



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, November 22, 2021 at 9:00 a.m.

Any person with a disability who requires a modification or accommodation 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 business days prior to this meeting, to allow time to make reasonable arrangements to assure accessibility to the 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 (Board) 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 ww.octa.net or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

Public Comments on Agenda Items

Members of the public can either attend in-person (subject to OCTA's Coronavirus (COVID-19) safety protocols) or listen to audio live streaming of the Board and Committee meetings by clicking the below link:

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



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Members of the public may address the Board of Directors regarding any item two ways:

In-Person Comment

Members of the public may attend in-person (subject to OCTA's COVID-19 safety protocols) and address the Board regarding any item. Members of the public will be strongly encouraged to wear a face covering regardless of vaccine status. Limited (physically-distanced) seating will be available in the Board room. If capacity is reached, members of the public will be asked to wait outside until it is time for them to speak.

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 minutes.

Written Comment

Written public comments may also be submitted by emailing them to ClerkOffice@octa.net, and must be sent by 5:00 p.m. the day prior to the meeting. 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.

Call to Order

Invocation

Director Delgleize

Pledge of Allegiance

Director Chaffee



BOARD AGENDA**Special Calendar****Orange County Transportation Authority Special Calendar Matters****1. Public Hearing for the 2021 Orange County Congestion Management Program**

Gregory Nord/Kia Mortazavi

Overview

The Orange County Transportation Authority is responsible for monitoring and reporting on the Orange County Congestion Management Program. In accordance with state law, the Orange County Congestion Management Program Report has been updated for 2021 and all requirements have been fulfilled. A public hearing is required prior to the Board of Directors' adoption of the biennial Congestion Management Program Report.

Recommendations

- A. Consider public hearing comments received on the 2021 Orange County Congestion Management Program Report.
- B. Adopt the 2021 Orange County Congestion Management Program Report.
- C. Direct staff to forward the 2021 Orange County Congestion Management Program Report to the Southern California Association of Governments for a finding of regional consistency.

Consent Calendar (Items 2 through 21)

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 - November 8, 2021**

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



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3. Approval of Minutes - November 1, 2021

Approval of the Orange County Transportation Authority and affiliated agencies' Special meeting minutes of November 1, 2021.

4. Ralph M. Brown Act Board of Directors Resolution for Teleconference Meetings

Andrea West/Jennifer L. Bergener

Overview

The Orange County Transportation Authority Board of Directors holds regular meetings to effect business and act on measures related to its programs, projects, and services. In order to comply with new provisions related to the Ralph M. Brown Act, a resolution must be adopted.

Recommendation

Adopt Board of Directors Resolution 2021-091.

5. Proposed 2022 Board of Directors and Committee Meetings Calendar

Andrea West/Jennifer L. Bergener

Overview

Presented are the proposed 2022 Board of Directors and committee meetings calendars, depicting the dates of the Board of Directors and anticipated committee meetings and holidays for the year.

Recommendation

Approve the Orange County Transportation Authority and affiliated agencies 2022 Board of Directors and anticipated committee meetings calendar.

6. Conflict of Interest Code and 2021 Annual Statement of Economic Interests Filing

Andrea West/Jennifer L. Bergener

Overview

Pursuant to the Orange County Transportation Authority's Conflict of Interest Code, Members of the Board of Directors and designated positions are required to file a Statement of Economic Interests - Form 700.



BOARD AGENDA**Recommendations**

- A. Approve the list of designated positions and disclosure categories subject to the Orange County Transportation Authority's Conflict of Interest Code.
- B. Direct the Clerk of the Board to distribute and monitor the 2021 annual Statement of Economic Interests - Form 700 to Members of the Board of Directors and designated positions, to be filed by April 1, 2022.

7. Interstate 405 Customer Service and Operations Center Lease

Christina Runge Haidl/Kirk Avila

Overview

The Interstate 405 Improvement Project is well underway and as part of the future operations of the 405 Express Lanes, a customer service and operations center is needed to service 405 Express Lanes customers. For customer convenience and easy access to the express lanes, this facility should be located in the 405 Express Lanes corridor. The proposed space will accommodate the walk-in customer service center, call center, and the traffic management center. Staff has retained the brokerage services of CBRE, Inc., and has done extensive surveys of available space in the 405 Express Lanes corridor. As a result of this search, staff has identified an appropriate location in the City of Costa Mesa.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute a lease agreement with C.J. Segerstrom & Sons, for the 405 Express Lanes Customer Service and Operations Center in the City of Costa Mesa, in an amount not to exceed \$15,423,000.



