



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
Monday, June 11, 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 or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

Call to Order

Invocation

Director Do

Pledge of Allegiance

Director R. Murphy



BOARD AGENDA

Special Calendar

Orange County Transportation Authority Special Calendar Matters

1. Public Hearing on Orange County Transportation Authority's Fiscal Year 2018-19 Budget and Personnel and Salary Resolution

Victor Velasquez/Andrew Oftelie

Overview

The Orange County Transportation Authority Fiscal Year 2018-19 Budget presents a balanced plan of sources and uses of funds while providing for the current and future transportation needs of Orange County. The Board of Directors may approve the fiscal year 2018-19 budget following the public hearing to be held at the Board of Director's Meeting on June 11, 2018, at the following Board of Directors' meeting on June 25, 2018, or in a special meeting convened at their discretion. The Board of Directors are also asked to approve changes to the Personnel and Salary Resolution as part of the budget approval process.

Recommendations

- A. Approve by Resolution the Orange County Transportation Authority's Fiscal Year 2018-19 Budget.
- B. Approve the Personnel and Salary Resolution for Fiscal Year 2018-19.
- C. Authorize the Chief Executive Officer to negotiate and execute the software and hardware licensing, maintenance, and emergency support purchase orders and/or agreements.
- D. Approval of fiscal year 2018-19 Orange County Transportation Authority member agency contribution to the Southern California Regional Rail Authority in an amount up to \$29,403,103, including authorization of Federal Transit Administration funds, in an amount up to \$8,374,341, to be drawn down directly by Southern California Regional Rail Authority. In addition, approve capital and rehabilitation, expenditure budget contingent upon all member agencies approval of their respective capital and rehabilitation budgets. Orange County Transportation Authority portion of the costs for capital is \$2,378,558 and \$56,369,426 for rehabilitation.



BOARD AGENDA

1. (Continued)

- E. Authorize the Chief Executive Officer, or designee, to accept the grant award of \$1,206,518 in Federal Transit Administration 5339b Bus and Facilities Infrastructure Investment Program funds, execute grant-related agreements with the Federal Transit Administration, and authorize staff to amend the Federal Transportation Improvement Program for rehabilitation activities at OCTA bus buses and transit facilities already included in the proposed FY 2018-19 budget.

2. Taxpayer Oversight Committee New Member Recruitment and Lottery

Alice T. Rogan/Lance M. Larson

Overview

Measure M2 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 2018, and a lottery must take place in public session to fill vacancies in the First, Second, Fourth, and Fifth Supervisorial Districts.

Recommendation

Pursuant to the Measure M2 Ordinance, conduct the lottery for final selection of new Measure M2 Taxpayer Oversight Committee members by drawing one name each representing the First, Second, Fourth, and Fifth Supervisorial Districts from the list of recommended finalists from the Grand Jurors Association of Orange County.

Consent Calendar (Items 3 through 24)

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 25, 2018.



BOARD AGENDA

4. Cooperative Agreement with Metrolink for the Control Point Fourth Project, Internal Audit Report No. 18-504

Janet Sutter

Overview

The Internal Audit Department has completed an audit of the cooperative agreement with the Southern California Regional Rail Authority for the Control Point Fourth Project. The purpose of the audit was to assess controls in place to ensure compliance with agreement terms, policies, and procedures. Based on the audit, controls are generally adequate; however, several weaknesses have been identified in the process for selecting contractors for these projects. As a result, the Internal Audit Department recommended that Orange County Transportation Authority project management staff implement oversight controls to determine that contractors are procured in compliance with guidelines and best practices.

Recommendation

Direct staff to implement one recommendation provided in the Cooperative Agreement with Metrolink for the Control Point Fourth Project, Internal Audit Report No. 18-504.

5. Brown Act Compliance, Internal Audit Report No. 18-508

Gerald Dunning/Janet Sutter

Overview

The Internal Audit Department has completed an audit of Ralph M. Brown Act compliance. Based on the audit, the Orange County Transportation Authority operated substantially in compliance with the Ralph M. Brown Act; however, some instances of non-compliance with agenda posting requirements were identified. One recommendation was made to provide staff training and/or enhance procedures to ensure consistent compliance.

Recommendation

Direct staff to implement one recommendation provided in Brown Act Compliance, Internal Audit Report No. 18-508.



BOARD AGENDA

6. Special Needs Advisory Committee Annual Update and Member Appointments

Ryan Maloney/Lance M. Larson

Overview

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

Recommendation

Receive and file the Special Needs Advisory Committee's status report.

