutory and regulatory requirements of funding programs and the current funding status of OCTA's capital program. Other funding priorities for OCTA include:~~

- a) Support sustainable transportation funding levels that allow OCTA to continue to improve mobility in and around Orange County;
- b) Oppose efforts to redirect, reduce, or eliminate existing transportation funding programs;
- c) Support funding for the Capital Investment Grants program to allow for an expansion of ~~fixed-guideway bus and rail transit~~ projects;

- d) Ensure that federal funding is available for capital purposes to the extent not needed for direct operating costs;
- e) Support funding, with increased flexibility, for safety and security grant programs in order to protect Orange County's transportation system, including highways, transit facilities, rail lines, and related software systems;
- ~~f) Support policies that encourage ridesharing and related congestion relief programs for Orange County commuters;~~
- fg) Support funding for regional and intercity passenger rail corridors in California;
- gA) Support funding for the Southern California Regional Training Consortium to develop bus maintenance training information for the transit agencies throughout Southern California.

## II. REAUTHORIZATION PRIORITIES

The Fixing America's Surface Transportation (FAST) Act (Pub. L. No. 114-94) authorized \$305.5 billion over five years for public transportation, rail, highway, safety, research, and technology programs. ~~These funding levels provided modest increases in all major existing surface transportation programs over the life of the bill. It also added new formula and discretionary freight programs, a new discretionary bus capital program, and new funding for intercity rail.~~ The legislation also preserved the federal focus on safety, kept intact the established structure of the various highway programs, and continued efforts to streamline project delivery.

The FAST Act ~~was extended through~~ ~~expires on~~ September 30, 2021~~0~~. In the 117<sup>th</sup> Congress, OCTA will focus much of its advocacy efforts on enacting long-term reauthorization legislation that allows state and local government agencies to move forward with a federal partner on critical transportation projects. As such, OCTA will advocate for the following policies:

- a) Support the greatest possible share of funding for California and OCTA, focusing on increasing formula funds;
- b) Support increased flexibility in transportation funding programs to promote greater local decision-making in the planning process;
- c) Ensure a long-term partnership with the federal government that helps OCTA address capital and operating revenue shortfalls;
- d) Support a stable source of proposed future revenues that provides adequate resources for future transportation needs;

- e) Oppose efforts to subject public transportation providers to gas tax liability or other fees that increase operating costs;
- f) Oppose unfunded federal mandates that further stretch the resources of state and local transportation agencies;
- g) Oppose policies that undermine or limit local control over land use decisions;
- h) Ensure fair suballocations of funding to account for additional costs, increased administrative responsibilities, and the potential for increased liabilities to which the agency may be subject;
- i) Support efforts to ensure that all users of the national transportation system pay their “fair share” to maintain and improve the system;
- j) Oppose limitations or other arbitrary conditions on *discretionary* transportation *grant* programs that prevent an equitable distribution of transportation resources;
- k) Support efforts to clarify roles for state and local transportation agencies, as well as for the private sector, in developing innovative approaches to improving mobility;
- l) Support additional funding flexibility to facilitate the use of alternative mobility providers;
- m) Support policies to encourage the safe development, demonstration, deployment, and operation of connected and automated vehicle technologies;
- n) Support a collaborative approach to understanding the capital infrastructure and operational needs of local and state transportation agencies, as well as those of private sector partners, in the testing and deployment of autonomous vehicles and related technologies;
- ~~o) Support proposals consistent with the recommendations contained in OCTA’s Breaking Down Barriers Report and subsequent Follow-on Study;~~
- op) Oppose rescissions or other arbitrary funding cuts to transportation programs.

