



AGENDA

Technical Advisory Committee

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>
Sean Crumby	<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
**February 10, 2021 2:00 p.m. (or
immediately following TSC
meeting)***

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

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 the 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.

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) 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://www.youtube.com/user/goOCTA>

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

If you wish to comment on a specific agenda Item please identify the item number in your email. General public comments will be addressed during the general public comment item on the agenda and read into the record. In order to ensure that staff has the ability to provide comments to the TAC Members in a timely manner, please submit your public comments **by 9:30 a.m. Wednesday, February 10, 2021.**



Call to Order

Self-Introductions

1. Approval of Minutes

Approval of the Technical Advisory Committee regular meeting minutes of October 28, 2020.

Regular Items

2. Comprehensive Transportation Funding Programs - 2021 Call for Projects Technical Consideration – Joe Alcock

Overview

Orange County Transportation Authority staff review of 2021 Comprehensive Transportation Funding Programs call for projects applications is underway. An issue relating to current traffic count requirements has emerged due to impacts on local traffic from the Coronavirus pandemic. The Technical Steering Committee discussion and/or recommendation is presented for Technical Advisory Committee discussion and approval.

Recommendation

Approve Technical Steering Committee recommendation to address the issue raised related to 2021 Comprehensive Transportation Funding Programs Project O applications that include traffic counts and level of congestion as recorded during the Coronavirus pandemic that are significantly different than what was expected based on prior counts.

Discussion Items

3. Measure M2 Maintenance of Effort Requirement – Adriann Cardoso

In May and June of 2020, the Orange County Transportation Authority's Board of Directors approved a Measure M ordinance amendment. The ordinance amendment provided flexibility for local agencies to meet Measure M Maintenance of Effort requirements given the reduction in revenues due to the coronavirus pandemic. Based on the budget certification for FY 2020-21, eleven local agencies indicated that they would use the alternative benchmark or percent of General Fund Revenue to certify that the City budget would meet the Maintenance of Effort Requirement. The Orange County Transportation Authority would like to discuss the existing requirement and the upcoming Eligibility guidelines with the Technical Advisory Committee as this flexibility is only authorized through fiscal year 2020-21.



AGENDA

Technical Advisory Committee

4. Correspondence

OCTA Board Items of Interest - Please see Attachment A.
Announcements by Email – Please see Attachment B.

5. Committee Comments

6. Local Assistance

7. Staff Comments

8. Items for Future Agendas

9. Public Comments

10. Adjournment

The Technical Advisory Committee is scheduled to convene on the fourth Wednesday of each month, at 1:30 p.m., at OCTA Headquarters



October 28, 2020 Minutes



MINUTES

Technical Advisory Committee

Voting Representatives Present:

Shaun Pelletier	City of Aliso Viejo
Rudy Emami	City of Anaheim
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
Jaimee Bourgeois	City of Irvine
Michael Belknap	City of La Palma
Mark Trestik	City of Laguna Beach
Ken Rosenfield	City of Laguna Hills
Mark Chagnon	City of Mission Viejo
Jim Houlihan	City of Newport Beach
Luis Estevez	City of Placentia
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
Krys Saldivar	City of Tustin
Marwan Youssef	City of Westminster
Jaime Lai	City of Yorba Linda
Tifini Tran	Caltrans

Orange County Transportation Authority
550 S. Main Street, Room
Orange, CA

October 28, 2020 1:30 PM

Guest Present:

Oliver Luu, Caltrans

Staff Present:

Kia Mortazavi
Kurt Brotcke
Adriann Cardoso
Joe Alcock
Anup Kulkarni
Brian Smolke
Charvalen Alacar
Dustin Sifford
Cynthia Morales

Voting Representatives Absent:

Tony Olmos	City of Brea
Doug Dancs	City of Cypress
William (Bill) Murray	City of Garden Grove
Tom Herbel	City of Huntington Beach
Chris Johansen	City of La Habra
Jacki Scott	City of Laguna Niguel
Akram Hindiyeh	City of Laguna Woods
Tom Wheeler	City of Lake Forest
Chris Kelley	City of Los Alamitos
David Webb	City of Newport Beach
Chris Cash	City of Orange
William Galvez	City of Santa Ana
Doug Stack	City of Tustin
Akram Hindiyeh	City of Villa Park



The meeting was called to order by Mr. Emami at 1:30 p.m. and self-introductions were made.

CONSENT CALENDAR

1. The Minutes for the June 24, 2020 meeting were approved.

Mr. Youssef motioned to approve the minutes.

Ms. Khan seconded the motion.

The Minutes were approved with no further discussion.

REGULAR ITEMS

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

Ms. Alacar presented an overview of Comprehensive Transportation Funding Programs (CTFP) Semi-Annual Review project adjustment requests for the September 2020 cycle.

She stated that there were sixty-five project adjustment requests being advanced for TAC and ultimately Board of Directors (Board) approval. She noted that the requests included the following:

- 7 timely use of funds extension requests for CTFP projects
- 9 timely use of funds extension requests for Local Fair Share allocations
- 12 timely use of funds extension requests for Senior Mobility Program
- 2 scope changes
- 7 transfers of savings
- 2 cancellations
- 26 “other” requests

Ms. Alacar also mentioned that based upon the volume of requests, the COVID-19 pandemic was clearly continuing to have an impact upon local agencies abilities to conduct normal business and noted that the bulk of the COVID-19 requests were focused within the Project V and Senior Mobility programs.

Mr. Rosenfield motioned to approve the item.

Mr. Sethuraman seconded the motion and the item passed with no further discussion.

3. 2021 Technical Steering Committee Membership Recommendation – Joe Alcock

Mr. Alcock presented an overview of proposed 2021 Orange County Transportation Authority (OCTA) Technical Steering Committee (TSC) membership recommendations.



Mr. Alcock stated that Mr. Emami, from Anaheim, was being recommended to chair the TSC. Next he stated that Mr. Pelletier, from Aliso Viejo, was being recommended to be Vice Chair. He then mentioned that with respect to open district and at-large recommendations, the following appointments were being advanced.

- Mr. Sethuraman, from Costa Mesa, was recommended for reappointment to the second supervisorial district seat.
- Ms. Lai, from Yorba Linda, was being recommended for appointment to the third supervisorial district seat.
- Mr. Wheeler, from Lake Forest, was being recommended for appointment to the fifth supervisorial district; and
- Mr. Chagnon, from Mission Viejo, was being recommended for appointment to the open at-large seat.

Mr. Alcock concluded by noting that these recommendations provided the TSC with a good balance in membership between large and small and north and south Orange County local agencies.

Mr. Sinacori motioned to approve the item.

Mr. Youssef seconded the motion and it passed with no further discussion.