7. Citizens Advisory Committee Annual Update and Member Appointments

Alice T. Rogan/Lance M. Larson

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.



BOARD AGENDA

8. Cooperative Agreement with the City of Laguna Beach for Federal Transit Administration, State Transit Administration, Senate Bill 1 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 Senate Bill 1 and Cap and Trade funds.

To receive Federal Transit Administration funds, the City of Laguna Beach must submit annually a National Transit Database report to the Federal Department of Transportation and the Orange County Transportation Authority. For State Transit Assistance and Cap and Trade funds, the Orange County Transportation Authority is responsible for providing the City of Laguna Beach a sum determined annually based on formulas and provisions provided by the State.

Recommendation

Authorize the Orange County Transportation Authority Chief Executive Officer to execute Cooperative Agreement No. C-8-1679 between the Orange County Transportation Authority and the City of Laguna Beach, for a maximum cumulative amount not to exceed \$950,000, for Federal Transit Administration funding, \$1,200,000 for State Transit Assistance funding, including Senate Bill 1 augmentation, \$250,000 for State of Good Repair funds provided through Senate Bill 1, and \$200,000 for Cap and Trade funds for the next five years commencing fiscal year 2018-19, for providing public transit services and operating assistance.



BOARD AGENDA

9. **Resolution to Establish the Orange County Local Transportation Authority/Measure M2 Appropriations Limitation for Fiscal Year 2018-19**
Sam Kaur/Andrew Oftelie

Overview

The State Constitution requires that each year the governing body of each local jurisdiction shall, by resolution, establish its appropriations limit for the following year pursuant to Article XIII B.

Recommendation

Adopt Orange County Local Transportation Authority/Measure M2 Resolution No. 2018-055 to establish the Orange County Local Transportation Authority/Measure M2 appropriations limit at \$1,749,112,942 for fiscal year 2018-19.

10. **Resolution to Establish the Orange County Transportation Authority General Fund Appropriations Limitation for Fiscal Year 2018-19**
Sam Kaur/Andrew Oftelie

Overview

The State Constitution requires that each year the governing body of each local jurisdiction shall, by resolution, establish its appropriations limit for the following year pursuant to Article XIII B.

Recommendation

Adopt Orange County Transportation Authority Resolution No. 2018-056 to establish the Orange County Transportation Authority General Fund appropriations limit at \$11,573,733 for fiscal year 2018-19.



BOARD AGENDA

11. Approval of the Fiscal Year 2018-19 Local Transportation Fund Claim for Laguna Beach Public Transportation Services

Sam Kaur/Andrew Oftelie

Overview

The Laguna Beach Municipal Transit Lines, a department within the City of Laguna Beach, is eligible to receive funding from the Local Transportation Fund in Orange County for providing public transportation services throughout the city. To receive the funds, the Laguna Beach Municipal Transit Lines must file a claim against the Local Transportation Fund with the Orange County Transportation Authority.

Recommendation

Approve the Laguna Beach Municipal Transit Lines Fiscal Year 2018-19 Local Transportation Fund Claim for public transportation services, in the amount of \$1,142,777, and authorize the Chief Executive Officer of the Orange County Transportation Authority to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the amount of the claim.

12. Approval of the Fiscal Year 2018-19 Local Transportation Fund Claim for Public Transportation and Community Transit Services

Sam Kaur/Andrew Oftelie

Overview

The Orange County Transit District is eligible to receive funding from the Local Transportation Fund for providing public transportation and community transit services throughout Orange County. To receive the funds, the Orange County Transit District must file a claim against the Local Transportation Fund with the Orange County Transportation Authority.

Recommendation

Approve the Orange County Transit District Fiscal Year 2018-19 Local Transportation Fund Claim for public transportation services, in the amount of \$154,145,736, and for community transit services, in the amount of \$8,173,080, for a total claim amount of \$162,318,816, and authorize the Chief Executive Officer to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the full amount of the claims.



BOARD AGENDA

13. Annual Update to Investment Policy

Rodney Johnson/Andrew Oftelie

Overview

The Treasurer is presenting the Orange County Transportation Authority's Investment Policy for 2018. The Investment Policy sets forth the investment guidelines for all funds invested on and after June 11, 2018. As recommended under California Government Code Section 53646(a)(2), the Orange County Transportation Authority is submitting its Investment Policy to be reviewed at a public meeting. Further, the governing body of a local agency has the authorization to appoint, for a period of one year, a Treasurer to invest, reinvest, purchase, exchange, sell, or manage public funds.