### **III. IMPLEMENTING FEDERAL TRANSPORTATION PROGRAMS**

In the 117<sup>th</sup> Congress, OCTA will continue to support finalizing the implementation of the FAST Act while finding ways to complement the programs and provisions authorized under federal law. During this time, OCTA will advocate for the following issues:

- a) Oppose any effort to further reduce transportation funding for OCTA or California, advocating for a fair and equitable share;
- b) Pursue continued eligibility of Congestion Mitigation Air Quality (CMAQ) program funding for three-to-five years of operating expenses associated with any ~~new start~~ fixed-guideway or eligible bus projects;
- c) Support expanded use of alternative delivery methods for federally-funded transportation projects;
- d) Support environmental process improvements and stewardship efforts by the relevant federal agencies to expedite project delivery and accelerate the creation of jobs;
- e) Support expedited review and payments to local agencies and their contractors for project development, right-of-way acquisition, and construction activities;
- ~~f) Support efforts that direct state departments of transportation to consider the condition and effectiveness of local evacuation routes in high-risk areas when setting priorities for the disbursement of highway funding;~~
- ~~g)~~ Support efforts to authorize, fund, and streamline the delivery of bike and pedestrian projects in Orange County;
- ~~g~~h) Advocate for policies to encourage, when possible, a “complete streets” approach to multimodal project planning in order to expedite project delivery;
- ~~h~~i) Encourage the Federal Highway Administration (FHWA) to utilize the Regional Transportation Plan (RTP) as a long-range planning and vision document rather than a detailed 30-year financial plan;
- ~~i~~j) Support shifting the approval of RTP amendments involving Transportation Control Measures from the Environmental Protection Agency back to the FHWA while allowing for an adequate consultation process;
- ~~j~~k) Support flexibility and increased local decision-making authority regarding the operation of high-occupancy vehicle (HOV) lanes in order to reduce or eliminate the unintended consequences resulting from Section 166 of the Federal Highway Act or any similar policy regulating degradation of HOV lanes;
- ~~k~~l) Encourage cooperation between state and federal partners to mitigate or eliminate any policy that requires direct actions within 180 days of realized degradation on federally-funded highways;
- ~~k~~m) Support streamlining of Federal Buy America requirements to increase certainty while also advocating for greater flexibility in their application.

#### IV. FISCAL REFORMS AND ISSUES

Several legislative and regulatory proposals would have economic impacts, both positive and negative, affecting the delivery of transportation infrastructure projects that create jobs and spur further business development in Orange County. Regarding these developments, OCTA will:

- a) Oppose legislation and regulations that would divert revenues generated by locally-approved sales taxes to programs and projects that are not included in the sales tax ordinance;
- b) Support removing barriers to the release of transportation funding, including allowing local agencies to advance projects with local funds in order to limit lengthy amendment processes that delay project delivery;
- c) Support expansion, *streamlining*, and further development of innovative project finance methods, including the Transportation Infrastructure Finance and Innovation Act loan program;
- d) Support fiscally-sound legislation that adequately addresses the ~~Highway Trust Fund~~ *HTF's* structural deficit, including initiatives to address the impact of low- and zero-emission vehicles on transportation funding;
- e) ~~Support Seek methods to ensure~~ the equitable collection and distribution of sales tax revenue from out-of-state, online retailers (*South Dakota v. Wayfair, Inc.*);
- f) Support tax policies that reduce costs or provide additional flexibility in OCTA's financial and operational activities;
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#### V. RAIL PROGRAMS

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Other rail systems could also travel through Orange County at some point in the future, including additional intercity rail service. OCTA will continue to monitor the development of additional service to ensure that it does not adversely affect other transportation funding sources. Other rail policy priorities include the following:

- a) Support funding for rail safety programs, including funding for implementation, ~~and~~ operation, *and maintenance* of Positive Train Control (PTC) safety technology and other safety enhancements;
- ~~b) Support ongoing PTC implementation efforts that allow for adequate consideration of technological, fiscal, and logistical challenges;~~
- be) Support efforts to ensure that any alternative safety technology is interoperable with, and contains the same safety benefits as, the PTC system implemented on passenger rail corridors in Southern California;
- cd) Support the availability of technical resources, such as wireless spectrum, to fully implement rail safety technology;
- de) Oppose increasing the current rail passenger liability cap of ~~\$295 million per incident~~ and work with regional partners to ensure that any changes to the cap take into account the limited resources of passenger rail providers.

