

Minutes of the  
Orange County Transportation Authority  
Orange County Transit District  
Orange County Local Transportation Authority  
Orange County Service Authority for Freeway Emergencies  
Board of Directors Meeting

## Call to Order

The March 23, 2020 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Jones at 9:01 a.m. at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

## Roll Call

Directors Present: Steve Jones, Chairman

*Board of Directors that participated via teleconference are as follows:*

Andrew Do, Vice Chairman  
Lisa A. Bartlett  
Doug Chaffee  
Laurie Davies  
Barbara Delgleize  
Michael Hennessey  
Gene Hernandez  
Joseph Muller  
Mark A. Murphy  
Richard Murphy  
Miguel Pulido  
Tim Shaw  
Harry S. Sidhu  
Michelle Steel  
Donald P. Wagner  
Gregory T. Winterbottom  
Ryan Chamberlain, District Director  
California Department of Transportation District 12

Director Absent: None

Also Present: Darrell E. Johnson, Chief Executive Officer (CEO)  
Jennifer L. Bergener, Deputy CEO/Chief Operation Officer  
Laurena Weinert, Clerk of the Board  
Martha Ochoa, Assistant Clerk of the Board  
James Donich, General Counsel  
Members of the Press and the General Public

## **Invocation**

Director Sidhu gave the invocation.

## **Pledge of Allegiance**

Chairman Jones led in the Pledge of Allegiance.

Chairman Jones announced today's Board of Directors (Board) meeting protocol, the Board will participate via teleconferencing, and all votes would be taken by roll call.

## **Special Calendar**

There were no Special Calendar Matters.

## **Consent Calendar (Items 1 through 13)**

### **Orange County Transportation Authority Consent Calendar Matters**

#### **2. Approval of Minutes**

A motion was made by Director Hennessey, seconded by Director Davies, and following a roll call vote, declared passed 15-0, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of March 9, 2020.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

#### **2. Performance Audit of the Orange County Transportation Authority's Patch Management Program**

A motion was made by Director Hennessey, seconded by Director Davies, and following a roll call vote, declared passed 15-0, to direct staff to implement five recommendations provided in the performance audit of the Orange County Transportation Authority's Patch Management Program.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

**3. Low Carbon Transit Operations Program Recommendations for Fiscal Year 2019-20 Funds**

A motion was made by Director Hennessey, seconded by Director Davies, and following a roll call vote, declared passed 15-0, to:

- A. Approve Resolution No. 2020-002 authorizing the use of \$7,130,042 in fiscal year 2019-20 Low Carbon Transit Operations Program funding, and the use of \$7,111,592 in fiscal year 2018-19 funds for bus and commuter rail projects.
- B. Approve the use of \$812,976, currently programmed to Bravo! Main Street Operations for the Bravo! 529 Rapid Bus Service Start-Up and Operations Project.
- C. Approve the use of all unprogrammed Low Carbon Transit Operations Program interest from prior years through fiscal year 2019-20 for the Bravo! 529 Rapid Bus Service Start-up and Operations Project.
- D. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program, as well as execute any necessary agreements to facilitate the recommendations above.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

**Orange County Transit District Consent Calendar Matters**

**4. Agreement for Asphalt Pavement Replacement at the Fullerton Park and Ride**

A motion was made by Director Hennessey, seconded by Director Davies, and following a roll call vote, declared passed 15-0, to:

- A. Find PaveWest, Inc., the apparent low bidder, as non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise participation.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1796 between the Orange County Transportation Authority and Onyx Paving Company, Inc., the lowest responsive, responsible bidder, in the amount of \$210,000, for asphalt pavement replacement at the Fullerton Park and Ride.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

**5. Selection of Consultants for On-Call Architectural and Engineering Design and Construction Support Services for Transit Facility Projects**

A motion was made by Director Hennessey, seconded by Director Davies, and following a roll call vote, declared passed 15-0, to:

- A. Approve the selection of Stantec Architecture, Inc., Gannett Fleming, Inc., IBI Group, Dahl, Taylor and Associates, Inc., and IDS Group, Inc., as the firms to provide on-call architectural and engineering design and construction support services for transit facility projects.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1599 between the Orange County Transportation Authority and Stantec Architecture, Inc., to provide on-call architectural and engineering services for three years and one, two-year option term.
- C. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2111 between the Orange County Transportation Authority and Gannett Fleming, Inc., to provide on-call architectural and engineering services for three years and one, two-year option term.
- D. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2112 between the Orange County Transportation Authority and IBI Group, to provide on-call architectural and engineering services for three years and one, two-year option term.
- E. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2113 between the Orange County Transportation Authority and Dahl, Taylor and Associates, Inc., to provide on-call architectural and engineering services for three years and one, two-year option term.
- F. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2114 between the Orange County Transportation Authority and IDS Group, Inc., to provide on-call architectural and engineering services for three years and one, two-year option term.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

**6. Agreement for Installation of Monitoring Wells at Garden Grove Bus Base**

A motion was made by Director Hennessey, seconded by Director Davies, and following a roll call vote, declared passed 15-0, to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1595 between the Orange County Transportation Authority and Core Probe International, Inc., the lowest responsive, responsible bidder, in the amount of \$91,000, for the installation of monitoring wells at the Garden Grove Bus Base.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

**7. Agreement for Replacement of Heating, Ventilation, and Air Conditioning Units at the Garden Grove Bus Base Maintenance Building**

A motion was made by Director Hennessey, seconded by Director Davies, an following a roll call vote, declared passed 15-0, to:

- A. Find GM Climate Control, Inc., the apparent low bidder, as non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise participation.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1696 between the Orange County Transportation Authority and Golden Gate Steel, Inc., doing business as Golden Gate Construction, the lowest responsive, responsible bidder, in the amount of \$254,250, for the replacement of heating, ventilation, and air conditioning units at the Garden Grove Bus Base maintenance building.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

**8. Local Transportation Fund Claims for Fiscal Year 2020-21**

A motion was made by Director Hennessey, seconded by Director Davies, and, following a roll call vote, declared passed 15-0, to adopt Orange County Transit District Resolution No. 2020-009 authorizing the filing of Local Transportation Fund claims in the amounts of \$165,118,625 to support public transportation and \$8,753,906 for community transit services.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

**9. Bus Operations Performance Measurements Report for the Second Quarter of Fiscal Year 2019-20**

A motion was made by Director Hennessey, seconded by Director Davies, and, following a roll call vote, declared passed 15-0, to receive and file as an information item.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

**10. Amendment to Agreement for Bus Cleaning and Environmental Control Services**

A motion was made by Director Hennessey, seconded by Director Davies, and, following a roll call vote, declared passed 15-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Agreement No. C-5-3680, between the Orange County Transportation Authority and Gamboa Services, Inc., doing business as Corporate Image Maintenance, in the amount of \$359,058, to exercise the second option term of the agreement from May 1, 2020 through April 30, 2021, for continued bus cleaning and pesticide application services. This will increase the maximum obligation of the agreement to a total contract value of \$1,426,318.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

**Orange County Local Transportation Authority Consent Calendar Matters**

**11. Orange County Local Transportation Authority Measure M2 Maintenance of Effort, Agreed-Upon Procedures Report, City of Santa Ana, Year Ended June 30, 2019**

A motion was made by Director Hennessey, seconded by Director Davies, and, following a roll call vote, declared passed 15-0, to direct staff to develop recommendation(s) for Board of Directors' action related to the status of the City of Santa Ana's Measure M2 eligibility.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

**12. Orange County Local Transportation Authority Measure M2 Maintenance of Effort, Agreed-Upon Procedures Report, City of Stanton, Year Ended June 30, 2019**

A motion was made by Director Hennessey, seconded by Director Davies, and, following a roll call vote, declared passed 15-0, to direct staff to develop recommendation(s) for Board of Directors' action related to the status of the City of Stanton's Measure M2 eligibility.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