4. OCTA's Draft 2020-21 State and Federal Legislative Platforms – Dustin Sifford

Mr. Sifford presented an overview of OCTA's draft 2020-21 State and Federal Legislative Platforms.

Mr. Sifford stated that staff was proposing to update the legislative platforms with high-level substantive changes primarily relating to the impacts of the COVID-19 pandemic. He stated that the goal in doing this was to make sure that OCTA is properly positioned to respond to the pandemic's current impacts as well as gearing up to be supportive of potential upcoming economic stimulus measures. He also noted that for the state platform there was language regarding funding for pilot programs for free and reduced transit because bills are anticipated to be introduced on this topic. With regard to the federal platform, he stated that there was language regarding tolling inoperability, which was taken directly from the state platform, as this issue is now gaining more interest at the federal level.

Mr. Sethuraman motioned to receive and file the item.

Mr. Estevez seconded the motion and it passed with no further discussion.



Discussion Item

5. OCTA's Technical Approach to Senate Bill (SB) 743 – Anup Kulkarni and Brian Smolke

Mr. Kulkarni and Mr. Smolke provided an overview of OCTA's Technical Approach to SB 743.

Mr. Kulkarni stated that OCTA, in terms of recent efforts on SB 743 had completed a number of updates to the Orange County Transportation Analysis Model (OCTAM), particularly with respect to creating a Vehicle Miles Travelled (VMT) reporting tool that would be applied by selected geography. He noted that after implementation of the tool, OCTA reached out to stakeholders including local agencies and transportation consultants to solicit feedback and to also see what other VMT modeling components might be necessary.

Next, Mr. Smolke stated that OCTA was providing local agencies with assistance in their development of new VMT screening criteria thresholds; but noted that it is ultimately the local agency's responsibility to develop the VMT screening criteria and any environmental impact thresholds for California Environmental Quality Act (CEQA) purposes. He also stated that local agencies are also still expected to perform project-level analysis.

Mr. Smolke concluded by noting that OCTA's next steps in this process will be to continue to support local agencies' with technical support for VMT data, continuing to update the OCTAM/VMT tool as needed, and briefing local agencies on any updates and/or changes as needed.

Mr. Youssef asked how often OCTAM is calibrated.

Mr. Smolke stated that OCTAM was calibrated based on a 2016 base year.

Ms. Saldivar asked if the VMT updates will change results, and also asked if old results/data were still good.

Mr. Smolke responded by stating that he would not say that older results were not good anymore and clarified that the changes were not significant overall.

Ms. Saldivar asked if notices would be sent to local agencies when updates are made.

Mr. Smolke replied that updates would be provided at the OCTA Traffic Forum as needed. He also stated that local agencies are able to send information requests to OCTA whenever needed.

6. Correspondence

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

7. Committee Comments - No comments



8. Caltrans Local Assistance Update

Ms. Haslem provided a brief update on At-risk Preliminary Engineering (At-Risk PE) funds and noted that a webinar was planned so all local agencies and the California Department of Transportation (Caltrans) districts are able to understand new changes to this process.

Next, Mr. Luu stated that the California Transportation Commission (CTC) would adopt statewide projects for the Active Transportation Program (ATP) Cycle 5 on December 3, 2020. He then mentioned that Metropolitan Planning Organization (MPO) projects for ATP cycle 5 would be awarded on May 5, 2021. He also indicated that the state's Interim Timely Use of Funds policy would expire December 2020 and revert back to original ATP guidelines in January 2021.

Mr. Luu also stated the new inactive invoices quarter began on October 1, 2020 and also mentioned that the deadline for invoice submittals for the current quarter would be November 23, 2020.

Then Mr. Luu stated that:

- The deadline to submit an allocation and time extension request for the January 2021 CTC meeting would be November 29, 2020 and the deadline for the March 2021 CTC meeting would be January 24, 2021.
- The deadline to submit for cycle 10 of the Highway Safety Improvement Program (HSIP) was November 2, 2020.
- If local agencies submitted a cost increase in the recent Highway Bridge Program (HBP) survey, they would need to submit an Exhibit 6-D form to get approval for cost increases
- The CTC had allocated \$8 million dollars of state funds to the Local Roadways Safety Plans (LRSP) program.
- A notice was sent out to local agencies in the district about submitting Exhibit 9-A, Exhibit 9-B, and Exhibit 9-C forms, which are all related to Disadvantaged Business Enterprise goals.
- Local agencies are required to comply with all Title VI requirements and noted that they are now required to attach the clause from Appendix E of the Title VI Assurances in all federal aid contracts.

9. Staff Comments

Mr. Alcock stated that M2 Expenditure Reports would be due December 31, 2020.

10. Items for Future Agendas – None

11. Public comments – None

12. The meeting was adjourned at 2:42 p.m.



**Comprehensive
Transportation Funding
Programs 2021 - Call for
Projects Technical
Consideration**



February 10, 2021

To: Technical Advisory Committee

From: Orange County Transportation Authority Staff

Subject: Comprehensive Transportation Funding Programs – 2021 Call for Projects Technical Consideration

Overview

Orange County Transportation Authority staff review of 2021 Comprehensive Transportation Funding Programs call for projects applications is underway. An issue relating to current traffic count requirements has emerged due to impacts on local traffic from the Coronavirus pandemic. The Technical Steering Committee discussion and/or recommendation is presented for Technical Advisory Committee discussion and approval.

Recommendation

Approve Technical Steering Committee recommendation to address the issue raised related to 2021 Comprehensive Transportation Funding Programs Project O applications that include traffic counts and level of congestion as recorded during the Coronavirus pandemic that are significantly different than what was expected based on prior counts.

Background

In August, 2020, the Orange County Transportation Authority (OCTA) Board of Directors (Board) authorized the 2021 Measure M2 Comprehensive Transportation Funding Programs (CTFP) – Regional Capacity Program (Project O) and Regional Traffic Signal Synchronization Program (Project P) call for projects (Call). The Board made available \$22 million in M2 funds to support the Project O call and \$8 million to support the Project P call.

Applications were due to OCTA this past fall and since that time staff has been working with local agencies to review and ensure compliance with CTFP Guidelines requirements, which were approved by the OCTA Technical Steering Committee (TSC), Technical Advisory Committee (TAC), and OCTA Board of Directors (Boards) last summer.

During this process, staff has found that some applications, which submitted traffic count information consistent with Project O's current traffic count requirements have been unable to document sufficient congestion to qualify for M2 funding consideration, on what where previously known and documented congested facilities.

In working with local agencies to understand this issue, it has become clear that this trend is the result of local agencies having taken traffic counts during the coronavirus (COVID-19) pandemic, rather than the emergence of long-term congestion reduction on these facilities. Therefore, given this finding, the following technical consideration options were presented at the TSC meeting, immediately preceding this TAC meeting.

