



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, May 24, 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 Orange County Transportation Authority (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 **90 minutes prior to the start time of the Board and Committee meeting date.**



BOARD AGENDA

Call to Order

Roll Call

Invocation

Director Jones

Pledge of Allegiance

Director Harper

Special Calendar

Orange County Local Transportation Authority Special Calendar Matters

1. **Public Hearing to Amend the Orange County Local Transportation Authority Measure M2 Ordinance No. 3**
Adriann Cardoso/Kia Mortazavi

Overview

On April 12, 2021, the Board of Directors directed staff to initiate the process to amend Orange County Local Transportation Authority Measure M2 Ordinance No. 3. The amendment will extend the temporary change to the maintenance of effort requirements for an additional year through fiscal year 2021-22 to assist local jurisdictions with the transition back to the pre-pandemic maintenance of effort benchmarks. The amendment process calls for a public hearing before the adoption of the proposed amendment.

Recommendations

- A. Amend the Orange County Local Transportation Authority Measure M2 Ordinance No. 3 to extend the fiscal year 2020-21 revised maintenance of effort requirements through fiscal year 2021-22 to assist local jurisdictions with the transition back to the pre-pandemic maintenance of effort benchmarks.
- B. Direct staff to provide written notice of the amendment to local jurisdictions.



BOARD AGENDA**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 May 10, 2021.

3. Investments: Compliance, Controls, and Reporting, July 1 through December 31, 2020, Internal Audit Report No. 21-509
Gabriel Tang/Janet Sutter**Overview**

The Internal Audit Department has completed an audit of investments for the period July 1 through December 31, 2020. Based on the audit, the Orange County Transportation Authority complied with its debt, investment, and reporting policies and procedures; however, the Internal Audit Department is recommending management consider incorporating assertions previously provided in quarterly reports to the Board of Directors that were eliminated in favor of providing monthly reports to the Board of Directors.

Recommendation

Direct staff to implement a recommendation provided in Investments: Compliance, Controls, and Reporting, July 1 through December 31, 2020, Internal Audit Report No. 21-509.



BOARD AGENDA

4. Fiscal Year 2020-21 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 third quarter of fiscal year 2020-21, covering January through March 2021.

Recommendation

Receive and file as an information item.

5. 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. A position is recommended on legislation that would allow cities or counties eligible for local streets and roads funding to jointly propose projects for funding. An update is provided on fiscal year 2021-22 state budget discussions and the priorities being pursued by the Orange County Transportation Authority and its transportation partners.

Recommendation

Adopt a SUPPORT position on SB 640 (Becker, D-San Mateo), which would allow cities or counties eligible for local streets and roads funding to jointly propose projects for funding.



BOARD AGENDA

6. Federal Legislative Status Report

Dustin J. Sifford/Lance M. Larson

Overview

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy issues directly impacting the agency's programs, projects, and operations. An update on the President's infrastructure plan and the response from Republicans in Congress is provided. A summary of a related hearing on high-speed rail service is included. The report also details potential environmental policy changes that may affect the agency. In addition, several Congressional transportation-related hearings are summarized on various policy issues to give a high-level overview of the everchanging policy environment in our nation's capital.

Recommendation

Receive and file as an information item.

7. Low Carbon Transit Operations Program Recommendations for Fiscal Year 2020-21 and Prior Year Funds

Denise Arriaga Ibarra/Kia Mortazavi

Overview

Funding recommendations are presented to utilize Low Carbon Transit Operations Program funds for transit projects that promote transit ridership growth and reduce greenhouse gas emissions. This program is part of the state Cap-and-Trade Program.

Recommendations

- A. Approve Resolution No. 2021-042 to authorize the use of fiscal year 2020-21 Low Carbon Transit Operations Program funds, prior year funds, and interest earnings totaling \$6,359,899, as follows:
- \$3,703,032 for the "Welcome Back" Fare Reduction Program for OC Bus Riders,
 - \$716,152 for the College Pass Program for Orange Coast College,
 - \$1,940,715 for the Ten Battery-Electric Buses, Bus Depot Upgrades and Charging Infrastructure Project.



BOARD AGENDA

7. (Continued)

- B. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program, as well as execute any necessary agreements to facilitate the recommendations above.

Orange County Transit District Consent Calendar Matters

- 8. Review of Oversight Controls and Contract Compliance Related to the Bridgestone/Firestone Tire Lease and Services Agreement No. C-9-1354, Internal Audit Report No. 21-506**
Gabriel Tang/Janet Sutter

Overview

The Internal Audit Department of the Orange County Transportation Authority has completed a review of oversight controls and contract compliance related to the Bridgestone American Tire Operations, LLC, tire lease and services agreement. Based on the review, the procurement of tire lease and services was handled in accordance with Orange County Transportation Authority procurement policies and procedures, and payments are properly reviewed and authorized by Orange County Transportation Authority staff. However, Bridgestone American Tire Operations, LLC, has not provided minimum staffing levels required by the contract, did not provide documents required to be submitted upon contract award, and was unable to provide certain required documents upon request. Additionally, contract requirements for torque re-check of new tires installed on ACCESS buses has not been implemented. Orange County Transportation Authority management has also not implemented monitoring controls to ensure contract compliance.