## VI. GOODS MOVEMENT

The twin Ports of Los Angeles and Long Beach are considered “America’s Gateway” and the nation’s busiest ports, ~~handling more than \$180 billion dollars’ worth of cargo each year.~~ The maintenance and improvement of our region’s goods movement infrastructure must continue to be a national priority if our region is to remain competitive with the rest of the world and responsive to the consumer needs of ~~the nearly 18 million people living in~~ Southern California. The need for the Southern California region to remain competitive is further underscored by the expansion and modernization efforts of foreign competitors. Even though the FAST Act provided ~~\$10 billion~~ *dedicated funding* for goods movement projects and programs, revenue streams remain insufficient to fund the projects needed to offset the costs of moving



these goods considering the many years of underinvestment. OCTA's advocacy efforts regarding goods movement will continue to emphasize the following:

- a) Pursue new, stable, dedicated, and secure sources of funding for goods movement infrastructure;
- b) Ensure that the benefits of newly-funded projects also take into account mitigation factors to impacted communities;
- c) Support a collaborative approach, including engaging with private sector partners, in developing and implementing the needed sustainable goods movement infrastructure programs and projects;
- d) Support regionally-significant grade separation projects that improve the flow of goods and people throughout Southern California;
- e) Support local control of goods movement infrastructure and freight mobility projects.

## **VII. TRANSPORTATION SECURITY AND EMERGENCY PREPAREDNESS**

OCTA continues cooperative efforts with neighboring transit agencies, Urban Area Security Initiative partners, state and federal Homeland Security and Emergency Preparedness grant partners, and local jurisdictions to enhance the security and resiliency of Orange County's transportation system. OCTA will pursue the following priorities to ensure that the agency's safety, security, and emergency preparedness needs are met:

- a) Support increased funding for staff training, increased surveillance, and emergency preparedness improvements with adequate flexibility to ensure that local agencies can effectively use the resources to ensure a more resilient transportation system;
- b) Support a funding distribution that considers all risk threats, including natural disasters, acts of terrorism, and other man-made disasters, as estimated by the Department of Homeland Security, in cooperation with state and local officials;
- c) Support programs that facilitate cooperation with security and emergency preparedness officials to refine and improve information exchange protocols, emergency preparedness systems, and regional data coordination.
- d) Support efforts to provide funding incentives and policy flexibility to facilitate programs to provide safe working conditions for coach operators and transit personnel.

## **VIII. ENVIRONMENTAL AND ENERGY ISSUES**

~~The transportation sector is one of the largest consumers of petroleum in the nation. Federal environmental policies affecting OCTA include the National Environmental Protection Act, the Clean Air Act, the Clean Water Act, and the Endangered Species Act. Therefore, legislation or regulations to further develop environmental goals and energy-efficient policies will likely have an impact on OCTA's operations. With such proposals in mind, OCTA will:~~

- ~~a) Monitor legislation and rulemakings that address new or emerging energy policies;~~
- ~~b) Encourage industry associations to comment on proposals affecting the public transportation sector;~~
- a) *Seek opportunities to expedite and improve the efficiency of the environmental process without impairing substantive environmental requirements; (moved from what was Section IX)*
- b) *Seek funding to meet state and local environmental quality requirements, including requirements for zero-emission buses, alternative fueling stations, and future greenhouse gas reduction requirements; (moved from what was Section IX)*
- c) *Support the continuation and expansion of tax incentives for using compressed natural gas, hydrogen-liquefied natural gas, and other alternative zero-emission transit fuels;*
- ~~d) Provide reports to the Board outlining any energy-related legislation introduced in the 116<sup>th</sup> Congress potentially affecting OCTA.~~
- d) *Monitor proposals to address the environmental impacts of greenhouse gases to ensure that any new environmental requirements are accompanied by additional funding necessary to implement those requirements; (moved from what was Section IX)*
- e) *Support expedited review for project development, right-of-way acquisition, and construction activities. (moved from what was Section IX)*

## **~~IX. ENVIRONMENTAL POLICY~~**

~~Federal environmental policies affecting OCTA include the National Environmental Protection Act, the Clean Air Act, the Clean Water Act, and the Endangered Species Act. With regard to these policies, OCTA will:~~

- a) ~~Seek opportunities to expedite and improve the efficiency of the environmental process without impairing substantive environmental requirements; (moved to Section X)~~
- b) ~~Seek funding to meet state and local environmental quality requirements, including anticipated requirements for zero-emission buses, alternative fueling stations, and future greenhouse gas reduction requirements; (moved to Section X)~~
- c) ~~Monitor proposals to address the environmental impacts of greenhouse gases to ensure that any new environmental requirements are accompanied by additional funding necessary to implement those requirements; (moved to Section X)~~
- d) ~~Support expedited review and payments to local agencies and their contractors for project development, right-of-way acquisition, and construction activities. (moved to Section X)~~

