



Call to Order

The October 14, 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
Valerie Amezcua
Jon Dumitru
Jamey Federico
Katrina Foley
Patrick Harper
Michael Hennessey
Fred Jung
Farrah N. Khan
Stephanie Klopfenstein
Vicente Sarmiento
Mark Tetteimer
Donald P. Wagner
Lan Zhou, Ex-Officio, Caltrans, District 12

Directors Absent: John Stephens

Staff Present: Darrell E. Johnson, Chief Executive Officer
Jennifer L. Bergener, Deputy Chief Executive Officer
Gina Ramirez, Assistant Clerk of the Board
Sahara Meisenheimer, Clerk of the Board Specialist
Andrea West, Clerk of the Board

Consent Calendar (Items 1 through 20)

1. Approval of Minutes

A motion was made by Director Sarmiento, seconded by Director Foley, and declared passed by those present to approve the minutes of the September 23, 2024, Orange County Transportation Authority and affiliated agencies' regular meeting.

Director Khan was not present to vote on this item.



2. Investments: Compliance, Controls, and Reporting, January 1 through June 30, 2024, Internal Audit Report No. 25-502

A motion was made by Director Sarmiento, seconded by Director Foley, and declared passed by those present to direct staff to implement two recommendations provided in Investments: Compliance, Controls, and Reporting, January 1 through June 30, 2024, Internal Audit Report No. 25-502.

Director Khan was not present to vote on this item.

3. Agreement No. C-4-1816 with Woodruff & Smart for Legal Services, Internal Audit Report No. 25-503

A motion was made by Director Sarmiento, seconded by Director Foley, and declared passed by those present to direct staff to implement one recommendation provided in Agreement No. C-4-1816 with Woodruff & Smart for Legal Services, Internal Audit Report No. 25-503.

Director Khan was not present to vote on this item.

4. Agreement for Security System Service and Maintenance

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

- A. Approve the selection of Convergent Technologies LLC as the firm to provide service and maintenance of the Orange County Transportation Authority's security system.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2293 between the Orange County Transportation Authority and Convergent Technologies LLC, in the amount of \$480,454, for a three-year initial term with two, one-year option terms, to provide service and maintenance of the Orange County Transportation Authority's security system.

Director Khan was not present to vote on this item.

5. OC Streetcar Passenger Safety and Security

This item was pulled for public comment from Roland Andrade, Commander at the Santa Ana Police Department.

Director Amezcua also pulled this item to explain the City of Santa Ana's protocols.



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

- A. Direct staff to return with a request for proposals to implement security trained ambassadors for the OC Streetcar.
- B. Direct staff to return with an amendment to the contract with the Orange County Sherriff's Department to provide Transit Police Services on the OC Streetcar system.

Director Dumitru voted in opposition.

6. Fiscal Year 2023-24 Fourth Quarter Grant Reimbursement Status Report

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

Director Khan was not present to vote on this item.

7. Orange County Transportation Authority Investment and Debt Programs Report July 2024

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

Director Khan was not present to vote on this item.

8. Santa Ana River Crossings and 19th Street Reclassification Review and Status Update

Director Foley pulled this item and requested an overview of the item.

Kia Mortazavi, Executive Director of Planning, provided an update.

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

9. Federal Transit Administration Program of Projects for Federal Fiscal Year 2023-24

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

- A. Approve the federal fiscal year 2023-24 Federal Transit Administration Section 5307 Urbanized Area Formula, Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities Program of Projects, including federal and local funds, and the use of match credit for projects included in this report.



- B. Approve changes to funding for Preventive Maintenance and Capital Cost of Contracting in prior federal fiscal years for Federal Transit Administration, Section 5307 Urbanized Area Formula Program of Projects, including federal and local funds, and the use of match credit for projects to comply with guidelines for use of the funding.
- C. Approve the five-year programming plan for Federal Transit Administration Section 5307 Urbanized Area Formula, Federal Transit Administration Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities, Federal Transit Administration Section 5337 State of Good Repair, and Federal Transit Administration Section 5339 Bus and Bus Facilities.
- D. Authorize staff to adjust individual project funding consistent with final apportionments and eligibility determinations through the Infrastructure Investment and Jobs Act, and direct staff to include updated numbers in grant and programming status reports.
- E. Authorize the Chief Executive Officer, or his designee, to submit the Federal Transit Administration grant applications that are required for the recommendations above to the Federal Transit Administration.
- F. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.

Director Khan was not present to vote on this item.

10. Annual New York Credit Update - July 2024

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

Director Khan was not present to vote on this item.

11. 91 Express Lanes Update for the Period Ending - June 30, 2024

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

Director Khan was not present to vote on this item.



12. Amendments to the Cooperative User Fee Processing Agreement for Interoperable Toll Processing and Revenue Collection

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

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-6-1532 between the Orange County Transportation Authority and Bay Area Toll Authority to incorporate the 405 Express Lanes into the cooperative agreement.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Cooperative Agreement No. C-4-1113 between the Orange County Transportation Authority and San Diego Association of Governments to incorporate the 405 Express Lanes into the cooperative agreement.

Director Khan was not present to vote on this item.

13. Amendment to Agreement for Bus Stop Maintenance

A motion was made by Director Sarmiento, seconded by Director Foley, and declared passed by those present to authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement No. C-1-3408 between the Orange County Transportation Authority and ShelterClean Services, Inc., in the amount of \$1,306,231, to exercise the first two-year option term of the agreement effective December 1, 2024 through November 30, 2026 for continued bus stop maintenance. This will increase the maximum obligation of the agreement to a total contract value of \$3,200,331.