Recommendation

Direct staff to implement four recommendations provided in the Review of Oversight Controls and Contract Compliance Related to the Bridgestone/Firestone Tire Lease and Services Agreement No. C-9-1354, Internal Audit Report No. 21-506.



BOARD AGENDA

9. Agreement for Building Repairs at Garden Grove Bus Base
George Olivo/James G. Beil

Overview

The bus wash building at the Garden Grove Bus Base requires capital rehabilitation to maintain the facility in a state of good repair. An invitation for bids was released on February 15, 2021. Bids were received in accordance with the Orange County Transportation Authority's procurement procedures for public works projects. Board of Directors' approval is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-1-3295 between the Orange County Transportation Authority and Golden Gate Steel, Inc., doing business as Golden Gate Construction, the lowest responsive, responsible bidder, in the amount of \$222,169, for building repairs at the Garden Grove Bus Base.

10. Agreement for Americans with Disabilities Act Access Improvements and Parking Lot Pavement Replacement at Fullerton Park-and-Ride
George Olivo/James G. Beil

Overview

The Fullerton Park-and-Ride requires Americans with Disabilities Act-prescribed access improvements and pavement replacement to maintain a safe environment for users and state of good repair. Bids were received in accordance with Board of Directors-approved procedures for public works projects. Board of Directors' approval is requested to execute the necessary agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-1-3294 between the Orange County Transportation Authority and Onyx Paving Company, Inc., the lowest responsive, responsible bidder, in the amount of \$525,000, for the construction of Americans with Disabilities Act-prescribed access improvements and parking lot pavement replacement at the Fullerton Park-and-Ride.



BOARD AGENDA

11. Approval to Release Request for Proposals for Bus Stop Maintenance Program

Jeffrey N. Tatro/Jennifer L. Bergener

Overview

The Orange County Transportation Authority requires the services of a firm to perform ongoing preventive and corrective maintenance at all of OCTA's more than 5,400 bus stops. The current agreement for these services expires on November 30, 2021, and staff has prepared a request for proposals to initiate a competitive procurement. Board of Directors' approval to release a request for proposals is requested.

Recommendations

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 1-3408 for the bus stop maintenance program.
- B. Approve the release of Request for Proposals 1-3408 for the bus stop maintenance program effective December 1, 2021 through November 30, 2024, with two, two-year option terms.

12. Amendment to Agreement for Same-Day Taxi Service

Jack Garate/Jennifer L. Bergener

Overview

On July 23, 2018, the Orange County Transportation Authority Board of Directors approved an agreement with Yellow Cab of Greater Orange County, Inc. to provide same-day taxi service for a two-year initial term with two, one-year option terms. Effective June 1, 2020, the agreement was assigned to Cabco Yellow, Inc., doing business as California Yellow Cab, with prior approval from the Orange County Transportation Authority and consistent with the contract terms. On July 13, 2020, the Board of Directors approved an amendment to exercise the first option term of the agreement which expires on August 31, 2021. An amendment to the contract is necessary to exercise the second option term of the agreement.



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

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Agreement No. C-8-1440 between the Orange County Transportation Authority and Cabco Yellow, Inc., doing business as California Yellow Cab, to exercise the second option term of the agreement to continue providing same day taxi service in the amount of \$1,825,309. This amendment will increase the maximum obligation of the agreement to a total contract value of \$8,643,120.

Orange County Local Transportation Authority Consent Calendar Matters**13. Agreement for Landscape Maintenance Services Along the Pacific Electric Right-of-Way**

Joe Gallardo/James G. Beil

Overview

On February 16, 2021, the Orange County Transportation Authority issued an invitation for bids for landscape maintenance services within the Pacific Electric Right-of-Way. Bids were received in accordance with the Orange County Transportation Authority's procurement procedures for competitive sealed bids. Approval by the Board of Directors is requested to execute the agreement.

Recommendations

- A. Find J&S Property Management and Maintenance Inc., doing business as J&S Property Landscape, the apparent low bidder, as non-responsive for failure to complete the bid form in its entirety.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-1-3215 between the Orange County Transportation Authority and Mariposa Landscaping, Inc., the lowest responsive and responsible bidder, in the amount of \$284,640, for landscape maintenance services along the Pacific Electric Right-of-Way.



BOARD AGENDA**14. Environmental Mitigation Program Endowment Fund Investment Report for March 31, 2021**

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 programs. The California Community Foundation manages the non-wasting endowment required to fund 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.

