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## **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 25, 2018 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 Chairwoman 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](http://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 Murray

### **Pledge of Allegiance**

Director Do



## **BOARD AGENDA**

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### **Special Calendar**

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

**1. Presentation of Resolutions of Appreciation for Employees of the Month for May 2018**

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2018-067, 2018-068, and 2018-069 to Gary Tencate, Coach Operator, Jeffrey Denk, Maintenance, and Katherine Balanza, Administration, as Employees of the Month for May 2018.

**2. Recognition of the 2018 American Public Transportation Association Rodeo Team**

Beth McCormick/Jennifer L. Bergener

Presentation of the Orange County Transportation Authority 2018 American Public Transportation Association International Bus Rodeo team of Patrick Courchaine, Ray Consiglio, and Chris Jordan, and Darvy Traylor.

### **Consent Calendar (Items 3 through 17)**

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 14, 2018.

**4. Fiscal Year 2017-18 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 2017-18 Internal Audit Plan on August 14, 2017. This update is for the third quarter of the fiscal year.



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## **BOARD AGENDA**

### **4. (Continued)**

#### **Recommendation**

Receive and file the third quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2017-18 Internal Audit Plan as an information item.

### **5. Investigation and Limited Scope Review of Take-Home Vehicle Assignment**

Janet Sutter

#### **Overview**

The Internal Audit Department of the Orange County Transportation Authority has completed an investigation of a complaint alleging that a Transit Division manager used an agency-issued transponder for personal commuting and participated in the Commuter Club rideshare program, in violation of policy. The allegations were confirmed, and the details provided to management. During the investigation, control weaknesses related to the assignment of take-home vehicles and oversight of transponder use, as well as areas where oversight controls could be strengthened to better enforce compliance with policies and procedures, were identified and are reported herewith.

#### **Recommendation**

Direct staff to implement four recommendations provided in the Investigation and Limited Scope Review of Take-Home Vehicle Assignment.

### **6. State Legislative Status Report**

Jaymal Patel/Lance M. Larson

#### **Overview**

An update is provided on a bill related to the planning and operations of the network of toll roads in Orange County. An oppose position is recommended on a bill related to pension liabilities for joint powers authorities. Overviews are provided of two bills being supported pursuant to the 2017-2018 Orange County Transportation Authority State Legislative Platform. The first bill pertains to three-position bicycle racks on articulated buses, and the second one relates to the cost of electricity as a fuel for transit agencies preparing for zero-emission bus technology.



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## **BOARD AGENDA**

### **6. (Continued)**

#### **Recommendations**

- A. Adopt a SUPPORT position on AB 382 (Chavez, R-Oceanside), which seeks to clarify the responsibilities of the Transportation Corridor Agencies, as a joint powers authority, to be limited to the maintenance, financing, and operation of its toll road system as it exists in operation on January 1, 2018.
- B. Adopt an OPPOSE position on AB 1912 (Rodriguez, D-Pomona), which would make member agencies of a joint powers authority jointly and severally liable for the retirement benefits provided by the joint powers authority.

### **7. Federal Legislative Status Report**

Dustin Sifford/Lance M. Larson

#### **Overview**

An update is provided on legislation to reauthorize the Federal Aviation Administration. An overview is given of a multiagency Memorandum of Understanding to streamline the environmental review process. A synopsis of an online sales tax case before the Supreme Court is included. Summaries of nomination and budget hearings are also provided.

#### **Recommendation**

Receive and file as an information item.

### **8. Amendment to Agreement for Bus Advertising Revenue Program**

Jennifer O'Connor/Lance M. Larson

#### **Overview**

On June 22, 2015, the Orange County Transportation Authority Board of Directors approved an agreement with Outfront Media Group, LLC, to sell, place, and maintain advertisements on its fleet of fixed-route and ACCESS vehicles. An amendment to the existing contract is necessary to exercise the first option term of the agreement.



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**BOARD AGENDA****8. (Continued)****Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-5-3076 between the Orange County Transportation Authority and Outfront Media Group, LLC, to exercise the first option term of the agreement, with a minimum guarantee of revenue to the Orange County Transportation Authority in the amount of \$8,000,000, or 70 percent of gross advertising sales revenue, whichever is greater.

**9. Orange County Taxi Administration Program Update**

David Simpson/Lance M. Larson

**Overview**

The Orange County Transportation Authority continues to work with the Orange County City Managers Association and Orange County taxi industry stakeholders on the future of the Orange County Taxi Administration Program. With the passage of taxi regulation legislation AB 1069 (Chapter 753, Statutes of 2017), the Orange County Taxi Administration Program, as it exists today, cannot continue. It is prudent to commence plans to cease Orange County Transportation Authority administration of the Orange County Taxi Administration Program effective January 1, 2019.

