



Call to Order

The Monday, August 22, 2022, regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Murphy at 9:02 a.m. at the OCTA Headquarters, 550 South Main Street, Board Room, Orange, California.

Directors Present: Mark A. Murphy, Chairman
Gene Hernandez, Vice Chairman
Lisa A. Bartlett
Doug Chaffee
Barbara Delgleize
Andrew Do
Katrina Foley
Brian Goodell
Patrick Harper
Michael Hennessey
Steve Jones
Joseph Muller
Tam Nguyen
Donald P. Wagner
Ryan Chamberlain

Via Teleconference: Gene Hernandez, Vice Chairman

Directors Absent: Fred Jung
Vicente Sarmiento

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

Special Calendar

1. Presentation of Resolutions of Appreciation for Employees of the Month for August 2022

Chief Executive Officer (CEO), Darrell E. Johnson, presented Resolutions of Appreciation to Richard Quinonez, Coach Operator; Martin Vo, Maintenance; and Amber Hahlbeck, Administration, as Employees of the Month for August 2022.



Discussion Items

2. Headquarters Real Estate Update

Andrew Oftelie, Chief Financial Officer, provided a presentation on this item.

Following the presentation, no action was taken on this item.

3. Closed Session

A Closed Session was held as follows:

- A. Pursuant to Government Code Section 54957(b) to evaluate the performance of the Chief Executive Officer, Darrell E. Johnson.
- B. Pursuant to Government Code Section 54957.6, meet with the designated representative, Chairman Mark A. Murphy, regarding the compensation of the Chief Executive Officer.
- C. Pursuant to Government Code Section 54956.9(d)(1) - Conference with General Counsel - Existing Litigation - Mario Cadiante v. Orange County Transportation Authority, OCSC Case No. 30-2020-01159300
- D. Conference with real property negotiators pursuant to Government Code Section 54956.8.

OCTA Negotiators: Andrew Oftelie (OCTA), Peter Andrich (CBRE), and Rick Warner (CBRE)

Property No. 1: 550 & 600 South Main Street, Orange, CA 92868
Negotiating Party: Lincoln Property Company
Under negotiation: price and terms of payment

Property No. 2: 625 North Grand Avenue, Santa Ana, CA 92701
Negotiating Party: Mike Harrah, Caribou Industries
Under negotiation: price and terms of payment

Property No. 3: 401 West Civic Center Drive, Santa Ana, CA 92701
Negotiating Party: County of Orange
Under negotiation: price and terms of payment

Property No. 4: Parcel APN # 386-521-17, Lot B of ARTIC
Negotiating Party: ocV!be
Under negotiation: price and terms of payment



Property No. 5: Parcel APN # 253-532-07
Negotiating Party: Trammell Crow
Under negotiation: price and terms of payment

James Donich, General Counsel, reported out from the Closed Session under Item D that Vice Chairman Hernandez made a motion, seconded by Director Jones, and declared passed 11-1, to enter into a pre-development agreement for Property No. 5: Parcel APN # 253-532-07 with negotiating party Trammell Crow.

Director Wagner voted in opposition to this item.

Directors Bartlett and Do did not participate in Item D under the Closed Session due to the Levine Act.

4. Annual Review and Compensation Adjustment for Chief Executive Officer, Darrell E. Johnson

A motion was made by Chairman Murphy, seconded by Vice Chairman Hernandez, and following a roll call vote, declared passed 12-2, to approve a five percent salary increase and a four percent merit award for Darrell E. Johnson, Chief Executive Officer (CEO).

Directors Foley and Wagner voted in opposition to the motion.

Director Wagner commented that his objection is to this item's financial component and not the CEO's performance.

Consent Calendar (Items 5 through 11)

5. Approval of Minutes

A motion was made by Vice Chairman Hernandez, seconded by Director Jones, and following a roll call vote, declared passed 14-0, to approve the minutes of the August 8, 2022, Orange County Transportation Authority, and affiliated agencies' regular meeting.

6. Fiscal Year 2021-22 Fourth Quarter Grant Reimbursement Status Report

A motion was made by Vice Chairman Hernandez, seconded by Director Jones, and following a roll call vote, declared passed 14-0, to receive and file as an information item.



7. SB 1 (Chapter 5, Statutes of 2017) State of Good Repair Program Recommendations for Fiscal Year 2022-23

A motion was made by Vice Chairman Hernandez, seconded by Director Jones, and following a roll call vote, declared passed 14-0, to:

- A. Approve Resolution No. 2022-053 authorizing the use of fiscal year 2022-23 SB 1 State of Good Repair Program funding, which is estimated to provide approximately \$6.585 million for the following projects:
 - Transit Security and Operations Center (\$3.924 million),
 - Bus engine repower/rebuild contract (\$1.511 million), and
 - Heating-ventilation unit replacement at the Santa Ana Bus Base (\$1.150 million).
- B. Authorize the use of fiscal year 2019-20 SB 1 State of Good Repair Program funding of \$2.560 million for the bus engine repower/rebuild contract.
- C. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program and execute any necessary agreements to facilitate the above recommendation.

8. Federal Transit Administration Program of Projects for Federal Fiscal Year 2021-22

A motion was made by Vice Chairman Hernandez, seconded by Director Jones, and following a roll call vote, declared passed 14-0, to:

- A. Approve the federal fiscal year 2022 program of projects for 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 programs including other federal and local funds, and the use of match credit for projects included in this report.
- B. Approve the five-year programming plans for Federal Transit Administration Sections 5307, 5310, 5337, and 5339.
- C. Approve the use of \$3.661 million in federal Congestion Mitigation and Air Quality Improvement Program funds for the following projects:
 - Southern California Regional Rail Authority Operating Subsidy Suballocation for Reinstatement (\$2.510 million), and
 - Southern California Regional Rail Authority New Capital for Replacement Locomotives (\$1.151 million).



