



Call to Order

The Monday, August 8, 2022, regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Murphy at 9:00 a.m. at the OCTA Headquarters, 550 South Main Street, Board Room, Orange, California.

Directors Present: Mark A. Murphy, Chairman
Gene Hernandez, Vice Chairman
Doug Chaffee
Barbara Delgleize
Katrina Foley
Brian Goodell
Patrick Harper
Michael Hennessey
Steve Jones
Fred Jung
Joseph Muller
Vicente Sarmiento
Donald P. Wagner
Ryan Chamberlain

Directors Absent: Lisa A. Bartlett
Andrew Do
Tam Nguyen

Staff Present: Darrell E. Johnson, Chief Executive Officer
Jennifer L. Bergener, Deputy Chief Executive Officer
Andrea West, Interim Clerk of the Board
Gina Ramirez, Clerk of the Board Specialist, Senior
Allison Cheshire, Clerk of the Board Specialist, Senior
James Donich, General Counsel

Invocation

Director Wagner gave the Invocation.

Pledge of Allegiance

Director Sarmiento led the Pledge of Allegiance.



Special Calendar

Orange County Transit District Special Calendar Matters

1. Presentation of Resolutions of Appreciation for Community College Passes

Chief Executive Officer (CEO), Darrell E. Johnson, provided comments on the College Pass Program and presented Resolutions of Appreciation to Santa Ana College, Santiago Canyon College, Fullerton College, Golden West College, Cypress College, Coastline College, Saddleback College, Irvine Valley College, Orange Coast College, and Rancho Santiago Canyon Community College District Continuing Education.

Consent Calendar (Items 2 through 19)

Orange County Transportation Authority Consent Calendar Matters

2. Approval of Minutes

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of July 25, 2022.

3. Fiscal Year 2021 22 Internal Audit Plan, Fourth Quarter Update

A motion was made by by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to receive and file the fourth quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2021-22 Internal Audit Plan as an information item.

4. Agreement for 91 Express Lanes Channelizers

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present to:

- A. Approve the selection of Statewide Traffic Safety and Signs, Inc. to provide channelizers for the 91 Express Lanes through a competitive procurement that was conducted by the Riverside County Transportation Commission.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-2-2650 between the Orange County Transportation Authority and Statewide Traffic Safety and Signs, Inc., in the amount of \$274,238, for the procurement of channelizers for the 91 Express Lanes.



5. Amendment to Purchase Order for Modular Systems and Ancillary Furniture

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Purchase Order No. C-9-1652 between the Orange County Transportation Authority and Western Office Interiors, in the amount of \$500,000, to provide for the purchase of modular systems and ancillary furniture for the Interstate 405 Customer Service and Operations Center. This will increase the purchase order to a total contract value of \$1,490,000.

6. Fourth Quarter Fiscal Year 2021-22 Procurement Status Report

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to Receive and file as an information item.

7. Orange County Transportation Authority Investment and Debt Programs Report - June 2022

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to receive and file as an information item.

8. Annual New York Credit Update - June 2022

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to receive and file as an information item.

Orange County Local Transportation Authority Consent Calendar Matters

9. Oversight Controls and Contract Compliance Related to the OC Streetcar Design and Construction Management, Internal Audit Report No. 22-505

This item was pulled by Director Wagner, who requested a staff presentation.

Janet Sutter, Executive Director, Internal Audit, provided an overview of the item.

A discussion ensued between Board members and OCTA staff.

A motion was made by Chairman Murphy, seconded by Vice Chairman Hernandez, and declared passed by those present, to direct staff to implement five recommendations provided in Oversight Controls and Contract Compliance Related to the OC Streetcar Design and Construction Management, Internal Audit Report No. 22-505.



10. Fourth Quarter Fiscal Year 2021-22 and Planned Fiscal Year 2022-2023 Capital Action Plan Performance Metrics

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to receive and file as an information item.

11. Cooperative Agreement with the California Department of Transportation for the Interstate 5 Improvement Project Between Interstate 405 and Yale Avenue and Authority to Acquire Right-of-Way

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to:

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-2-2592 between the Orange County Transportation Authority and the California Department of Transportation, at no cost, to perform right-of-way services for the Interstate 5 Improvement Project between Interstate 405 and Yale Avenue.
- B. Authorize the Chief Executive Officer to initiate discussions with property owners and utility owners, make offers, and execute agreements for the acquisition of all necessary real property interests and necessary utility relocations.

12. Amendment to Cooperative Agreement with the California Department of Transportation for Preparation of the Project Report and Environmental Document for the Interstate 5/EI Toro Road Interchange Project

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to:

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-6-1262 between the Orange County Transportation Authority and the California Department of Transportation to provide federal funding, which the California Department of Transportation will draw directly, to complete environmental phase services for preparation of the project report and environmental document for the Interstate 5/EI Toro Road Interchange Project.
- B. Authorize the use of up to \$4,813,000 in additional Surface Transportation Block Grant Program funds for the Interstate 5/EI Toro Road Interchange Project.
- C. Authorize the use of up to \$350,000 in additional Measure M2 funds for public outreach efforts for the Interstate 5/EI Toro Road Interchange Project.



- D. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.

13. Amendment to Agreement for Additional Design Services for Interstate 5 Improvement Project Between Yale Avenue and State Route 55

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-0-2371 between the Orange County Transportation Authority and TranSystems Corporation, in the amount of \$984,228, for additional design services for the Interstate 5 Improvement Project between Yale Avenue and State Route 55. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$13,458,941.

14. Contract Change Order for the Interstate 405 Improvement Project from State Route 73 to Interstate 605

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 133 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$509,431, to provide additional landscaping at various bridges in the City of Westminster.

