



Orange County Transportation Authority

Board Agenda

Monday, October 28, 2024 at 9:00 a.m.

550 South Main Street, Orange, California

Board Members

Tam T. Nguyen, Chair
Doug Chaffee, Vice Chair
Valerie Amezcua
Jon Dumitru
Jamey Federico
Katrina Foley
Patrick Harper
Michael Hennessey
Fred Jung
Farrah N. Khan
Stephanie Klopfenstein
Vicente Sarmiento
John Stephens
Mark Tetteimer
Donald P. Wagner
Lan Zhou, 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 Klopfenstein

Pledge of Allegiance

Director Harper

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. Encore Cowan, LLC., et al, OCSC Case No. 30-2021-01202351.
- B. Pursuant to Government Code Section 54956.9(d)(1) - Conference with General Counsel - Existing Litigation - Jane Doe v. Orange County Transportation Authority, OCS Case No. 30-2021-01218637.

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 to Lee Diep, Coach Operator; Rafael Luna, Maintenance; and Kriss Garbowski, Administration, Nos. 2024-085, 2024-086, and 2024-087 as Employees of the Month for October 2024.

BOARD MEETING AGENDA

Consent Calendar (Items 3 through 19)

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(s)

Approve the minutes of the October 14, 2024 Orange County Transportation Authority and affiliated agencies' regular meeting.

Attachments:

[Minutes](#)

4. Fiscal Year 2024-25 Internal Audit Plan, First Quarter Update

Janet Sutter

Overview

The Orange County Transportation Authority Board of Directors adopted the Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan on July 22, 2024. This report provides an update of activities for the first quarter of the fiscal year.

Recommendation(s)

Receive and file the first quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2024-25 Internal Audit Plan as an information item.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

5. Investment Manager Contracts, Internal Audit Report No. 25-504

Gabriel Tang/Janet Sutter

Overview

The Internal Audit Department of the Orange County Transportation Authority has completed an audit of investment manager contracts. Based on the audit, oversight, contract compliance, and invoice review controls are generally adequate; however, two recommendations have been made to improve compliance with contract terms related to replacing key personnel and to improve the timeliness of invoice processing.

Recommendation(s)

Direct staff to implement two recommendations provided in Investment Manager Contracts, Internal Audit Report No. 25-504.

BOARD MEETING AGENDA

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

6. Fiscal Year 2023-24 Fourth Quarter Budget Status Report

Victor Velasquez/Andrew Oftelie

Overview

Orange County Transportation Authority staff has implemented the fiscal year 2023-24 budget. This report summarizes the material variances between the budget and actual revenues and expenses through the fourth quarter of fiscal year 2023-24.

Recommendation(s)

Receive and file as an information item.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

7. Orange County Transportation Authority Investment and Debt Programs Report - August 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 August 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:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

BOARD MEETING AGENDA

8. SB 1 (Chapter 5, Statutes of 2017) State of Good Repair Claims for Fiscal Year 2024-25

Sam Kaur/Andrew Oftelie

Overview

The Orange County Transportation Authority is eligible to receive funding from the SB 1 State of Good Repair Program that is funded by the Transportation Improvement Fee on vehicle registrations. Funding recommendations for fiscal year 2024-25 were approved by the Board of Directors on August 12, 2024. Upon approval of the statewide list of fiscal year 2024-25 projects by the California Department of Transportation, the Orange County Transportation Authority must file claims on a quarterly basis to receive the funding.

Recommendation(s)

Authorize the filing of SB 1 State of Good Repair claims, in the amount of \$7.084 million, or up to the actual allocation published by the State Controller's Office, to fund capital projects approved by the Orange County Transportation Authority Board of Directors.

Attachments:

[Transmittal](#)

[Staff Report](#)

9. State Transit Assistance Fund Claims for Fiscal Year 2024-25

Sam Kaur/Andrew Oftelie

Overview

The Orange County Transit District is eligible to receive funding from the State Transit Assistance Fund for providing public transportation services throughout Orange County. To receive these funds, the Orange County Transit District, as the public transit and community transit services operator, must file claims with the Orange County Transportation Authority, the transportation planning agency for Orange County.