Recommendations

- A. Adopt the 2018 Investment Policy.
- B. Authorize the Treasurer to invest, reinvest, purchase, exchange, sell, and manage Orange County Transportation Authority funds during fiscal year 2018-19.

14. Proposed Overall Disadvantaged Business Enterprise Goal for Federal Transit Administration-Assisted Contracts for Federal Fiscal Years 2019-2021

Virginia Abadessa/Andrew Oftelie

Overview

An overall Disadvantaged Business Enterprise goal was developed for Orange County Transportation Authority's federally assisted contracts in compliance with federal regulations set forth in Title 49 CFR, Part 26, which requires the submission of a three-year Disadvantaged Business Enterprise goal and goal setting methodology. The proposed overall Disadvantaged Business Enterprise goal for the three federal fiscal years 2019 through 2021 is 11 percent.

Recommendation

Adopt the proposed overall Disadvantaged Business Enterprise goal of 11 percent for all Federal Transit Administration-assisted contracts issued during the federal fiscal years 2019-21, in accordance with Title 49 Code of Federal Regulations, Part 26.



BOARD AGENDA

- 15. Fiscal Year 2017-18 Third Quarter Grant Reimbursement Status Report**
Sam Kaur/Andrew Oftelie

Overview

The Quarterly Grant Reimbursement Status Report summarizes grant activities for the Orange County Transportation Authority Board of Directors. This report focuses on activity for the period of January through March 2018.

Recommendation

Receive and file as an information item.

- 16. Update on the Implementation of Orange County Transportation Authority Corridor Studies**
Carolyn Mamaradlo/Kia Mortazavi

Overview

Between 2006 and 2010, five corridor studies were completed by the Orange County Transportation Authority. These studies recommended multimodal improvements to address mobility challenges. Substantial progress has been made with respect to implementation of the improvements. Progress maps are provided for the Board of Directors' information.

Recommendation

Receive and file as an information item.

- 17. 2018 State Route 91 Implementation Plan**
Alison Army/Kia Mortazavi

Overview

The Orange County Transportation Authority annually prepares a long-range plan for improvements along the State Route 91 corridor between State Route 57 in Orange County and Interstate 15 in Riverside County. The plan includes a listing of potential improvements, preliminary cost estimates, and potential implementation timeframes. These improvements are sponsored by various agencies such as the Orange County Transportation Authority, the Riverside County Transportation Commission, the Transportation Corridor Agencies, the California Department of Transportation, and cities along the corridor. The 2018 State Route 91 Implementation Plan is provided.



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

Approve the 2018 State Route 91 Implementation Plan.

18. Capital Programming Update

Ben Ku/Kia Mortazavi

Overview

The Orange County Transportation Authority uses various state, federal, and local fund sources to fund freeway, grade separation, and transit projects. Several projects have accomplished project milestones and funding revisions for specific highway, grade separation, and transit projects, and are presented for the Board of Directors' approval.

Recommendations

- A. Authorize the use of up to \$47.788 million in Measure M2 funds, and up to \$7.966 million in Surface Transportation Block Grant funds for the Interstate 5 Improvement Project from State Route 73 to El Toro Road (Segments 1-4), increasing the total project funding from \$557.106 million to \$612.860 million.
- B. Authorize the use of \$1.205 million in Federal Transit Administration 5307 savings for the 60-foot alternative fuel replacement buses project.
- C. Authorize the use of \$0.647 million in remaining Regional Surface Transportation Program funds for three planning studies (Bristol Street Transit Corridor Study, Bus Rapid Transit Priced Managed Lanes Network, and Fullerton Park and Ride Joint Development Study).
- C. 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.



BOARD AGENDA

19. Orange County Transportation Authority State and Federal Grant Programs - Update and Recommendations

Louis Zhao/Kia Mortazavi

Overview

The Orange County Transportation Authority provides grants to local agencies through various state and federal funding programs. Status reports on these programs, as well as project changes, are presented for review and approval.

Recommendations

- A. Approve delay requests for seven projects for the cities of Anaheim, Garden Grove, Santa Ana, and the County of Orange.
- B. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program and execute any required agreements or amendments to facilitate the recommendations above.

Orange County Local Transportation Authority Consent Calendar Matters

20. Supplemental Contract Change Order for Extra Maintenance Work for the Interstate 405 Improvement Project from State Route 73 to Interstate 605

Dennis Mak/James G. Beil

Overview

On November 14, 2016, the Orange County Transportation Authority Board of Directors approved Agreement No. C-5-3843 with OC 405 Partners, a joint venture, for the design and construction of the Interstate 405 Improvement Project from State Route 73 to Interstate 605. A supplemental contract change order is required for extra maintenance work anticipated during construction through final project acceptance.