Director Khan was not present to vote on this item.

14. Amendment to Cooperative Agreement with the California Department of Transportation for the Interstate 5 Improvement Project Between Alicia Parkway and El Toro Road

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

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Cooperative Agreement No. C-9-1600 between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$18,980,000, for additional construction capital for the Interstate 5 Improvement Project between Alicia Parkway and El Toro Road. This will increase the maximum cumulative obligation of the cooperative agreement to a total contract value of \$181,065,000.



- B. Authorize the use of up to \$18,980,000 in Measure M2 funds for the construction phase of the Interstate 5 Improvement Project between Alicia Parkway and El Toro Road.
- C. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.

Director Khan was not present to vote on this item.

15. Amendment to Cooperative Agreement with the California Department of Transportation for the Interstate 605/Katella Avenue Interchange Project

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

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-3-2384 between the Orange County Transportation Authority and the California Department of Transportation, in an amount of \$3,340,000, for additional construction capital and construction management support, for the Interstate 605/Katella Avenue Interchange Project. This will increase the maximum cumulative obligation of the cooperative agreement to a total contract value of \$30,460,000.
- B. Authorize the use of an additional \$3,340,000 in Measure M2 funds for additional construction capital and construction management support for the Interstate 605/Katella Avenue Interchange Project.
- C. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.

Director Khan was not present to vote on this item.

16. 2024 Measure M2 Sales Tax Forecast

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

Director Khan was not present to vote on this item.



17. Environmental Mitigation Program Endowment Fund Investment Report for June 30, 2024

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

Director Khan was not present to vote on this item.

18. Potential Refunding of the Measure M2 Sales Tax Revenue Bonds, Series 2010A (Taxable Build America Bonds)

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

- A. Direct staff to pursue the issuance and sale of bonds to refund the Measure M2 Sales Tax Revenue Bonds, Series 2010A (Taxable Build America Bonds).
- B. Authorize an exception to the three percent savings requirement, in accordance with the debt policy, and direct staff to proceed with the refunding if the savings are at least net neutral or greater.
- C. Direct staff to return to the Board of Directors for approval of the draft financing documents required to issue and close the transaction.

Director Khan was not present to vote on this item.

19. Approval to Release Request for Proposals for Public Outreach Services for the Interstate 5 Improvement Project from Interstate 405 to State Route 55

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

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 4-2488 to select a firm to provide public outreach consultant services for the Interstate 5 Improvement Project from Interstate 405 to State Route 55.
- B. Approve the release of Request for Proposals 4-2488 for public outreach consultant services for the Interstate 5 Improvement Project from Interstate 405 to State Route 55.

Director Khan was not present to vote on this item.



20. Comprehensive Transportation Funding Programs - Project X Tier 1 and Tier 2 2024 Calls for Projects Programming Recommendations

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

- A. Approve the award of \$3,712,423 in Tier 1 Environmental Cleanup Program funding for 11 projects.
- B. Approve the award of \$6,967,250 in Tier 2 Environmental Cleanup Program funding for four projects.

Director Khan was not present to vote on this item.

Regular Calendar

21. 405 Express Lanes Expenditure Plan Requirement

Darrell E. Johnson, Chief Executive Officer (CEO), provided opening comments and introduced Kirk Avila, General Manager, Express Lanes, who presented this item.

A motion was made by Director Amezcua, seconded by Director Harper, and declared passed by those present to direct staff to develop principles to guide the establishment of a 405 Express Lanes Excess Toll Revenue Policy and Expenditure Plan and return to the Board of Directors for consideration and approval.

Director Jung was not present to vote on this item.

22. Measure M2 Ten-Year Review Framework

Mr. Johnson, CEO, provided opening comments and introduced Francesca Ching, Section Manager III, who provided a presentation on this item.

A motion was made by Director Sarmiento, seconded by Director Tettemer, and declared passed by those present to direct staff to proceed with the Measure M2 ten-year review framework as presented.

Vice Chair Chaffee and Director Jung were not present to vote on this item.



Discussion Items

23. Public Comments

Written public comments were received via email from Kim Godin, Thomas Moore, Amy Culligan, Lauren Yerkes, and Karen Nolta. The comments were emailed to the Board of Directors on October 13th at 6:59 p.m. and will be retained as part of the record for the meeting.

In-person comments were received from Karen Nolta, Ben Wong, and Suzie Whitelaw.

24. Chief Executive Officer's Report

Mr. Johnson, CEO, announced that the Orange County Transportation Authority's, 405 Improvement Project won the Best Highway/Bridge category in the Engineering News Record's California 2024 Regional Best Projects competition.

25. Directors' Reports

Director Foley stated that most of today's public comments are related to the Montecito/Seal Beach issue, and hopefully, the trash will get cleaned up. She also noted that trash on the shoulder of the Interstate 55 freeway in Costa Mesa needs to be cleaned up.

Regarding the Sand Replenishment project, she reported that the California State Lands Commission and Orange County Parks team are ready to help get the necessary permits for inland types of sand since the Army Corps is a three-year process.

26. Adjournment

The meeting adjourned at 10:16 a.m.

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

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

OCTA Headquarters

Board Room

550 South Main Street

Orange, California

ATTEST:

Gina Ramirez
Assistant Clerk of the Board