



Call to Order

The March 25, 2024, regular meeting of the Orange County Transportation Authority (OCTA) Board of Directors and affiliated agencies was called to order by Chair Nguyen at 9:00 a.m. at the OCTA Headquarters, 550 South Main Street, Orange, California.

Directors Present: Tam T. Nguyen, Chair
Doug Chaffee, Vice Chair
Ashleigh Aitken
Valerie Amezcua
Jon Dumitru
Jamey Federico
Katrina Foley
Patrick Harper
Michael Hennessey
Farrah N. Khan
Stephanie Klopfenstein
Vicente Sarmiento
Donald P. Wagner

Directors Absent: Andrew Do
Fred Jung
John Stephens

Staff Present: Darrell E. Johnson, Chief Executive Officer
Jennifer L. Bergener, Deputy Chief Executive Officer
Andrea West, Clerk of the Board
Gina Ramirez, Assistant Clerk of the Board
James Donich, General Counsel

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 - OCSC Case No. 30-2019-01053132.
- B. Pursuant to Government Code 54957.6 to discuss collective bargaining agreement negotiations with the Transportation Communications International Union regarding the parts/stock room clerks and facilities maintenance employee unit.

James Donich, General Counsel, reported from the Closed Session the Board unanimously approved a 9.3 million dollar contract over three years with the Transportation Communications International Union regarding the parts/stock room clerks and facilities maintenance employee unit.

All Directors were present except Directors Do, Jung, and Stephens.



Special Calendar

2. Presentation of Resolutions of Appreciation for Employees of the Month

Resolutions of Appreciation were presented to Jose Contreras, Coach Operator; Robert Rodriguez, Maintenance; and Elia Verduzco, Administration, as Employees of the Month for March 2024

Consent Calendar (Items 3 through 17)

3. Approval of Minutes

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to approve the minutes of the March 11, 2024 Orange County Transportation Authority and affiliated agencies' regular meeting.

Director Sarmiento was not present to vote on this item.

4. 91 Express Lanes Update for the Period Ending - December 31, 2023

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to receive and file as an information item.

Director Sarmiento was not present to vote on this item.

5. Agreement for Oversight of Orange County Transportation Authority Express Lanes Roadside Services

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to:

- A. Approve the selection of California Highway Products as the firm to provide oversight of Orange County Transportation Authority Express Lanes roadside services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-3010 between the Orange County Transportation Authority and California Highway Products to provide oversight of Orange County Transportation Authority roadside services, in the amount of \$3,381,978, for a five-year term, effective April 1, 2024, through March 31, 2029.

Director Sarmiento was not present to vote on this item.



6. Orange County Transportation Authority Investment and Debt Programs Report - January 2024

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to receive and file as an information item.

Director Sarmiento was not present to vote on this item.

7. Second Quarter Fiscal Year 2023-24 Procurement Status Report

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to receive and file as an information item.

Director Sarmiento was not present to vote on this item.

8. State Legislative Status Report

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to:

- A. Adopt a SUPPORT position on AB 2043 (Boerner, D-Solana Beach), which would require Medi-Cal Managed Care Plans to reimburse public transit operators for nonmedical transportation and nonemergency medical transportation services.
- B. Adopt a SUPPORT position on AB 2259 (Boerner, D-Solana Beach), which would require CalSTA to develop and distribute a bicycle safety handbook on or before September 1, 2025.
- C. Adopt a SUPPORT position on SB 1011 (Jones, R-San Diego), which would make a conditional prohibition for a person to unlawfully occupy a public space, including public transit stops, open spaces, and schools.
- D. Direct staff to engage with the author's office and work with Los Angeles – San Diego - San Luis Obispo Rail Corridor member agencies to help inform and identify any potential improvements to SB 1098 (Blakespear, D-Encinitas).

Director Sarmiento was not present to vote on this item.

9. Federal Legislative Status Report

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to receive and file as an information item.

Director Sarmiento was not present to vote on this item.



10. Amendment to Agreement for Mobile Ticketing Validators Extended Warranty Coverage Period

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Agreement No. C-6-0942 between the Orange County Transportation Authority and Init Innovations in Transportation, Inc., to exercise the fourth option term in the amount of \$158,769, for extended warranty coverage and annual maintenance for mobile ticketing validators effective May 1, 2024 through April 30, 2025. Amending this agreement will increase the maximum cumulative payment obligation to a total contract value of \$3,364,110.

