



Call to Order

The June 24, 2024, regular meeting of the Orange County Transportation Authority (OCTA) Board of Directors and affiliated agencies was called to order by Vice Chair Chaffee at 9:00 a.m. at the OCTA Headquarters, 550 South Main Street, Orange, California.

Directors Present: Doug Chaffee, Vice Chair
Andrew Do
Jon Dumitru
Jamey Federico
Katrina Foley
Patrick Harper
Michael Hennessey
Fred Jung
Farrah N. Khan
Stephanie Klopfenstein
Vicente Sarmiento
John Stephens
Mark Tettemer
Donald P. Wagner

Directors Absent: Tam T. Nguyen, Chair
Ashleigh Aitken
Valerie Amezcua

Staff Present: Darrell E. Johnson, Chief Executive Officer
Jennifer L. Bergener, Deputy Chief Executive Officer
Gina Ramirez, Assistant Clerk of the Board
Allison Cheshire, Clerk of the Board Specialist, Senior
David Aguirre, Employee Rotation Program
James Donich, General Counsel

Special Calendar

1. Closed Session

A Closed Session was held as follows:

Pursuant to Government Code Section 54956.8 - Conference with real property negotiators for the following properties:

1. 5 Peters Canyon Road, Irvine, CA 92606 - The negotiator for this property is Pendulum Property Partners.
2. 550 & 600 South Main Street, Orange CA 92868 - The negotiator for this property is the Lincoln Property Company.



3. 2677 North Main Street, Santa Ana CA 92705 - The negotiator for this property is the Muller Company.
4. Stadium Tower II - Parcel No. APN 253-532-07 - The negotiator for this property is Trammell Crow. Negotiators for the Orange County Transportation Authority are Andrew Oftelie, Peter Andrich, and Rick Warner.

All members were present except Chair Nguyen, Directors Aitken, and Amezcua, who were absent from the meeting.

James Donich, General Counsel, stated there was no report out on this matter.

2. Approval of the Orange County Transportation Authority's Proposed Fiscal Year 2024-25 Budget and Personnel and Salary Resolution

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

- A. Approve by Resolution the Orange County Transportation Authority's Proposed Fiscal Year 2024-25 Budget.
- B. Approve the Proposed Personnel and Salary Resolution for fiscal year 2024-25.
- C. Approve the update to the Policy for Compensation, Benefits, Reimbursement of Expenses and Mandatory Training for Members of the Board of Directors.
- D. Authorize the Chief Executive Officer, or his designee, to negotiate and execute the software and hardware licensing, maintenance, and emergency support purchase orders, and/or agreements.

A motion was made by Director Sarmiento, seconded by Director Federico, and declared passed by those present to

- E. Approve the fiscal year 2024-25 Orange County Transportation Authority member agency contribution to the Southern California Regional Rail Authority operating subsidy, in an amount up to \$50,331,477, conditionally based on all other member agencies agreement to the contribution. In addition, approve the capital and rehabilitation expenditure budget contingent upon all member agencies' approval of their respective capital and rehabilitation budgets. The Orange County Transportation Authority's portion of the costs for capital is \$1,173,150 and \$37,930,330 for rehabilitation.

Director Wagner voted in opposition to this item.



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

Resolutions of Appreciation were presented to to David An, Coach Operator; Cuong Quach, Maintenance; and Sahara Meisenheimer, Administration, as Employees of the Month for June 2024.

4. Presentation of Resolutions of Appreciation for Orange County Transportation Authority's Teen Council Members

Resolutions of Appreciation were presented to Orange County Transportation Authority's Teen Council members, whose terms expire July 2024.

5. Measure M2 Taxpayer Oversight Committee New Member Recruitment and Lottery

Chosen by lottery, the new members are as follows:

District 1 - Clayton D. King, Huntington Beach
Cuong D. Nguyen, Huntington Beach
Vaughn Popp, Huntington Beach

District 2 – James Fuchs, Santa Ana
Diana Nicole M. Felipe, Santa Ana
Thomas T. Vu, Anaheim
Josee M. Larochele, Anaheim

District 4 – James K. Evans, Brea
Daniel T. Clavel, Anaheim

District 5 – Robert Dorneman, Dana Point
Paul K. Anderson, Newport Beach
Oscar A. Londono, Laguna Hills,
Lorena Mague, Aliso Viejo

Consent Calendar (Items 6 through 36)

6. Approval of Minutes

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to approve the minutes of the June 10, 2024 Orange County Transportation Authority and affiliated agencies' regular meeting.