Technical Consideration Options

Option 1: No change. Impacted applications would be determined to be ineligible to compete in the call, if current traffic counts do not document a vehicle to capacity (V/C) ratio of .71 or worse, even if the traffic counts were conducted during the pandemic.

Option 2: Allow local agencies to use traffic counts outside of the CTFP Guidelines "current" traffic count requirement, through a specified time period, so counts are still generally current, possibly up to six years.

Option 3: Allow local agencies to propose a rationale for providing different traffic count figures, which take into account recent changes in conditions.

Discussion

Staff will provide an overview of the TSC's deliberations and recommendations on this matter for TAC discussion and consideration of approval.

It should be noted that if Options 2 and 3 are approved by the TAC, this flexibility will alter final Project O scoring. Further, it is recommended that this flexibility only be granted to local agencies which can clearly document that the facility/ies being applied for had a V/C of .71 or worse at a previous point in time (based upon a previous traffic analysis), and that currently documented low traffic volumes are the result of the COVID-19 pandemic. If these conditions cannot be satisfied, then this flexibility, if approved, would not be provided.

Next Steps

If the TAC selects a preferred technical consideration option to address this issue, then the recommended option will be used by staff to complete final application scoring and programming recommendations. The funding award recommendations are anticipated to be presented to the TSC and TAC in March and to the OCTA Regional Planning & Highways Committee and Board of Directors for final approval in May.

Summary

Technical consideration options to address an issue which emerged relating to current traffic count requirements in the Project O Program are presented for TAC review, consideration and direction.



AGENDA

Technical Advisory Committee

Item# 3


Measure M2 Maintenance of Effort Requirement

Local Agency	FY 20-21 MOE Benchmark (\$)	FY 2018-19 GFR	FY 20-21 MOE Benchmark (GFR %)	FY 20-21 MOE Certification Type
Aliso Viejo	\$ 538,604	\$ 20,264,249	2.66%	GFR %
Anaheim	\$ 11,725,957	\$ 412,996,000	2.84%	GFR %
Brea	\$ 838,243	\$ 65,445,918	1.28%	Benchmark
Buena Park	\$ 4,184,754	\$ 70,242,813	5.96%	GFR %
Costa Mesa	\$ 8,607,340	\$ 143,753,298	5.99%	GFR %
Cypress	\$ 3,607,878	\$ 36,691,594	9.83%	Benchmark
Dana Point	\$ 1,510,094	\$ 41,545,825	3.63%	GFR %
Fountain Valley	\$ 1,564,638	\$ 61,380,673	2.55%	Benchmark
Fullerton	\$ 4,413,567	\$ 100,526,519	4.39%	GFR %
Garden Grove	\$ 3,938,473	\$ 129,838,910	3.03%	Benchmark
Huntington Beach	\$ 5,921,206	\$ 236,631,000	2.50%	Benchmark
Irvine	\$ 8,001,915	\$ 221,961,000	3.61%	Benchmark
La Habra	\$ 1,737,300	\$ 48,583,838	3.58%	Benchmark
La Palma	\$ 201,688	\$ 12,057,831	1.67%	Benchmark
Laguna Beach	\$ 1,806,353	\$ 88,020,317	2.05%	GFR %
Laguna Hills	\$ 331,579	\$ 22,047,533	1.50%	Benchmark
Laguna Niguel	\$ 908,566	\$ 43,809,474	2.07%	Benchmark
Laguna Woods	\$ 104,578	\$ 6,351,788	1.65%	Benchmark
Lake Forest	\$ 226,678	\$ 54,795,849	0.41%	Benchmark
Los Alamitos	\$ 182,250	\$ 14,165,860	1.29%	Benchmark
Mission Viejo	\$ 2,864,895	\$ 63,356,854	4.52%	GFR %
Newport Beach	\$ 12,547,102	\$ 229,812,594	5.46%	Benchmark
Orange	\$ 3,392,885	\$ 124,241,260	2.73%	Benchmark
Placentia	\$ 770,006	\$ 35,796,833	2.15%	GFR %
Rancho Santa Margarita	\$ 428,337	\$ 19,137,375	2.24%	GFR %
San Clemente	\$ 1,316,842	\$ 65,789,926	2.00%	Benchmark
San Juan Capistrano	\$ 492,518	\$ 36,522,274	1.35%	GFR %
Santa Ana	\$ 9,040,904	\$ 275,532,227	3.28%	Benchmark
Seal Beach	\$ 642,598	\$ 35,500,962	1.81%	Benchmark
Stanton	\$ 285,869	\$ 23,951,047	1.19%	Benchmark
Tustin	\$ 1,697,045	\$ 67,924,240	2.50%	Benchmark
Villa Park	\$ 373,104	\$ 3,722,258	10.02%	Benchmark
Westminster	\$ 1,805,546	\$ 66,489,760	2.72%	Benchmark
Yorba Linda	\$ 2,608,191	\$ 38,335,027	6.80%	Benchmark



May 4, 2020

To: Executive Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Proposed Amendment to the Orange County Local Transportation Authority Measure M2 Ordinance No. 3

Overview

The voter-approved Measure M2 Ordinance No. 3 requires that local jurisdictions meet a maintenance of effort requirement to remain eligible to receive Measure M2 funding. Local jurisdictions are experiencing a significant decline in general fund revenues because of the novel coronavirus pandemic, which is expected to impact their ability to meet this maintenance of effort requirement. An amendment to the ordinance is recommended to assist the local jurisdictions through this unprecedented period of economic uncertainty. The proposed amendment is presented for Board of Directors' consideration, and approval is requested to set a public hearing date initiating the amendment process.

Recommendations

- A. Direct staff to initiate the process to amend the Orange County Local Transportation Authority Measure M2 Ordinance No. 3 to address the anticipated near-term negative growth in general fund revenues as it relates to the maintenance of effort requirement.
- B. Direct staff to set a date of June 22, 2020, for a public hearing and Board of Directors action to consider adoption of the amendment to the Orange County Local Transportation Authority Measure M2 Ordinance No. 3 as it relates to the maintenance of effort requirement.
- C. Approve updates to the Fiscal Year 2020-21 Measure M2 Eligibility Guidelines, including revised maintenance of effort forms addressing the changes needed to implement the proposed amendment.

Background

In November 2006, Orange County voters approved the Renewed Measure M2 Ordinance No. 3, also called Measure M2 (M2). The Orange County Transportation Authority (OCTA) is committed to fulfilling the promises made in M2. This means delivering all projects and programs included in the M2 Expenditure Plan and complying with the specific requirements identified in the M2 Ordinance No. 3 (M2 Ordinance). Also included in the M2 Ordinance is an amendment process to address unforeseen circumstances.

