

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 March 27, 2017 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Hennessey at 9:02 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: Michael Hennessey, Chairman  
Lisa A. Bartlett, Vice Chair  
Laurie Davies  
Barbara Delgleize  
Lori Donchak  
Steve Jones  
Mark A. Murphy  
Richard Murphy  
Al Murray  
Shawn Nelson  
Miguel Pulido  
Todd Spitzer  
Michelle Steel  
Tom Tait  
Gregory T. Winterbottom  
Ryan Chamberlain, Governor's Ex-Officio Member

Directors Absent: Andrew Do  
Tim Shaw

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**

### **Orange County Transportation Authority Special Calendar Matters**

**1. Presentation of Resolutions of Appreciation for Employees of the Month for March 2017**

Darrell Johnson, Chief Executive Officer (CEO), presented OCTA Resolutions of Appreciation Nos. 2017-014, 2017-015, and 2017-016 to Daniel Guerrero, Coach Operator; Carlos Palacios Courchaine, Maintenance; and Tom Young, Administration, as Employees of the Month for March 2017.

**2. Appointment Consideration of a Public Member for the Board of Directors**

Chairman Hennessey reported that a recommendation for the Public Member seat on the Board of Directors (Board) is presented for the Board's consideration.

Director Donchak made comments and reported that Directors Murray and Nelson, as well as she were tasked with conducting a transparent and inclusive process for the Public Member appointment consideration.

Director Murray made comments and reported that he served on the Ad Hoc Committee, and complimented all the applicants and the two top finalists.

Chairman Hennessey thanked the Ad Hoc and Executive Committees for the excellent work during the Public Member consideration process.

A motion was made by Director Davies, seconded by Director Donchak, and declared passed by those present, to appoint Gregory T. Winterbottom for a four-year term as a Public Member on the Board of Directors.

Directors Pulido and Nelson were not present to vote on this item.

Chairman Hennessey did not vote on this item as he is a Public Member for the Board of Directors.

After the vote, Director Winterbottom thanked the Board for all its support and stated that he is pleased to be serving another term.

## **Consent Calendar (Items 3 through 16)**

Chairman Hennessey stated that 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 Murray, seconded by Director R. Murphy, and declared passed by those present, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of March 13, 2017.

Directors Nelson and Pulido were not present to vote on this item.

#### **4. Award of Sole Source Agreement with Xerox Corporation for Ink, Parts, Supplies, Printing, Equipment Repair, and Maintenance**

A motion was made by Director Murray, seconded by Director R. Murphy, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Purchase Order No. A37076 between the Orange County Transportation Authority and Xerox Corporation, in the amount of \$95,000, for printing costs, equipment repair, and maintenance of the Xerox 800 color press through June 30, 2017.

Directors Nelson and Pulido were not present to vote on this item.

#### **5. Amendments to the 91 Express Lanes Three-Party Operating Agreement and Facility Agreement**

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

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-3-1529 among the Orange County Transportation Authority, Riverside County Transportation Commission, and Cofiroute USA, LLC., for the inclusion of the joint software license, software maintenance, and escrow agreements.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Agreement No. C-3-1529 among the Orange County Transportation Authority, Riverside County Transportation Commission, and Cofiroute USA, LLC., in the amount of \$1,302,562, for maintenance and support services for the 91 Express Lanes Electronic Toll and Traffic Management systems.

**5. (Continued)**

- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-5-3828 between the Orange County Transportation Authority and Riverside County Transportation Commission, in the amount of \$431,308, for the reimbursement of shared operational expenses through June 30, 2018.

Directors Nelson and Pulido were not present to vote on this item.

**6. State Legislative Status Report**

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

- A. Adopt an OPPOSE position on AB 179 (Cervantes, D-Corona), which would place restrictions on the qualifications a member can have to serve on the California Transportation Commission.
- B. Adopt a SUPPORT position on AB 1113 (Bloom, D-Santa Monica), which clarify the provisions governing the State Transit Assistance Program.
- C. Adopt an OPPOSE position on AB 1640 (Garcia, D-Coachella), which seeks to prioritize State Transportation Improvement Program funding for disadvantaged communities.

Directors Nelson and Pulido were not present to vote on this item.