- 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 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.

9. Agreement for Intelligent Transportation Management System Radio Computing Infrastructure and Software Update

A motion was made by Vice Chairman Hernandez, seconded by Director Jones, and following a roll call vote, declared passed 14-0, to:

- A. Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-2-2261 between the Orange County Transportation Authority and L3Harris Technologies, Inc., in the amount of \$2,270,723, to update the Intelligent Transportation Management System radio computing infrastructure and software.
- B. Amend the Orange County Transportation Authority's Fiscal Year 2022-23 Budget, in the amount of \$2,270,723, to accommodate expenses related to sole source Agreement No. C-2-2261 to update the Intelligent Transportation Management System radio computing infrastructure and software.

10. Adopt Resolution Approving Updated Real Property Policies and Procedures Manual

A motion was made by Vice Chairman Hernandez, seconded by Director Jones, and following a roll call vote, declared passed 14-0, to adopt Resolution No. 2022-052 approving the Real Property Policies and Procedures Manual, dated August 2022, to replace the current Real Property Policies and Procedures Manual of April 2018.



11. Amendment to Cooperative Agreement with the City of Anaheim for the Anaheim Canyon Metrolink Rail Station Improvement Project

A motion was made by Vice Chairman Hernandez, seconded by Director Jones, and following a roll call vote, declared passed 14-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-4-1714 between the Orange County Transportation Authority and the City of Anaheim for additional reimbursement, in the amount of \$70,000, to the City of Anaheim for engineering reviews, inspection, and oversight and extend the term of the cooperative agreement through December 31, 2023, for the Anaheim Canyon Metrolink Rail Station Improvement Project. This will increase the maximum obligation of the cooperative agreement to a total contract value of \$343,000.

Regular Calendar

12. Agreements for Health Insurance Services

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

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Agreement No. C-5-3649 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Kaiser Permanente Health Plan, Inc., on a cost per employee basis, for prepaid medical services through December 31, 2023. The annual 2023 Kaiser Permanente.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Agreement No. C-5-3650 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Anthem Blue Cross, on a cost per employee basis, for prepaid medical services through December 31, 2023. The annual 2023 Anthem Blue Cross health maintenance organization premium costs will vary in accordance with actual enrollment.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Agreement No. C-5-3651 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Anthem Blue Cross, on a cost per employee basis, for preferred provider organization medical services through December 31, 2023. The annual 2023 Anthem Blue Cross preferred provider organization premium costs will vary in accordance with actual enrollment.



- D. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Agreement No. C-5-3652 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Anthem Blue Cross, on a cost per employee basis, for a consumer driven health plan through December 31, 2023. The annual 2023 Anthem Blue Cross consumer driven health plan premium costs and health savings account expenses will vary in accordance with actual enrollment.
- E. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-1-3670 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Delta Dental, on a cost per employee basis, for preferred provider organization dental services through December 31, 2023. The annual 2023 Delta Dental preferred provider organization premium costs will vary in accordance with actual enrollment.
- F. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 12 to Agreement No. C-1-2995 between the Orange County Transportation Authority and Delta Dental, on a cost per employee basis, for health maintenance organization dental services through December 31, 2023. The annual 2023 Delta Dental health maintenance organization premium costs will vary in accordance with actual enrollment.
- G. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-1-3672 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Delta Dental, on a cost per employee basis, for health maintenance organization dental services through December 31, 2023. The annual 2023 Delta Dental health maintenance organization premium costs will vary in accordance with actual enrollment.
- H. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-1-3671 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Vision Service Plan, on a cost per employee basis, for vision services through December 31, 2023. The annual 2023 vision services premium costs will vary in accordance with actual enrollment.



- I. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Purchase Order No. C-7-1897 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for VOYA for life and accidental death and dismemberment insurance through December 31, 2023. The annual 2023 life and accidental death and dismemberment premium costs will vary in accordance with actual volume in the plan.
- J. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Purchase Order No. C-7-1898 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for VOYA to provide supplemental life insurance to employees at their own expense through December 31, 2023.
- K. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Purchase Order No. C-7-1899 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for VOYA for short-term and long-term disability insurance through December 31, 2023. The annual 2023 short-term and long-term disability premium costs will vary in accordance with actual volume in the plan.
- L. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Purchase Order No. C-7-1900 between Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for VOYA with ComPsych to provide employee leave administration through December 31, 2023.

Discussion Items

13. Public Comments

Public comments were received from Paul Hyek.

14. Chief Executive Officer's Report

Mr. Johnson, CEO, reported on the following:

- OCTA received the Achievement of Excellence in Procurement Award from the National Procurement Institute.
- September is rail safety month, and OCTA will be conducting a rail safety campaign throughout the month.
- On Thursday, September 1, free rides will be provided on all fixed-route buses in celebration of OCTA's 50 years of bus service in Orange County.



15. Directors' Reports

There were no Director's Reports.

16. Adjournment

The meeting adjourned at 10:35 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, September 12, 2022** at the OCTA Headquarters, Board Room, 550 South Main Street, Orange, California.

ATTEST:

Gina Ramirez
Clerk of the Board Specialist, Senior