



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, January 25, 2021 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 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.

Guidance for Public Access to the Board of Directors/Committee Meeting

On March 12, 2020 and March 18, 2020, Governor Gavin Newsom enacted Executive Orders N-25-20 and N-29-20 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public to promote social distancing due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19).

In accordance with Executive Order N-29-20, and in order to ensure the safety of the Orange County Transportation Authority (OCTA) Board of Directors (Board) and staff and for the purposes of limiting the risk of COVID-19, in person public participation at public meetings of the OCTA will not be allowed during the time period covered by the above referenced Executive Orders.



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Guidance for Public Access to the Board of Directors/Committee Meeting (Continued)

Instead, members of the public can listen to AUDIO live streaming of the Board and Committee meetings by clicking the below link:

<http://www.octa.net/About-OCTA/Who-We-Are/Board-of-Directors/Live-and-Archived-Audio/>

Public comments may be submitted for the upcoming Board and Committee meetings by emailing them to ClerkOffice@octa.net.

If you wish to comment on a specific agenda Item, please identify the Item number in your email. All public comments that are timely received will be part of the public record and distributed to the Board. Public comments will be made available to the public upon request.

In order to ensure that staff has the ability to provide comments to the Board Members in a timely manner, please submit your public comments **30 minutes prior to the start time of the Board and Committee meeting date.**

Call to Order

Roll Call

Invocation

Director Bartlett

Pledge of Allegiance

Director Jones

Special Calendar

Orange County Transportation Authority Special Calendar Matters

1. Administration of the Oath of Office to New Orange County Transportation Authority Board of Director

Oath of Office will be administered to new Board Member Patrick Harper.



BOARD AGENDA

2. 2021 Board of Directors and Chief Executive Officer Initiatives and Action Plan

Darrell E. Johnson

At the beginning of each calendar year, the Orange County Transportation Authority Board of Directors, led by the Chairman, identifies a set of priorities for the year, entitled Board Initiatives. The Chief Executive Officer's Initiatives and Action Plan that support and reinforce the Board Initiatives are also developed at the same time. Combined, the Board Initiatives and Chief Executive Officer's Initiatives and Action Plan chart the course of activities to be accomplished during the year by the agency.

Consent Calendar (Items 3 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

3. Approval of Minutes

Approval of the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of January 11, 2021.

4. Fiscal Year 2019-20 Annual Financial Statement Audits, Single Audit, and Agreed-Upon Procedures Reports

Janet Sutter

Overview

The Orange County Transportation Authority is required to obtain an independent auditor's opinion on various financial statements and on its compliance with requirements of major federal programs. Crowe LLP, an independent accounting firm, has completed its annual audits of the Orange County Transportation Authority and related entities for the fiscal year 2019-20, and issued the required Single Audit report with its opinion on the Orange County Transportation Authority's compliance with major federal programs. In addition, reports have been issued on the results of agreed-upon procedures applied by Crowe LLP, to assist management in determining compliance with certain state, federal, and local requirements.



BOARD AGENDA

4. (Continued)

Recommendation

Receive and file the fiscal year 2019-20 annual financial statement audits, Single Audit, and agreed-upon procedures reports as information items.

5. Fiscal Year 2020-21 Internal Audit Plan, Second Quarter Update

Janet Sutter

Overview

The Orange County Transportation Authority Board of Directors adopted the Orange County Transportation Authority Internal Audit Department Fiscal Year 2020-21 Internal Audit Plan on July 27, 2020. This report provides an update of activities for the second quarter of the fiscal year.

Recommendation

Receive and file the second quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2020-21 Internal Audit Plan as an information item.

6. Approval of 2021 Orange County Transportation Authority Board Committees and External Agencies' Assignments

Andrea West/Jennifer L. Bergener

Overview

The recommended 2021 Board Member assignments for the Orange County Transportation Authority Board Committees and external agencies are presented for the Board of Directors' consideration and approval.



BOARD AGENDA

6. (Continued)

Recommendations

- A. Approve the Chairman's assignments for the 2021 Orange County Transportation Authority Board Committees comprised of the Executive, Finance and Administration, Legislative and Communications, Regional Planning and Highways, State Route 91 Advisory, Transit, and Environmental Oversight Committees.
- B. Receive the Chairman's assignments for 2021 external agencies comprised of the California Association of Councils of Governments, Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency, Mobile Source Air Pollution Reduction Review Committee, Southern California Association of Governments' Regional Council, Orange County Council of Governments, and Southern California Regional Rail Authority.