**7. Federal Legislative Status Report**

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

Directors Nelson and Pulido were not present to vote on this item.

**8. Security and Privacy Liability Insurance Coverage**

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

Directors Nelson and Pulido were not present to vote on this item.

**9. Orange County Transportation Authority Policies and Procedures, Internal Audit Report No. 17-507**

A motion was made by Director Murray, seconded by Director R. Murphy, and declared passed by those present, to direct staff to implement three recommendations provided in Orange County Transportation Authority Policies and Procedures, Internal Audit Report No. 17-507.

Directors Nelson and Pulido were not present to vote on this item.

**Orange County Transit District Consent Calendar Matters**

**10. Amendment to Agreement to Exercise Option Term for Customer Information Center**

A motion was made by Director Murray, seconded by Director R. Murphy, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-3-1895 between the Orange County Transportation Authority and Alta Resources to exercise the first option term in the agreement, in the amount of \$2,113,600 to provide call center services. This will increase the maximum obligation of the agreement to a total contract value of \$6,148,600.

Directors Nelson and Pulido were not present to vote on this item.

**11. Update on the Day Pass Promotion**

Director Tait pulled this item and asked about the background for this item's findings.

Sean Murdock, Director of Finance and Administration, responded that staff evaluated the promotional day pass for the period October 2016 through February 2017, and compared the ridership data to the prior year period.

Mr. Murdock also stated that the bus ridership data was compared by using average weekday and weekend boardings and rain days were excluded from the data. Mr. Murdock summarized that the day pass promotion did not meet the goal of increasing overall ridership and highlighted staff's recommendations.

Director Tait made comments and stated that the day pass program should be continued. Director Tait felt that staff should review decreasing the regular fares, as well as stated that he would be voting in opposition of the recommendation.

Director Donchak stated that she supported staff's recommendations, and suggested that in the interim, staff review the 19 key bus routes data, and include strong marketing to be part of the program.

**11. (Continued)**

After a discussion ensued, a motion was made by Director Donchak, seconded by Director Murray, and declared passed by those present, to direct staff to end the promotional reduction in the price of the day pass on April 9, 2017, and return with options to utilize remaining Low Carbon Transit Operations Program funds.

Director Tait voted in opposition.

Director Pulido was not present to vote on this item.

**12. Local Transportation Fund Claims for Fiscal Year 2017-18**

A motion was made by Director Murray, seconded by Director R. Murphy, and declared passed by those present, to adopt Orange County Transit District Resolution No. 2017-013 authorizing the filing of Local Transportation Fund claims, in the amounts of \$146,621,592, to support public transportation and \$7,774,611 for community transit services.

Directors Nelson and Pulido were not present to vote on this item.

**Orange County Local Transportation Authority Consent Calendar Matters**

**13. Consultant Selection for Quality Assurance Management Support for the OC Streetcar Project**

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

- A. Approve the selection of Kal Krishnan Consulting Services, Inc., as the firm to provide quality assurance management support for the OC Streetcar project.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-6-1537 between the Orange County Transportation Authority and Kal Krishnan Consulting Services, Inc., in the amount of \$429,403, to provide quality assurance management support for the OC Streetcar project, from contract execution through December 31, 2020.

Directors Spitzer and Tait voted in opposition.

Directors Nelson and Pulido were not present to vote on this item.

**14. Orange County Local Transportation Authority Measure M2 Agreed-Upon Procedures Reports, Year Ended June 30, 2016**

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

- A. Direct staff to monitor implementation of recommendations by the County of Orange and all cities.
- B. Receive and file the Orange County Local Transportation Authority Measure M2 Senior Non-Emergency Medical Transportation Program Agreed-Upon Procedures Report Fiscal Year Ended June 30, 2016, the Orange County Local Transportation Authority Senior Mobility Program Agreed-Upon Procedures Reports Year Ended June 30, 2016, and the Orange County Local Transportation Authority Measure M2 Local Fair Share Agreed-Upon Procedures Reports Year Ended June 30, 2016, as information items.

Director Tait did not participate in the vote due to a potential conflict.

Directors Nelson and Pulido were not present to vote on this item.

