



Call to Order

The May 8, 2023, regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Hernandez at 9:00 a.m. at the OCTA Headquarters, 550 South Main Street, Orange, California.

Directors Present: Gene Hernandez, Chairman
Tam Nguyen, Vice Chairman
Doug Chaffee
Jose Diaz
Jon Dumitru
Jamey Federico
Katrina Foley
Brian Goodell
Patrick Harper
Michael Hennessey
Steve Jones
Fred Jung
Farrah N. Khan
Jessie Lopez
Vicente Sarmiento
Donald. P. Wagner
Ryan Chamberlain, Ex-Officio

Directors Absent: Andrew Do

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

Special Calendar

1. Closed Session

A Closed Session was held as follows:

- A. Pursuant to Government Code Section 54956.9(d)(1) - Conference with General Counsel - Existing Litigation - St. Andrew's by the Sea United Methodist Church v. State of California, et al., OCSC Case No. 30-2018-01018320.



- B. Pursuant to Government Code Section 54956.9(d)(1) - Conference with General Counsel - Existing Litigation - International Brotherhood of Teamsters, Local 952 v. Orange County Transportation Authority, PERB Case No. LA-CE-3-P.

There was no report out on this item.

2. Proposed Fiscal Year 2023-24 Southern California Regional Rail Authority Budget

Darren Kettle, Chief Executive Officer, Southern California Regional Rail Authority, provided a presentation on this item.

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

Consent Calendar (Items 3 through 13)

3. Approval of Minutes

A motion was made by Director Dumitru, seconded by Vice Chairman Nguyen, and declared passed by those present to approve the minutes of the April 24, 2023, Orange County Transportation Authority and affiliated agencies' regular meeting.

4. Fiscal Year 2022-23 Internal Audit Plan, Third Quarter Update

This item was pulled for public comment from Peter Warner.

No action was taken on this receive and file information item.

5. Amendment to Agreement for Health Insurance Brokerage Services

A motion was made by Director Dumitru, seconded by Vice Chairman Nguyen, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-0-2078 between the Orange County Transportation Authority and Alliant Insurance Services, Inc., to exercise the two-year option term effective June 1, 2023 through May 31, 2025, in the amount of \$238,000, to continue providing health insurance brokerage services. This will increase the maximum obligation of the agreement to a total contract value of \$580,000.



6. Regional Planning Update

A motion was made by Director Dumitru, seconded by Vice Chairman Nguyen, and declared passed by those present to receive and file as an information item.

7. Agreement for Demographic Research

A motion was made by Director Dumitru, seconded by Vice Chairman Nguyen, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-2445 with the California State University, Fullerton Center for Demographic Research, in an amount not to exceed \$405,743, for a term of three years, to provide Orange County demographic data.

8. 2023 Board of Directors and Chief Executive Officer Initiatives and Action Plan - First Quarter Progress Report

A motion was made by Director Dumitru, seconded by Vice Chairman Nguyen, and declared passed by those present to receive and file as an information item.

9. Approval of the Fiscal Year 2023-24 Local Transportation Fund Claim for Laguna Beach Public Transportation Services

A motion was made by Director Dumitru, seconded by Vice Chairman Nguyen, and declared passed by those present to:

- A. Approve the Laguna Beach Municipal Transit Lines Fiscal Year 2023-24 Local Transportation Fund Claim for public transportation services, in the amount of \$1,531,335.
- B. Authorize the Chief Executive Officer of the Orange County Transportation Authority to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the amount of the claim.

10. Approval of the Fiscal Year 2023-24 Local Transportation Fund Claim for Public Transportation and Community Transit Services

A motion was made by Director Dumitru, seconded by Vice Chairman Nguyen, and declared passed by those present to:

- A. Approve the Orange County Transit District Fiscal Year 2023-24 Local Transportation Fund Claim for public transportation services, in the amount of \$211,736,396, and for community transit services, in the amount of \$11,224,618 for a total claim amount \$222,961,014.