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

Authorize the Chief Executive Officer to negotiate and execute supplemental Contract Change Order No. 3.1 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$1,300,000, for extra maintenance work for the Interstate 405 Improvement Project from State Route 73 to Interstate 605.

21. Environmental Mitigation Program Endowment Fund Investment Report for March 31, 2018

Rodney Johnson/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 projects. California Community Foundation manages the non-wasting endowment required to pay for 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 the performance. Attached is the quarterly investment report for the Endowment Pool for the period ending March 31, 2018. The report has been reviewed and is consistent with the pool objectives.

Recommendation

Receive and file as an information item.



BOARD AGENDA

22. Measure M2 Quarterly Progress Report for the Period of January 2018 Through March 2018

Tamara Warren/Kia Mortazavi

Overview

Staff has prepared a Measure M2 quarterly progress report for the period of January 2018 through March 2018 for review by the Orange County Transportation Authority Board of Directors. This report highlights progress on Measure M2 projects and programs and will be available to the public via the Orange County Transportation Authority website.

Recommendation

Receive and file as an information item.

23. Measure M2 Eligibility Review Recommendations for Fiscal Year 2016-17 Expenditure Reports

May Hout/Kia Mortazavi

Overview

The Measure M2 Ordinance requires all local jurisdictions in Orange County to annually satisfy eligibility requirements to receive Measure M2 net revenues. Fiscal year 2016-17 expenditure reports and resolutions have been submitted by all local jurisdictions. The Orange County Transportation Authority Taxpayer Oversight Committee met and determined that all local jurisdictions are eligible to receive Measure M2 funds. Based upon this determination and the Measure M2 Eligibility Guidelines, the Board of Directors is now requested to find all local jurisdictions eligible to receive Measure M2 revenues for fiscal year 2017-18.

Recommendation

Find all 35 Orange County local jurisdictions eligible to receive Measure M2 revenues for fiscal year 2017-18.



BOARD AGENDA**24. Comprehensive Transportation Funding Programs Semi-Annual Review - March 2018**

Christina Moore/Kia Mortazavi

Overview

The Orange County Transportation Authority recently completed the March 2018 semi-annual review of projects funded through the Comprehensive Transportation Funding Program. This process reviews the status of Measure M2 grant-funded projects and provides an opportunity for local agencies to update project information and request project modifications, as appropriate. Recommended project adjustments emerging from the March 2018 semi-annual review process are presented for Board of Directors' review and approval.

Recommendation

Approve project adjustments to Comprehensive Transportation Funding Program projects, Local Fair Share, and Senior Mobility funds.

Regular Calendar**Orange County Local Transportation Authority Regular Calendar Matters****25. Comprehensive Transportation Funding Programs - 2018 Project O and Project P - Call for Projects Programming Recommendations**

Joseph Alcock/Kia Mortazavi

Overview

The Orange County Transportation Authority issued the 2018 annual Measure M2 Regional Capacity Program and Regional Traffic Signal Synchronization Program call for projects in August 2017. This call for projects made available approximately \$40 million in Measure M2 competitive grant funding for streets and roads projects countywide. A list of projects recommended for funding is presented for review and approval.



BOARD AGENDA

25. (Continued)

Recommendations

- A. Approve the award of \$32 million in 2018 Regional Capacity Program funds to 11 local agency projects.
- B. Approve the award of \$8.9 million in 2018 Regional Traffic Signal Synchronization Program funds to six projects.
- C. Authorize the Chief Executive Officer, or designee, to accept \$6.85 million in Local Partnership Program competitive grant funds and execute any required agreements or amendments with the State of California, the California Transportation Commission, and the California Department of Transportation to facilitate the recommendations above.
- D. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program to facilitate the recommendations above.

Discussion Items

26. 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.

27. Chief Executive Officer's Report

28. Directors' Reports



BOARD AGENDA

29. Closed Session

A Closed Session will be held as follows:

- A. Pursuant to Government Code Section 54956.9(d)(1) – Existing Litigation. *Marines v. Orange County Transportation Authority, et al.*, OCSC Case No. 30-2017-00916568.
- B. Pursuant to Government Code Section 54956.9(d)(1) – Existing Litigation. *Orange County Transportation Authority v. I&M Pinsky, LLC., et al.*, OCSC Case No. 30-2015-00786726.

30. Adjournment

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, June 25, 2018**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07-08, Orange, California.