



Call to Order

The May 22, 2023, regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Hernandez at 9:00 a.m. at the OCTA Headquarters, 550 South Main Street, Orange, California.

Directors Present: Gene Hernandez, Chairman
Tam Nguyen, Vice Chairman
Doug Chaffee
Andrew Do
Jon Dumitru
Katrina Foley
Brian Goodell
Patrick Harper
Michael Hennessey
Farrah N. Khan
Jessie Lopez
Vicente Sarmiento
Donald. P. Wagner
Ryan Chamberlain, Ex-Officio

Via Teleconference: Fred Jung

Directors Absent: Jose Diaz
Jamey Federico
Steve Jones

Staff Present: Jennifer L. Bergener, Deputy Chief Executive Officer
Gina Ramirez, Clerk of the Board Specialist, Principal
Allison Cheshire, Clerk of the Board Specialist, Senior
Andrea West, Interim Clerk of the Board
James Donich, General Counsel

Special Calendar

1. Closed Session

A Closed Session was held pursuant to Government Code Section 54956.9(d)(2) - Conference with General Counsel - Potential Litigation - One Matter.

There was no report out on this item.

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

Resolutions of Appreciation were presented to Kari Jackson, Coach Operator; Andy Xiong, Maintenance; and Rachel Mak, Administration, as Employees of the Month for May 2023.



Consent Calendar (Items 3 through 9)

3. Approval of Minutes

A motion was made by Director Hennessey, seconded by Director Do, and following a roll call vote, declared passed 14-0, to approve the minutes of the May 8, 2023, Orange County Transportation Authority and affiliated agencies' regular meeting.

4. Annual Update to Investment Policy

A motion was made by Director Hennessey, seconded by Director Do, and following a roll call vote, declared passed 14-0, to:

- A. Adopt the Proposed Fiscal Year 2023-24 Investment Policy July 1, 2023.
- B. Authorize the Treasurer, to invest, reinvest, purchase, exchange, sell, and manage Orange County Transportation Authority funds during fiscal year 2023-24.

5. Agreement for Information Technology Contract Technical Staffing

A motion was made by Director Hennessey, seconded by Director Do, and following a roll call vote, declared passed 14-0, to:

- A. Approve the selection of Intratek Computer, Inc., as the firm to provide contract staffing services for Information Technology technical positions.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-2- 2746 between the Orange County Transportation Authority and Intratek Computer, Inc., in the amount of \$23,621,941, for a five-year term effective July 1, 2023 through June 30, 2028, to provide contract technical staffing services for Information Technology technical positions.

6. Amendment to Cooperative Agreements with Non-Profit Agencies to Provide Senior Mobility Program Services

A motion was made by Director Hennessey, seconded by Director Do, and following a roll call vote, declared passed 14-0, to:

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-1-3259 between the Orange County Transportation Authority and Abrazar, Inc., in the amount of \$90,497, to provide funding through June 30, 2024.



- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-1-3260 between the Orange County Transportation Authority and Korean American Senior Association of Orange County, in the amount of \$111,260, to provide funding through June 30, 2024.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-1-3261 between the Orange County Transportation Authority and Southland Integrated Services, Inc., in the amount of \$97,828, to provide funding through June 30, 2024.

7. Amendments to Cooperative Agreements with Special Agencies for the Provision of Transportation Services

A motion was made by Director Hennessey, seconded by Director Do, and following a roll call vote, declared passed 14-0, to:

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Cooperative Agreement No. C-8-1917 between the Orange County Transportation Authority and North County Senior Services, LLC, doing business as Acacia Adult Day Services, for continued services in the amount of \$667,586, and to adjust the per trip rate to \$17.51, effective July 1, 2023 through June 30, 2024. This will increase the maximum obligation of the agreement to a total contract value of \$1,970,207.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Cooperative Agreement No. C-8-1918 between the Orange County Transportation Authority and Alzheimer's Family Center for continued services in the amount of \$475,467 and to adjust the per trip rate to \$17.51, effective July 1, 2023 through June 30, 2024. This will increase the maximum obligation of the agreement to a total contract value of \$1,819,066.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Cooperative Agreement No. C-8-1919 between the Orange County Transportation Authority and Alzheimer's Orange County for continued services in the amount of \$364,751, and to adjust the per trip rate to \$17.51, effective July 1, 2023 through June 30, 2024. This will increase the maximum obligation of the agreement to a total contract value of \$960,877.



