



Orange County Transportation Authority

Board Agenda

Tuesday, May 28, 2024 at 9:00 a.m.

550 South Main Street, Orange, California

Board Members

Tam T. Nguyen, Chair
Doug Chaffee, Vice Chair
Ashleigh Aitken
Valerie Amezcua
Andrew Do
Jon Dumitru
Jamey Federico
Katrina Foley
Patrick Harper
Michael Hennessey
Fred Jung
Farrah N. Khan
Stephanie Klopfenstein
Vicente Sarmiento
John Stephens
Mark Tettermer
Donald P. Wagner
Vacant, Ex-Officio

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the Orange County Transportation Authority (OCTA) Clerk of the Board's office at (714) 560-5676, no less than two business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Agenda Descriptions

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.

Public Availability of Agenda Materials

All documents relative to the items referenced in this agenda are available for public inspection at www.octa.net or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

Meeting Access and Public Comments on Agenda Items

Members of the public can either attend in-person or listen to audio live streaming of the Board and Committee meetings by clicking this link: <https://octa.legistar.com/Calendar.aspx>

BOARD MEETING AGENDA

In-Person Comment

Members of the public may attend in-person and address the Board regarding any item within the subject matter jurisdiction of the Orange County Transportation Authority. Please complete a speaker's card and submit it to the Clerk of the Board and notify the Clerk regarding the agenda item number on which you wish to speak. Speakers will be recognized by the Chair at the time of the agenda item is to be considered by the Board. Comments will be limited to three minutes. The Brown Act prohibits the Board from either discussing or taking action on any non-agendized items.

Written Comment

Written public comments may also be submitted by emailing them to ClerkOffice@octa.net, and must be sent by 5:00 p.m. the day prior to the meeting. 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 Board. Public comments will be made available to the public upon request.

Call to Order

Invocation

Director Amezcua

Pledge of Allegiance

Director Stephens

1. Closed Session

Overview

A Closed Session will be held as follows:

- A. Pursuant to Government Code Section 54956.9(d)(1) - Conference with General Counsel - Existing Litigation - Orange County Transportation Authority v. Dan R. O'Neil, et al. - OCSC Case No. 30-2020-01175339.
- B. Pursuant to Government Code Section 54956.9(d)(1) - Conference with General Counsel - Existing Litigation - M. Westland, et al. v. State of California, et al. - OCSC Case No.: 30-2019-01104539.
- C. Pursuant to Government Code Section 54956.9(d) - Conference with General Counsel - Potential Litigation - one item.

Special Calendar

Orange County Transportation Authority Special Calendar Matters

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

Overview

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2024-050, 2024-051, and 2024-052 to Baljit Sandhu, Coach Operator; Scott Rizuto, Maintenance; Nicole Sanchez, Administration, as Employees of the Month for May 2024.

BOARD MEETING AGENDA

Consent Calendar (Items 3 through 10)

All matters on the Consent Calendar are to be approved in one motion unless a Board Member or a member of the public requests separate action on a specific item.

Orange County Transportation Authority Consent Calendar Matters

3. Approval of Minutes

Clerk of the Board

Recommendation

Approve the minutes of the May 13, 2024 Orange County Transportation Authority and affiliated agencies' regular meeting.

Attachments:

[Minutes](#)

4. Amendment to Agreement for the 405 Express Lanes and 91 Express Lanes Toll Lanes System Integrator Services

Kirk Avila

Overview

On February 26, 2018, the Orange County Transportation Authority Board of Directors approved a contract with Kapsch TrafficCom USA, Inc., to provide toll lanes system integrator services for the 405 Express Lanes and 91 Express Lanes. An amendment to the existing agreement is needed for additional services and equipment for both express lanes facilities.

Recommendation(s)

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 11 to Agreement No. C-7-1911 between the Orange County Transportation Authority and Kapsch TrafficCom USA, Inc., in the amount of \$3,965,452 for additional services and equipment for the 405 Express Lanes and 91 Express Lanes facilities. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$46,813,309.

Attachments:

[Staff Report](#)

[Attachment A](#)

BOARD MEETING AGENDA

5. Orange County Transportation Authority Investment and Debt Programs Report - March 2024

Robert Davis/Andrew Oftelie

Overview

The Orange County Transportation Authority has a comprehensive investment and debt program to fund its immediate and long-term cash flow demands. Each month, the Treasurer submits a report detailing investment allocation, performance, compliance, outstanding debt balances, and credit ratings for the Orange County Transportation Authority's debt program. This report is for the month ending March 31, 2024. The report has been reviewed and is consistent with the investment practices contained in the investment policy.

Recommendation(s)

Receive and file as an information item.