**Recommendation**

Pursuant to AB 1069 (Chapter 753, Statutes of 2017), direct staff to make decisions needed to cease Orange County Transportation Authority administration of the Orange County Taxi Administration Program effective January 1, 2019 and communicate this action to Orange County Taxi Administration Program members.



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**BOARD AGENDA****10. Third Quarter Fiscal Year 2017-2018 Procurement Status Report**

Virginia Abadessa/Andrew Oftelie

**Overview**

The third quarter procurement status report summarizes the procurement activities for information purposes to the Orange County Transportation Authority Board of Directors. This report focuses on procurement activity from January 1 through March 31, 2018, that were approved by the Board of Directors during this period. The third quarter procurement status report also projects future procurement activity for the fourth quarter as identified in the fiscal year 2017-18 budget.

**Recommendation**

Receive and file as an information item.

**11. Agreement for Commercial Banking Services**

Benjamin Torres/Andrew Oftelie

**Overview**

The Orange County Transportation Authority uses banking services for the deposit, disbursement, and safekeeping of public funds. On January 22, 2018, a request for proposals for commercial banking services was issued. Offers were received and evaluated in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. The evaluation process has been completed, and recommendations are presented for the Board of Directors' approval.

**Recommendations**

- A. Approve the selection of Bank of the West as the firm to provide commercial banking services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-7-2159 between the Orange County Transportation Authority and Bank of the West, in the amount of \$277,000, for a five-year initial term effective September 1, 2018 through August 31, 2023, with one, three-year option term, to provide commercial banking services.



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## **BOARD AGENDA**

### **12. Amendments to the Orange County Transportation Authority Drug and Alcohol Policy Manual**

Matthew DesRosier/Maggie McJilton

#### **Overview**

In accordance with the Drug and Alcohol Policy (# HROD-HR-420.17DRUG), revisions to the Drug and Alcohol Policy Manual, are subject to management review and Board of Directors' approval.

#### **Recommendations**

- A. Authorize the Chief Executive Officer, or designee, to increase the Orange County Transportation Authority's random alcohol testing rate from 20 percent to 50 percent annually for all safety-sensitive employees in order to emulate the current testing rates for drugs (Manual Section 5.5G Policy Section VIIA).
- B. Authorize the Chief Executive Officer, or designee, to replace the obsolete table of drug testing thresholds (Manual Section 5.4), with "drugs or classes of drugs to be tested and the applicable threshold levels for positive findings shall be determined by current Department of Transportation and Federal Transit Administration regulations."
- C. Authorize the Chief Executive Officer, or designee, to make all necessary edits to ensure Attachment B (Disclosure of Prescription and Over-the-Counter Drugs form), prescription drug use physician review requirements (Manual Section 4.2A), are mandatory under Orange County Transportation Authority policy.
- D. Authorize the Chief Executive Officer, or designee, to change the requirement for drug and alcohol testing at the time of an employee's Department of Motor Vehicles medical recertification and/or physical examinations to implementing a biennial testing requirement and continuing with more proactive and stringent Department of Transportation random testing and prescription drug safeguard measures (Manual Section 5.5B, 5.5G, 6.2C, Attachment B, and Policy Section VIIA).
- E. Authorize the Chief Executive Officer, or designee, to remove the Facilities Maintenance Department from the list of regulated safety-sensitive positions (Manual Section 9), in compliance with the federal definition.



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**BOARD AGENDA**

**13. Mobile Source Air Pollution Reduction Review Committee County Transportation Commission Partnership Program Recommendations**  
Ben Ku/Kia Mortazavi

**Overview**

On December 1, 2017, the Mobile Source Air Pollution Reduction Review Committee released the County Transportation Commission Partnership Program, which is making \$8 million available from the Clean Transportation Funding Program. Each county transportation commission, including the Orange County Transportation Authority, is eligible to request \$2 million in funding. The goal of this program is to enhance mobility while improving air quality in the South Coast Air Quality Management District.

**Recommendations**

- A. Approve the use of \$2 million in Mobile Source Air Pollution Reduction Review Committee County Transportation Commission Partnership Program funding for:
  - The OC Flex Pilot Program for \$1.146 million,
  - The Hydrogen Detection Project for \$0.642 million,
  - A College Pass Program for \$0.212 million.
- B. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program, as well as execute any necessary agreements to facilitate the above recommendations.

**Orange County Transit District Consent Calendar Matters**

**14. Fleetwatch Fluid Management System, Internal Audit Report No. 18-506**  
Ricco Bonelli/Janet Sutter

**Overview**

The Internal Audit Department has completed an audit of the Fleetwatch Fluid Management System. Based on the audit, controls in place over the dispensing of fuel and other consumables are adequate; however, one recommendation was made to enhance system access controls.





