

Minutes of the
Orange County Transportation Authority
Orange County Transit District
Orange County Local Transportation Authority
Orange County Service Authority for Freeway Emergencies
Board of Directors Meeting

Call to Order

The December 12, 2016 regular meeting of the Orange County Transportation Authority and affiliated agencies was called to order by Chair Donchak at 9:00 a.m. at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

Roll Call

Following the Invocation and Pledge of Allegiance, the Clerk of the Board noted a quorum was present, with the following Directors in attendance:

Directors Present: Lori Donchak, Chair
Michael Hennessey, Vice Chairman
Lisa A. Bartlett
Andrew Do
Steve Jones
Jim Katapodis
Jeffrey Lalloway
Gary A. Miller
Al Murray
Shawn Nelson
Miguel Pulido
Tim Shaw
Todd Spitzer
Michelle Steel
Tom Tait
Frank Ury
Gregory T. Winterbottom
Ryan Chamberlain, Governor's Ex-Officio Member

Director Absent: None

Also Present: Darrell Johnson, Chief Executive Officer
Ken Phipps, Deputy Chief Executive Officer
Laurena Weinert, Clerk of the Board
Olga Prado, Assistant Clerk of the Board
James Donich, General Counsel
Members of the Press and the General Public

Special Calendar

1. Presentation of Resolutions of Appreciation for Employees of the Month for December 2016

Darrell Johnson, Chief Executive Officer (CEO), presented the Orange County Transportation Authority (OCTA) Resolutions of Appreciation Nos. 2016-93, 2016-94, 2016-95 to Andy Castillo, Coach Operator; Trung Nguyen, Maintenance; and Ron Rojas, Administration, as Employees of the Month for December 2016.

2. Salute to Outgoing Directors Jim Katapodis, Jeffrey Lalloway, Gary A. Miller, and Frank Ury

Chair Donchak presented Resolutions of Appreciation to outgoing Board of Directors (Members) Jim Katapodis, Jeffrey Lalloway, Gary A. Miller, and Frank Ury for serving on the OCTA Board.

Several Members expressed their appreciation to the outgoing Directors for serving on the Board.

Consent Calendar (Items 3 through 23)

Chair Donchak stated that 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

3. Approval of Minutes

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to approve the Orange County Transportation Authority and affiliated agencies regular meeting minutes of November 28, 2016.

Director Nelson was not present to vote on this item.

4. Proposed 2017 Board of Directors Meetings Calendar

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to approve the Orange County Transportation Authority and affiliated agencies 2017 Board of Directors meetings calendar.

Director Nelson was not present to vote on this item.

5. Criteria for Participation, Support, and Sponsorship

Director Tait pulled this item and asked why only external organizational requests are required to complete a form.

Ellen Burton, Executive Director of External Affairs, responded that OCTA does outreach for construction projects, project development, and etcetera. Ms. Burton clarified that the proposed policy is designed for external agencies that ask OCTA to participate, support, or provide sponsorship.

Director Tait asked if there is a sponsorship criteria for events or dinners. Ms. Burton responded that the requests need to have a nexus for transportation.

Director Spitzer stated that he asked to document and memorialize the current criteria for participation, support, and sponsorship of events, as well as requested an external request form in order to have a paper trail.

A discussion ensued, and Director Tait requested a list of the organizations that receive OCTA support and sponsorship.

A motion was made by Director Tait, seconded by Director Katapodis, and declared passed by those present, to receive and file the amended Participation, Support, and Sponsorship Policy.

6. Grant Award for Countywide Systemic Safety Analysis Report

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to authorize the Chief Executive Officer, or designee, to accept the grant award and execute grant-related agreements with the California Department of Transportation to develop a Systemic Safety Analysis Report for Orange County.

Director Nelson was not present to vote on this item.

7. Capital Programming Policies Update

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to approve the updated Capital Programming Policies.

Director Nelson was not present to vote on this item.