## **~~IX.~~ REGULATORY REQUIREMENTS**

OCTA must also monitor several other administrative requirements, including new and expanded regulatory definitions that may affect the agency's operations. As such, OCTA will:

- a) ~~Oppose regulatory efforts to extend the statutory requirements of the Americans with Disabilities Act;~~
- b) ~~Support expedited and improved federal reporting and monitoring requirements to ensure efficiency and usefulness of data while also eliminating redundant state and federal requirements;~~
- c) ~~Oppose regulatory proposals that unreasonably subject OCTA to burdensome bureaucratic requirements or increase operational costs, making it harder to deliver projects and improve mobility in Orange County.~~

## **~~XI.~~ EMPLOYMENT ISSUES**

~~Federal employment laws affecting OCTA include the Fair Labor Standards Act, Family and Medical Leave Act, Occupational Safety and Health Act, and the Omnibus Transportation Employee Testing Act of 1991. OCTA's historical positions regarding labor and employment issues have included:~~

- a) ~~Support tax incentives for employer-provided transit passes, vanpool benefits, parking spaces, or other commuter benefits; (moved to "Key Policy Issues in the 117<sup>th</sup> Congress Section)~~

- d) Oppose policies adversely affecting the agency's ability to effectively address labor relations, employee rights, benefits, and working conditions, such as health, safety, and ergonomic standards;
- e) Oppose policies that limit state or local pension benefit reforms.



# **OCTA's Technical Approach to SB 743**



# **OCTA's Technical Approach to SB 743**

**Anup Kulkarni, Brian Smolke**

# Overview of OCTA Roles

1. **Transit operator, countywide transportation planning, and transportation sales tax authority.**
2. **Manage Measure M and related Programs (e.g. Project P).**
3. **Provide bus, paratransit, and (future) streetcar services.**
4. **Funding partner in regional rail service, Metrolink.**
5. **Manages the 91 and (future) 405 Express Lanes.**
6. **Congestion Management Agency (CMA), design and construction of specific highway improvement projects.**
7. **Vanpool, rideshare, and other mobility efforts.**
8. **Develops and maintains the Orange County Transportation Analysis Model (OCTAM) the countywide travel demand.**

# Background

- 1. SB 743 considers VMT as an environmental impact rather than vehicular delay.**
- 2. OCTA in its Congestion Management Agency role has an established framework for LOS analysis.**
  - Prescriptive TIA Guidelines – for CMP purposes but has been used by many local agencies for CEQA and traffic analysis.**
  - CMP law is still in place and calls for monitoring and maintaining an LOS standard**
- 3. SB 743 does not preclude local agencies from applying LOS in policies, codes, conditions of approval, etc.**



# Recent OCTA Efforts on SB 743

1. Updated OCTAM to include a VMT reporting tool by selected geography (Cambridge Systematics)
2. Reached out to stakeholders including local agencies and transportation consultants
  - Conducted an SB 743 Workshop in April with local agencies and consultants with over 150 participants; recording on OCTA website
3. Provided OCTAM/VMT tool and OCTAM VMT output
4. Adding additional VMT features to OCTAM to better meet SB 743 requirements (F&P)
5. Identifying changes to OCTAM for transportation projects (F&P) \*

*\* Additional changes dependent on Caltrans final rulemaking related to the application of travel demand models and the NCST Calculator*

# OCTAM Overview

- 1. Trip-Based Travel Demand Model with Feedback**
  - Trip assignment results are input into trip distribution over multiple iterations (8-12)
- 2. Runs in TransCAD Software Environment**
- 3. Current Version is OCTAM 5.0**
  - Adopted in December 2019
  - Orange County Projections 2018 (OCP-2018)/ RTP 2016
  - Base year 2016, future year 2045
  - Included New VMT Tool
- 4. OCTA regularly updates OCTAM**

# OCTAM User Interface

The screenshot shows the main window of the OCTAM in TransCAD software. The title bar reads "OCTAM in TransCAD". On the left is the OCTA logo. The main area contains the following elements:

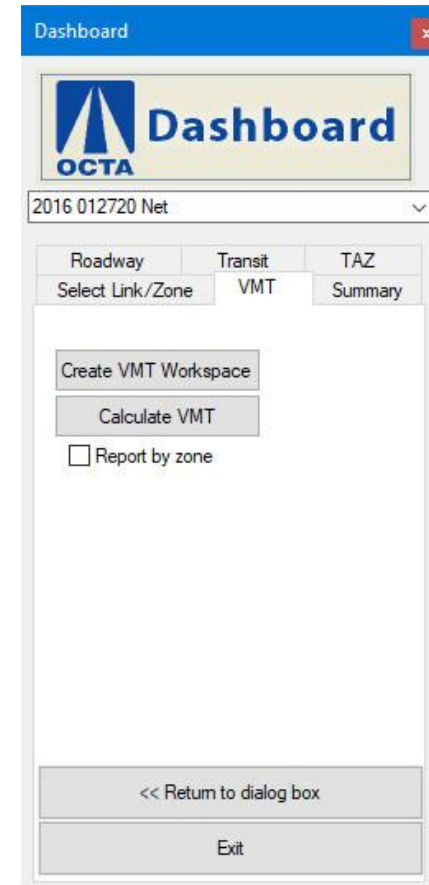
- Directory:** C:\OCTAM\50\Output\2016-012720-83e6\  
**Scenario Description:** 2016 012720 Network 83e6 Calib
- Model Steps:**
  - Stop after each step
  - Create report when done
  - Debug Mode
- Step Buttons:** 1 - Prepare Networks, 2 - Trip Generation, 3 - Trip Distribution, 4 - Mode Models, 5 - Trip Assignment, 6 - Post Processing. Each button has a three-dot menu icon to its right.
- Dashboard >>** button
- Utilities:** v. 4.0 2020-03-17
- Tool Tabs:** Roadway, Transit, Output, Calibration, EMFAC Tool, AT Tool
- Utility Buttons:** Add/Delete Network Year, Edit Network, Select Zone Query, Match Counts, Refresh Network Defaults, Select Query Toolbox, TAZ Data, LabelUnder Update, Quit

The screenshot shows the Scenario Toolbox window. The title bar reads "Scenario Toolbox". It contains the following elements:

- Scenario List:** Double-click to edit
- Scenario List:**
  - 2016 012720 Net
  - 2045 BOH 012720 Net
  - 2016 012320 Net For Mapping
  - 2016 012720 Net 9080 Test
  - 2045 020520 Net 9080 Test
  - 2016 031720 Net 9080 Test
  - 2016 031720 Net 9080 TestOld
  - 2016 031720 Net 9250 Test
  - 2016 031720 Net 9250 DB3 Test NoFB
- Scenario Tools:** Import INI, Export INI, Backup / Copy
- Scenario File:** New, Load, Save As, ?

# OCTAM VMT Tool

1. **Boundary VMT** – All VMT within a certain geography
2. **Generated (OD) VMT** – All VMT created by trips that start or end in a certain geography
3. **VMT Tool developed for OCTAM to estimate generated VMT**
  - Residential VMT per capita
  - Employment (Commute) VMT per employee
  - Total VMT



## VMT Categories by OCTAM Purpose

Trip Purpose	Productions	Attractions
Home-Based Work	Residential VMT	Employment (Commute) VMT
Home-Based School	Residential VMT	Other VMT
Home-Based University	Residential VMT	Other VMT
Home-Based Other	Residential VMT	Other VMT
Work-Based Other	Other VMT	Other VMT
Other-Based Other	Other VMT	Other VMT

# OCTAM VMT Tool

1. OCTA provided VMT Tool output or the VMT Tool as part of OCTAM
2. Example of the VMT Tool output (Orange County):
  - Residential VMT per capita: 17.9
  - Employment (commute) VMT per employee: 24.1
  - Total VMT: 142,100,000
3. 23 jurisdictions in Orange County have requested VMT Tool/output from OCTA
4. Notes on data provided:
  - Geographies must nest in OCTAM TAZs
  - Recent update will include VMT for region outside of OCTAM
  - Upgrades to OCTAM will change the VMT results

# Local Agency Expectations

## 1. Local agencies develop screening criteria and thresholds

Agencies are responsible for screening criteria and threshold of significance as they better understand the needs of their local jurisdictions.