Recommendation

Receive and file as an information item.

15. Measure M2 Project U Senior Non-Emergency Medical Transportation Funding and Program Guidelines

Joanne Jacobsen/Jennifer L. Bergener

Overview

Under Measure M2, Project U allocates funding to programs which expand mobility choices for seniors and persons with disabilities. As part of Project U, one percent of the net Measure M2 revenues are specifically designated to supplement the County of Orange Senior Non-Emergency Medical Transportation program. The current cooperative agreement with the County of Orange expires June 30, 2021. Board of Directors' approval is requested for a new agreement and revised program guidelines to continue to provide these non-emergency medical transportation services.

Recommendations

- A. Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-1-3446 with the County of Orange to continue providing funding for the Senior Non-Emergency Medical Transportation program.
- B. Adopt the revised Measure M2 Project U Senior Non-Emergency Medical Transportation Funding Guidelines.



BOARD AGENDA**16. Cooperative Agreements with Agencies Participating in the Measure M2 Senior Mobility Program**

Joanne Jacobsen/Jennifer L. Bergener

Overview

The Measure M2 Senior Mobility Program provides funding to eligible cities to provide transit services that best meet the needs of their senior communities. Cooperative agreements with cities and non-profit agencies participating in the Senior Mobility Program expire June 30, 2021. To continue providing funding to support Senior Mobility Program services, new agreements are required which will continue the Senior Mobility Program for an additional five-year initial term with one, five-year option term.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute cooperative agreements with 32 cities and three non-profit agencies participating in the Senior Mobility Program.
- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-1-3259 between the Orange County Transportation Authority and the non-profit agency Abrazar, Inc., in the amount of \$82,248 to provide funding through June 30, 2022.
- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-1-3260 between the Orange County Transportation Authority and the non-profit agency Korean American Senior Association of Orange County, in the amount of \$101,116 to provide funding through June 30, 2022.
- D. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-1-3261 between the Orange County Transportation Authority and the non-profit agency Southland Integrated Services, Inc., in the amount of \$88,910, to provide funding through June 30, 2022.



BOARD AGENDA**Regular Calendar****Orange County Transit District Regular Calendar Matters****17. June 2021 Bus Service Change**

Jorge Duran/Kia Mortazavi

Overview

In response to the coronavirus pandemic, emergency bus service changes were implemented in March 2020, with refinements subsequently implemented in June and October 2020. These service changes have remained in place through the February 2021 bus service change. Based on Federal Transit Administration Title VI requirements and Orange County Transportation Authority policy, the upcoming June 2021 bus service change required a public hearing. This requirement also included an equity analysis for major bus service changes that have been in place for 12 months or longer. The public hearing was conducted on April 26, 2021, and the final June 2021 bus service change has been developed based on input received.

Recommendations

- A. Approve the final June 2021 bus service change and direct staff to begin implementation.
- B. Receive and file the June 2021 Bus Service Change Public Involvement Program Final Report.
- C. Direct the Executive Director of Planning, or his designee, to file a Notice of Exemption from the California Environmental Quality Act related to the bus service change.



BOARD AGENDA

Orange County Local Transportation Authority Regular Calendar Matters

- 18. Contract Change Orders for Over-Excavation of Unsuitable Soils and Utility Conflicts for the Construction of the OC Streetcar Project**
Ross Lew/James G. Beil

Overview

On September 24, 2018, the Orange County Transportation Authority Board of Directors approved Agreement No. C-7-1904 with Walsh Construction Company II, LLC, for construction of the OC Streetcar project. Contract change orders are required for work to address over-excavation of unsuitable soils and utility conflicts.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 52.1 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$540,000, for over-excavation of unsuitable soils for the construction of the OC Streetcar project.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 4.3 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$2,000,000, for work to address utility conflicts for the construction of the OC Streetcar project.

Discussion Items

- 19. Future of Transit Workshop 1**
Kurt Brotcke/Kia Mortazavi

The Orange County Transportation Authority's core business includes bus operations, rail (Metrolink), Measure M2, Express Lanes, non-program specific projects, and motorist services. Orange County is a constantly changing environment that requires continual refinements/improvements to services in response to ridership and revenue trends, changing demographics and needs, state policies, etc. A number of studies have been conducted and are planned in the future to help shape the future of transit. This workshop is to inform the Board of Directors on these services and studies. Board of Director's feedback is instrumental in shaping the Orange County Transportation Authority's vision for the future of transit.



BOARD AGENDA

20. Public Comments

21. Chief Executive Officer's Report

22. Directors' Reports

23. Closed Session

Pursuant to Government Code Section 54956.9(d)(1) - Conference with General Counsel - Existing Litigation - Orange County Transportation Authority v. SOCO Retail Fee Owner, LLC, et al, OCSC Case No. 30-2018-01014059.

24. Adjournment

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, June 14, 2021** at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.