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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  
**Monday, March 9, 2020 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](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 Chaffee

#### **Pledge of Allegiance**

Director Chamberlain



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## **BOARD AGENDA**

### **Special Calendar**

#### **1. Presentation of Resolution of Appreciation**

Present Orange County Transportation Authority Resolution of Appreciation No. 2020-017 to Kenneth Phipps, Deputy Chief Executive Officer.

### **Consent Calendar (Items 2 through 16)**

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**

#### **2. Approval of Minutes**

Approval of the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of February 24, 2020.

#### **3. Audit Responsibilities of the Finance and Administration Committee**

Janet Sutter

##### **Overview**

The Finance and Administration Committee of the Board of Directors of the Orange County Transportation Authority serves as an audit committee in its oversight of audit activities. Annually, the Board of Directors approves the Audit Responsibilities of the Finance and Administration Committee to reaffirm the responsibilities of the Finance and Administration Committee with regard to audits.

##### **Recommendation**

Approve the Audit Responsibilities of the Finance and Administration Committee.



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**BOARD AGENDA****4. Approval of Board Members Travel**

Approve for Chairman Steve Jones, Vice Chairman Andrew Do, and Finance and Administration Committee Chairman Michael Hennessey to travel the week of June 15, 2020, to attend the annual New York rating agency trip in New York, New York.

**5. 91 Express Lanes Update for the Period Ending - December 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, traffic volumes and toll revenues have fluctuated with the changes in the economy and the additional capacity added to the State Route 91 corridor. Over the last quarter, there have been approximately 4.4 million trips taken on the 91 Express Lanes in Orange County. This report focuses on the operational and financial activities for the period ending December 31, 2019.

**Recommendation**

Receive and file as an information item.

**6. Fiscal Year 2019-20 Second 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 October through December 2020.

**Recommendation**

Receive and file as an information item.



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**BOARD AGENDA****7. Grant Award Acceptance for Development of the Disaster Mitigation Plan**

Jennifer Haith Farinas/Kia Mortazavi

**Overview**

The California Governor's Office of Emergency Services awarded the Orange County Transportation Authority \$93,750 in competitive Hazard Mitigation Grant Program funding. The grant award will support the development of the Orange County Transportation Authority's first Local Hazard Mitigation Plan within the OC Bus service area and the Los Angeles - San Diego - San Luis Obispo Rail Corridor within Orange County.

**Recommendation**

Authorize the Chief Executive Officer, or designee, to accept California Governor's Office of Emergency Services Hazard Mitigation Grant Program award.

**Orange County Transit District Consent Calendar Matters****8. Interagency Fare Revenue Agreements, Internal Audit Report No. 20-505**

Gabriel Tang/Janet Sutter

**Overview**

The Internal Audit Department of the Orange County Transportation Authority has completed an audit of interagency fare revenue agreements with the Southern California Regional Rail Authority and the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency. Based on the audit, controls in place to ensure collection of revenues in accordance with these agreements are adequate and functioning.

**Recommendation**

Receive and file Interagency Fare Revenue Agreements, Internal Audit Report No. 20-505, as an information item.



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**BOARD AGENDA****Orange County Local Transportation Authority Consent Calendar Matters****9. Amendment to Cooperative Agreement with the City of Fountain Valley for the Interstate 405 Improvement Project**

Jeff Mills/James G. Beil

**Overview**

On March 14, 2016, the Orange County Transportation Authority Board of Directors approved Cooperative Agreement No. C-5-3613 with the City of Fountain Valley for city services required during the design-build implementation of the Interstate 405 Improvement Project. An amendment to the cooperative agreement is needed to design and construct an eight-inch waterline along the freeway between Mount Baldy Circle and Euclid Street in the City of Fountain Valley.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Cooperative Agreement No. C-5-3613 between the Orange County Transportation Authority and the City of Fountain Valley, in the amount of \$282,000, for the design and construction of an eight-inch waterline along the freeway between Mount Baldy Circle and Euclid Street, as part of the Interstate 405 Improvement Project. This will increase the maximum obligation of the cooperative agreement to a total value of \$4,649,708.

**10. Amendment to Cooperative Agreement with the City of Westminster for the Interstate 405 Improvement Project**

Jeff Mills/James G. Beil

**Overview**

On March 14, 2016, the Orange County Transportation Authority Board of Directors approved Cooperative Agreement No. C-5-3615 with the City of Westminster for city services required during the design-build implementation of the Interstate 405 Improvement Project. The cooperative agreement needs to be amended for additional city support services during the design and construction of the project.