## 2. Similar to current roles and responsibilities, local agencies or their consultants are expected to perform project-level analysis.

# Next Steps

1. Continue to support local agencies' need of VMT Tool and data for CEQA screening purposes
2. Continued refinement as necessary to the OCTAM VMT Tool
3. Brief local agencies at the OCTA Traffic Forum, as needed

Contact OCTA for additional information or to request OCTAM or the OCTAM VMT Tool:

Brian Smolke [bsmolke@octa.net](mailto:bsmolke@octa.net), 714.560.5751

Thank You!





# Correspondence



## Item 6, Attachment A: OCTA Board Items of Interest

- **Monday, June 22, 2020**  
*Item #1:* Public Hearing to Amend the Measure M2 Orange County Local Transportation Authority Ordinance No.3
- **Monday, July 13, 2020**  
*Item #8:* Southern California Edison Charge-Ready Transport Program and Volkswagen Environmental Mitigation Trust for California  
*Item #14:* Measure M2 Community-Based Transit Circulators Program Project V Ridership Report  
*Item #16:* Capital Programming Update
- **Monday, August 10, 2020**  
*Item #10:* Comprehensive Transportation Funding Programs Semi-Annual Review – March 2020  
*Item #11:* Measure M2 Comprehensive Transportation Funding Programs – 2021 Annual Call for Projects
- **Monday, August 24, 2020**  
*Item #15:* SB 1 (Chapter 5, Statutes of 2017) State of Good Repair Program Recommendation for Fiscal Year 2020-21 Funds
- **Monday, September 14, 2020**  
*Item #9:* Active Transportation Program Regional Project Selection Process – Orange County Project Prioritization Methodology  
*Item #15:* Measure M2 Quarterly Progress Report for the Period of April 2020 Through June 2020  
*Item #16:* Measure M2 Project W Safe Transit Stops – 2020 Programming Recommendations
- **Monday, October 12, 2020**  
*Item #15:* Measure M2 Senior Mobility Program Temporary Guideline Exceptions  
*Item #16:* 2020 Project X – Environmental Cleanup Program Tier 1 Call for Projects – Programming Recommendations



## **Item 6, Attachment B: Email Correspondence**

- July 8, 2020 Technical Steering Committee Cancellation Notice, sent 7/2/2020
- July 22, 2020 Technical Advisory Committee Cancellation Notice, sent 7/14/2020
- August 12, 2020 Technical Steering Committee Cancellation Notice, sent 8/5/2020
- September 2020 CTFP Semi-Annual Review, sent 8/10/2020
- 2021 Call for Projects for the M2 Regional Traffic Signal Synchronization Program (RTSSP) is Now Open, sent 8/13/2020
- Message Sent on Behalf of the California Department of Housing and Community Development (HCD) – Regarding the Surplus Land Act, sent 8/14/2020
- August 26, 2020 Technical Advisory Committee Cancellation Notice, sent 8/24/2020
- Reminder: Measure M 2021 Call for Projects (Regional Capacity Program and Regional Traffic Signal Synchronization Program) Workshop – Monday, August 31, 2020, sent 8/27/2020
- September 9, 2020 Technical Steering Committee Cancellation Notice, sent 9/2/2020
- Reminder: September 2020 Semi-Annual Review, sent 9/4/2020
- 2021 Federal Transportation Improvement Program Schedule and Workshop, sent 9/14/2020
- September 23, 2020 OCTA Technical Advisory Committee Cancellation, sent 9/16/2020
- Message Sent on Behalf of OCTA's Transit Planning Section-Transit Supportive Design Guidelines Survey, sent 9/28/2020
- Reminder: 2021 Call for Projects for the M2 Regional Capacity Program (RCP) and Regional Traffic Signal Synchronization Program (RTSSP) closes on October 22 at 5:00pm, sent 10/7/2020
- October 14, 2020 Technical Steering Committee Meeting Cancellation Notice, sent 10/8/2020