Over the next few months, OCTA and local jurisdictions will have a clearer picture of the implications of the novel coronavirus (COVID-19) pandemic and its impact to sales tax revenues, fuel sales, and local agency general fund revenues (GFR). However, action is currently needed to ensure that OCTA can continue providing funds to eligible local jurisdictions.

Local jurisdictions are required to meet specific requirements in order to receive M2 revenues, one of which is related to maintenance of effort (MOE) spending levels. MOE is the amount the local jurisdiction's spend in discretionary non-transportation funds, or GFR, for streets and roads purposes. The intent is to ensure that M2 revenues do not supplant funding for streets and roads that a local jurisdiction was previously spending.

The original MOE level was established in 1991 with the first Measure M (M1) program using a five-year average of the funding amount local jurisdictions spent on streets and roads maintenance and construction between 1985 and 1990. The MOE amount remained unchanged during the 20-year life of M1; therefore, it did not keep pace with annual inflation. Recognizing the need for an adjustment, a process was included in the M2 Ordinance to update the MOE amount every three years. The adjustment is determined by looking back at the California Department of Transportation construction cost index growth during a three-year period and applying that growth rate to the MOE, with the exception that the increase cannot be greater than the jurisdiction's increase in GFR for the same period. The most recent adjustment approved by the Board of Directors (Board) on April 13, 2020, is only the third adjustment to the original MOE as established under M1.

Discussion

Because of the potential economic impacts related to the COVID-19 pandemic, a limited amendment to the MOE requirements is proposed to ensure local jurisdictions can continue receiving M2 revenues. The M2 Ordinance requires jurisdictions to annually submit two items to OCTA related to MOE:

- 1) MOE certification – before the start of the annual fiscal year budget, local jurisdictions must certify that sufficient expenditures have been budgeted to meet the MOE benchmark.
- 2) Expenditure report – annually, local jurisdictions must submit a detailed financial report. This report is used to validate eligible uses of M2 funds and to report actual MOE expenditures to meet the MOE benchmark requirement.

These requirements – outlined in Section 6 of the M2 Ordinance, and in Section III of Attachment B to the M2 Ordinance – must be met in order for local jurisdictions to continue to receive M2 revenues. Attachment A provides the existing MOE language as included in the M2 Ordinance.

The M2 Ordinance allows for amendments for unforeseen circumstances, which is noted and further discussed in Section 12 of the M2 Ordinance. A specific process for amendments was established by the OCTA Board during M1 and has continued in M2. Amendments to the M2 Ordinance, which do not affect the Transportation Investment Plan, require a two-thirds vote from the OCTA Board, as well as a public hearing and notification process.

As the state-designated Local Transportation Sales Tax Authority responsible for administering M2, OCTA is committed to upholding the intent of the M2 Ordinance. As such, amendments should only be proposed when absolutely necessary to keep the M2 promises to voters. Amendments to M2 are not a normal occurrence. Over the last 29 years, between both M1 and M2, there have only been four ordinance amendments. During this same period, there have been ten plan amendments. Ordinance amendments are corrective changes in nature versus plan amendments, which address funding needs and cost savings through reallocation of funds between projects and programs within the same mode. The change required for MOE will require an ordinance amendment. Attachment B provides information on the amendment process, the language on amendments from the M2 Ordinance, and a history of the prior amendments.

Given the financial impacts anticipated to occur as a result of COVID-19, it will be challenging for all local jurisdictions to satisfy MOE expenditure report requirements for fiscal year (FY) 2019-20 and MOE certification and expenditure report requirements for FY 2020-21. For reference, OCTA sales tax collections in FY 2018-2019 were \$331 million. Due to COVID-19, OCTA is anticipating a 33 percent decline in sales tax in the fourth quarter of FY 2019-20. As a result, OCTA anticipates finishing FY 2019-20 with \$303 million in sales tax receipts, which represents a \$28 million (8.5 percent) decrease in sales tax when compared to FY 2018-19. In addition, an early forecast by Muni Services, the firm that prepares OCTA's short-term forecasted growth rate, is anticipating an additional 4.5 percent reduction in sales tax for FY 2020-21 to \$290 million.

In total, OCTA anticipates collecting \$41 million (12.4 percent) less sales tax in FY 2020-21 than in FY 2018-19 due to COVID-19.

The economic impacts of COVID-19 may not permit local jurisdictions to meet the MOE benchmark requirement for the FY 2019-20 and FY 2020-21. Initial estimates, based upon an informal OCTA poll, indicate local jurisdictions expect, on average, an approximate seven percent reduction in FY 2019-20 revenues (with some estimates as high as 14 percent), and an approximate seven percent reduction in FY 2020-21 revenues (with some estimates as high as 15 percent). City of Costa Mesa Mayor Katrina Foley sent a letter to OCTA Chief Executive Officer Darrell E. Johnson on April 16, 2020 (Attachment C), expressing concern related to lost revenues and requesting a suspension of the MOE requirement for three years, the reduction of the MOE benchmark requirement, and potentially allowing agencies up to seven years to repay the required MOE if they are not able to meet the requirement after the proposed suspension period.

Staff reviewed and considered several options ranging from no changes to the MOE requirement, to suspending the MOE requirement – the latter of which is inconsistent with the legislative intent of the M2 Ordinance because M2 revenues would supplant and not supplement local revenues.

In consultation with OCTA legal counsel, staff has developed a solution intended to be fair and reasonable for all jurisdictions with the goal of balancing local funding issues with the intent of M2 Ordinance. If approved, this will provide local jurisdictions with a path forward before the approaching FY 2020-21 MOE certification requirement deadline of June 30, 2020. Therefore, staff is recommending an amendment to the Orange County Local Transportation Authority M2 Ordinance No. 3, Section 6, MOE Section to:

- Require submittal of the FY 2019-20 expenditure report and accept the actual expenditures reported as meeting the MOE requirement, even if the total expenditure amount is below the MOE benchmark requirement for FY 2019-20.
- Modify the MOE budget certification requirement for FY 2020-21 to require that local jurisdictions certify a budget that commits to continuing the same proportional share of streets and roads expenditures to GFR, based upon the proportion of the current MOE benchmark to GFR that were reported in their respective Comprehensive Annual Financial Report for FY 2018-19, at a minimum. This approach allows the MOE amount to float with fluctuations in local agency GFR levels in FY 2020-21 while upholding the intent of the M2 Ordinance to use M2 revenues as supplemental funding. Attachment D provides the revised temporary MOE benchmark for FY 2020-21, and Attachment E provides the revised MOE certification form.

