



# Orange County Transportation Authority

## Board Agenda

Monday, June 26, 2023 at 9:00 a.m.

550 South Main Street, Orange, California

### **Board Members**

Gene Hernandez, Chairman

Tam Nguyen, Vice Chairman

Doug Chaffee

Jose Diaz

Andrew Do

Jon Dumitru

Jamey Federico

Katrina Foley

Brian Goodell

Patrick Harper

Michael Hennessey

Steve Jones

Fred Jung

Farrah N. Khan

Jessie Lopez

Vicente Sarmiento

Donald P. Wagner

Ryan Chamberlain, 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](http://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

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## **In-Person Comment**

Members of the public may attend in-person and address the Board regarding any item. Please complete a speaker's card and submit it to the Clerk of the Board (or notify the Clerk of the Board the item number on which you wish to speak). Speakers will be recognized by the Chairman at the time the agenda item is to be considered. Comments shall be limited to three minutes.

## **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 Do

### **Pledge of Allegiance**

Director Federico

### **Closed Session**

There are no Closed Sessions scheduled.

### **Special Calendar**

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

##### **1. Presentation of Resolutions of Appreciation for Employees of the Month**

###### ***Overview***

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2023-034, 2023-035, and 2023-036 to Jovetta Randall, Coach Operator; Leo Diza, Maintenance; Jason Ko, Administration, as Employees of the Month for June 2023.

#### **Orange County Local Transportation Authority Special Calendar Matters**

##### **2. Update on Emergency Railroad Track Protection from a Landslide in the Vicinity of Mile Post 204.6 on the Orange Subdivision**

Jason Lee/James G. Beil

###### ***Overview***

A hillside owned by the City of San Clemente at the Casa Romantica Cultural Center and Gardens adjacent to the Orange County Transportation Authority-owned railroad right-of-way, in the vicinity of Mile Post 204.6 on the Orange Subdivision, has failed and continues to incrementally move. Landslide debris continues to crumble down the slope and foul the tracks, necessitating suspension of all rail services. Measures must be taken to protect the rail line from landslide debris so that passenger and freight rail services can be safely restored as quickly as possible.

## BOARD MEETING AGENDA

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### ***Recommendation***

Reaffirm Resolution No. 2023-033 authorizing the Chief Executive Officer to take all necessary actions to address the emergency need for railroad track protection in the vicinity of Mile Post 204.6 on the Orange Subdivision.

### ***Attachments:***

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Attachment E](#)

### **3. Measure M2 Taxpayer Oversight Committee New Member Recruitment and Lottery**

Alice T. Rogan/Maggie McJilton

### ***Overview***

The Renewed Measure M2 Ordinance No. 3 calls for a committee to oversee implementation of the program of transportation improvements. Each year, new committee members are recruited and selected to fill vacancies left by expired terms. The recruitment process for the Measure M2 Taxpayer Oversight Committee has been completed for 2023, and a lottery must take place in public session to fill vacancies in the Second and Third Supervisorial Districts.

### ***Recommendation***

Pursuant to the Renewed Measure M2 Ordinance No. 3, conduct the lottery for final selection of new Measure M2 Taxpayer Oversight Committee members by drawing one name each representing the Second and Third Supervisorial Districts from the list of recommended finalists from the Grand Jurors Association of Orange County.

### ***Attachments:***

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

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## Consent Calendar (Items 4 through 18)

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

#### 4. Approval of Minutes

***Recommendation***

Approve the minutes of the June 12, 2023, Orange County Transportation Authority and affiliated agencies' regular meeting.

***Attachments:***

[Minutes](#)

#### 5. Purchase Order for 91 Express Lanes Back-Office System Source Code Verification

Kirk Avila

***Overview***

In March 2022, Cofiroute USA, LLC deployed a new back-office system on the 91 Express Lanes. As part of the contractual requirements, an agreement with an escrow agent is required to hold the back-office system source code. To protect the investments the Orange County Transportation Authority and the Riverside County Transportation Commission have made to the back-office system, source code verification is being requested for the items held in escrow and for future major functionality releases deposited in escrow. A source code verification provides assurance that the material deposited in escrow is correct and complete by ensuring that the deposit can be rebuilt into a working application. Board of Directors' approval is requested for NCC Group Escrow Associates, LLC, to provide source code verifications for the 91 Express Lanes back-office system.

***Recommendation***

Authorize the Chief Executive Officer to negotiate and execute sole source Purchase Order No. C32478 between the Orange County Transportation Authority and NCC Group Escrow Associates, LLC, in the amount of \$102,500, for verifications of the 91 Express Lanes back-office system source code for a three-year and seven-month term.

***Attachments:***

[Transmittal](#)

[Staff Report](#)

## BOARD MEETING AGENDA

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### 6. **91 Express Lanes Update for the Period Ending - March 31, 2023**

Kirk Avila

#### **Overview**

The Orange County Transportation Authority has owned and managed the operations of the 91 Express Lanes since January 2003. Since that time, traffic volumes and toll revenues have fluctuated with the changes in the economy and the added capacity to the State Route 91 corridor. Over the last quarter, there were approximately 4.7 million trips taken on the 91 Express Lanes in Orange County. This report focuses on the operational and financial activities for the period ending March 31, 2023.