Recommendation(s)

Adopt Resolution No. 2024-080 to authorize the filing of State Transit Assistance Fund claims, in the amount of \$50,464,493, or up to the actual allocation published by the State Controller's Office, to support public transportation.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

BOARD MEETING AGENDA

10. Performance Evaluation of State Legislative Advocate, Topp Strategies

Kristin Jacinto

Overview

The firm Topp Strategies provides state legislative advocacy services for the Orange County Transportation Authority. A staff evaluation of the services provided during this legislative session is presented to the Board of Directors for consideration and further comment.

Recommendation(s)

Receive and file the staff evaluation of the state advocacy services of Topp Strategies as an information item and provide any additional comments.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

11. Performance Evaluation of Federal Legislative Advocate, Potomac Partners, DC

Kristin Jacinto

Overview

The firm Potomac Partners, DC provides federal legislative advocacy services for the Orange County Transportation Authority in Washington, D.C. A staff evaluation of the services provided this session is presented to the Board of Directors for consideration and further comment.

Recommendation(s)

Receive and file the staff evaluation of the federal advocacy services of Potomac Partners, DC as an information item and provide any additional comments.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

BOARD MEETING AGENDA

12. Draft 2025-26 State and Federal Legislative Platforms

Alexis Carter/Kristin Jacinto

Overview

Every two years, staff conducts a comprehensive review of the Orange County Transportation Authority's Legislative Platforms to ensure updates are provided on relevant issues that are anticipated to be of discussion for the upcoming legislative sessions. Following extensive stakeholder outreach, initial draft revisions to the Orange County Transportation Authority's 2025-26 State and Federal Legislative Platforms have been prepared for consideration by the Orange County Transportation Authority Board of Directors. Before a final draft is considered for adoption, these drafts will be revised as a result of feedback from the Orange County Transportation Authority Board of Directors and stakeholder input.

Recommendation(s)

Direct staff to move forward with the recommended revisions to the draft 2025-26 Orange County Transportation Authority State and Federal Legislative Platforms and incorporate any feedback from the Orange County Transportation Authority Board of Directors, returning to the Board of Directors for final adoption at a later date.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

13. Agreement for 2026 Long-Range Transportation Plan Public Outreach Consultant Services

Marissa Espino/Maggie McJilton

Overview

On June 20, 2024, the Orange County Transportation Authority released a request for proposals for public outreach services to support the upcoming 2026 Long-Range Transportation Plan. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for these services.

Recommendation(s)

- A. Approve the selection of Arellano Associates, LLC, as the firm to provide public outreach services for the 2026 Long-Range Transportation Plan.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2295 between the Orange County Transportation Authority and Arellano Associates, LLC, in the amount of \$350,000, for a two-year initial term with one, one-year option term, to provide public outreach services for the 2026 Long-Range

BOARD MEETING AGENDA

Transportation Plan.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

14. Excess Liability Insurance Renewal

Greg Bych/Maggie McJilton

Overview

The Orange County Transportation Authority procured excess liability insurance continuously from 1991 through 2020. Beginning in December 2020, the Orange County Transportation Authority became fully self-insured and has maintained that self-insurance since then.

Recommendation(s)

- A. Authorize the Chief Executive Officer to establish a \$10 million self-insured retention for excess liability claims.
- B. Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. A59005, in the amount not to exceed \$960,000, to Marsh Risk and Insurance Services, Inc., to purchase a \$5 million excess liability insurance policy on behalf of the Orange County Transportation Authority for the policy period of November 1, 2024 to October 31, 2025.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Presentation](#)

15. Diversity Outreach Update

Ted P. Nguyen/Maggie McJilton

Overview

The Orange County Transportation Authority continues to broaden its outreach efforts to engage Orange County's diverse populations through multilingual communications and targeted outreach. These efforts help position the agency as a trusted and responsive institution in Orange County. This report offers an annual update on the progress of outreach activities designed to serve the needs of diverse and hard-to-reach communities.

Recommendation

Receive and file as an information item.

