



## **Call to Order**

The Monday, January 23, 2023, regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Hernandez at 9:02 a.m. at the OCTA Headquarters, 550 South Main Street, Orange, California.

**Directors Present:** Gene Hernandez, Chairman  
Tam Nguyen, Vice Chairman  
Doug Chaffee  
Jose Diaz  
Andrew Do  
Jon Dumitru  
Jamey Federico  
Katrina Foley  
Brian Goodell  
Patrick Harper  
Steve Jones  
Fred Jung  
Vicente Sarmiento  
Donald P. Wagner

**Directors Absent:** Michael Hennessey  
Farrah N. Khan  
Jessie Lopez  
Ryan Chamberlain, Ex-Officio

**Staff Present:** Darrell E. Johnson, Chief Executive Officer  
Jennifer L. Bergener, Deputy Chief Executive Officer  
Andrea West, Interim Clerk of the Board  
Allison Cheshire, Clerk of the Board Specialist, Senior  
Sahara Meisenheimer, Clerk of the Board Specialist  
Aaron Delgado, Employee Rotation Program  
James Donich, General Counsel

## **Special Calendar**

### **1. Closed Session**

A Closed Session was held as follows:

- A. Pursuant to Government Code Section 54956.9(d)(1) – Conference with General Counsel – Existing Litigation – Orange County Transportation Authority v. Hyundai Motor America, et al. OCSC Case No. 30-2019-01053132.



- B. Pursuant to Government Code Section 54956.9(d)(1) – Conference with General Counsel – Existing Litigation – Martinez v. Orange County Transportation Authority, OCSC Case No. 30-2021-1218101.

There was no report out on this item.

**2. Adopt Resolutions of Necessity for the State Route 91 Improvement Project Between State Route 57 and State Route 55**

James Donich, General Counsel, reported on the eminent domain process and the purpose of the Resolutions of Necessity for the project. Ross Lew, Program Manager, Senior, provided a presentation on this item.

A motion was made by Director Sarmiento, seconded by Director Wagner, and declared passed by those present, to adopt Resolution of Necessity Nos. 2023-001, 2023-002, and 2023-003 and authorize and direct General Counsel to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring necessary right-of-way and real property interests for the State Route 91 Improvement Project between State Route 57 and State Route 55.

Direct Foley voted in opposition to this item.

**3. Update on Emergency Railroad Track Stabilization in the Vicinity of Milepost 206.8 on Orange Subdivision**

James G. Beil, Executive Director of Capital Programs, provided a presentation on this item.

Public comment was received via email on January 22, 2023, at 11:47 a.m. from Russell McDonald, Jr. and was provided to the Board of Directors via email on January 22, 2023, at 7:14 p.m.

Public comment was received in person from Paul Hyeck.

A motion was made by Director Wagner, seconded by Director Foley, and declared passed by those present to reaffirm Resolution No. 2022-075 authorizing the Chief Executive Officer to take all necessary actions to address the emergency need for railroad track stabilization in the vicinity of Mile Post 206.8 on the Orange Subdivision, and to return to the Board of Directors, as required, to report on the status thereof.



**4. Presentation of Resolutions of Appreciation for Employees of the Month**

Resolutions of Appreciation were presented to Roberto Vargas, Coach Operator, Michael Gonzalez, Maintenance, and Riley Koehler, Administration.

**5. 2023 Board of Directors and Chief Executive Officer Initiatives and Action Plan**

Chairman Hernandez provided an overview of the 2023 Board Strategic Initiatives, emphasizing the following priorities:

- Equitable, Reliable, and Balanced Transportation
- Financial and Environmental Sustainability and Resilience
- Organizational Excellence, Partnership, and Transparency

Darrell E. Johnson, Chief Executive Officer, provided an overview of the 2023 Chief Executive Officer Initiatives and Action Plan and commented that reports would be delivered quarterly.

**Consent Calendar (Items 6 through 10)**

**6. Approval of Minutes**

A motion was made by Director Dumitru, seconded by Director Harper, and declared passed by those present to approve the minutes of January 9, 2023, Orange County Transportation Authority and affiliated agencies' regular meeting.

Director Wagner was not present to vote on this item.

**7. Approval of 2023 Orange County Transportation Authority Board Committees and External Agencies' Assignments**

Director Sarmiento pulled this item to express his opposition and requested a fair process for making committee assignments in the future.

A motion was made by Director Goodell, seconded by Director Dumitru, and declared passed by those present to:

- A. Approve the Chairman's assignments for the 2023 Orange County Transportation Authority Board Committees comprised of the Executive, Finance and Administration, Legislative and Communications, Regional Planning and Highways, State Route 91 Advisory, Transit, and Environmental Oversight Committees.



- B. Receive the Chairman's assignments for 2023 external agencies comprised of the California Association of Councils of Governments, Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency, Mobile Source Air Pollution Reduction Review Committee, Southern California Association of Governments' Regional Council, Orange County Council of Governments, and Southern California Regional Rail Authority.

Director Sarmiento voted in opposition to this item.

Director Wagner was not present to vote on this item.

**8. Bus Operations Performance Maintenance Report for the First Quarter of Fiscal Year 2022-23**

A motion was made by Director Dumitru, seconded by Director Harper, and declared passed by those present, to receive and file as an information item.

Director Wagner was not present to vote on this item.

**9. Amendment to Agreement for Schedule Checking Services**

A motion was made by Director Dumitru, seconded by Director Harper, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-8-1850 between the Orange County Transportation Authority and National Data and Surveying Services, Inc., doing business as Southland Car Counters, to exercise the second option term of the agreement, in the amount of \$164,212, to continue providing manual observation and collection of bus ridership and performance information for fixed-route services, referred to as schedule checking activities. This will increase the maximum obligation of the agreement to a total contract value of \$929,353.

Director Wagner was not present to vote on this item.

**10. Measure M2 Community-Based Transit Circulators Program Project V Ridership Report**

Director Foley pulled this item and complimented the trolley service. She hopes to get more cities to participate.

No action was taken on this receive and file information item.



## **Regular Calendar**

### **11. OC Streetcar Project Quarterly Update**

Ross Lew, Program Manager, Senior, and Tresa Oliveri, Principal Community Relations Specialist, provided a presentation on this item.

Following a discussion among the Members and staff regarding the continued outreach efforts and project schedule, no action was taken on this receive and file information item.

## **Discussion Items**

### **12. Public Comments**

No public comments were received.

### **13. Chief Executive Officer's Report**

Darrell E. Johnson, Chief Executive Officer, reported on the following:

- State Route 71/State Route 91 Interchange Project in Corona
- OCTA information booths at local Tet Festival celebrations
- 2023 Long Range Transportation Plan finalization

### **14. Directors' Reports**

Director Harper reported that Vice Chairman Nguyen and himself serve on the Mobile Source Air Pollution Reduction Review Committee, which recently approved a project for the electrification of vehicles for the police vehicles in the City of South Pasadena.

Vice Chairman Nguyen reported attending the Tet Festival at Mile Square Park, where OCTA hosted an information booth. He also attended several other Lunar New Year events in the community. Vice Chairman Nguyen also expressed his remorse to the victims of the Monterey Park shooting.



**15. Adjournment**

The meeting adjourned at 10:53 a.m.

The next regularly scheduled meeting of this Board will be held:

**9:00 a.m. on Monday, February 13, 2023**

OCTA Headquarters

550 South Main Street

Orange, California

ATTEST:

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Allison Cheshire  
Clerk of the Board Specialist, Senior