- Require local jurisdictions to submit the FY 2020-21 expenditure reports to confirm that they have met the proportional share of total GFR or MOE dollar amount as defined in Attachment D.

The proposed amendment language is provided in Attachment F. The process and timing for amending the M2 Ordinance and MOE submittals is shown below:

Actions	Date
Governor declared a state of emergency related to COVID-19	March 4, 2020
Governor enacted the stay-at-home order	March 19, 2020
M2 Eligibility Guidelines, FY 2020-21 approved	April 13, 2020
OCTA Executive Committee considers M2 amendment	May 4, 2020
OCTA Board considers M2 amendment and sets a public hearing date for June 22, 2020	May 11, 2020
Proposed amendment sent to local jurisdictions for public review prior to public hearing (Attachment F)	May 12, 2020
Taxpayers Oversight Committee provided an update on ordinance amendment	May 12, 2020
Issue public hearing notice (at least 30 days prior to public hearing)	May 21, 2020
Public hearing on amendment and roll call vote by Board (requires two-thirds vote)	June 22, 2020
Adopted amendment transmitted to local jurisdiction	June 23, 2020
Local jurisdictions required to submit the MOE certification for FY 2020-21 (Attachment E)	June 30, 2020
Local Fair Share disbursement for fourth quarter, FY 2019-20 (estimated date)	July 15, 2020
Amendment effective 45 days following adoption	August 6, 2020
Local Fair Share disbursement (estimated date)	September 16, 2020

Summary

An amendment to the M2 Ordinance to assist local agencies in managing the economic impacts of the COVID-19 pandemic is proposed. The amendment modifies the MOE requirements for FY 2019-20 and FY 2020-21 while upholding the legislative intent of the M2 Ordinance. Staff also requests the Board set a public hearing date for June 22, 2020, and approval of an updated MOE Certification Form is proposed.

Attachments

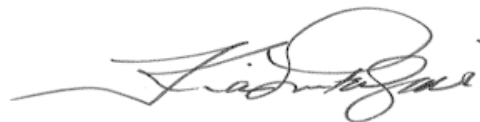
- A. Orange County Local Transportation Authority Ordinance No. 3, Maintenance of Effort Requirements Excerpt, Section 6, Page 3
- B. Procedures to Amend the Renewed Measure M Transportation Investment Plan and Ordinance No. 3, Language Excerpt and Amendment History
- C. Letter from Mayor Katrina Foley, City of Costa Mesa, to Darrell Johnson, Chief Executive Officer, Orange County Transportation Authority, dated April 16, 2020
- D. FY 2020-21 MOE Benchmark as a Percentage of FY 2018-19 GFR
- E. Appendix I, Maintenance of Effort (MOE) Certification Form
- F. Draft Ordinance Amendment Language, Section 6, Page 3

Prepared by:



Adriann Cardoso
Department Manager,
Capital Programming
(714) 560-5915

Approved by:



Kia Mortazavi
Executive Director, Planning
(714) 560-5741

**Orange County Local Transportation Authority Ordinance No. 3
Maintenance of Effort Requirements Excerpt**

Section 6, Page 3

SECTION 6. MAINTENANCE OF EFFORT REQUIREMENTS

It is the intent of the Legislature and the Authority that the Net Revenues allocated to a jurisdiction pursuant to the Ordinance for street and road projects shall be used to supplement existing local discretionary funds being used for transportation improvements. Each jurisdiction is hereby required to annually maintain as a minimum no less than the maintenance of effort amount of local discretionary funds required to be expended by the jurisdiction for local street and road purposes pursuant to the current Ordinance No. 2 for Fiscal Year 2010-2011. The maintenance of effort level for each jurisdiction as determined through this process shall be adjusted effective July 1, 2014 and every three fiscal years thereafter in an amount equal to the percentage change for the Construction Cost Index compiled by Caltrans for the immediately preceding three calendar years, providing that any percentage increase in the maintenance of effort level based on this adjustment shall not exceed the percentage increase in the growth rate in the jurisdiction's general fund revenues over the same time period. The Authority shall not allocate any Net Revenues to any jurisdiction for any fiscal year until that jurisdiction has certified to the Authority that it has included in its budget for that fiscal year an amount of local discretionary funds for streets and roads purposes at least equal to the level of its maintenance of effort requirement. An annual independent audit may be conducted by the Authority to verify that the maintenance of effort requirements are being met by the jurisdiction. Any Net Revenues not allocated pursuant to the maintenance of effort requirement shall be allocated to the remaining eligible jurisdictions according to the formula described in the Ordinance.

Attachment B, Section III – Requirements for Eligible Jurisdictions

Page B7-B10

III. REQUIREMENTS FOR ELIGIBLE JURISDICTIONS.

A. In order to be eligible to receive Net Revenues, a jurisdiction shall satisfy and continue to satisfy the following requirements.

1. Congestion Management Program. Comply with the conditions and requirements of the Orange County Congestion Management Program (CMP) pursuant to the provisions of Government Code Section 65089.

2. Mitigation Fee Program. Assess traffic impacts of new development and require new development to pay a fair share of necessary transportation improvements attributable to the new development.

3. Circulation Element. Adopt and maintain a Circulation Element of the jurisdiction's General Plan consistent with the MPAH.

4. Capital Improvement Program. Adopt and update biennially a six-year Capital Improvement Program (CIP). The CIP shall include all capital transportation projects, including projects funded by Net Revenues, and shall include transportation projects required to demonstrate compliance with signal synchronization and pavement management requirements.

5. Traffic Forums.

Participate in Traffic Forums to facilitate the planning of traffic signal synchronization programs and projects. Eligible Jurisdictions and Caltrans, in participation with the County of Orange and the Orange County Division of League of Cities, will establish the boundaries for Traffic Forums. The following will be considered when establishing boundaries:

- a. Regional traffic routes and traffic patterns;
- b. Inter-jurisdictional coordination efforts; and
- c. Total number of Traffic Forums.

6. Local Traffic Signal Synchronization Plan. Adopt and maintain a Local Traffic Signal Synchronization Plan which shall identify traffic signal synchronization street routes and traffic signals; include a three-year plan showing costs, available funding and phasing of capital, operations and maintenance of the street routes and traffic signals; and include information on how the street routes and traffic signals may be synchronized with traffic signals on the street routes in adjoining jurisdictions. The Local Traffic Signal Synchronization Plan shall be consistent with the Traffic Signal Synchronization Master Plan.