8. Amendment to the Master Plan of Arterial Highways

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to:

A. Approve amendment to the Master Plan of Arterial Highways for facilities listed below in the City of Garden Grove:

- Reclassify Gilbert Street between Chapman Avenue and Katella Avenue from a secondary (four-lane, undivided) to a divided collector (two-lane, divided) arterial.
- Reclassify West Street between Garden Grove Boulevard and Orangewood Avenue from a secondary (four-lane, undivided) to a divided collector (two-lane, divided) arterial.

The proposed amendment will become final contingent upon the Orange County Transportation Authority receiving documentation that the City of Garden Grove has amended its general plan and has complied with the requirements of the California Environmental Quality Act. If the originally proposed Master Plan of Arterial Highways amendment is modified as a result of the California Environmental Quality Act and/or general plan amendments process, the modified Master Plan of Arterial Highways amendment shall be returned to the Orange County Transportation Authority Board of Directors for consideration.

B. Direct the Executive Director of Planning, or his designee, to file a Notice of Exemption from the California Environmental Quality Act in support of the amendment to the Master Plan of Arterial Highways.

Director Nelson was not present to vote on this item.

9. 2017 Technical Steering Committee Membership Sam Kaur/Kia Mortazavi

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to approve the 2017 Technical Steering Committee membership list.

Director Nelson was not present to vote on this item.

Orange County Transit District Consent Calendar Matters

10. Consultant Selection for Preliminary Engineering and Environmental Clearance Services for the Transit Security and Operations Center

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to:

- A. Approve the selection of STV Incorporated as the firm to provide preliminary engineering and environmental clearance services for the Transit Security and Operations Center.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-6-1108 between the Orange County Transportation Authority and STV Incorporated to provide preliminary engineering and environmental clearance services for the Transit Security and Operations Center.

Director Nelson was not present to vote on this item.

11. Agreement for Bridge Repair at the Laguna Beach Transportation Center

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-6-1400 between the Orange County Transportation Authority and John S. Meek Company, Inc., the lowest responsive, responsible bidder, in the amount of \$198,755, for bridge repair at the Laguna Beach Transportation Center.

Director Nelson was not present to vote on this item.

12. February 2017 Bus Service Change Program

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

Director Nelson was not present to vote on this item.

13. Award of Agreement for Bus Stop Solar Lighting

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to:

- A. Approve the selection of Urban Solar Corp as the firm to provide up to 630 solar powered lights and 750 solar powered batteries.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-6-1440 between the Orange County Transportation Authority and Urban Solar Corp, in the amount of \$423,642, to manufacture and install solar powered lighting units at select bus stops, for a three-year term.

Director Nelson was not present to vote on this item.

14. Amendment to Agreement for Operation and Maintenance of the Compressed Natural Gas Fuel Facility at the Irvine Sand Canyon Bus Base

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 11 to Agreement No. C-7-0997 between the Orange County Transportation Authority and Clean Energy to exercise the second and final one-year option term, in the amount of \$700,049, through February 28, 2018, for operation and maintenance support for the Irvine Sand Canyon Base compressed natural gas fuel station. This amendment will bring the total contract value to \$8,781,029.

Director Nelson was not present to vote on this item.

Orange County Local Transportation Authority Consent Calendar Matters

15. Consultant Selection for Construction Management Services for the Placentia Metrolink Commuter Rail Station Project

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to:

- A. Approve the selection of Berg & Associates, Inc., as the firm to provide construction management services for the Placentia Metrolink Commuter Rail Station project.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-6-1304 between the Orange County Transportation Authority and Berg & Associates, Inc., to provide construction management services for the Placentia Metrolink Commuter Rail Station project.

Due to the Levine Act, Directors Do and Steel did not participate or vote on this item.

Director Nelson was not present to vote on this item.

16. Cooperative Agreement with the Department of California Highway Patrol for the Interstate 405 Improvement Project

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-6-1437 between the Orange County Transportation Authority and the Department of California Highway Patrol, in the amount of \$7,000,000, for the Construction Zone Enhanced Enforcement Program required during the design-build implementation of the Interstate 405 Improvement Project.

