



BOARD AGENDA

Orange County Transportation Authority Board Meeting
Orange County Transportation Authority Headquarters
Board Room - Conference Room 07-08
550 South Main Street
Orange, California
Friday, May 24, 2019 at 9:00 a.m.

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Agenda Descriptions

The 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 Board of Directors 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 Comments on Agenda Items

Members of the public may address the Board of Directors 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. A speaker's comments shall be limited to three (3) minutes.

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.

Call to Order

Invocation

Director Bartlett

Pledge of Allegiance

Director Mark Murphy



BOARD AGENDA

Special Calendar

Orange County Transportation Authority Special Calendar Matters

1. Presentation of Resolution of Appreciation for Employee of the Month for April 2019

Present Orange County Transportation Authority Resolution of Appreciation No. 2019-031 to Leonires Arteaga, Maintenance, as Employee of the Month for April 2019.

2. Presentation of Resolutions of Appreciation for Employees of the Month for May 2019

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2019-036, 2019-037, and 2019-038 to Steve Swanson, Coach Operator; Anders Holst, Maintenance; and Johnny Dunning, Jr., Administration, as Employees of the Month for May 2019.

Consent Calendar (Items 3 through 20)

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

Approval of the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of May 13, 2019.

4. Fiscal Year 2018-19 Internal Audit Plan, Third Quarter Update
Janet Sutter

Overview

The Orange County Transportation Authority Board of Directors adopted the Orange County Transportation Authority Internal Audit Department Fiscal Year 2018-19 Internal Audit Plan on August 27, 2018. This update is for the third quarter of the fiscal year.



BOARD AGENDA**4. (Continued)****Recommendation**

Receive and file the third quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2018-19 Internal Audit Plan as an information item.

5. Triennial Performance Audits

Ricco Bonelli/Janet Sutter

Overview

Triennial performance audits have been conducted of the Orange County Transportation Authority, the Orange County Transit District, and the Laguna Beach Municipal Transit Lines for fiscal years 2015-16 through 2017-18. These triennial performance audits are required by the Transportation Development Act. The audits found all three entities in compliance with applicable sections of the California Public Utilities Code.

Recommendations

- A. Direct staff to implement seven recommendations included in the Fiscal Year 2016-18 Triennial Performance Audit of the Orange County Transportation Authority.
- B. Direct staff to monitor implementation of recommendations included in the Fiscal Year 2016-18 Triennial Performance Audit of Laguna Beach Municipal Transit Lines.

6. Investments: Compliance, Controls, and Reporting, July 1 through December 31, 2018

Gabriel Tang/Janet Sutter

Overview

The Internal Audit Department has completed an audit of investments for the period July 1 through December 31, 2018. Based on the audit, the Orange County Transportation Authority complied with its debt and investment policies; however, a few errors were identified in the fourth quarter investment and debt report, and a recommendation was made to enhance monitoring of asset-backed securities' diversification limits.



BOARD AGENDA**6. (Continued)****Recommendation**

Direct staff to implement two recommendations provided in Investments: Compliance, Controls, and Reporting, July 1 through December 31, 2018, Internal Audit Report No. 19-507.

7. Recruitment and Employment Audit

Serena Ng/Janet Sutter

Overview

The Internal Audit Department has completed an audit of recruitment and employment operations at the Orange County Transportation Authority. Based on the audit, controls to ensure compliance with recruitment policies are generally adequate and functioning; however, a few instances of non-compliance with requirements for review of applications and written job offers were identified. The Internal Audit Department also identified situations that should be addressed in policies and procedures, including the employment of coach operator applicants with pending license suspensions, pending criminal cases, and unfavorable or missing references from past employers. In addition, the Internal Audit Department identified policy violations related to the payment of relocation costs and subsequent waiver of the repayment requirement. Finally, the Internal Audit Department identified concerns related to removal of the requirement for bus service workers to hold a commercial driver license.

Recommendation

Direct staff to implement three recommendations provided in Recruitment and Employment, Internal Audit Report No. 19-503.