7. Pavement Management Plan. Adopt and update biennially a Pavement Management Plan, and issue, using a common format approved by the Authority, a report every two years regarding the status of road pavement conditions and implementation of the Pavement Management Plan.

a. Authority, in consultation with the Eligible Jurisdictions, shall define a countywide management method to inventory, analyze and evaluate road pavement conditions, and a common method to measure improvement of road pavement conditions.

b. The Pavement Management Plan shall be based on: either the Authority's countywide pavement management method or a comparable management

method approved by the Authority, and the Authority's method to measure improvement of road pavement conditions.

c. The Pavement Management Plan shall include:

(i) Current status of pavement on roads;

(ii) A six-year plan for road maintenance and rehabilitation, including projects and funding;

(iii) The projected road pavement conditions resulting from the maintenance and rehabilitation plan; and

(iv) Alternative strategies and costs necessary to improve road pavement conditions.

8. Expenditure Report. Adopt an annual Expenditure Report to account for Net Revenues, developer/traffic impact fees, and funds expended by the Eligible Jurisdiction which satisfy the Maintenance of Effort requirements. The Expenditure Report shall be submitted by the end of six (6) months following the end of the jurisdiction's fiscal year and include the following:

a. All Net Revenue fund balances and interest earned.

b. Expenditures identified by type (i.e., capital, operations, administration, etc.), and program or project.

9. Project Final Report. Provide Authority with a Project Final Report within six months following completion of a project funded with Net Revenues.

10. Time Limits for Use of Net Revenues.

a. Agree that Net Revenues for Regional Capacity Program projects and Regional Traffic Signal Synchronization Program projects shall be expended or encumbered no later than the end of the fiscal year for which the Net Revenues are programmed. A request for extension of the encumbrance deadline for no more than twenty-four months may be submitted to the Authority no less than ninety days prior to the deadline. The Authority may approve one or more requests for extension of the encumbrance deadline.

b. Agree that Net Revenues allocated for any program or project, other than a Regional Capacity Program project or a Regional Traffic Signal Synchronization Program project, shall be expended or encumbered within three years of receipt. The Authority may grant an extension to the three-year limit, but extensions shall not be granted beyond a total of five years from the date of the initial funding allocation.

c. In the event the time limits for use of Net Revenues are not satisfied then any retained Net Revenues that were allocated to an Eligible Jurisdiction and interest earned thereon shall be returned to the Authority and these Net Revenues and

interest earned thereon shall be available for allocation to any project within the same source program.

11. Maintenance of Effort. Annual certification that the Maintenance of Effort requirements of Section 6 of the Ordinance have been satisfied.

12. No Supplanting of Funds. Agree that Net Revenues shall not be used to supplant developer funding which has been or will be committed for any transportation project.

13. Consider, as part of the Eligible Jurisdiction's General Plan, land use planning strategies that accommodate transit and non-motorized transportation.

**PROCEDURES TO AMEND THE
RENEWED MEASURE M TRANSPORTATION INVESTMENT PLAN
AND ORDINANCE NO. 3., LANGUAGE EXCERPT AND AMENDMENT HISTORY**

PROCEDURES

The Orange County Local Transportation Authority (OCLTA) Ordinance No. 3 approved by Orange County voters on includes a provision The following procedures are applicable to amend the Renewed Measure M Transportation Investment Plan (Plan) and the Orange County Local Transportation Authority (OCLTA) Ordinance No. 3, by the OCTLA Board of Directors (Board):

A proposed amendment which eliminates a program or project specified on page 31 of the Plan shall not be adopted unless the Board adopts a finding that the transportation purpose of the program or project to be eliminated will be satisfied by a different program or project.

A proposed amendment which changes funding categories, programs, or projects identified within the expenditure plan, page 31 of the Plan, shall be first approved by a two-thirds vote of the Taxpayers Oversight Committee.

Proposed amendments to the Plan and Ordinance No. 3 shall be presented to the Board. The Board shall set a date no sooner than 30 days thereafter for a public hearing to consider the proposed amendment(s), and the proposed amendment(s) shall be transmitted to the Board of Supervisors and the City Council of each Orange County city not less than 30 days prior to the public hearing.

Local agencies may offer comment in writing or in person at the public hearing and such comments shall be incorporated into the public record of the hearing.

The Board shall hold a public hearing prior to adoption of the amendment.

The amendment shall be passed by a roll call vote (at least a two-thirds majority) of Board members.

OCTA shall give written notice of the amendment to the County Board of Supervisors and all City Councils.

Amendment(s) to the Plan or Ordinance No. 3 shall become effective 45 days after adoption.

In addition, a proposed amendment which changes funding allocations among the four major categories of: freeway projects, streets and roads projects, transit projects, and environmental cleanup projects, as identified on page 31 of the Plan; or which changes funding allocations for Local Fair Share Program net revenues (Section IV, C, 3 of Attachment B) shall also be approved by a simple majority vote of the electors before going into effect.

SECTION 12. AMENDMENTS

The Authority may amend the Ordinance, including the Plan, to provide for the use of additional federal, state and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances. The Authority shall notify the board of supervisors and the city council of each city in the county and provide them with a copy of the proposed amendments, and shall hold a public hearing on proposed amendments prior to adoption, which shall require approval by a vote of not less than two thirds of the Authority Board of Directors. Amendments shall become effective forty-five days after adoption. No amendment to the Plan which eliminates a program or project specified on Page 31 of the Plan shall be adopted unless the Authority Board of Directors adopts a finding that the transportation purpose of the program or project to be eliminated will be satisfied by a different program or project. No amendment to the Plan which changes the funding categories, programs or projects identified on page 31 of the Plan shall be adopted unless the amendment to the Plan is first approved by a vote of not less than two thirds of the Committee. In addition, any proposed change in allocations among the four major funding categories of freeway projects, street and road projects, transit projects and Environmental Cleanup projects identified on page 31 of the Plan, or any proposed change of the Net Revenues allocated pursuant to Section IV C 3 of Attachment B for the Local Fair Share Program portion of the Streets and Roads Projects funding category, shall be approved by a simple majority vote of the electors before going into effect.