**13. Approval to Release Request for Proposals for On-Call Commercial Real Estate Brokerage Services**

A motion was made by Director Hennessey, seconded by Director Davies, and, following a roll call vote, declared passed 15-0, to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2160 for selection of consultant services for on-call commercial real estate brokerage services.
- B. Approve the release of Request for Proposals 0-2160 for on-call commercial real estate brokerage services.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

**Regular Calendar**

**Orange County Transit District Regular Calendar Matter**

**14. Approval to Release Request for Proposals for the Procurement of 40-Foot Compressed Natural Gas-Powered Buses**

Cliff Thorne, Director of Maintenance and Motorist Services, provided a PowerPoint presentation for this item as follows:

- 40-Foot Compressed Natural Gas (CNG) Bus Fleet;
- Replacement Plan;
- New Bus Specifications;
- Recommendations; and
- Next Steps.

A discussion ensued regarding the following:

- The outlined schedule is based on a typical course of business, and as appropriate, can be adjusted.
- OCTA is monitoring the current state of the economy for bus pricing.
- On May 12, 2020, the bids are due, and the pricing and proposals would also be accessed.
- There are federal funding deadlines associated with two-thirds of the bus purchases, and this item considers those deadlines.
- The California Innovative Clean Transit Rule requirements were highlighted.
- CNG buses do not qualify under the zero-emission requirements.
- Coming forward to the Board, the release request for proposals for 10 battery electric plug-in buses.

**14. (Continued)**

- Prior to 2023, both the hydrogen fuel cell electric and battery electric buses will be tested to determine OCTA's preferred zero-emission buses.
- The Federal Transit Administration's minimum rule for a 40-foot bus useful lifespan is 12 years.
- This item allows OCTA to replace buses with a current life span of 12-14 years and operate this item's CNG buses from 2021 to early 2030s.
- By 2040, every OCTA bus is required to be zero-emission.
- The buses would be replaced on a systematic timeline.

A motion was made by Director Pulido, seconded by Director Delgleize, and, following a roll call vote, declared passed 17-0, to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 9-1836 for the procurement of up to 299, 40-foot compressed natural gas-powered buses.
- B. Approve the release of Request for Proposals 9-1836 for the procurement of up to 299, 40-foot compressed natural gas-powered buses.

**Orange County Local Transportation Authority Regular Calendar Matters**

**15. OC Streetcar Project Quarterly Update**

Jim Beil, Executive Director of Capital Programs, Cleve Cleveland, Manager of OC Streetcar Operations, and Tresa Oliveri, Community Relations Officer, co-presented a PowerPoint presentation as follows:

- Background;
- OC Streetcar Features;
- Construction – Segment 1;
- Santa Ana River Bridge;
- Westminster Avenue Bridge;
- Maintenance and Storage Facility;
- Construction – Segments 2 through 5;
- Third-Party Utility Relocations;
- Vehicles;



**15. (Continued)**

- Vehicle Interior;
- Other Key Project Updates;
- OC Streetcar Outreach – Support;
- OC Streetcar Outreach – Construction; and
- OC Streetcar Awareness Campaign.

A discussion ensued regarding the following:

- Due to the coronavirus (COVID-19) pandemic, OCTA is curtailing the vendor outreach efforts.
- Pending the weather, Walsh Construction Company II, LLC (Walsh), is continuing construction.
- Director Pulido suggested going forward with downtown 4<sup>th</sup> Street “heavy” construction.
- Staff highlighted Walsh’s construction phasing, and OCTA is working with Walsh to accelerate construction as possible.
- Siemen will continue with the engineering component of the vehicles; however, their production work is shutdown.
- Director Wagner asked that the entire downtown business associations vendor outreach efforts return to the Board for discussion, and staff responded that Director Wagner’s request would come forward to the Board.
- Director Muller inquired about the status of his requests when the downtown business associations agreements were recently approved by the Board. He requested a list of downtown events planned by the City of Santa Ana (Santa Ana), and Santa Ana’s contributions to offset the downtown loss of business due to construction.
- Clarification was provided by staff as to Director Muller’s requests were addressed.
- Ms. Oliveri highlighted what the downtown business associations agreements accounting of expenditures against funding included.
- Director Pulido clarified that Santa Ana contributes \$400,000 per year, and due to the COVID-19 pandemic, some of the money is being used for steam cleaning.