7. Fiscal Year 2020-21 First Quarter Budget Status Report

Anthony Baruch/Andrew Oftelie

Overview

The Orange County Transportation Authority's staff has implemented the fiscal year 2020-21 budget. This report summarizes the material variances between the budget and actual revenues and expenses through the first quarter of fiscal year 2020-21.

Recommendation

Receive and file as an information item.



BOARD AGENDA

8. Orange County Transportation Authority Investment and Debt Programs Report - November 2020

Robert Davis/Andrew Oftelie

Overview

The Orange County Transportation Authority has a comprehensive investment and debt program to fund its immediate and long-term cash flow demands. Each month, the Treasurer submits a report detailing investment allocation, performance, compliance, outstanding debt balances, and credit ratings for the Orange County Transportation Authority's debt program. This report is for the month ending November 30, 2020. The report has been reviewed and is consistent with the investment practices contained in the Investment Policy.

Recommendation

Receive and file as an information item.

9. State Legislative Status Report

Alexis Leicht/Lance M. Larson

Overview

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting Orange County Transportation Authority programs, projects, and operations. The State has formed several committees to inform guidance on the distribution of the coronavirus vaccine. An update is provided regarding Orange County Transportation Authority engagement on these discussions, including advocacy efforts to prioritize the transportation sector as an essential service within state guidance. With the start of the legislative session and new vacancies existing within the Administration, information is provided on changes related to the State Legislature's committee assignments and new appointments to the California Air Resources Board. As a follow-up to a memo sent to the Orange County Transportation Authority Board of Directors, a verbal update will be provided on Governor Newsom's proposed fiscal year 2021-2022 state budget.

Recommendation

Receive and file as an information item.



BOARD AGENDA

10. Federal Legislative Status Report

Dustin J. Sifford/Lance M. Larson

Overview

An update is provided on the enactment of the annual federal appropriations bills and additional economic stimulus legislation. Details are also included on the nomination for a new Secretary of Transportation.

Recommendation

Receive and file as an information item.

11. Extension of Coronavirus-Related Leaves

Karen DeCrescenzo/Maggie McJilton

Overview

Federal law required Emergency Paid Sick Leave and Expanded Family Medical Leave under the Family and Medical Leave Act for coronavirus-related absences through December 31, 2020. This requirement was not continued in the most recent federal funding agreement. In order to address the anticipated need for leaves, Board of Directors' approval is requested to extend the Emergency Paid Sick Leave and Expanded Family Medical Leave for eligible employees, effective January 1, 2021 until March 31, 2021.

Recommendations

- A. Approve the extension of employees' ability to use Emergency Paid Sick Leave to provide compensation relief for coronavirus-related absences.
- B. Authorize the Chief Executive Officer, or designee, to administer continuation of Emergency Paid Sick Leave and Expanded Family Medical Leave for employees, effective January 1, 2021 until March 31, 2021, and allow program extension beyond that date as necessary to accommodate need and with notification to the Board of Directors.



BOARD AGENDA

Orange County Transit District Consent Calendar Matters

- 12. Amendment to Agreement for Bus Advertising Revenue Program**
Jennifer O'Connor/Maggie McJilton

Overview

On June 22, 2015, the Orange County Transportation Authority's Board of Directors approved an agreement with Outfront Media Group, LLC, to sell, place, and maintain advertisements on its bus vehicles. In response to declining revenue due to the coronavirus pandemic, on July 20, 2020, the Board of Directors approved an amendment to exercise the second option term with a modified payment provision. Due to the extended effects of the pandemic, Outfront Media Group, LLC, is requesting a temporary modification to the existing minimum annual guarantee requirement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Agreement No. C-5-3076 between the Orange County Transportation Authority and Outfront Media Group, LLC, to eliminate the minimum annual guarantee and adopt a payment term based solely on a 70 percent revenue-sharing arrangement through December 2021.

- 13. Award of Agreement for the Purchase of Electric Vehicle Chargers and Energy Management System**
Cliff Thorne/Jennifer L. Bergener

Overview

The Orange County Transportation Authority uses a variety of light-duty vehicles to support bus operations. Operator relief vehicles are light-duty vehicles used primarily to relieve coach operators in the field while on duty. On August 10, 2020, the Board of Directors approved the purchase of up to 55 battery electric vehicles to replace the current fleet of compressed natural gas-powered operator relief vehicles. Board of Directors' approval is requested to execute an agreement to purchase required electric vehicle charging stations with an energy management system to support the battery electric vehicle fleet.