Director Nelson was not present to vote on this item.

17. Amendment to Agreement for Additional Construction Management Services for the Laguna Niguel/Mission Viejo Metrolink Station Improvements Project

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-4-1781 between the Orange County Transportation Authority and PreScience Corporation, in the amount of \$350,000, for additional construction management services for the Laguna Niguel/Mission Viejo Metrolink Station Improvements project, and extend the contract term of the agreement through December 31, 2017. The amendment will increase the maximum obligation for the agreement to a contract value of \$827,626.

Director Nelson was not present to vote on this item.

18. Approval to Release Request for Proposals for Public Awareness Services for the OC Streetcar Project

Director Tait pulled this item and stated that he has spoken, numerous times, about his opposition to the OC Streetcar project. He also does not support the public awareness consulting services for the OC Streetcar project and will vote in opposition of the recommendations.

A motion was made by Director Pulido, seconded by Director Ury, and declared passed by those present, to:

- A. Approve the proposed evaluation criteria for weightings for Request for Proposals 6-1526 for selection of consultant to provide public awareness consulting services for the construction of the OC Streetcar project.
- B. Approve the release of Request for Proposals 6-1526 for public awareness consulting services for the OC Streetcar project.

Director Tait voted in opposition.

19. Project V Community-Based Transit Circulators Program Ridership Report

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

Director Nelson was not present to vote on this item.

20. Comprehensive Transportation Funding Programs Semi-Annual Review – September 2016

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to approve adjustments to the Comprehensive Transportation Funding Program projects and Local Fair Share funds.

Director Nelson was not present to vote on this item. Director Tait did not participate or vote on this item.

21. Measure M2 Quarterly Progress Report for the Period of July 2016 Through September 2016

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

Director Nelson was not present to vote on this item.

22. Award of Agreement for the Purchase of Cutaway Buses for Project V Services

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to:

- A. Approve the selection of Creative Bus Sales as the firm to provide up to seven, 32-foot cutaway compressed natural gas-powered buses under the California Association for Coordinated Transportation/Morongo Basin Transit Authority Purchasing Cooperative.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-6-1323 between the Orange County Transportation Authority and Creative Bus Sales, in the amount of \$1,564,318, for the purchase of up to seven, 32-foot compressed natural gas-powered cutaway buses.

Director Nelson was not present to vote on this item.

Orange County Service Authority For Freeway Emergencies Consent Calendar Matters

23. Fiscal Year 2016-17 Freeway Service Patrol Program Fund Transfer Agreement

A motion was made by Director Spitzer, seconded by Director Murray, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-6-1527 between the Orange County Transportation Authority and the California Department of Transportation for fiscal year 2016-17 Freeway Service Patrol program funding.

Director Nelson was not present to vote on this item.

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

24. California Department of Transportation Draft Managed Lanes Network Study

Kurt Brotcke, Director of Strategic Planning, provided an overview on the California Department of Transportation (Caltrans) Draft Managed Lanes Network Study.

Mr. Brotcke introduced Lan Zhou, Deputy District Director, Caltrans District 12, and Loren Bloomberg, Director of Traffic Engineering, CH2M Hill, Inc., who provided a PowerPoint presentation as follows:

- Project Overview;
- Managed Lanes Studies;
- Evaluation;
- Evaluation Scenarios;
- Results:
 - Delay Improvements;
 - Toll Revenues;
 - Revenue and Mobility Benefits;
- Recommended Corridors; and
- Next Steps.

A discussion ensued regarding:

- The State Route (SR) 55 corridor potential toll revenues are less than the other corridors.
- Riverside County's sales tax measure funds pay for adding a toll lane and is not an issue with the voters in Riverside County.
- Orange County does not use sales tax measure funds to enhance the express or high-occupancy vehicle (HOV) lanes.
- Transportation Corridor Agencies (TCA) system discussion included the following:
 - Entire TCA system only reviewed as part of the regional modeling.
 - Included in this study's model was the SR-73 and SR-241 toll roads.
 - If pricing changed, the TCA system could be a reliever of traffic on the arterials and freeways; yet, is problematic for various reasons (i.e., bond holders requirements).
 - Dynamic pricing for the TCA system is problematic because of ingress and egress points.
- A suggestion is to have OCTA conduct a feasibility study of the entire network for all capacity opportunities.