Amendment History

Measure M Amendments

Ordinance Amendment

1. September 23, 1991: Procedures and Recommendation for Amendments to the Measure M Ordinance
2. September 26, 2011: Agencies which qualify as an “Eligible Jurisdiction” under Ordinance No. 3 (Measure M2) to also be an “Eligible Jurisdiction” under Ordinance No. 2. (Policy Resolution No. 3, Section II C1, subsection b)

Expenditure Plan Amendments

1. November 25, 1991: Reallocation of Funds Within Freeway Program
2. May 23, 1994: Reallocation of Freeway Program Funding Between I-5 and SR-91/SR-55
3. May 13, 1996: Cost Savings Transferred to CURE Accounts
4. June 9, 1997: Amendments to Local Streets and Road Component
5. December 10, 2001: Amend Freeway Program to Add SR-22 at \$203 Million
6. September 13, 2004: Amend Freeway Program to Advance SR-22 and Additional \$123.7 Million
7. September 24, 2007: Modify SR-57 Description Consistent with Project G in Measure M2 and Increase Funding by \$22 Million and Expand Limits of SR-22 to Include the West County Connection Improvements and Increase Funding by \$10 Million
8. March 8, 2010: Decrease SR-57 Funding by \$22 Million

Measure M2 Amendments

Ordinance Amendment

1. November 25, 2013: Strengthens the eligibility and selection process for TOC members to prevent any person with a financial conflict of interest from serving as a member. Also requires currently elected or appointed officers who are applying to serve on the TOC to complete an "Intent to Resign" form.
2. December 14, 2015 (corrected March 14, 2016): Accounts for additional funding from Project T allocated to the Fare Stabilization Program by changing Attachment B language to reflect a 1.47% delegation (rather than 1%) of Project U funding towards Fare Stabilization. Corrected amendment language was presented to the Board on March 14, 2016.

Transportation Investment Plan Amendments

1. November 9, 2012: Reallocation of Funds within Freeway Program Between SR-91 and I-405
2. December 14, 2015 (corrected March 14, 2016): Closeout of Project T and Reallocation of Remaining Funds within Transit Program between Metrolink Service Expansion (Project R) and Fare Stabilization Program (Project U). Corrected amendment language was presented to the Board on March 14, 2016.



CITY OF COSTA MESA

77 Fair Drive | P.O. Box 1200, Costa Mesa | California 92628-1200
Phone 714.754.5285 | Fax 714.754.5330 | www.costamesaca.gov | Katrina.Foley@costamesaca.gov

From the Office of the Mayor Katrina Foley

April 16, 2020

Darrell Johnson
Chief Executive Officer
Orange County Transportation Authority
550 S. Main St.
Orange, CA 92868

Dear Mr. Johnson:

Thank you for your continued work to serve Orange County cities and residents during the COVID-19 pandemic. The statewide shelter in place order, health care concerns, and financial strains are forcing local governments to respond to our communities' needs in unprecedented ways – I appreciate your partnership in this effort.

In the spirit of continued cooperation and in light of the current COVID-19 health and economic crisis, I, Katrina Foley, Mayor of the City of Costa Mesa, am writing to respectfully request that Orange County Transportation Authority (OCTA) relax the existing Measure M maintenance of effort (MOE) requirements. The relaxation of these requirements will greatly aid all Orange County cities as we continue to meet the immediate needs of our residents with limited financial resources due to the COVID-19 outbreak.

As you know, cities throughout Orange County are projecting significant deficits for the current fiscal year (FY 2019-20) ending on June 30, 2020 while projecting multi-million dollar revenue losses in the upcoming fiscal year. The COVID-19 crisis has also created challenges for cities to complete capital improvement projects due to the statewide social distancing requirements. The current mandates, as well as decreased revenue and across-the-board budget shortfalls, have significantly impacted cities' ability to meet OCTA's MOE requirements.



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From the Office of the Mayor Katrina Foley

Under ordinary circumstances, cities are required to provide financial documentation to OCTA in order to receive its fair share of Measure M funds and participate in competitive block grants. The required documentation assures OCTA that cities are maintaining a minimum level of city general funds for street and road expenditures from funding sources other than Measure M. These funding levels required by OCTA gradually increases each fiscal year. Failure to meet these requirements jeopardizes cities' Measure M annual funding and triggers an audit intended to bring cities back into compliance of the MOE.

Cities across the State rely on two primary sources of revenue streams to conduct business: property taxes and sales taxes. Due to the necessary closure of non-essential businesses to slow the spread of the virus, sales taxes throughout the County and State have hit record lows, resulting in massive and unforeseen reduced revenue to cities. Moreover, this reduced revenue comes at a time when cities are the first line of defense and response to its residents' public safety needs. To that end, we respectfully request that OCTA take the following actions to provide much needed relief for cities:

- Relax the MOE requirements for the current fiscal year and the next two fiscal years.
- Postpone increasing the MOE requirements. Increased MOE amounts should be reinstated when sales tax revenues reach the 2018-19 fiscal year levels.
- Any cities that do not meet the MOE requirements should be tracked and be allowed 7 years to make up the balance. This will ensure that the MOE commitments are still honored while providing cities with financial flexibility during the current crisis.

MAYOR
Katrina Foley
At Large

MAYOR PRO TEM
John B. Stephens
At Large

COUNCIL MEMBER
Andrea Marr
District 3

COUNCIL MEMBER
Manuel Chavez
District 4

COUNCIL MEMBER
Arlis Reynolds
District 5

COUNCIL MEMBER
Sandra L. Genis
At Large

COUNCIL MEMBER
Allan R. Mansoor
At Large



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From the Office of the Mayor Katrina Foley

Several cities have raised these issues during recent meetings with OCTA. We thank OCTA for agreeing to discuss a potential process for revising the MOE requirements moving forward. We ask that you take our requests into consideration as you determine a path forward and work with cities to find a solution that accommodates both OCTA and cities. We look forward to our continued partnership and collaborative efforts to continue serving the residents of Orange County.

Sincerely,

Katrina Foley
Mayor, City of Costa Mesa

cc: OCTA Board of Directors

**FY 2020-21 MOE Benchmark as a
Percentage of FY 2018-19 GFR**

Local Agency	(A) FY 2020-21 MOE Benchmark ¹	(B) FY 2018-19 GFR ²	(A/B) MOE Benchmark as a % of GFR
Aliso Viejo	538,604	20,264,249	2.66%
Anaheim	11,725,957	412,996,000	2.84%
Brea	838,243	65,445,918	1.28%
Buena Park	4,206,464	70,242,813	5.99%
Costa Mesa	8,607,340	143,753,298	5.99%
County of Orange	-	N/A	N/A
Cypress	3,607,878	36,691,594	9.83%
Dana Point	1,510,094	41,545,825	3.63%
Fountain Valley	1,564,638	61,380,673	2.55%
Fullerton	4,413,567	100,526,519	4.39%
Garden Grove	3,938,473	129,838,910	3.03%
Huntington Beach	5,921,206	236,631,000	2.50%
Irvine	8,001,915	221,961,000	3.61%
La Habra	1,737,300	48,583,838	3.58%
La Palma	201,688	12,057,831	1.67%
Laguna Beach	1,806,353	88,020,317	2.05%
Laguna Hills	331,579	22,047,533	1.50%
Laguna Niguel	908,566	43,809,474	2.07%
Laguna Woods	104,578	6,351,788	1.65%
Lake Forest	226,678	54,795,849	0.41%
Los Alamitos	182,250	14,165,860	1.29%
Mission Viejo	2,864,895	63,356,854	4.52%
Newport Beach	12,547,102	229,812,594	5.46%
Orange	3,392,885	124,241,260	2.73%
Placentia	770,006	35,796,833	2.15%
Rancho Santa Margarita	428,337	19,137,375	2.24%
San Clemente	1,316,842	65,789,926	2.00%
San Juan Capistrano	492,518	36,522,274	1.35%
Santa Ana	9,040,904	275,532,227	3.28%
Seal Beach	642,598	35,500,962	1.81%
Stanton	285,869	23,951,047	1.19%
Tustin	1,697,045	67,924,240	2.50%
Villa Park*	360,429	3,722,258	9.68%
Westminster	1,805,546	66,489,760	2.72%
Yorba Linda	2,608,191	38,335,027	6.80%
Totals	98,626,539	2,917,222,926	

*Final CAFR has not been published. Draft CAFR provided by City of Villa Park on April 21, 2020 has been used.