Director Sarmiento was not present to vote on this item.

11. Approval of Local Transportation Fund Fiscal Year 2024-25 Apportionment Estimates Amendment

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to Approve the amendment to the Local Transportation Fund fiscal year 2024-25 apportionment estimates.

Director Sarmiento was not present to vote on this item.

12. Local Transportation Fund Claims for Fiscal Year 2024-25

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to Adopt Orange County Transit District Resolution No. 2024-008 authorizing the filing of Local Transportation Fund claims, in the estimated amounts of \$212,667,523 to support public transportation and \$11,273,686 for community transit services.

Director Sarmiento was not present to vote on this item.

13. Approval to Release Invitation for Bids for Battery Electric Bus Chargers

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to Approve the release of Invitation for Bids 3-3067 to procure 11 battery chargers for 40-foot plug-in battery electric buses.

Director Sarmiento was not present to vote on this item.

14. Amendment to Agreement for Detail Bus Cleaning and Pesticide Application Services

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-0-2702 between the Orange County Transportation Authority and Gamboa Services, Inc., doing business as Corporate Image Maintenance, in the amount of \$810,550, to exercise the two-year option term of the agreement effective May 1, 2024 through April 30, 2026, for continued detail bus cleaning and pesticide application services. This will increase the maximum obligation of the agreement to a total contract value of \$1,887,276.

Director Sarmiento was not present to vote on this item.

15. May 2024 OC Bus Service Change

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to Receive and file as an information item.

Director Sarmiento was not present to vote on this item.

16. Consultant Selection for Real Property Management Services

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to:

- A. Approve the selection of Cal Pacific Land Services, Inc., as the firm to provide real property management services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-2807 between the Orange County Transportation Authority and Cal Pacific Land Services, Inc., as the firm to provide real property management services, in the amount of \$750,000, for a five-year term.

Director Sarmiento was not present to vote on this item.

17. Amendments to Agreements for Design Support Services and Construction Management Services for the OC Streetcar Project

A motion was made by Director Foley, seconded by Vice Chair Chaffee, and declared passed by those present to

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 14 to Agreement No. C-5-3337 between the Orange County Transportation Authority and HNTB Corporation, in the amount of \$2,000,000, and extend the agreement term through August 31, 2025, for continued OC Streetcar project design support services during construction. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$34,083,841.

- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 21 to Agreement No. C-6-0926 between the Orange County Transportation Authority and PGH Wong Engineering, Inc., in the amount of \$7,700,000, and extend the agreement term through February 28, 2025, for continued OC Streetcar project construction management services. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$42,782,570.

Director Wagner voted in opposition to this item.

Director Sarmiento was not present to vote on this item.

Regular Calendar

There were no Regular Calendar matters.

Discussion Items

18. Public Comments

Public comments were received via email from Lucas Chang and Toni Nelson prior to the meeting and provided to the Board.

Public comments were received in-person from the following:

Gary Walsh, Save Our Beaches, San Clemente
Susie Whitelaw, Save Our Beaches, San Clemente
Lisa Gant, Save Our Beaches, San Clemente
Sean Griffin – comments on ACCESS
Toni Nelson, Capo Cares
Paul Hyek – comments on tap cards

19. Chief Executive Officer's Report

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

- Renaming Bravo buses to OC Bus Rapid
- Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Update

20. Directors' Reports

- Director Khan thanked OCTA staff for attending the Nowruz festival.
- Directors Klopfenstein and Khan spoke with the Mayor of San Clemente about the work being done on beach restoration.
- Director Foley noted she met with Senator Levin on the permitting issues regarding sand replenishment.



- Director Amezcua requested additional information regarding comments made about ACCESS under public comment.
- Vice Chair Chaffee thanked OCTA for having a booth at the Fishing Derby.
- Director Dumitru inquired about the responsibility of OCTA to replenish the beach and requested an update be provided.

21. Adjournment

The meeting adjourned at 10:15 a.m. in honor of OCTA's March Employees of the Month.

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

9:00 a.m., on Monday, April 8, 2024

OCTA Headquarters
Board Room
550 South Main Street
Orange, California

ATTEST:

Gina Ramirez
Assistant Clerk of the Board