7. Flexible Spending Account Program, Internal Audit Report No. 24-511

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to direct staff to implement one recommendation provided in the Flexible Spending Account Program, Internal Audit Report No. 24-511.



**8. Liability Claims Management, Internal Audit Report No. 24-510
Gabriel Tang/Janet Sutter**

A motion was made by Director Sarmiento, seconded by Director Jung, and declared passed by those present to receive and file Liability Claims Management, Internal Audit Report No. 24-510, as an information item.

9. Amendment to the 91 Express Lanes Riverside County Transportation Commission / Orange County Transportation Authority Facility Agreement

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Amendment No. 9 to Agreement No. C-5-3828 between the Orange County Transportation Authority and the Riverside County Transportation Commission, in the amount of \$1,612,888, for the reimbursement of shared operational expenses through June 30, 2025.

10. 91 Express Lanes Update for the Period Ending - March 31, 2024

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

11. Resolution to Establish the Orange County Transportation Authority General Fund Appropriations Limit for Fiscal Year 2024-25

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to adopt Orange County Transportation Authority Resolution No. 2024-027 to establish the Orange County Transportation Authority General Fund appropriations limit at \$15,204,784, for fiscal year 2024-25.

12. Fiscal Year 2023-24 Third Quarter Grant Reimbursement Status Report

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

13. Third Quarter Fiscal Year 2023-24 Procurement Status Report

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

14. Reserve Policy Update

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to adopt the Proposed Reserve Policy dated June 24, 2024, and implement the policy in current and future financial plans.



15. Orange County Transportation Authority Investment and Debt Programs Report - April 2024

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

16. Annual Update to Investment Policy

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to

- A. Adopt the Fiscal Year 2024-25 Investment Policy July 1, 2024.
- B. Authorize the Treasurer, to invest, reinvest, purchase, exchange, sell, and manage Orange County Transportation Authority funds during fiscal year 2024-25.

17. Proposed Overall Disadvantaged Business Enterprise Goal for Federal Transit Administration-Assisted Contracts for Federal Fiscal Years 2025-27

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to adopt the proposed overall Disadvantaged Business Enterprise goal of 11 percent for all Federal Transit Administration-assisted contracts issued during the federal fiscal years 2025 through 2027 in accordance with Title 49 Code of Federal Regulations, Part 26.

18. Approval to Release Request for Proposals for Federal Legislative Advocacy and Consulting Services

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

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 4-2285 for selection of a firm to provide federal legislative advocacy and consulting services.
- B. Approve the release of Request for Proposals 4-2285 for a firm to provide federal legislative advocacy and consulting services for a two-year initial term with two, two-year option terms.
- C. Approve the evaluation committee and proposed schedule for the procurement.

19. State Legislative Status Report

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

20. Federal Legislative Status Report

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

21. Proposed Schedule for the Orange County Transportation Authority's 2025-26 State and Federal Legislative Platforms

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to approve the preparation plan and timeline for the Orange County Transportation Authority State and Federal Legislative Platforms.

22. Amendment to Agreement for State Legislative Advocacy and Consulting Services

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-0-2369 between the Orange County Transportation Authority and Topp Strategies, LLC, to exercise the second option term of the agreement, in the amount of \$420,000, for state legislative advocacy and consulting services. This will increase the maximum obligation of the agreement to a total contract value of \$1,260,000.

23. Amendment to Agreement for Diversity Outreach Services

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-2-255 between the Orange County Transportation Authority and Modern Times, Inc., adding \$200,000 to the initial term and an additional \$350,000 to exercise the option term for continued diversity outreach services. This will increase the maximum obligation of the agreement to a total contract value of \$899,862.

Director Dumitru voted in opposition to this item.

24. Agreement for On-Call Planning Studies Public Outreach Consultant Services

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

- A. Approve the selection of Arellano Associates, LLC as the firm to provide on-call public outreach services for upcoming planning studies.



- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2076 between the Orange County Transportation Authority and Arellano Associates, LLC, in the amount of \$700,000 for a three-year initial term with one, two-year option term, to provide on-call public outreach services for upcoming planning studies.

Director Dumitru voted in opposition to this item.

25. Citizens Advisory Committee Annual Update and Member Appointments

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to receive and file the Citizens Advisory Committee status report.

26. Accessible Transit Advisory Committee Annual Update and Member Appointments

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to receive and file the Accessible Transit Advisory Committee status report.

27. Agreement for Medical Clinic Services

A motion was made by Director Sarmiento, seconded by Director Jung, and declared passed by those present to:

- A. Approve the selection of Akeso Occupational Health as the medical clinic to provide medical clinic services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-3068 between the Orange County Transportation Authority and Akeso Occupational Health, in the amount of \$673,000, for a three-year initial term with one, two-year option term to provide medical clinic services.

