



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, February 22, 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.



BOARD AGENDA

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.**



BOARD AGENDA

Call to Order

Roll Call

Invocation

Director Chaffee

Pledge of Allegiance

Director Goodell

Special Calendar

There are no Special Calendar matters.

Consent Calendar (Items 1 through 13)

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

1. Approval of Minutes

Approval of the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of February 8, 2021.

2. 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.



BOARD AGENDA**2. (Continued)****Recommendation**

Approve the Audit Responsibilities of the Finance and Administration Committee.

3. Approval of Revised 2021 Orange County Transportation Authority Board Committee Assignments

Andrea West/Jennifer L. Bergener

Overview

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

Recommendation

Approve the Chairman's Revised 2021 Orange County Transportation Authority Board Committee assignments, adding Director Joseph Muller to the Regional Planning and Highways Committee.

4. 91 Express Lanes Update for the Period Ending - December 31, 2020

Kirk Avila

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, additional capacity added to the State Route 91 corridor, and the recent coronavirus pandemic. Over the last quarter, there were approximately 3.5 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, 2020.

Recommendation

Receive and file as an information item.



BOARD AGENDA**5. Agreement for On-Call Planning Studies Public Outreach Consultant Services**

Marissa Espino/Maggie McJilton

Overview

On October 21, 2020, the Orange County Transportation Authority released a request for proposals for public outreach consulting services for upcoming planning studies. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for these services.

Recommendations

- A. Approve the selection of Arellano Associates, LLC as the firm to provide public outreach consulting services for upcoming planning studies.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2622 between the Orange County Transportation Authority and Arellano Associates, LLC, in the amount of \$275,000 for a two-year initial term with one, one-year option term, to provide public outreach consulting services for upcoming planning studies.

6. Approval of Local Transportation Fund Fiscal Year 2021-22 Apportionment Estimates

Sam Kaur/Andrew Oftelie

Overview

The Orange County Transportation Authority, as the transportation planning agency and county transportation commission for Orange County, is responsible for developing estimates used in apportioning revenues earned and deposited in the Orange County Local Transportation Fund. Transportation Development Act regulations require that the apportionments for fiscal year 2021-22 be determined and prospective claimants be advised of the amounts by March 1st.



BOARD AGENDA**6. (Continued)****Recommendation**

Approve the Local Transportation Fund fiscal year 2021-22 apportionment estimates and authorize the Chief Executive Officer to advise all prospective claimants of the amounts of all area apportionments from the Orange County Local Transportation Fund for the following fiscal year.

7. 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 its overall programs, projects, and operations. Information is provided on proposed budget trailer bill language related to statutory relief measures for transit agencies. An update is provided on the State's ongoing discussions related to the vaccine distribution plan and advocacy efforts to designate transportation workers as a priority group in the vaccine distribution plan. As discussions related to post-pandemic recovery continue, an overview of a letter to the President from the Governor regarding economic stimulus priorities is provided. An update is also given regarding legislative leadership changes.

Recommendation

Support the intent of the Governor's proposed budget trailer bill language to extend and expand regulatory relief measures related to the Transportation Development Act while continuing the work to improve the effectiveness of the proposal.



BOARD AGENDA**8. Federal Legislative Status Report**

Dustin J. Sifford/Lance M. Larson

Overview

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its programs, projects, and operations. An update is provided on the initial actions of both the new Presidential Administration and the 117th Congress. Details are provided on the potential for another round of economic stimulus funding. An overview is provided on the Executive Orders signed by President Biden, and the newly appointed transportation leaders within the new Administration. An update is provided on the members of the Orange County delegation serving on the House Transportation and Infrastructure Committee, as well a summary of a hearing on protecting essential transportation workers.

Recommendation

Receive and file as an information item.

9. 91 Express Lanes Property Insurance Renewal

Al Gorski/Maggie McJilton

Overview

The Orange County Transportation Authority currently has a primary property and flood insurance policy for the 91 Express Lanes with Zurich American Insurance Company, and six earthquake insurance policies with Everest Indemnity Insurance Company, General Security Indemnity Company of Arizona, Old Republic Union Insurance Company, QBE Specialty Insurance Company, Steadfast Insurance Company, and Princeton Excess and Surplus Lines Insurance Company, all of which will expire on March 1, 2021. Renewal of these policies is necessary to maintain coverage.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. A46898, in the amount of \$460,332 to Marsh USA, Inc., to purchase the 91 Express Lanes property, flood, and earthquake insurance on behalf of the Orange County Transportation Authority for the policy period of March 1, 2021 to March 1, 2022.