- D. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Cooperative Agreement No. C-8-1920 between the Orange County Transportation Authority and Community SeniorServ, doing business as Meals on Wheels Orange County, for continued services in the amount of \$788,983 and to adjust the per trip rate to \$17.51, effective July 1, 2023 through June 30, 2024. This will increase the maximum obligation of the agreement to a total contract value of \$2,151,776.
- E. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Cooperative Agreement No. C-8-1921 between the Orange County Transportation Authority and Orange County Adult Achievement Center, doing business as My Day Counts, for continued services in the amount of \$2,080,669, and to adjust the per trip rate to \$18.08 and the Regional Center of Orange County pass-through per trip rate to \$6.44 effective July 1, 2023 through June 30, 2024. This will increase the maximum obligation of the agreement to a total contract value of \$5,452,289.

8. Amendment to Agreement for Enterprise Asset Management System

A motion was made by Director Hennessey, seconded by Director Do, and following a roll call vote, declared passed 14-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Agreement No. C-0-2272 between Orange County Transportation Authority and 21Tech LLC, in the amount of \$738,920, to cover additional implementation costs. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$5,965,037.

9. Agreement for Security Gates Installation at the Anaheim, Garden Grove, and Santa Ana Bus Bases

A motion was made by Director Hennessey, seconded by Director Do, and following a roll call vote, declared passed 14-0, to:

- A. Find M.S. Construction Management Group, the apparent low bidder, as non-responsive for failure to complete the appropriate bid security form and submit a bid bond acknowledging terms and obligations in accordance with the bid instructions.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3- 2279 between the Orange County Transportation Authority and Armstrong Cal Builders Inc., the lowest responsive, responsible bidder, in the amount of \$3,798,000 for the installation of security gates at the Anaheim, Garden Grove, and Santa Ana bus bases.



Regular Calendar

10. Coordination of Transit Projects with the City of Irvine

Kurt Brotcke, Director, Planning, provided a presentation on this item.

A discussion ensued among the Members and staff regarding the following:

- Expansion of bike facilities at Irvine train station
- Repair to parking structure building
- Community outreach for the Orange County Maintenance Facility

A motion was made by Committee Vice Chairman Nguyen, seconded by Director Do, and following a roll call vote, declared passed 14-0, to direct staff to continue to coordinate with the City of Irvine on transit improvement projects, including the Orange County Maintenance Facility, and return to the Board of Directors for project approvals as necessary.

11. Measure M2 Eligibility for the City of Cypress

Kia Mortazavi, Executive Director, Planning, provided a presentation on this item.

A motion was made by Director Hennessey, seconded by Director Do, and following a roll call vote, declared passed 14-0, to:

- A. Find the City of Cypress an ineligible jurisdiction to receive or apply for net Measure M2 revenues.
- B. Suspend payments of net Measure M2 revenues to the City of Cypress until the City of Cypress can demonstrate compliance with Measure M2 eligibility requirements and the Board of Directors acts to find the City of Cypress an eligible jurisdiction.
- C. Require the City of Cypress to demonstrate supplemental investment of discretionary transportation funds equal to the amount of discretionary investment that was short of the maintenance of effort benchmark in the fiscal year 2021-22 (approximately \$1.38 million) as a condition of accessing suspended funds upon being found an eligible jurisdiction.
- D. Authorize the Chief Executive Officer to execute Amendment No. 5 to Contract No. C-8-1911 with Crowe, LLP to revise the scope of work, add an additional task to apply agreed-upon procedures to assess compliance with maintenance of effort expenditure requirements, extend the agreement through December 31, 2025, and authorize staff to deduct audit costs from any future net Measure M2 payments to the City of Cypress.



- E. Authorize the Chief Executive Officer to negotiate and execute a settlement agreement with the City of Cypress to correct and remedy the fiscal year 2021-22 audit issues and confirm required actions to become an eligible jurisdiction

Discussion Items

12. Update on the Interstate 5 Improvement Project Between State Route 73 and El Toro Road

Niall Barrett, Program Manager, Highways, and Fernando Chavarria, Manager, Community Outreach, provided a presentation on this item.

No action was taken on this item.

13. Public Comments

Public comment was received from Paul Hyek.

14. Chief Executive Officer's Report

Jennifer L. Bergener, Deputy Chief Executive Officer, provided an update on the following:

- Labor negotiations between Teamster Local 952 and Transdev
- OCTA Bike Rally on May 18

15. Directors' Reports

There were no Director's reports.

16. Adjournment

The meeting was adjourned at 9:55 a.m.

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

9:00 a.m., on Monday, June 12, 2023

OCTA Headquarters
550 South Main Street
Orange, California