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

- A. Approve the selection of ChargePoint, Inc., as the firm to provide up to 72 electric vehicle charging stations with an energy management system.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2692 between the Orange County Transportation Authority and ChargePoint, Inc., in the amount of \$484,331, to provide up to 72 electric vehicle charging stations with an energy management system, for a five-year initial term effective February 1, 2021 through January 31, 2026, with one, three-year option term.

14. Sole Source Agreement for the Operations and Maintenance of Fluid Management System

Marie Latino/Jennifer L. Bergener

Overview

The Orange County Transportation Authority utilizes a fleet of 778 revenue vehicles and 151 non-revenue vehicles to provide both OC Bus and OC ACCESS services. This fleet of vehicles requires managed fuel and fluid dispensing. A proprietary computerized electronic fluid management system is currently used for authorizing fluid dispensing, as well as tracking odometer readings and fluid consumption of all fleet vehicles. The existing agreement for the operations and maintenance of the fluid management system will expire on February 28, 2021. Staff is requesting Board of Directors' approval to initiate a new sole source agreement to continue the operations and maintenance of the current system.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C-0-2615 between the Orange County Transportation Authority and S&A Systems, Inc., in the amount of \$644,296, for a four-year initial term with one, three-year option term, for the operations and maintenance of the current fluid management system.



BOARD AGENDA

15. February 2021 Bus Service Change Jorge Duran/Kia Mortazavi

Overview

The February 2021 bus service change will continue the same level of bus service as was implemented in October 2020. This recommendation is based on generally stable ridership demand. Staff is also underway with the development of a contingency plan should demand increase and additional service is needed between February 2021 and the regularly planned June 2021 schedule change.

Recommendation

Receive and file as an information item.

Orange County Local Transportation Authority Consent Calendar Matters

16. Measure M2 Community-Based Transit Circulators Program Project V Ridership Report and Proposed Program Revisions Alfonso Hernandez/Kia Mortazavi

Overview

Measure M2 includes a program to fund Community-Based Transit Circulators known as Project V. The goal of the program is to provide local transit services designed to complement regional transit services. Funding is awarded to local agencies through a competitive call for projects and awarded services are then implemented by awarded local agencies. Ridership reports for each of the Project V-funded services are presented to the Board of Directors twice annually. This item provides the ridership report covering the fourth quarter of fiscal year 2019-20 (April - June 2020) and the first quarter of fiscal year 2020-2021 (July - September 2020). Due to the significant impacts that the coronavirus has had upon Project V services and recent audit recommendations, several revisions to the program are presented for review and approval.



BOARD AGENDA**16. (Continued)****Recommendations**

- A. Receive and file the Project V Ridership Report as an information item.
- B. Approve Project V Program revisions related to the impacts of the coronavirus and recent internal audit recommendations.
- C. Authorize the Chief Executive Officer to negotiate, execute, and amend as necessary all existing cooperative agreements for Project V services, in order to implement the recommendation above.

Orange County Local Transportation Authority Regular Calendar Matters**17. OC Streetcar Project Quarterly Update**

Mary Shavaliel/James G. Beil

Overview

The Orange County Transportation Authority is implementing the OC Streetcar project, and updates are provided to the Board of Directors on a quarterly basis. This report provides an update on OC Streetcar project activities from September 2020 through December 2020.

Recommendation

Receive and file as an information item.



BOARD AGENDA**18. Contract Change Orders for the Construction of the OC Streetcar Project**

Mary Shavalier/James G. Beil

Overview

On September 24, 2018, the Orange County Transportation Authority Board of Directors authorized Agreement No. C-7-1904 with Walsh Construction Company II, LLC, for construction of the OC Streetcar project. Contract change orders are required for acquisition of updated communication equipment, removal of thicker asphalt concrete pavement due to differing site conditions in City of Santa Ana streets, and continued hand digging of pole foundations.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 43 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$372,136, for the acquisition of updated communications equipment.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 48 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$1,177,362, for removal of thicker asphalt concrete pavement from City of Santa Ana streets.
- C. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 16.2 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$1,400,000, for additional hand digging of overhead contact system, traffic signal, and streetlight pole foundations.



BOARD AGENDA

Discussion Items

- 19. Public Comments**
- 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 54957.6 to discuss negotiations with Teamsters Local 952 (Teamsters) regarding the coach operators. The lead negotiator for the Orange County Transportation Authority is Maggie McJilton, Executive Director of Human Resources and Organizational Development and the lead negotiator for the Teamsters is to be appointed by the Teamsters.

- 23. Adjournment**

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, February 8, 2021**, at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.