BOARD AGENDA

8. 91 Express Lanes Update for the Period Ending March 31, 2019
Kirk Avila/Kenneth Phipps

Overview

The Orange County Transportation Authority has owned and managed the operations of the 91 Express Lanes since January 2003. Since that time, over 214 million trips have been taken on the 91 Express Lanes in Orange County. This report focuses on the operational and financial activities for the period ending March 31, 2019.

Recommendation

Receive and file as an information item.

9. Agreement with the California Highway Patrol for Enforcement Services on the 91 Express Lanes
Kirk Avila/Kenneth Phipps

Overview

The Amended and Restated Development Franchise Agreement, entered into between the California Department of Transportation and the California Private Transportation Company, requires the California Highway Patrol to provide enforcement services on the 91 Express Lanes. With the purchase of the 91 Express Lanes, the Orange County Transportation Authority assumed all agreements from the California Private Transportation Company. The California Highway Patrol is requiring a new agreement to be established with the Orange County Transportation Authority for toll and traffic enforcement services on the 91 Express Lanes.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1172, between the Orange County Transportation Authority and California Highway Patrol, for a contract term of ten years, in an amount not to exceed \$12,326,335, for toll and traffic enforcement services on the 91 Express Lanes.



BOARD AGENDA

- 10. Amendment to the 91 Express Lanes Riverside County Transportation Commission/Orange County Transportation Authority Facility Agreement**
Kirk Avila/Kenneth Phipps

Overview

The 91 Express Lanes Riverside County Transportation Commission/Orange County Transportation Authority Facility Agreement prescribes the funding transfers between the two agencies for costs incurred for the rent and any shared operational expenses in relation to the 91 Express Lanes. An amendment is needed to account for the reimbursement of shared operating costs incurred by the Riverside County Transportation Commission for the period July 1, 2019 through June 30, 2020.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Agreement No. C-5-3828 between the Orange County Transportation Authority and Riverside County Transportation Commission, in the amount of \$917,000, for the reimbursement of shared operational expenses through June 30, 2020.

- 11. State Legislative Status Report**
Dustin J. Sifford/Lance M. Larson

Overview

An oppose position is recommended on a bill that would redirect project savings from trade corridor projects. An oppose position is recommended on a bill that would create a new special voting district for the South Coast Air Quality Management District. An overview is provided of a bill related to the allocation of Bradley-Burns sales tax revenues from online sales, which is being supported consistent with the 2019-2020 Orange County Transportation Authority State Legislative Platform. Updates are provided on the Governor's transportation appointments and the budget process.

Recommendations

- A. Adopt an OPPOSE position on SB 498 (Hurtado, D-Bakersfield), which would redirect project savings from the Trade Corridor Improvement Fund towards short-line railroads.



BOARD AGENDA**11. (Continued)**

- B. Adopt an OPPOSE position on SB 732 (Allen, D-Santa Monica), which would create a special voting district in the South Coast Air Quality Management District jurisdiction in order to facilitate a ballot initiative to institute a transactions and use tax to help the region meet state and federal air quality standards.

12. Federal Legislative Status Report

Jaymal Patel/Lance M. Larson

Overview

Overviews are provided for two transportation-related bills. An update is also provided on potential infrastructure legislation and recent nominations to the Department of Transportation.

Recommendation

File and receive as an information item.

13. Consultant Selection for the Implementation of the Federal Disadvantaged Business Enterprise Program

Virginia Abadessa/Andrew Oftelie

Overview

On February 5, 2019, the Orange County Transportation Authority issued a request for proposals for Disadvantaged Business Enterprise consulting services. 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 for the selection of a firm to perform the required work.

Recommendations

- A. Approve the selection of Padilla & Associates, Inc., as the firm to provide assistance in administering the Federal Disadvantaged Business Enterprise Program for the Orange County Transportation Authority.



BOARD AGENDA**13. (Continued)**

- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-0987 between the Orange County Transportation Authority and Padilla & Associates, Inc., to provide assistance in administering the Federal Disadvantaged Business Enterprise Program for a five-year term, in the amount of \$950,000.