#### **Recommendation**

Receive and file as an information item.

#### **Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

### 7. **Cooperative Agreement with the City of Laguna Beach for Federal Transit Administration, State Transit Administration, SB 1 (Chapter 5, Statutes of 2017) State of Good Repair, and Cap and Trade Funds for Public Transit Services**

Sam Kaur/Andrew Oftelie

#### **Overview**

The City of Laguna Beach and its municipally owned Laguna Beach Municipal Transit Lines are eligible to receive funding from the Federal Transit Administration Section 5307 Urbanized Area Formula Program Funds, Federal Transit Administration Section 5339 Bus and Bus Facilities Program funds, State Transit Assistance funds, State of Good Repair funds provided through SB 1 and Cap and Trade funds. Board of Directors' approval is requested to execute a new cooperative agreement to provide the City of Laguna Beach with additional Federal Transit Administration, State Transit Assistance, SB 1 State of Good Repair and Cap and Trade funds for the next five fiscal years beginning fiscal year 2023-24 through fiscal year 2027-28.

#### **Recommendation**

Authorize the Orange County Transportation Authority Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-3-2477 between the Orange County Transportation Authority and the City of Laguna Beach, for a maximum cumulative amount not to exceed \$1,743,712 for Federal Transit Administration funding, \$2,225,913 for State Transit Assistance funding, including SB 1 augmentation, \$299,011 for State of Good Repair funds provided through SB 1, and \$174,524 for Cap and Trade funds, totaling \$4,443,160 for the next five fiscal years commencing fiscal year 2023-24 through fiscal year 2027-28, for providing public transit services and operating assistance.

## BOARD MEETING AGENDA

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***Attachments:***

[Transmittal](#)

[Staff Report](#)

**8. Orange County Transportation Authority Investment and Debt Programs Report - April 2023**

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 April 30, 2023.

***Recommendation***

Receive and file as an information item.

***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

**9. State Legislative Status Report**

Kristin Jacinto/Lance M. Larson

***Overview***

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. This report includes two recommended oppose positions on legislation relating to greenhouse gas emission reduction targets and state transportation planning and funding priorities. These positions are consistent with the Orange County Transportation Authority's Board of Directors'-approved State Legislative Platform for 2023-24. An update is provided on the Governor's proposals to streamline infrastructure delivery and efforts to inform funding for transit operations and a summary related to the California Air Resources Board's In-Use Locomotive Regulation are provided.

***Recommendations***

- A. Adopt an OPPOSE position on AB 6 (Friedman, D-Glendale), which would create new requirements for meeting regional greenhouse gas emission targets for the transportation sector.
- B. Adopt an OPPOSE position on AB 7 (Friedman, D-Glendale), which would revise statewide transportation planning requirements and add new priorities for state transportation funding, planning and project implementation.

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***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Attachment E](#)

[Attachment F](#)

**10. Federal Legislative Status Report**

Alexis Leicht/Lance M. Larson

***Overview***

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy and regulatory issues directly impacting the agency's programs, projects, and operations. An overview of the negotiated federal debt ceiling deal and a summary of projects the Orange County delegation members have submitted for community project funding and congressionally directed spending on behalf of the Orange County Transportation Authority are provided herein.

***Recommendation***

Receive and file as an information item.

***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

**11. Citizens Advisory Committee Annual Update and Member Appointments**

Christina Byrne/Maggie McJilton

***Overview***

The Orange County Transportation Authority's Citizens Advisory Committee was formed to provide feedback on significant transportation issues, help identify opportunities for community input, and serve as a public liaison for the Orange County Transportation Authority. A summary of the committee's activities during the past year and the new member appointment status is provided with this report.

***Recommendation***

Receive and file the Citizens Advisory Committee status report.

***Attachments:***

## BOARD MEETING AGENDA

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[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

**12. Accessible Transit Advisory Committee Annual Update and Member Appointments**

Christina Byrne/Maggie McJilton

**Overview**

The Accessible Transit Advisory Committee was formed to advise the Orange County Transportation Authority on the transportation needs of seniors and persons with disabilities. The member appointment status and a summary of the committee's activities during the past year are provided with this report.

**Recommendation**

Receive and file the Accessible Transit Advisory Committee status report.

**Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

**13. Active Transportation Program Biannual Update**

Peter Sotherland/Kia Mortazavi

**Overview**

The Orange County Transportation Authority coordinates regional active transportation efforts with local jurisdictions, key stakeholders, and the public. An update on recent and upcoming activities is provided for review.

**Recommendation**

Receive and file as an information item.

**Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Presentation](#)



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## Orange County Transit District Consent Calendar Matters

### 14. Lost and Found Operations, Internal Audit Report No. 23-513

Jonathan Thompson/Janet Sutter

#### **Overview**

The Internal Audit Department of the Orange County Transportation Authority has completed an audit of lost and found operations. Based on the audit, controls are generally adequate and operating; however, one recommendation has been made to improve controls over handling and recording of cash and check deposits.