¹FY 2020-21 MOE Benchmarks were taken from the Board-approved staff report on April 13, 2020.

²GFRs are from FY 2018-19 CAFRs published online .

CAFR - Comprehensive Annual Financial Report

FY - Fiscal year

GFR - General fund revenue

MOE - Maintenance of effort

N/A - Not Applicable



APPENDIX I

Maintenance of Effort (MOE) Certification Form

Jurisdiction: _____

Type of GENERAL FUND Transportation Expenditures:

Please complete and attach supporting budget documentation for each line item listed below, if the MOE certification is based on the MOE benchmark by dollar value. For FY 2020-21 only, the table does not need to be completed if the Agency is certifying to meet the percentage of general fund revenues.

MAINTENANCE	Total Expenditure
Subtotal Maintenance	\$

CONSTRUCTION	Total Expenditure
Subtotal Construction	\$

INDIRECT /OTHER	Total Expenditure
Subtotal Indirect /Other	\$

Total General Fund Transportation Expenditures	\$
(Less Total MOE Exclusions ¹)	\$
MOE Expenditures	\$
MOE Benchmark Requirement²	\$
(Shortfall)/Surplus	\$

Certification:

I hereby certify that:

- The City/County of _____ is aware of the State Controller’s “Guidelines Relating to Gas Tax Expenditures for Cities and Counties”, which is a guide for determining MOE Expenditures for Measure M2 Eligibility purposes and;
- The City/County of _____’s MOE Reporting Form is in compliance with direction provided in the State Controller’s “Guidelines Relating to Gas Tax Expenditures for Cities and Counties” and;

Choose one of the following:

- The City/County of _____ certifies that the budgeted MOE expenditures meet the fiscal year (FY) FY 20-21 MOE benchmark requirement based on dollar value.
- or
- The City/County of _____ certifies that it will meet the MOE % of general fund revenues and has included in its budget for FY 2020-21 the use of local discretionary funds for streets and roads purposes that is equal to _____% (Use percentage in MOE Benchmark by Local Agency Table) of the City’s budgeted general fund revenues.

Finance Director Signature

Finance Director (Print Name)

Date

¹Funding sources include Measure M, federal, state, redevelopment, and bond financing.
²MOE benchmark requirement was modified in light of the coronavirus pandemic. To calculate the City’s FY 2020-21 MOE benchmark requirement, please refer to the updated MOE benchmark table that was approved by the Board of Directors on May 11, 2020.

DRAFT ORDINANCE AMENDMENT LANGUAGE
Section 6, Page 3

“In order to address the impacts of the novel coronavirus pandemic (commonly referred to as COVID-19), for fiscal year (FY) 2019-20, jurisdictions shall comply with all submittal requirements under the ordinance, including, but not limited to, those requirements under Attachment B (III) - Requirements for Eligible Jurisdictions, but will not be required to meet the required maintenance of effort (MOE) amount for that particular jurisdiction for the FY 2019-20. For FY 2020-21, jurisdictions shall be required to comply with all submittal requirements under the ordinance, including, but not limited to, those requirements under Attachment B (III) - Requirements for Eligible Jurisdictions, but shall only be required to meet the MOE amount for that particular jurisdiction for the FY at the same proportional share of streets and roads expenditures to general fund revenues based upon the proportion of the FY 2020-21 MOE benchmark to general fund revenues that were reported in their respective Comprehensive Annual Financial Report for FY 2018-19. Jurisdictions are encouraged to use their best efforts during FY 2019-20 and FY 2020-21 to meet original MOE levels.”



Correspondence



Item 4, Attachment A: OCTA Board Items of Interest

- **Monday, November 9, 2020**
Item #16: Measure M2 Next 10 Delivery Plan: Market Conditions Key Indicators Analysis and Forecast
- **Monday, December 14, 2020**
Item #10: Active Transportation Program Local Project Prioritization
Item #21: Comprehensive Transportation Funding Programs Semi-Annual Review – September 2020
Item #22: 2021 Technical Steering Committee Membership
Item #23: Measure M2 Annual Eligibility Review
Item #27: Measure M2 Next 10 Delivery Plan: Context and Options
- **Monday, January 11, 2021**
Item #8: Orange County Transportation Authority State and Federal Grant Programs – Update and Recommendations
Item #12: Measure M2 Quarterly Progress Report for the Period of July 2020 Through September 2020
Item #14: State Route 55 Improvement Project from Interstate 5 Funding Plan Update and SB1 (Chapter 5, Statutes of 2017) Grant Acceptance
- **Monday, January 25, 2021**
Item #16: Measure M2 Community-Based Transit Circulators Program Project V Ridership Report and Proposed Program Revisions



AGENDA

Technical Advisory Committee

Item# 4

Item 4, Attachment B: Announcements by Email

- November 11, 2020 Technical Steering Committee Meeting Cancellation Notice & Caltrans Materials from previous 10/28/20 TAC Meeting, *sent 11/6/2020*
- November 25, 2020 OCTA Technical Advisory Committee Meeting Cancellation Notice, *sent 11/20/2020*
- November 25, 2020 OCTA Technical Advisory Committee Meeting Cancellation Notice, *sent 12/4/2020*
- December 23, 2020 OCTA Technical Advisory Committee Meeting Cancellation Notice, *sent 12/18/2020*
- Message sent on Behalf of the California Department of Transportation (Caltrans), *sent 12/14/2020*
- Message sent on Behalf of the California Department of Transportation (Caltrans), *sent 1/6/2021*
- January 13, 2021 OCTA Technical Steering Committee Meeting Cancellation Notice, *sent 1/6/2021*
- January 27, 2021 OCTA Technical Advisory Committee Meeting Cancellation Notice, *sent 1/21/2021*
- OCTA Pavement Distress & Pavement Management Software Trainings, *sent 1/28/2021*