24. (Continued)

- Caltrans discussion included the following:
 - Concerns by the Board that Caltrans is controlling the discussion for the study.
 - Caltrans did solicit feedback from TCA and OCTA for this study.
 - The model for this study did not include how pricing changes on the toll roads would affect traffic demand.
 - Caltrans did review a cost per lane mile in a prior study and the data is included in this study.
 - Caltrans wants to partner with OCTA and engage in a discussion on local control versus state control.
 - “Scenario 1” would convert the HOV 2+ to a high-occupancy toll (HOT) 3+.
 - Caltrans is aware that this study is not OCTA’s long-term objective, and the study is not about generating revenue.
 - Caltrans will review several options to address the degradation in the HOV lanes.
- City of Anaheim stakeholders by the SR-91 and Interstate 5 would not be in favor of “Scenario 1”.
- The benefits of priced managed lanes is for the ability to control congestion.

Director Bartlett requested an agenda item for the OCTA and TCA leadership meeting scheduled in January 2017, to discuss the regional transportation network. She also asked that Caltrans be included in the discussion.

Director Tait noted for the record that this study is a first step to convert HOV lanes to HOT lanes. In addition, Director Tait stated that he has strong opposition to the study and feels that traffic congestion on the “free lanes” will become worse, and this study is about generating revenue.

Director Miller requested that the record reflect that he agrees with Director Tait’s position.

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

Orange County Local Transportation Authority Regular Calendar Matters

25. Approval to Release Request for Proposals for Manufacturing and Delivery of Vehicles for the OC Streetcar Project

Jim Beil, Executive Director of Capital Programs, provided a PowerPoint presentation as follows:

- Background;
- Piggyback Contract Opportunities;
- Site Visits;
- Request for Quotation;
- Buy America Requirements;
- Staff Recommendations; and
- Next Steps.

A discussion ensued regarding:

- Staff was thanked for coming up with creative solutions.
- The Transit Committee had a lengthy discussion regarding this item.
- Staff currently does not have the cost differential of piggyback versus non-piggyback contract opportunities.
- OCTA cannot use the piggyback approach due to the Federal Transit Administration's Buy America requirements.
- The new Request for Proposals will be a competitive price based contract.
- The option for ten additional vehicles is to lock in a fixed price, in case additional vehicles are needed for the OC Streetcar project.
- From OCTA staff perspective, there is no Anaheim streetcar assumption, and the option for additional vehicles is not for an Anaheim streetcar.

Director Tait noted for the record that he will vote in opposition, and he has general opposition for the OC Streetcar project.

A motion was made by Director Murray, seconded by Director Pulido, and declared passed by those present, to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 6-1445 for manufacturing and delivery of eight streetcar vehicles for the OC Streetcar project, with an option to purchase ten additional streetcar vehicles.
- B. Approve the release of Request for Proposals 6-1445 for manufacturing and delivery of eight streetcar vehicles for the OC Streetcar project.

Director Tait voted in opposition.

26. Relocation of West Orange County Water Board Water Line for the Interstate 405 Improvement Project

Chair Donchak opened that Director Miller requested an agenda item be presented in regards to this item and introduced Jeff Mills, Program Manager, Highway Programs.

Mr. Mills outlined that the West Orange County Water (WOCW) Board, a Joint Powers Authority (JPA), is comprised of the cities of Garden Grove, Huntington Beach, Seal Beach, and Westminster. Mr. Mills stated that the WOCW owns and operates a 33-inch water line that is in conflict with the Interstate 405 (I-405) Improvement Project, and needs to be relocated.