14. Innovation Update

Kurt Brotcke/Kia Mortazavi

Overview

The Orange County Transportation Authority continues to explore innovative transportation services and projects for Orange County residents, workers, and visitors. Given past successes, staff is exploring avenues to foster innovation opportunities through team efforts. A status report is provided for review.

Recommendation

Receive and file as an information item.

15. Master Agreement for Transit and Intercity Rail Capital Program

Louis Zhao/Kia Mortazavi

Overview

In order to access Transit and Intercity Rail Capital Program funding for transportation projects, the Orange County Transportation Authority must execute a master agreement with the California Department of Transportation.

Recommendations

- A. Authorize the Chief Executive Officer to execute Master Agreement No. 64OCTA2015MA for the Transit and Intercity Rail Capital Program and all necessary program supplement agreements with the California Department of Transportation for the reimbursement of Transit and Intercity Rail Capital Program-funded projects.



BOARD AGENDA**15. (Continued)**

- B. Approve Orange County Transportation Authority Resolution No. 2019-029, as required by the California Department of Transportation, to execute the above agreement and authorize the Chief Executive Officer, or his designee, to sign future program supplements.

Orange County Transit District Consent Calendar Matters**16. Mobile Ticketing Operations, Internal Audit Report No. 19-505**
Gabriel Tang/Janet Sutter**Overview**

The Internal Audit Department has completed an audit of mobile ticketing operations. Based on the audit, controls over revenue collection, recording, reconciliation, and invoice review are adequate, and the contractor complies with contract terms. The Internal Audit Department offered two recommendations to improve system access controls and to develop written policies and procedures.

Recommendation

Direct staff to implement two recommendations provided in Mobile Ticketing Operations, Internal Audit Report No. 19-505.

17. Approval to Release Request for Proposals for the Preparation of Plans, Specifications, and Estimates for the Transit Security and Operations Center
George Olivo/James G. Beil**Overview**

Staff has developed a request for proposals to initiate a competitive procurement process to retain consultant services for the preparation of plans, specifications, and estimates for the Transit Security and Operations Center.



BOARD AGENDA**17. (Continued)****Recommendations**

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 9-0965 for consultant services for the preparation of plans, specifications, and estimates for the Transit Security and Operations Center.
- B. Approve the release of Request for Proposals 9-0965 for consultant services for the preparation of plans, specifications, and estimates for the Transit Security and Operations Center.

18. Agreement for On-Board Vehicle Video Surveillance Fleet Retrofit

Michael Beerer/Andrew Oftelie

Overview

Each of Orange County Transportation Authority's 770 buses in the active fixed-route and paratransit fleet is outfitted with on-board video surveillance equipment. This equipment is obsolete on 295 fixed-route buses. A sole source agreement is requested to replace the obsolete equipment.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-9-1140 between the Orange County Transportation Authority and March Networks Corporation, in the amount of \$1,739,921, for the retrofit of on-board video surveillance system for 295 fixed-route buses.

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

Joanne Jacobsen/Jennifer L. Bergener

Overview

The Senior Mobility Program is designed to offer transportation alternatives to seniors in addition to local fixed-route and paratransit (such as the OC ACCESS service). Three non-profit agencies participate in the Senior Mobility Program and receive funding from local sources other than Measure M2. The current funding agreements with these three agencies require amendments to include fiscal year 2019-20 funding in order to continue the service.



BOARD AGENDA**19. (Continued)****Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Cooperative Agreement No. C-1-2490 between the Orange County Transportation Authority and Abrazar, Inc., in the amount of \$89,745, to provide funding through June 30, 2020.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Cooperative Agreement No. C-1-2491 between the Orange County Transportation Authority and Korean American Senior Association, in the amount of \$110,334, to provide funding through June 30, 2020.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Cooperative Agreement No. C-1-2492 between the Orange County Transportation Authority and Southland Integrated Services, Inc., formerly doing business as Vietnamese Community of Orange County, in the amount of \$97,015, to provide funding through June 30, 2020.