15. Agreement for Partial Demolition and Reconstruction Services of a Commercial Building for the State Route 55 Improvement Project Between Interstate 5 and Interstate 405

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-2-2154 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 \$2,046,700, for partial demolition and reconstruction services of a commercial building for the State Route 55 Improvement Project between Interstate 5 and Interstate 405.

Director Wagner voted in opposition on this item.

16. Temporary Policy Change to Address Extraordinary Inflation for Prior Regional Capacity Program and Regional Traffic Signal Synchronization Program Allocations

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to:

- A. Authorize staff to accept local jurisdictions' reapplication of previously approved (2018, 2019, 2020, 2021) Regional Capacity Program and Regional Traffic Signal Synchronization Program grants for the 2023 call for projects, subject to the limitations described in this report.
- B. Authorize staff to apply one-time right-of-way and construction escalation adjustments to previously approved (2018, 2019, 2020, 2021) Regional Capacity Program and Regional Traffic Signal Synchronization Program projects, subject to the limitations described in this report.

17. Release 2023 Annual Call for Projects for Measure M2 Comprehensive Transportation Funding Programs

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to:

- A. Approve proposed revisions to the Comprehensive Transportation Funding Programs guidelines.
- B. Authorize staff to issue the 2023 annual call for projects for the Regional Capacity Program.
- C. Authorize staff to issue the 2023 annual call for projects for the Regional Traffic Signal Synchronization Program.

18. Cooperative Agreements for Regional Traffic Signal Synchronization Program Projects

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to:

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-2-2632 between the Orange County Transportation Authority and the cities of Irvine, Laguna Hills, and Lake Forest for the Bake Parkway and Rockfield Boulevard Regional Traffic Signal Synchronization Program Project, with local agency in-kind services and cash-matching funds totaling \$626,686.

- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-2-2633 between the Orange County Transportation Authority and the cities of Dana Point, Laguna Niguel, Mission Viejo, and the County of Orange for the Crown Valley Parkway Regional Traffic Signal Synchronization Program Project, with local agency in-kind services and cash-matching funds totaling \$587,318.
- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-2-2634 between the Orange County Transportation Authority and the cities of Dana Point, Laguna Hills, and Laguna Niguel for the Moulton Parkway Regional Traffic Signal Synchronization Program Project, with local agency in-kind services and cash-matching funds totaling \$662,913.

19. Request to Exercise Option Term 1 for On-Call Traffic Engineering and Intelligent Transportation Systems Services Agreements

A motion was made by Director Wagner, seconded by Director Delgleize, and declared passed by those present, to:

- A. Authorize the Chief Executive Officer to execute Option Term 1 for the following firms to continue to provide on-call traffic engineering services for the Regional Traffic Signal Synchronization Program (Project P): DKS Associates (Agreement No. C-9-1513), AGA Engineers, Inc. (Agreement No. C-9-1810), KOA Corporation (Agreement No. C-9-1811), and Iteris, Inc. (Agreement No. C-9-1812), extending the term of the agreements by one year from their current respective end dates.
- B. Authorize the Chief Executive Officer to negotiate and execute amendments between the Orange County Transportation Authority and the following consultants for on-call traffic engineering and intelligent transportation systems services agreements: with DKS Associates (Agreement No. C-9-1513), AGA Engineers, Inc. (Agreement No. C-9-1810), KOA Corporation (Agreement No. C-9-1811), and Iteris, Inc. (Agreement No. C-9-1812), in a shared amount of \$9,384,583. This will increase the maximum obligation for all the on-call firms for a total combined aggregate contract value of \$25,260,008.



Regular Calendar

Orange County Local Transportation Authority Regular Calendar Matters

20. Interstate 405 Improvement Project Update

Jeff Mills, Program Manager, and Chris Bouchly, Section Manager, Capital Projects Outreach, provided a presentation on this item.

Following the discussion, no action was taken on this receive and file item.

Discussion Items

21. Caltrans District 12 Interstate 5 Managed Lanes Project Update

Chris Flynn, Deputy Director, Environmental Analysis, Caltrans District 12, provided a presentation on this item.

Following the discussion, no action was taken on this item.

22. San Diego Association of Governments Regional Transportation Plan Update

Coleen Clementson, Deputy Chief Executive Officer, San Diego Association of Governments, and Allan Kosup, North County Corridor Representative, Caltrans, provided a presentation on this item.

Following the discussion, no action was taken on this item.

23. Public Comments

Public comments were received from James Jesswaldi.

24. Chief Executive Officer's Report

Mr. Johnson, CEO, provided an update on the annual call for projects for the Measure M Regional Capacity Program and Signal Synchronization Program.

25. Directors' Reports

There were no Director's Reports.



26. Closed Session

A Closed Session was held as follows:

- A. Pursuant to Government Code Section 54957(b) to evaluate the performance of the Chief Executive Officer, Darrell E. Johnson.
- B. Pursuant to Government Code Section 54957.6, meet with the designated representative, Chairman Mark A. Murphy, regarding the compensation of the Chief Executive Officer.

Chairman Murphy, Vice Chairman Hernandez, and Directors Chaffee, Foley, Goodell, Jones, Jung, Muller, Sarmiento, and Wagner were present.

27. Annual Review and Compensation Adjustment for Chief Executive Officer, Darrell E. Johnson

A motion was made by Director Wagner, seconded by Director Foley, and declared passed by those present, to continue this item to the next regularly scheduled meeting of the Board.

Vice Chair Hernandez and Director Harper voted in opposition on this item.

28. Adjournment

The meeting adjourned at 11:12 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, August 22, 2022** at the Orange County Transportation Authority Headquarters, Board Room, 550 South Main Street, Orange, California.

ATTEST:

Gina Ramirez
Clerk of the Board Specialist, Senior