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

**16. Coronavirus Update**

Darrell E. Johnson, CEO, provided an update on OCTA's efforts to proactively respond to COVID-19 pandemic.

Director Steel provided comments about OCTA needing to provide resources, and asked, for the next Board meeting, to provide additional details on how OCTA is assisting the Orange County communities.

Mr. Johnson stated that more details will be provided to the Board. He noted that under the County of Orange's (County) emergency operations plan, any resource requests are to go through the Emergency Operations Center (EOC) and OCTA serves on the EOC. He encouraged city and County representatives to coordinate requests through the EOC.

Director R. Murphy asked when will OCTA obtain the Measure M2 sales tax revenue updates. Andy Oftelie, Chief Financial Officer, explained when OCTA receives the updates, and current information is not positive.

Director Shaw expressed appreciation for the construction activities update. Additionally, he asked if OCTA's (public) committee meetings will proceed through teleconferencing and did OCTA provide the cities and County the temporary OC Bus schedules.

Mr. Johnson stated that the next public meetings are the April 6<sup>th</sup> Executive and Regional Planning and Highways Committee meetings to be held in a teleconference format. Additionally, he stated there has been communications to the local cities about the temporary OC Bus schedules, and the outreach efforts will continue.

Director Pulido concurred with Director Steel's comments to work together for providing resources. Director Pulido stated that he is working in conjunction with Director Sidhu, other large city mayors, and the Governor about the COVID-19 pandemic. He expressed having the coach operators COVID-19 tested as soon as possible, and suggested, if staff deems beneficial, the Board meet to share COVID-19 best practices.

Director Sidhu supports Director Pulido's comments, and stated that the top 13 California mayors will collectively discuss the COVID-19 pandemic and how to partner resources.

Mr. Johnson clarified that last Friday, OCTA transmitted to the city managers the temporary OC Bus schedule changes. Additionally, he reiterated that OCTA has a seat at the EOC and asked all transportation resources requests, due to COVID-19, be coordinated through the EOC. Lastly, he stated that OCTA, in consultation with Chairman Jones and General Counsel, can schedule a Special Board meeting, if needed.

**16. (Continued)**

Director Pulido commented that Santa Ana will receive \$5 million for passing an audit regarding Santa Ana's Bristol Street issues from a year ago, and thanked OCTA for the work well-done.

**17. Public Comments**

Public comments were received by email from the Clerk of the Board Department, and the Clerk of the Board read into the record the following:

1. Mitchell Atchley provided comments about supporting OCTA's coach operators especially the contracted First Transit drivers, as well as other related First Transit concerns.
2. Stephanie Johnson provided questions about the safety of the coach operators and asked the Board's consideration for some of the changes being done across the United States.

**18. Chief Executive Officer's Report**

Darrell E. Johnson, CEO, reported the following:

- Due to the COVID-19 crisis, numerous OCTA meetings and events have been either canceled or postponed.
- OCTA supports all cities and all entities as it relates to the EOC and OCTA's participation with the EOC.
- The next scheduled public meetings are the April 6<sup>th</sup> Executive and Regional Planning and Highways Committee meetings that are anticipated to be teleconferenced.

**19. Directors' Reports**

Director Bartlett referenced today's agenda Consent items and expressed concerns that several firms were found non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise (DBE) participation.

James Donich, General Counsel, referenced today's agenda Consent Items 4 and 7, explained why the firms were found non-responsive for the DBE requirements, and highlighted OCTA's DBE process.

Director Winterbottom stated that this is his first day back from being away after four months, appreciated that the CNG bus purchases are moving forward, and complimented the Maintenance Department for extending the life span of the buses.

**20. Closed Session**

There were no Closed Session items scheduled.

**21. Adjournment**

The meeting adjourned at 10:15 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, April 13, 2020**, at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

ATTEST:

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Laurena Weinert  
Clerk of the Board

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Steve Jones  
Chairman