Mr. Mills also reported that the cost liability of the water line relocation is determined under state law and highlighted the I-405 state highway history at the location of the water line, etcetera. Mr. Mills referenced Attachment A to the Staff Report about the water line relocation claim letter response from the WOCW.

Mr. Mills also stated that OCTA staff and OCTA General Counsel have confirmed that the WOCW Board is responsible for the cost of the water line relocation. In addition, the WOCW Board has indicated that the cost to relocate the water line may cause a financial hardship on some members of the JPA.

Mr. Mills stated that in cases of financial hardship, there is a state law provision that would allow the I-405 Improvement Project to advance funds for the water line relocation as a form of a loan.

Director Miller commented that as freeways expand in Orange County with direct and indirect Measure M2 funds, it would be beneficial to revisit the state's streets and highways code related to public water lines.

Director Miller also stated that such water lines might be considered the same as sewer lines, and that all water lines relocations be considered project costs.

A motion was made by Director Miller, seconded by Director Katapodis, and declared passed by those present, to direct staff to continue to work cooperatively with the West Orange County Water Board and the California Department of Transportation, in accordance with state and federal laws, to relocate a 33-inch water line in conflict with the Interstate 405 Improvement Project.

Director Pulido was not present to vote on this item.

Discussion Items

27. Public Comments

A public comment was heard from Wayne King, City of Orange resident, who referenced an editorial from the Orange County Register, which was provided to the Board as a handout, about the OC Streetcar project.

Mr. King commented that the editorial states what he wants to say and even more. He asked the Board to think about forwarding the streetcar project to the next election.

28. Chief Executive Officer's Report

Mr. Johnson, CEO, reported that:

- On behalf of himself and the entire OCTA staff, he thanked Directors Katapodis, Lalloway, Miller, and Ury, for all the hard work they put in for the last two to four years.
- OCTA received awards as follows:
 - Last week, the Korean American Chamber of Commerce awarded OCTA with the best business award. He stated that Director Spitzer and Ken Phipps, Deputy Chief Executive Office, received the award on behalf of OCTA.
 - Last week, the Orange County Chapter of the Women's Transportation Seminar (WTS) awarded the OC Bus 360°, the Innovative Transportation Solutions award, Chair Donchak was honored with the Woman of the Year award, and he was honored with the Ray La Hood Man of the Year award.
- On Friday, December 16th, OCTA will host the 24th Annual Stuff-A-Bus Toy Drive, along with ABC7 and Southern California firefighters, at the Honda Center in Anaheim. OCTA staff will be at the toy drive from 4:30 a.m. to 6:30 p.m., and anyone is welcome to stop by the event.
- For the 15th year in a row, OCTA will offer free bus rides on New Year's Eve and the marketing campaign to promote this free bus service is ongoing.
- Since this is the last Board meeting for 2016, he wished everyone a happy and safe holiday season.

29. Directors' Reports

Director Miller thanked the Board and staff for their friendship and support while serving on the Board.

Director Shaw wished the outgoing Members the best and that they served OCTA very well. He also stated that Director Nelson is an excellent County of Orange Board of Supervisor and OCTA Board Member, as well as thanked him for all his great work.

29. (Continued)

Director Murray thanked the outgoing Board Members for their service on the OCTA Board and that he enjoyed working with those Members. In addition, he acknowledged Chair Donchak and the other awards received at the WTS event, as well as wished Mr. Johnson, CEO, a happy birthday.

Vice Chairman Hennessey stated that he was very proud to attend the WTS event, and congratulated Chair Donchak and Mr. Johnson, CEO, for the well-deserved honor. In addition, he thanked the outgoing Members for serving on the Board. Lastly, he concurred with Director Shaw's comments about Director Nelson.

30. Closed Session

There were no scheduled Closed Session items.

31. Adjournment

The meeting was adjourned at 10:47 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, January 9, 2017**, at Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

ATTEST:

Laurena Weinert
Clerk of the Board

Lori Donchak
OCTA Chair