#### **Recommendation**

Direct staff to implement one recommendation provided in Lost and Found Operations, Internal Audit Report No. 23-513.

#### **Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

### 15. Approval to Release Request for Proposals for the Purchase of Replacement OC ACCESS and OC Flex Vehicles

Cliff Thorne/Johnny Dunning, Jr.

#### **Overview**

The Orange County Transportation Authority operates a fleet of 247, 22-foot cutaway buses and one, 20-foot van to provide OC ACCESS paratransit service, of which 121 of them are nearing the end of their useful life. Additionally, six, 20-foot vans are used for OC Flex on-demand service, four of which have met their useful life. Two requests for proposals have been developed to purchase replacement vehicles through the California Association for Coordinated Transportation/Morongo Basin Transit Authority Purchasing Cooperative. Staff is seeking Board of Directors' approval to release the requests for proposals.

#### **Recommendations**

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 3-2511 for the procurement of up to 13, 22-foot gasoline-powered cutaway buses for OC ACCESS service, with an option for ten additional 22-foot gasoline-powered cutaway buses.
- B. Approve the release of Request for Proposals 3-2511 for the procurement of up to 13, 22-foot gasoline-powered cutaway buses for OC ACCESS service, with an option for ten additional 22-foot gasoline-powered cutaway buses from qualified vendors under the California Association for Coordinated Transportation/Morongo Basin Transit Authority Purchasing Cooperative.

## BOARD MEETING AGENDA

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- C. Approve the proposed evaluation criteria and weightings for Request for Proposals 3-2510 for the procurement of up to 112, 22-foot gasoline-powered vans for OC ACCESS and OC Flex services, with an option for 15 additional 22-foot gasoline-powered vans.
- D. Approve the release of Request for Proposals 3-2510 for the procurement of up to 112, 22-foot gasoline-powered vans for OC ACCESS and OC Flex services, with an option for 15 additional 22-foot gasoline-powered vans from qualified vendors under the California Association for Coordinated Transportation/Morongo Basin Transit Authority Purchasing Cooperative.

***Attachments:***

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

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

**16. Environmental Mitigation Program Endowment Fund Investment Report for March 31, 2023**

Robert Davis/Andrew Oftelie

***Overview***

The Orange County Transportation Authority has developed a Natural Community Conservation Plan/Habitat Conservation Plan, acquired conservation properties, and funded habitat restoration projects to mitigate the impacts of Measure M2 freeway programs. The California Community Foundation manages the non-wasting endowment required to fund the long-term management of the conservation properties. Each quarter, the California Community Foundation publishes a comprehensive report detailing the composition of the pool and its performance.

***Recommendation***

Receive and file as an information item.

***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

## BOARD MEETING AGENDA

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**17. Agreement for Public Outreach Consultant Services for the Interstate 605/Katella Avenue Interchange Project**

Christina Byrne/Maggie McJilton

**Overview**

On December 22, 2022, the Orange County Transportation Authority released a request for proposals for public outreach consulting services during the pre-construction and construction phases of the Interstate 605/Katella Avenue Interchange Project. Board of Directors' approval is requested to execute an agreement for these services.

**Recommendations**

- A. Approve the selection of Costin Public Outreach Group, Inc., as the firm to provide public outreach consultant services for the Interstate 605/Katella Avenue Interchange Project.
  
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-2-3025 between the Orange County Transportation Authority and Costin Public Outreach Group, Inc., in the amount of \$399,887, for a three-year initial term with a two-year option term, to provide public outreach consultant services for the Interstate 605/Katella Avenue Interchange Project.

**Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

**18. Regional Traffic Signal Synchronization Program Update**

Alicia Yang/Kia Mortazavi

**Overview**

The Orange County Transportation Authority has been working with cities, the County of Orange, and the California Department of Transportation to fund and implement key regional traffic signal synchronization projects. This annual report provides an update on the Measure M2 Regional Traffic Signal Synchronization Program, including results from recently completed projects.

**Recommendation**

Receive and file as an information item.

**Attachments:**

# BOARD MEETING AGENDA

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[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

## Regular Calendar

There are no Regular Calendar matters.

## Discussion Items

### 19. Infrastructure Investment and Jobs Act

Adriann Cardoso/Kia Mortazavi

#### **Overview**

The Infrastructure Investment and Jobs Act went into effect in 2021, reauthorizing federal transportation programs and increasing authorized funding levels through 2026. Staff has prepared an overview of the new funding provided for formula programs and the relevant federal transportation discretionary grant programs, the basic criteria, and what the Orange County Transportation Authority is pursuing or has pursued.

#### **Recommendation**

Receive and file as an information item.

#### **Attachments:**

[Transmittal](#)

[Staff Report](#)

[Presentation](#)

### 20. Public Comments

### 21. Chief Executive Officer's Report

### 22. Directors' Reports

### 23. Adjournment

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

**9:00 a.m., on Monday, July 10, 2023**

OCTA Headquarters

Board Room

550 South Main Street

Orange, California