Attachments:

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

6. 2024 Enhanced Mobility for Seniors and Individuals with Disabilities Program and Call for Projects

Denise Sifford/Kia Mortazavi

Overview

The Orange County Enhanced Mobility for Seniors and Individuals with Disabilities Program offers grant opportunities to non-profit organizations and local public agencies to help meet the transportation needs of seniors and individuals with disabilities. The program augments existing OC Bus fixed-route service, OC ACCESS service, and the Senior Mobility Program in Orange County. Updated program guidelines and request to issue the 2024 call for projects are presented for review and approval.

Recommendation(s)

A. Approve the guidelines for the 2024 Enhanced Mobility for Seniors and Individuals with Disabilities Program.

B. Authorize staff to issue the 2024 Enhanced Mobility for Seniors and Individuals with Disabilities Program call for projects.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

BOARD MEETING AGENDA

7. Annual Insurance Program Renewal

Greg Bych/Maggie McJilton

Overview

The Orange County Transportation Authority holds an excess workers' compensation insurance policy with Arch Insurance company and a base property insurance policy with Zurich Insurance Company. The policies are scheduled to expire on June 30, 2024, and renewals are necessary to maintain coverage.

Recommendation(s)

- A. Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. A57294, in an amount not to exceed \$650,000, to Marsh Risk and Insurance Services, Inc., to purchase excess workers' compensation insurance on behalf of the Orange County Transportation Authority for the policy period of July 1, 2024, to June 30, 2025.
- B. Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. A57293, in an amount not to exceed \$850,000, to Marsh Risk and Insurance Services, Inc., to purchase base property insurance on behalf of the Orange County Transportation Authority for the renewal of the coverage for the period of July 1, 2024, to June 30, 2025.

Attachments:

[Staff Report](#)

8. Measure M2 Eligibility for the City of Orange

Adriann Cardoso/Kia Mortazavi

Overview

The Orange County Transportation Authority's Internal Auditor has released the results of an independent auditor's report of the City of Orange's compliance with the Measure M2 eligibility requirements for fiscal year 2022-23. The independent auditor's report found the City of Orange lacked adequate documentation to support whether it had spent sufficient discretionary funds on streets and road purposes to meet the maintenance of effort requirement prescribed in the Measure M2 Ordinance. Based on this information, recommendations related the City of Orange eligibility and compliance with the Measure M2 Ordinance are presented.

Recommendation(s)

- A. Find the City of Orange an ineligible jurisdiction to receive or apply for net Measure M2 revenues.
- B. Suspend net Measure M2 revenue payments to the City of Orange until the City of Orange can demonstrate compliance with Measure M2 eligibility requirements and the Board of Directors acts to find the City of Orange an eligible jurisdiction.

BOARD MEETING AGENDA

- C. Require the City of Orange to demonstrate supplemental investment of discretionary transportation funds equal to the amount of discretionary investment that was short of the maintenance of effort benchmark in the fiscal year 2022-23 (approximately \$1.12 million) as a condition of accessing suspended funds.
- D. Authorize the Internal Auditor to engage independent auditing services to apply agreed-upon procedures to assess the City of Orange's compliance with maintenance of effort expenditures and authorize staff to deduct audit costs from any future net Measure M2 payments to the City of Orange.
- E. Authorize the Chief Executive Officer to negotiate and execute a settlement agreement with the City of Orange to correct and remedy the fiscal year 2022-23 audit issues and formalize required actions to become an eligible jurisdiction.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

Orange County Transit District Consent Calendar Matters

9. Radio Communications Equipment Replacement for OC Bus and OC ACCESS Vehicles

Josh Duke/Andrew Oftelie

Overview

Board of Directors' authorization is requested for the purchase of hardware and services to complete the radio communications equipment replacement on the OC Bus and OC ACCESS vehicle fleet.

Recommendation(s)

Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-4-2235 between the Orange County Transportation Authority and Conduent Transport Solutions, Inc., in the amount of \$6,627,206, for the purchase of hardware and services necessary to replace 123 Integrated Vehicle Unit 2100s and 257 Integrated Vehicle Unit 3100s with the advanced Integrated Vehicle Unit 4000P/4000 for the Orange County Transportation Authority's paratransit and fixed-route fleets, respectively.

Attachments:

[Transmittal](#)

[Staff Report](#)

BOARD MEETING AGENDA

10. Amendment to Cooperative Agreements with Non-Profit Agencies to Provide Senior Mobility Program Services

Martin Browne/Johnny Dunning, Jr.

Overview

The Senior Mobility Program is designed to offer transportation alternatives to seniors in addition to local fixed-route and paratransit service. Three non-profit agencies participate in the Senior Mobility Program and receive funding from local sources other than Measure M2. The current funding agreements with these three agencies require amendments to include fiscal year 2024-25 funding in order to continue the service.