# **At Risk Preliminary Engineering**



## At-Risk Preliminary Engineering

### I. BACKGROUND

On March 19, 2019, the Federal Highway Administration (FHWA) issued a Memorandum titled “At-Risk Project Pre-Agreement Authority for Preliminary Engineering” which clarifies Section 1440 of the Fixing America’s Surface Transportation Act (FAST Act). Section 1440 of the FAST Act authorizes FHWA to reimburse recipients and subrecipients for preliminary engineering (PE) costs incurred prior to project authorization, assuming the costs are for otherwise eligible activities on eligible projects, and the project and phase are included in a federally-approved Federal Statewide Transportation Improvement Program (FSTIP) document or amendment. If eligible, and once federal authorization is received, incurred costs can be reimbursed back to the effective date of the FAST Act, October 1, 2015 or the federal approval date of the FSTIP, whichever occurs later.

Section 1440 of the FAST Act does not waive any additional Federal-Aid Highway Program requirements, projects must still meet all applicable cost eligibility conditions, and all conformity requirements of the Clean Air Act must be met. Section 1440 of the FAST Act does not waive any federal A&E requirements and approvals (as documented in Chapter 10 of the Local Assistance Procedure Manual), such as for Consultants in a Management Support Role (CMSR), nor does it release local agencies from establishing DBE goals and requirements and evaluating GFE’s.

However, until authorized and obligated, these funds are still considered “At-Risk”. There is no guarantee of Federal funding for any pre-authorized/pre-obligated PE work; recipients and subrecipients invoking Section 1440 authority assume all risk.

### II. POLICY

Except for projects with federal funds that require allocation by the California Transportation Commission (CTC) (e.g., Active Transportation Program, Trade Corridor Enhancement Program, and State Transportation Improvement Program funds), local agencies may begin reimbursable PE work prior to receiving federal authorization for such work, assuming the project and phase are included in a federally-approved FSTIP document or amendment prior to incurring costs. Programming projects in the FSTIP or starting reimbursed work prior to authorization does not necessarily constitute eligibility of such projects for federal aid reimbursement.

For projects with federal funding that require CTC allocation, only costs incurred **after** CTC allocation are eligible for reimbursement.

Full funding for a subsequent phase of the project (final design, right-of-way acquisition, or construction) must be included in an approved FSTIP document or amendment before the NEPA document can be signed. Also, all project phases must be included in the fiscally constrained Regional/Metropolitan Transportation Plan before a NEPA document can be signed. If the “No Build” alternative is selected, the project may still be eligible for reimbursement under Section 1440.



### III. PROCEDURE

To invoke the flexibilities allowed under Section 1440 of the FAST Act when submitting a request for authorization for the PE phase (LAPM 3-A), a local agency must provide both the original and current FSTIP document listing or amendment as supporting documents. As an alternative, only the current FSTIP listing may be provided if it references the date of the original FSTIP listing. However, in such instances, the original listing must be provided if requested by Caltrans to meet programming requirements or if there are any questions or concerns for funding authorizations. The original FSTIP federal approval date documenting inclusion of the PE phase will be the “Effective PE Reimbursement Date”, whereby all otherwise eligible costs incurred on or after this Effective PE Reimbursement Date will be reimbursable. The original FSTIP listing does **not** need to specify federal funds to begin reimbursable work; however, federal funds will need to be included in the current FSTIP when an agency submits their authorization request.

Note: The current FSTIP listing may reference the date of the original FSTIP listing and state that the original listing can be provided if requested to meet programming requirements. Caltrans, however, may request the original listing if there are questions or concerns for funding authorization.

Reimbursements of funds can begin after funds are authorized and obligated by FHWA via the E-76. To ensure timely processing of invoices, local agencies will need to include the Effective PE Reimbursement Date on all invoices (LAPM 5-A) for reimbursement of incurred PE costs on all projects invoking Section 1440 of the FAST Act.

### IV. APPLICABILITY/IMPACTS

The At-Risk PE option is only available for the PE phase of federally funded projects. It is not available for the Right of Way, Construction, Construction Engineering, Non-Infrastructure, or Other phases.

LAPM 3-A and LAPM 5-A have been revised and are available for download at the Division of Local Assistance website. This new policy will be incorporated into Chapter 3 (Authorization) and Chapter 5 (Invoices) of the LAPM during the next LPP update.

This policy should lead to expedited delivery of local projects, fewer Inactive projects, more timely obligations, and fewer PE>10 projects.