Attachments:

BOARD MEETING AGENDA

[Transmittal](#)

[Staff Report](#)

[Presentation](#)

Orange County Transit District Consent Calendar Matters

16. Federal Transit Administration Drug and Alcohol Compliance Audit

Janet Sutter

Overview

The Federal Transit Administration has completed a Drug and Alcohol Compliance audit of the Orange County Transportation Authority and contractors Transdev, Keolis Transit America, and Cabco Yellow, Incorporated. Management has addressed all deficiencies, and the audit is now closed.

Recommendation(s)

Receive and file the Federal Transit Administration Drug and Alcohol Compliance Audit as an information item.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

17. Amendment to the Agreement for OC ACCESS Paratransit and OC Flex Microtransit Service

Melissa Mungia/Johnny Dunning, Jr.

Overview

On September 13, 2021, the Orange County Transportation Authority Board of Directors approved an agreement with First Transit, Inc., for the management, operation, and maintenance of the OC ACCESS paratransit and OC Flex microtransit service. An amendment is necessary to address service-related elements including reimbursement for no-show passengers, cancel-at-the-door trips, and non-revenue support services.

Recommendation(s)

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Agreement No. C-0-2150 between the Orange County Transportation Authority and First Transit, Inc., to allow reimbursement for no-shows, cancel-at-the-door trips, and specific non-revenue support services estimated to be \$3,864,084.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

BOARD MEETING AGENDA

Orange County Local Transportation Authority Consent Calendar Matters

18. **Interstate 5 Improvement Project: Oso Parkway to Alicia Parkway Design and Construction Management, Internal Audit Report No. 25-501**
Serena Ng/Janet Sutter

Overview

The Internal Audit Department has completed an audit of the design and construction management contracts for the Oso Parkway to Alicia Parkway segment of the Interstate 5 Improvement Project. Based on the audit, oversight controls are in place and operating effectively and contract compliance and invoice review controls are generally adequate; however, one recommendation was made to enforce the pre-approval requirement for other direct costs not included in the contract schedule.

Recommendation(s)

Direct staff to implement the recommendation provided in Interstate 5 Improvement Project: Oso Parkway to Alicia Parkway Design and Construction Management, Internal Audit Report No. 25-501.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

19. **Contract Change Order for Construction of the OC Streetcar Project**
Jeff Mills/James G. Beil

Overview

On September 24, 2018, the Orange County Transportation Authority Board of Directors authorized Agreement No. C-7-1904 with Walsh Construction Company II, LLC, for construction of the OC Streetcar project. A contract change order is required to modify pumps in the wheel truing and service and inspection pit at the maintenance and storage facility.

Recommendation(s)

Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 250 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$325,000, to modify pumps in the wheel truing and service and inspection pit at the maintenance and storage facility.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

BOARD MEETING AGENDA

Regular Calendar

Orange County Local Transportation Authority Regular Calendar Matters

20. OC Streetcar Project Quarterly Update

Jeff Mills/James G. Beil

Overview

The Orange County Transportation Authority is implementing the OC Streetcar project, and updates are provided to the Board of Directors on a quarterly basis. This report covers OC Streetcar project activities from July 2024 through September 2024.

Recommendation(s)

Receive and file as an information item.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Presentation](#)

21. Measure M2 Next 10 Delivery Plan: Market Conditions Key Indicators Analysis and Forecast

Francesca Ching/Kia Mortazavi

Overview

At the direction of the Board of Directors, the Orange County Transportation Authority monitors construction market conditions. Annually, a report on Market Conditions Key Indicators Analysis and Forecast is presented to the Board of Directors to provide insight into potential project delivery cost drivers that could affect the Measure M2 Next 10 Delivery Plan. The last effort was presented to the Board of Directors on October 9, 2023. An updated forecast has been prepared and a presentation on the results of this effort is provided.

Recommendation(s)

Continue to monitor market conditions, key indicators and provide updates to the Board of Directors as appropriate.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Presentation](#)

BOARD MEETING AGENDA

Discussion Items

22. Public Comments

23. Chief Executive Officer's Report

24. Directors' Reports

25. Adjournment

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

9:00 a.m., on TUESDAY, November 12, 2024

OCTA Headquarters

Board Room

550 South Main Street

Orange, California