- B. Authorize the Chief Executive Officer to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the full amount of the claims.

11. Orange County Local Transportation Authority Measure M2 Agreed-Upon Procedures Reports, Year Ended June 30, 2022

A motion was made by Director Dumitru, seconded by Vice Chairman Nguyen, and declared passed by those present to:

- A. Direct staff to monitor implementation of recommendations by cities.
- B. Direct staff to review observations with legal counsel and develop recommendations for Board of Directors' consideration related to the City of Cypress' compliance with the Measure M2 Ordinance and Eligibility Guidelines.

12. Third Quarter Fiscal Year 2022-23 Capital Action Plan Performance Metrics

A motion was made by Director Dumitru, seconded by Vice Chairman Nguyen, and declared passed by those present to receive and file as an information item.

13. Consultant Selection for Construction Management Support Services for the State Route 91 Improvement Project Between State Route 55 and Lakeview Avenue

A motion was made by Director Dumitru, seconded by Vice Chairman Nguyen, and declared passed by those present to:

- A. Approve the selection of WSP USA Inc., as the firm to provide construction management support services for the State Route 91 Improvement Project between State Route 55 and Lakeview Avenue.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-2-2919 between the Orange County Transportation Authority and WSP USA Inc., to provide construction management support services for the State Route 91 Improvement Project between State Route 55 and Lakeview Avenue.

Regular Calendar

14. Final Draft Long-Range Transportation Plan

Greg Nord, Program Manager, and Marissa Espino, Principal Community Relations Specialist, provided a presentation on this item.



Public comment was received from Peter Warner.

A motion was made by Vice Chairman Nguyen, seconded by Director Foley, and declared passed by those present to direct staff to finalize the Long-Range Transportation Plan and submit it to the Southern California Association of Governments as input into the 2024 Regional Transportation Plan and Sustainable Communities Strategy.

Discussion Items

15. Public Comments

Public comment was received via email from Maria Lopez on April 27, 2023, and from Russell H. MacDonald on May 6, 2023, and provide to the Board of Directors on Sunday, May 7, 2023.

Additional public comment was received in person from the following:

- Gail Sanford, Teamsters 952
- Autumn Wright, Employee/ACCESS rider
- Andrew O'Connor, Teamsters 952
- Heriberto Romero, Teamsters 952
- Regina Mincy, Transdev
- Alfred Benoit, Driver/Teamsters 952
- Mark Garfield, Driver/Teamsters 952
- Mike Trimpey, Driver/Teamsters 952
- Peter Warner

16. Chief Executive Officer's Report

Darrell E. Johnson, Chief Executive Officer, provided an update on the following:

- Passenger rail service
- National Bike Month – Bike rally on May 18

17. Directors' Reports

Director Foley expressed concerns about OCTA not engaging in contract negotiations between Transdev and Teamsters 952.

Directors Lopez and Sarmiento expressed concerns about the work environment of employees provided contracted service.



Director Goodell discussed his attendance at the Southern California Association of Governments (SCAG) Annual Conference in Palm Desert on behalf of OCTA.

Chairman Hernandez noted he also attended the SCAG Annual Conference.

Jennifer L. Bergener, Deputy Chief Executive Officer, stated that OCTA is currently providing as many ACCESS rides as possible through supplemental services. She also noted this is not a contract management issue and will ask for a meeting with Transdev.

18. Orange County Transportation Authority Fiscal Year 2023-24 Budget Workshop

Andy Oftelie, Chief Financial Officer, and Sean Murdock, Director, Finance and Administration, provided a presentation on this item.

Public comment was received from Paul Hyek and Peter Warner.

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

19. Adjournment

The meeting was adjourned at 12:27 p.m.

The next regularly scheduled meeting of this Board will be held:

9:00 a.m., on Monday, May 22, 2023

OCTA Headquarters

Board Room

550 South Main Street

Orange, California