Approved: Original Signature By  
Heidi Borders, Acting Chief  
Office of Project Implementation - South

8/11/2020  
Date

## At-Risk Preliminary Engineering - FAQs

1. Does an agency need to “invoke their rights under Section 1440 of the FAST Act” at time of authorization?  
Yes, that’s a good analogy.
2. How far into Design can we go? Can we request PE and CON Authorizations at the same time?  
There is not a limit on how far into design an agency can go before requesting authorization of At-Risk PE.  
Yes.
3. A&E Issues with Design Consultants?  
Locals still need to follow the federal requirements including the LAPM 10-C, FHWA approval required for CMSR (Consultant in a Management Support Role) prior to advertisement, DBE requirements and reporting, etc. Also, ICRP rates must be approved before contract execution.
4. How do agencies show that their project was programmed at the time work was performed? How do we satisfy the requirement for programming?  
The project must have funds for the PE phase programmed in an approved FSTIP or approved Amendment prior to start of work for which the agency is seeking At-Risk PE reimbursement. This is referred to as the original FSTIP document listing, and this original FSTIP listing does not need to show a federal funding presence to establish an “Effective PE Reimbursement Date.” When a local agency is ready to request an authorization of federal funds, the project must be included in a current approved FSTIP or Amendment, and the federal funds requested must be shown as programmed.
5. What about multiple-funded projects, such as CTC Allocated funds - how does this affect getting reimbursed for work prior to Authorization? Can agencies identify multiple reimbursement dates, one for federal, one for state?  
CTC Allocated projects that have federal funds embedded in the programs (ATP, TCEP, STIP) will only be able to invoke Section 1440 reimbursement for costs incurred AFTER CTC Vote and Programming. The CTC considers individual votes for the ATP, TCEP and STIP projects to cover State and Federal funds, so beginning work on these program projects prior to the CTC Vote will not be reimbursable.
6. Apportionment Impacts? OA Impacts?  
Programming will handle by deducting when it comes in; Programming sees no additional risk beyond the current process.
7. Do we require an E-76 prior to NEPA Document? Prior to PES?  
No and No, but .... the NEPA environmental review process can begin without demonstrating fiscal constraint, however, full funding for a subsequent phase of the project (e.g., final design, right-of-way (ROW) acquisition, or construction) must be included in the approved FSTIP before the Record of Decision (ROD), Finding of No Significant Impact (FONSI), or Categorical Exclusion can be signed. All project phases (e.g., PE, final design, ROW, utility relocation, construction, and/or construction phases) planned within the life of the transportation plan have to be included in the fiscally constrained RTP/MTP in order for Caltrans to sign the ROD, FONSI or approve the CE.
8. How far back can charges go?  
The effective date is the same as the FAST Act: October 1, 2015.
9. Do At-Risk options apply to “Other” phase?  
No, At-Risk PE only applies to the PE phase and cannot be invoked on the “Other” phase, which may still be federally eligible, but is not the PE phase.
10. Can we go “back in time” on a previously authorized PE request?  
Yes, this is allowable, but a PE modification electing Section 1440 At Risk PE would be required. Agencies can get reimbursed for eligible work back to October 1, 2015 if they can show the project was programmed in an approved FSTIP or Amendment at that time.
11. What if the “No Build” option is selected in the NEPA document?  
The project would still be eligible for reimbursement under Section 1440.



12. If the PE Phase is programmed in the FTIP but outside the Four-Year Element - does this qualify for the At-Risk PE?  
No. PE needs to have been programmed within the Four-Year Element to qualify for At-Risk PE.
13. Where can I find more information regarding this policy?  
FHWA's March 19, 2019 Memorandum titled "At-Risk Project Pre-Agreement Authority for Preliminary Engineering" and FAQ's can be found on FHWA's website.
14. What date is used when applying the "10 year PE rule"?  
The date of federal authorization of PE is the date used not the effective reimbursement date established by invoking Section 1440 of the FAST Act (AKA At-Risk PE).
15. What amount is eligible for federal reimbursement?  
FSTIP programming utilized to determine effective PE reimbursement date only determines start date not amount of reimbursement eligible. Any federal reimbursement will occur after authorization and is limited to funds authorized.