Recommendation(s)

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Cooperative Agreement No. C-1-3259 between the Orange County Transportation Authority and Abrazar, Inc., in the amount of \$93,610, to provide funding through June 30, 2025.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Cooperative Agreement No. C-1-3260 between the Orange County Transportation Authority and Korean American Senior Association of Orange County, in the amount of \$115,087, to provide funding through June 30, 2025.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Cooperative Agreement No. C-1-3261 between the Orange County Transportation Authority and Southland Integrated Services, Inc., in the amount of \$101,193, to provide funding through June 30, 2025.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

BOARD MEETING AGENDA

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

11. 2024 OC Transit Vision Master Plan Progress Update

Charles Main/Kia Mortazavi

Overview

The Orange County Transportation Authority is undertaking an integrated countywide transit plan. The 2024 OC Transit Vision Master Plan analyzes long-term transit needs throughout the County, identifies priorities for future transportation planning studies during the next 30 years, and positions the Orange County Transportation Authority for future local, state, and federal funding programs. Extensive public engagement will help inform the development and evaluation of the final recommendations expected in fall 2024. This report outlines a series of proposed countywide transit strategies that include 12 transit opportunity corridors and multimodal transportation improvements.

Recommendation(s)

- A. Direct staff to continue with the implementation of phase two of the public outreach plan to gather feedback on the 2024 OC Transit Vision draft transit opportunity corridors and countywide transit strategies.
- B. Return to the Board of Directors in September 2024 with an update on recommendations.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Presentation](#)

12. Regional Planning Update

Angel Garfio/Kia Mortazavi

Overview

Regular updates on regional planning matters are provided to highlight current transportation planning issues impacting the Orange County Transportation Authority and the Southern California region.

Recommendation

Receive and file as an information item.

Attachments:

BOARD MEETING AGENDA

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Presentation](#)

Orange County Local Transportation Authority Regular Calendar Matters

13. Measure M2 Eligibility for the City of Cypress

Adriann Cardoso/Kia Mortazavi

Overview

In 2023, the Orange County Transportation Authority Board of Directors found the City of Cypress ineligible to receive Measure M2 net revenues due to an insufficient investment of discretionary funds in fiscal year 2021-22 for streets and roads purposes to meet the Measure M2 maintenance of effort requirement. A recent accounting of the City of Cypress' Measure M2 maintenance of effort expenditures for fiscal year 2022-23 found that the City of Cypress has met its minimum maintenance of effort expenditure requirement, including the shortfall amount. The Orange County Transportation Authority Board of Directors is being asked to consider reinstating the City of Cypress' Measure M2 eligibility status.

Recommendation(s)

- A. Authorize the Chief Executive Officer to negotiate, execute, and amend the settlement agreement with the City of Cypress to reduce the term to deliver the maintenance of effort requirement to one year and remove an audit requirement for fiscal year 2023-24.
- B. Approve the City of Cypress eligible to receive Measure M2 net revenues upon execution of the amended settlement agreement.
- C. Direct staff to reinstate payments to the City of Cypress for Measure M2 net revenues, which were held during its period of ineligibility (less fiscal year 2022-23 audit costs) within ten days of execution of the amended settlement agreement.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

BOARD MEETING AGENDA

14. Measure M2 Eligibility for the City of Buena Park

Francesca Ching/Kia Mortazavi

Overview

The Orange County Transportation Authority's Internal Auditor issued results of an independent auditor's report related to the City of Buena Park's compliance with the Measure M2 requirements for fiscal year 2022-23. The independent auditor's report found that the City of Buena Park could not sufficiently support their use of Measure M2 Local Fair Share funds related to indirect labor charges thereby resulting in the use of the funds being disallowed. Based on this information, recommendations to address the independent auditor's report finding are presented.

Recommendation(s)

- A. Seek reimbursement of \$387,576 from the City of Buena Park and find the City of Buena Park ineligible to receive Measure M2 net revenues for five years pursuant to Section 10.4 of Ordinance No. 3.
- B. Authorize the Internal Auditor to engage independent auditing services to apply agreed-upon procedures to review the City of Buena Park's Measure M2 Local Fair Share program and other expenditures for fiscal year 2023-24, fiscal year 2024-25, fiscal year 2025-26, fiscal year 2026-27, and fiscal year 2027-28 to enable the City of Buena Park to reestablish eligibility and authorize staff to deduct the review costs from any future net Measure M2 payments to the City of Buena Park.
- C. Authorize the Chief Executive Officer to negotiate and execute a settlement agreement with the City of Buena Park to formalize the required actions to reestablish eligibility and other terms.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

Discussion Items

15. Public Comments

16. Chief Executive Officer's Report

17. Directors' Reports

BOARD MEETING AGENDA

18. Adjournment

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

9:00 a.m., on Monday, June 10, 2024

OCTA Headquarters

Board Room

550 South Main Street

Orange, California