28. Agreement for Building Repairs at the Santa Ana Bus Base

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2093 between the Orange County Transportation Authority and Ankor Associates, Inc., the lowest responsive, responsible bidder, in the amount of \$1,560,200, for building repairs at the Santa Ana Bus Base.



29. Amendment to Agreement for Technical Consulting Services for a Next-Generation Fare Collection System and OC Streetcar Ticket Vending Machines

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Agreement No. C-0-2047 between the Orange County Transportation Authority and Jacobs Engineering Group, Inc., to exercise the second option-term, in the amount of \$374,539, to continue providing technical consulting services for the next-generation fare collection system, effective from August 1, 2024, through May 31, 2025. This will increase the maximum obligation of the agreement to a contract value of \$1,244,539.

30. Cooperative Transit Agreements for the Provision of Special Transit Services

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

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2287 between the Orange County Transportation Authority and Acacia Adult Day Services, in the amount of \$204,300, effective July 1, 2024, through June 30, 2029.
- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2288 between the Orange County Transportation Authority and Alzheimer's Family Services Center, in the amount of \$245,125, effective July 1, 2024, through June 30, 2029.
- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2290 between the Orange County Transportation Authority and SoCal Senior Services, LLC, in the amount of \$433,050, effective July 1, 2024, through June 30, 2029.
- D. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2289 between the Orange County Transportation Authority and Community SeniorServ, doing business as Meals on Wheels Orange County, in the amount of \$368,950 effective July 1, 2024, through June 30, 2029.
- E. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2291 between the Orange County Transportation Authority and the Orange County Adult Achievement Center, doing business as My Day Counts, in the amount of \$1,384,075, effective July 1, 2024, through June 30, 2029.



31. Cooperative Agreement with Regional Center of Orange County

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2328 between the Orange County Transportation Authority and the Regional Center of Orange County, in the amount of \$9,799,154 for a term of two years, effective July 1, 2024 through June 30, 2026, with two, two-year option terms, to share in the cost of providing paratransit services to persons served by the Regional Center of Orange County.

32. Award the Purchase of Battery Electric Vans

A motion was made by Director Sarmiento, seconded by Director Jung, and declared passed by those present to:

- A. Approve the selection of Model 1 Commercial Vehicles, Inc., doing business as Creative Bus Sales, Inc., as the firm to provide up to ten battery electric vans for OC ACCESS.
- B. Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C-4-2109 between the Orange County Transportation Authority and Model 1 Commercial Vehicles, Inc., doing business as Creative Bus Sales, Inc., in the amount of \$2,060,576 for the purchase of up to ten battery electric vans for OC ACCESS.

33. August 2024 Bus Service Change

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

34. Contract Change Orders for Construction of the OC Streetcar Project

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

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 89.1 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$750,000, for additional security modifications.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 91.1 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$1,000,000, for additional communications information center enclosures and component modifications.



- C. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 225 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$350,000, for train control battery backup.
- D. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 233 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$2,500,000, for data port and communication device changes related to the information technology room at the maintenance and storage facility.

Director Wagner voted in opposition to this item.

35. Resolution to Establish the Orange County Local Transportation Authority/Measure M2 Appropriations Limit for Fiscal Year 2024-25

A motion was made by Director Jung, seconded by Director Foley, and declared passed by those present to adopt Orange County Local Transportation Authority/Measure M2 Resolution No. 2024-026 to establish the Orange County Local Transportation Authority/Measure M2 appropriations limit at \$2,297,865,800, for fiscal year 2024-25.

36. Environmental Mitigation Program Endowment Fund Investment Report for March 31, 2024

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

Regular Calendar

There were no Regular Calendar matters.

Discussion Items

37. Public Comments

There were no public comments received.



38. Chief Executive Officer's Report

Mr. Johnson, CEO reported on the following:

- **American Council of Engineering Companies (ACOEC)– Orange County Award**

He announced that the 405 Improvement Project has earned another prestigious award.

Last week, the ACOEC of Orange County honored the 405 Improvement Project with its Project of the Year Award. This recognition is a testament to the dedication of the project team.

Mr. Johnson, CEO extended his gratitude to the Board for their leadership in delivering this project that continues to benefit drivers and residents along the 405 corridor.

39. Directors' Reports

There were no Directors' Reports.

40. Adjournment

The meeting adjourned at 9:47 a.m.

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

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

OCTA Headquarters
Board Room
550 South Main Street
Orange, California

ATTEST:

Gina Ramirez
Assistant Clerk of the Board