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**BOARD AGENDA****10. (Continued)****Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-5-3615 between the Orange County Transportation Authority and the City of Westminster, in the amount of \$838,791, for additional city services for the Interstate 405 Improvement Project. This will increase the maximum obligation of the cooperative agreement to a total value of \$2,662,679.

**11. Supplemental Contract Change Order for the Interstate 405 Improvement Project from State Route 73 to Interstate 605 - Collection and Disposal of Unknown Hazardous Materials**

Jeff Mills/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 needed to collect and dispose of unknown hazardous materials during construction through final project completion.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute supplemental Contract Change Order No. 8.3 to Agreement No. C-5-3843 between Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$1,900,000, to collect and dispose of unknown hazardous materials for the Interstate 405 Improvement Project from State Route 73 to Interstate 605.



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**BOARD AGENDA**

**12. Cooperative Agreement with the Orange County Flood Control District for the State Route 55 Improvement Project Between Interstate 405 and Interstate 5**

Ross Lew/James G. Beil

**Overview**

The Orange County Transportation Authority proposes to enter into a cooperative agreement with the Orange County Flood Control District to define roles, responsibilities, process, and funding obligations for the Lane Channel reconstruction within the State Route 55 Improvement Project between Interstate 405 and Interstate 5.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-9-1469 between the Orange County Transportation Authority and the Orange County Flood Control District for in-kind equivalent exchange relating to the Lane Channel reconstruction and property rights, and the amount of \$175,000 for project support services, including design plans, specifications and report reviews, permit issuance, right-of-way coordination, and construction inspection for the Lane Channel reconstruction within the State Route 55 Improvement Project between Interstate 405 and Interstate 5.

**13. Approval to Release Request for Proposals for the Preparation of Plans, Specifications, and Estimates for the State Route 91 Improvement Project Between Acacia Street and La Palma Avenue**

Jeannie Lee/James G. Beil

**Overview**

Staff has developed a request for proposals to initiate a competitive procurement process to retain consultant services to prepare plans, specifications, and estimates for the State Route 91 improvement project between Acacia Street and La Palma Avenue.



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**BOARD AGENDA****13. (Continued)****Recommendations**

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2073 for consultant services for the preparation of plans, specifications, and estimates for the State Route 91 improvement project between Acacia Street and La Palma Avenue.
- B. Approve the release of Request for Proposals 0-2073 for consultant services for the preparation of plans, specifications, and estimates for the State Route 91 improvement project between Acacia Street and La Palma Avenue.

**14. Environmental Mitigation Program Endowment Fund Investment Report for December 31, 2019**

Robert Davis/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 its performance. Attached are the quarterly investment reports for the Endowment Pool for the period ending December 31, 2019. The reports have been reviewed and are consistent with the pool objectives.

**Recommendation**

Receive and file as an information item.





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**BOARD AGENDA**

**15. Measure M2 Quarterly Progress Report for the Period of October 2019 Through December 2019**

Tamara Warren/Kia Mortazavi

**Overview**

Staff has prepared a Measure M2 quarterly progress report for the period of October 2019 through December 2019, 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.

**16. Measure M2 Environmental Cleanup Program - Project X Tier 1 Grant Program Call for Projects**

Alfonso Hernandez/Kia Mortazavi

**Overview**

The Measure M2 Environmental Cleanup Program provides grants to projects that protect Orange County waterways and beaches from roadway runoff. Staff has updated the program implementation guidelines and is seeking authorization to release the next Environmental Cleanup Program Tier 1 call for projects.

**Recommendations**

- A. Approve the proposed revisions to the Comprehensive Transportation Funding Programs Guidelines for the Environmental Cleanup Program Tier 1 Program.
- B. Authorize staff to issue the fiscal year 2020 Environmental Cleanup Program Tier 1 call for projects.



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## **BOARD AGENDA**

### **Regular Calendar**

There are no Regular Calendar Matters.

### **Discussion Items**

**17. Fiscal Year 2020-21 Budget Kick-off and Assumptions**

Victor Velasquez/Andrew Oftelie

Staff is in the process of developing the fiscal year 2020-21 annual budget. Staff will be presenting revenue and expenditure assumptions for the committee's consideration.

**18. Update on Interstate 5/El Toro Road Interchange Project**

Niall Barrett/James G. Beil

Staff will provide a project update.

**19. 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.

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

**21. Directors' Reports**

**22. Closed Session**

A Closed Session will be held as follows:

Pursuant to Government Code Section 54956.9(a) - Conference with General Counsel - Existing Litigation; In Re Toll Roads Litigation, United States District Court - Central Division Case No. 8:16 CV 00262 AG.



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**BOARD AGENDA****23. Adjournment**

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, March 23, 2020**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07-08, Orange, California.