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8. Amendment to the 91 Express Lanes Three-Party Operating Agreement
Kirk Avila

Overview

In April 2019, the Orange County Transportation Authority Board of Directors authorized the release of a competitive procurement for contractor services for the joint operations of the 91 Express Lanes in Orange and Riverside counties. As a part of this procurement, the contractor is to design, develop, test, and implement a new back-office system. On July 22, 2019, the Board of Directors approved an amendment which allowed for an optional extension period of up to six months to the three-party agreement for joint operations of the combined 91 Express Lanes facility in the event the approved contractor may not be ready to commence operations under the new operating agreement. An additional extension for a period of up to three months is presented for approval should additional time be required to successfully transition to the new agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Agreement No. C-3-1529 among the Orange County Transportation Authority, Riverside County Transportation Commission, and Cofiroute USA, LLC, for three one-month optional extension periods from January 1, 2022 through March 31, 2022, for continued operating services on the 91 Express Lanes.

9. 91 Express Lanes Update for the Period Ending - September 30, 2021
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, added capacity to the State Route 91 corridor, and the recent coronavirus pandemic. Over the last quarter, there were approximately 5.1 million trips taken on the 91 Express Lanes in Orange County. This report focuses on the operational and financial activities for the period ending September 30, 2021.



BOARD AGENDA**Recommendation**

Receive and file as an information item.

- 10. Fiscal Year 2021-22 First 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 first quarter of fiscal year 2021-22, covering July through September 2021.

Recommendation

Receive and file as an information item.

- 11. Update on the Loan Agreements with the Cities of Anaheim, Buena Park, Placentia, and the West Orange County Water Board**
Sam Kaur/Andrew Oftelie

Overview

The Orange County Transportation Authority Board of Directors authorized loan agreements with the cities of Anaheim, Buena Park, Placentia, and the West Orange County Water Board. This report provides the annual update on the status of each of these agreements as requested by the Board of Directors.

Recommendation

Receive and file as an information item.



BOARD AGENDA**12. Orange County Employees Retirement System Early Payment for Fiscal Year 2022-23**

Robert Davis/Andrew Oftelie

Overview

The Orange County Employees Retirement System has offered an early payment discount to member agencies of 5.8 percent if they elect to prepay their contributions for fiscal year 2022-23. Advance payments must be received before January 14, 2022. The estimated savings for the Orange County Transportation Authority over the next year and a half under this payment option will total approximately \$1.6 million. Board of Directors' authorization is requested for the early payment option.

Recommendation

Authorize the early payment of approximately \$28.9 million by January 14, 2022, to the Orange County Employees Retirement System, for member contributions for fiscal year 2022-23.

13. Status Report of State Legislation Enacted in 2021

Dustin J. Sifford/Lance M. Larson

Overview

At the conclusion of the 2021 state legislative session, 770 bills were signed into law by Governor Newsom and chaptered by the Secretary of State, while 66 bills were vetoed. A report containing an analysis of legislation relevant to the Orange County Transportation Authority is provided.

Recommendation

Receive and file as an information item.



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14. 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 is provided on the House's approval of the Senate-passed infrastructure legislation, the Infrastructure Investment and Jobs Act, which also reauthorizes federal surface transportation programs for the next five years. This report outlines the benefits of the bill and the next steps for its implementation.

Recommendation

Receive and file as an information item.

15. Performance Evaluation of State Legislative Advocate, Topp Strategies
Kristin Jacinto/Lance M. Larson

Overview

The firm Topp Strategies provides state legislative advocacy services for the Orange County Transportation Authority. A staff evaluation of the services provided this legislative session is presented to the Board of Directors for consideration and further comment.

Recommendation

Receive and file the staff evaluation of the state advocacy services of Topp Strategies as an information item and provide any additional comments.

16. Performance Evaluation of Federal Legislative Advocate, Potomac Partners, DC
Kristin Jacinto/Lance M. Larson

Overview

The firm Potomac Partners, DC provides federal legislative advocacy services for the Orange County Transportation Authority in Washington, DC. A staff evaluation of the services provided this legislative session is presented to the Board of Directors for consideration and further comment.



BOARD AGENDA**Recommendation**

Receive and file the staff evaluation of the federal advocacy services of Potomac Partners, DC as an information item and provide any additional comments.

- 17. Orange County Transportation Authority's 2021-22 State and Federal Legislative Platforms**
Alexis Leicht/Lance M. Larson

Overview

Halfway through each legislative session, staff conducts a refresh to the Orange County Transportation Authority's State and Federal Legislative Platforms to ensure updates are provided on relevant issues that are anticipated to be of discussion for the upcoming year. The final drafts of the revised 2021-22 Orange County Transportation Authority State and Federal Legislative Platforms are submitted for consideration and adoption by the Orange County Transportation Authority Board of Directors.