Orange County Local Transportation Authority Consent Calendar Matters

- 20. Agreement for Public Communications and Community Outreach for the Interstate 5 Improvement Project from State Route 73 to El Toro Road**
Fernando Chavarria/Lance M. Larson

Overview

Consultant services are needed to support the public communications and community outreach program for the Interstate 5 Improvement Project from State Route 73 to El Toro Road. 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 select a firm to provide communications and outreach services for the capital project.



BOARD AGENDA**20. (Continued)****Recommendations**

- A. Approve the selection of TRC Solutions, Inc., as the firm to provide public communications and community outreach for the Interstate 5 Improvement Project from State Route 73 to El Toro Road.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-2086 between the Orange County Transportation Authority and TRC Solutions, Inc., in the amount of \$771,410, for a six-year term, through June 30, 2025, to provide public communications and community outreach for the Interstate 5 Improvement Project from State Route 73 to El Toro Road.

Regular Calendar**Orange County Transit District Regular Calendar Matters**

- 21. OC Flex Microtransit Pilot Project: Six-Month Project Update**
Johnny Dunning, Jr./Jennifer L. Bergener

Overview

In October 2018, the Orange County Transportation Authority initiated a microtransit pilot service, branded as OC Flex, in two areas of the county where transit demand does not support traditional fixed-route service. The pilot is intended to match resources with changing demand, increasing the efficiency and effectiveness of the Orange County transit system. This report provides an update on the performance of the OC Flex microtransit pilot during the first six months of operation, including information on ridership, system connectivity, and customer satisfaction.

Recommendation

Direct staff to complete the Board of Directors-approved one-year pilot of the OC Flex project and report back to the Board of Directors.



BOARD AGENDA**22. Adopt the Mitigated Negative Declaration and Approve the Preliminary Engineering for the Transit Security and Operations Center**

George Olivo/James G. Beil

Overview

On June 13, 2017, the Orange County Transportation Authority issued an agreement for preliminary engineering and environmental studies for the proposed Transit Security and Operations Center at the preferred site in the City of Anaheim. Board of Directors' adoption of the Mitigated Negative Declaration and approval of the preliminary engineering for the Transit Security and Operations Center is required.

Recommendations

- A. Adopt Resolution No. 2019-035 to adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program, pursuant to the California Environmental Quality Act, for the Transit Security and Operations Center.
- B. Approve the Transit Security and Operations Center.

Discussion Items**23. Update on Interstate 5 Widening Project Between State Route 73 and El Toro Road**

Niall Barrett/James G. Beil

Staff will provide a project update.

24. 2019 Chief Executive Officer's Initiatives and Action Plan - First Quarter Progress Report

Darrell E. Johnson

At the end of each quarter of the calendar year, the Chief Executive Officer discusses the activities and accomplishments from the 2019 Chief Executive Officer Initiatives and Action Plan with the Board of Directors. This report summarizes the first quarter activities of calendar year 2019 (January through March). The Chief Executive Officer Initiatives and Action Plan directly support the values, vision, mission, and goals of the Orange County Transportation Authority Strategic Plan and 2019 Orange County Transportation Authority Board of Directors Strategic Initiatives.



BOARD AGENDA

25. Public Comments

At this time, members of the public may address the Board of Directors regarding any items within the subject matter jurisdiction of the Board of Directors, but no action may be taken on off-agenda items unless authorized by law. Comments shall be limited to three (3) minutes per speaker, unless different time limits are set by the Chairman subject to the approval of the Board of Directors.

26. Chief Executive Officer's Report

27. Directors' Reports

28. Closed Session

A Closed Session is scheduled as follows:

- A. Pursuant to Government Code Section 54956.9(a) – Conference with General Counsel – Existing Litigation; B & Lee, Inc dba Rainbow Auto Spa, et al. v. Orange County Transportation Authority, OCSC No. 30-2019-01059189.
- B. Pursuant to Government Code Section 54956.9(a) – Conference with General Counsel – Existing Litigation; Lourdes Rodriguez Leon v. Orange County Transportation Authority, OCSC No. 30-2018-00984566.

29. Adjournment

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, June 10, 2019**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07-08, Orange, California.