BOARD AGENDA**Orange County Transit District Consent Calendar Matters****10. Amendment to Agreement for Mobile Ticketing Validators Extended Warranty Coverage Period**

Sam Kaur/Andrew Oftelie

Overview

The Orange County Transportation Authority implemented the use of mobile ticketing validators to validate mobile fare media. This was done through the use of consultant resources for the initial installation of the validators, completed in 2018 and on-going technical and warranty support since that time. Staff is requesting Board of Directors' approval to exercise the first option term to extend warranty coverage for the validators for a one-year period.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Agreement No. C-6-0942 between the Orange County Transportation Authority and Init Innovations in Transportation, Inc., to exercise the first option term in the amount of \$136,608, for extended warranty coverage for mobile ticketing validators effective May 1, 2021 through April 30, 2022.

11. Amendment to Agreement for Renewable Natural Gas

Ron Rojas/Andrew Oftelie

Overview

On March 14, 2016, the Orange County Transportation Authority Board of Directors approved an agreement with Element Markets Renewable Energy, LLC, to provide renewable natural gas and consulting services for management of the Low Carbon Fuel Standard Program for a three-year initial term with two, two-year option terms. An amendment is required to exercise the second option-term.



BOARD AGENDA**11. (Continued)****Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 8 to Agreement No. C-5-3636 between Orange County Transportation Authority and Element Markets Renewable Energy, LLC, to exercise the second two-year option-term, in the amount of \$9,500,000, to provide renewable natural gas and consulting services for management of the Low Carbon Fuel Standard Program. This will increase the maximum obligation of the agreement to a total contract value of \$27,560,000.

12. Amendment to Agreement with First Transit, Inc., for the Provision of Contracted Fixed-Route Service

Eileen Bruggeman/Beth McCormick

Overview

On March 23, 2015, the Orange County Transportation Authority Board of Directors approved an agreement with First Transit, Inc., for the management and operation of contracted fixed-route OC Bus service. Since March 23, 2020, as a result of the coronavirus pandemic, OC Bus fixed-route service has been significantly reduced. Because of the sustained operation of reduced service levels, and consistent with the terms of the agreement, First Transit, Inc. has requested an amendment to adjust the contract rates, and to be reimbursed for additional costs incurred as a result of the coronavirus pandemic. The Coronavirus Aid, Relief, and Economic Security Act of 2020, specifically provides for this relief with guidance from the Federal Transit Administration. Staff requests approval of an amendment to the agreement with First Transit, Inc., to adjust the contract rates for the service provided from June 14, 2020 through May 31, 2021, and to increase the amount of coronavirus pass-through funds by \$3,149,737.



BOARD AGENDA**12. (Continued)****Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 12 to Agreement No. C-4-1737 between the Orange County Transportation Authority and First Transit, Inc. to adjust the rates for the provision of contracted fixed-route OC Bus service, and increase the maximum reimbursement necessary to cover actual expenses due to the coronavirus pandemic an additional \$3,149,737, for an amount not to exceed \$4,969,679, from June 14, 2020 through May 31, 2021. In addition, authorize scope of work modifications to clarify performance expectations.
- B. Approve an amendment to the Orange County Transportation Authority Fiscal Year 2020-2021, Operations Division Budget, in the amount of \$4,415,312.

13. Agreement for Enterprise Asset Management System

Marie Latino/Jennifer L. Bergener

Overview

The Orange County Transportation Authority requires the services of a firm for the licenses, implementation, maintenance, and support of an enterprise asset management system. A competitive procurement has been conducted and offers were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for an enterprise asset management system.

Recommendations

- A. Approve the selection of 21Tech LLC as the firm to provide an enterprise asset management system.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2272 between the Orange County Transportation Authority and 21Tech LLC, in the amount of \$5,061,529, to provide an enterprise asset management system for a seven-year initial term with two, two-year option terms.



BOARD AGENDA**Regular Calendar****Orange County Transit District Regular Calendar Matters****14. Draft June 2021 Bus Service Change Update**

Jorge Duran/Kia Mortazavi

Overview

Based on Federal Transit Administration Title VI requirements, the June 2021 bus service change requires a public hearing. This requirement includes an equity analysis and a public hearing for major bus service changes that have been in place for 12 months or longer. In response to the coronavirus pandemic, an emergency bus service change was implemented in March 2020, it was subsequently refined in June and October 2020, and remains in place as of February 2021. To meet these requirements, a public hearing is planned for April 2021, and recommendations are presented to the Board of Directors to initiate this process.

Recommendations

- A. Direct staff to implement a public outreach program on the June 2021 Bus Service Change and solicit feedback for the development of the fiscal year 2021-22 Bus Service Plan.
- B. Direct staff to return to the Board of Directors with outreach results in April 2021.

Discussion Items**15. Public Comments****16. Chief Executive Officer's Report****17. Directors' Reports**



BOARD AGENDA

18. Closed Session

A Closed Session will be held as follows:

- A. Pursuant to Government Code Section 54956.9(d)(1) - Conference with General Counsel - Existing Litigation - Orange County Transportation Authority v. International Asset Management, OCSC Case No. 30-2018-00978518.
- B. Pursuant to Government Code Section 54957.6 to discuss negotiations with the Transportation Communication International Union (TCU). 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 TCU is to be appointed by the TCU.

19. Adjournment

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