Recommendations

- A. Adopt the revised final draft of the 2021-22 State and Federal Legislative Platforms.
- B. Direct staff to distribute the adopted platforms to elected officials, advisory committees, local governments, affected agencies, the business community, and other interested parties.

- 18. Excess Liability Insurance Pricing Update**
Al Gorski/Maggie McJilton

Overview

The Orange County Transportation Authority has been fully self-insured for operational liability exposures since December 1, 2020, due to recent unfavorable premium pricing in the excess liability insurance market. Staff has reviewed the current insurance market and pricing remains unfavorable to procure excess liability insurance. Board of Directors approval is necessary to remain self-insured.



BOARD AGENDA**Recommendation**

Authorize the Chief Executive Officer to continue to fully self-insure for liability claims until such time the insurance market pricing is more favorable.

19. Funding Recommendations for the 2021 Enhanced Mobility for Seniors and Disabled Grant Program

Jennifer Haith Farinas/Kia Mortazavi

Overview

On July 12, 2021, the Orange County Transportation Authority Board of Directors released the Enhanced Mobility for Seniors and Disabled Grant Program call for projects for 2021. The Orange County Transportation Authority received 16 grant applications for vehicles, supporting equipment, mobility management, and to support service operations. Programming recommendations are presented for review and approval.

Recommendations

- A. Approve the award of \$2.750 million in local funding to 14 applications submitted for consideration of funding through the Enhanced Mobility for Seniors and Disabled Grant Program.
- B. Authorize the Chief Executive Officer to negotiate and execute cooperative agreements with selected applicants to receive funding through the Enhanced Mobility for Seniors and Disabled Grant Program.

Orange County Local Transportation Authority Consent Calendar Matters**20. Cooperative Agreement with the Southern California Regional Rail Authority for the Coastal Rail Infrastructure Improvements Project**

Jason Lee/James G. Beil

Overview

The Orange County Transportation Authority proposes to enter into a cooperative agreement with the Southern California Regional Rail Authority to define roles, responsibilities, and funding to prepare a Project Definition Report for the Coastal Rail Infrastructure Improvements Project.



BOARD AGENDA**Recommendations**

- A. Request to amend the Orange County Transportation Authority Fiscal Year 2021-22 budget by \$700,000, to accommodate Cooperative Agreement No. C-1-3828 with the Southern California Regional Rail Authority to develop long-term solutions along the coastal rail corridor to protect the railroad against future tidal and landslide risks.
- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-1-3828 between the Orange County Transportation Authority and the Southern California Regional Rail Authority, in the amount of \$700,000, to prepare a Project Definition Report for the Coastal Rail Infrastructure Improvements Project.

21. Cooperative Agreement with the Southern California Regional Rail Authority for Railroad Track Stabilization in the City of San Clemente

Dinah Minteer/Jennifer L. Bergener

Overview

The Orange County Transportation Authority owns over 40 miles of active rail line in Orange County that extends from the City of Fullerton to the San Diego County Line in the City of San Clemente. Metrolink is responsible for regional rail operations and maintenance along the corridor. In September, tidal surges, along with a failing slope, severely degraded the railroad track structure in the City of San Clemente. Staff is requesting approval to enter into a cooperative agreement with the Southern California Regional Rail Authority for costs associated with stabilizing the railroad track structure, in an area owned by the Orange County Transportation Authority.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-1-3749 with the Southern California Regional Rail Authority in the amount up to \$5,000,000, to stabilize the railroad track structure in the City of San Clemente.
- B. Amend the Orange County Transportation Authority's Fiscal Year 2021-22 Budget by \$5,000,000, to accommodate Cooperative Agreement No. C-1-3749 for the railroad track stabilization work.



BOARD AGENDA

Regular Calendar

There are no Regular Calendar matters.

Discussion Items

22. 2021 Attitudinal and Awareness Survey Results

Alice T. Rogan/Maggie McJilton

A countywide survey of Orange County residents was recently conducted to gain an understanding of current attitudes and awareness of the Orange County Transportation Authority and its services, projects, and programs, as well as transportation priorities for the development of the 2022 Long Range Transportation Plan. True North Research, Inc. will present the results of the 2021 Countywide Attitudinal and Awareness Survey.

23. 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.

24. Chief Executive Officer's Report

25. Directors' Reports

26. Closed Session

There are no Closed Sessions scheduled.

27. Adjournment

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, December 13, 2021**, at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.