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**BOARD AGENDA****14. (Continued)****Recommendation**

Direct staff to implement the recommendation provided in Fleetwatch Fluid Management System, Internal Audit Report No. 18-506.

**15. Sole Source Agreement for Fire Suppression and Methane Conversion Kits**  
Cliff Thorne/Beth McCormick**Overview**

The Orange County Transportation Authority currently operates 299, 2007-2008 model year compressed natural gas-powered buses. These vehicles have electronic control panels for the onboard automatic fire suppression and methane detection systems. The original panel is no longer available through the original bus manufacturer. To date, the panels on 35 of these vehicles have been replaced with an approved equal, but the lead time is very long requiring the bus to be removed from service until the part is received. Approval of a purchase order for 264 of the replacement electronic panels for the remainder of the fleet will expedite repairs when the component fails and will reduce the overall unit cost versus purchasing one panel at a time.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute sole source Blanket Purchase Order No. C-8-1506 between the Orange County Transportation Authority and Kidde Technologies, Inc., in the amount of \$355,575, for the purchase of up to 264 Kidde fire suppression/methane detection 12-channel conversion kits intended for the installation on the 2007-2008 model year New Flyer compressed natural gas-powered buses.



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**BOARD AGENDA**

## **Orange County Service Authority For Freeway Emergencies Consent Calendar Matters**

### **16. Agreements for Freeway Service Patrol Services**

Patrick Sampson/Beth McCormick

#### **Overview**

On February 12, 2018, the Board of Directors approved the release of a Request for Proposals for Freeway Service Patrol services for four service areas consisting of 14 peak-hour beats, four midday beats, one weekend beat, and one construction support beat. Offers were received in accordance with Orange County Transportation Authority procurement procedures for professional and technical services. Approval is requested to execute agreements for these service areas.

#### **Recommendations**

- A. Approve the selection of California Coach Orange, Inc., to provide Freeway Service Patrol services for Service Areas 2, 4, and 9.
- B. Approve the selection of Beach Town Towing, LLC, doing business as Orange County Motor Club, to provide Freeway Service Patrol services for Service Area 7.
- C. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-7-2155 between the Orange County Transportation Authority and California Coach Orange, Inc., in the amount of \$13,785,532, to provide Freeway Service Patrol services for Service Areas 2, 4, and 9 from December 1, 2018 through November 30, 2023.
- D. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-1620 between the Orange County Transportation Authority and Beach Town Towing, LLC, doing business as Orange County Motor Club, in the amount of \$3,146,425, to provide Freeway Service Patrol services for Service Area 7 from December 1, 2018 through November 30, 2023.



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## **BOARD AGENDA**

### **17. Cooperative Agreement with the California Highway Patrol for Services Related to the Freeway Service Patrol Program**

Patrick Sampson/Beth McCormick

#### **Overview**

The Orange County Freeway Service Patrol program is supervised by the California Highway Patrol, in accordance with state law. To ensure adequate supervision and provide dispatch services during hours of operation, approval of a cooperative agreement with the California Highway Patrol is requested to pay for the cost of officer overtime and a full-time dispatcher position.

#### **Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-8-1553 between the Orange County Transportation Authority and the California Highway Patrol, in the amount of \$476,376, for overtime related to supervision of the Freeway Service Patrol program and to provide for a full-time non-uniformed Public Safety Dispatcher.

### **Regular Calendar**

There are no Regular Calendar matters.

### **Discussion Items**

#### **18. Update on Interstate 5 Improvement Project from Interstate 405 to State Route 55**

Jeannie Lee/James G. Beil

Staff will provide a project update.

#### **19. 91 Express Lanes Shifting Patterns with Riverside County Transportation Commission Expansion**

Kirk Avila/Kenneth Phipps

On March 20, 2017, the Riverside County Transportation Commission opened the extension of the 91 Express Lanes. Over the past year, traffic volumes on the Orange County side have increase significantly. In addition, there have been other impacts to the Orange County Transportation Authority operations that staff will be discussing with the Board of Directors.



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## **BOARD AGENDA**

**20. 2018 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 2018 Chief Executive Officer Initiatives and Action Plan with the Board of Directors. This report summarizes the first quarter activities of calendar year 2018 (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 2018 Orange County Transportation Authority Board of Directors Strategic Initiatives.

**21. 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 Chairwoman subject to the approval of the Board of Directors.

**22. Chief Executive Officer's Report**

**23. Directors' Reports**

**24. Closed Session**

A Closed Session will be held as follows:

Pursuant to Government Code Section 54956.9(d)(2) – Conference with Legal Counsel – Anticipated Litigation. One Matter.

**25. Adjournment**

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, June 11, 2018**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07-08, Orange, California.