**15. Cooperative Agreement with the City of Santa Ana for the Construction Phase of the OC Streetcar Project**

A motion was made by Director Murray, seconded by Director R. Murphy, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-6-1516 between the Orange County Transportation Authority and the City of Santa Ana, in the amount of \$1,500,000, for construction inspection support, design change reviews, and project coordination for the OC Streetcar project.

Directors Spitzer and Tait voted in opposition.

Directors Nelson and Pulido were not present to vote on this item.

**16. Cooperative Agreement with the City of Garden Grove for the Construction Phase of the OC Streetcar Project**

A motion was made by Director Murray, seconded by Director R. Murphy, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-7-1556 between the Orange County Transportation Authority and the City of Garden Grove, in the amount of \$87,504, for construction inspection support, design change reviews, and project coordination for the OC Streetcar project.

Directors Spitzer and Tait voted in opposition.

Directors Nelson and Pulido were not present to vote on this item.

## **Regular Calendar**

### **Orange County Local Transportation Authority Regular Calendar Matters**

#### **17. OC Streetcar Operations and Maintenance Organization Plan**

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

- Organization Options;
- Key Considerations;
- Comparative Evaluation of Operations and Maintenance Options;
- Recommendation: Operations and Maintenance Contractor; and
- Next Steps.

A motion was made by Director Murray, seconded by Director R. Murphy, and declared passed by those present, to approve the use of an operations and maintenance contractor to provide operations and maintenance services for the OC Streetcar project, and direct staff to return to the Board of Directors for approval to release a request for proposals to procure these services.

Directors Spitzer and Tait voted in opposition.

Director Pulido was not present to vote on this item.

### **Orange County Transportation Authority Regular Calendar Matters**

#### **18. Transit Master Plan - State of OC Transit**

Gary Hewitt, Manager of Transit Planning, provided opening comments, and introduced Jennifer Wieland, Consultant from Nelson Nygaard, who provided a PowerPoint presentation along with Mr. Hewitt for this item as follows:

- Process;
- Contents;
- Existing System Analysis;
- Market Analysis;
- Key Themes;
- Vision; and
- Next Steps.



**18. (Continued)**

A discussion ensued regarding:

- What OCTA hopes to accomplish, and staff is encouraged to come up with all kinds of ideas.
- Bus ridership has decreased and goals need to be set.
- OCTA is looking to develop an efficient transit system for the future with specific recommendations about restructuring parts of the bus system (i.e., pricing, service levels, etcetera).
- Take into account the transportation network companies, autonomous vehicles, potential legislation similar to Senate Bill 1 and Assembly Bill 1 in the Governor's proposal, as well as all variables.
- Staff needs to have tangible results, a hybrid approach, include a component of predictive analysis, and data should drive the demand.
- The vision statement needs to be short, succinct, easy to remember, and include financial accountability.
- OCTA will develop a pilot program for on-demand services at bus stops in a network type of area.

Director Donchak provided a revision to the draft vision statement to include the following: "Provide compelling and competitive . . . and equitably supports immediate and long-term mobility in Orange County." In addition, Director Donchak clarified that she views "equitably" as a financial concept and refers to the kind of user that will participate in the bus system.

Director Nelson commented that the mission statement should be that OCTA wants to serve more people with the same budget.

A motion was made by Director Donchak, seconded by Director Pulido, and declared passed by those present, to direct staff to return to the Board of Directors in May 2017, with the draft Transit Master Plan Investment Framework and include the changes to the draft vision statement.

**19. Delivering Transportation Solutions in a Changing Market**

Darrell Johnson, CEO, provided a PowerPoint presentation for this item as follows:

- Planning Efforts Underway;
- OCTA Core Functions;
- Background – Measure M;
- Next 10 Delivery Plan;
- Background – Bus Transit;
- Trends;
- OC Bus 360° - Reinventing Bus Service;
- Efficiency Measures/Cost Savings;
- Staff Levels and Service Hours;
- Other OCTA Programs; and
- Next Steps.

A motion was made by Director Winterbottom, seconded by Vice Chair Bartlett, and declared passed by those present, to:

- A. Direct staff to continue delivery of the Measure M2 Next 10 Plan.
- B. Direct staff to expand OC Bus 360° initiatives, focusing on the benefits and implementation of alternative transit service delivery models.
- C. Direct staff to evaluate paratransit growth and cost-management strategies, and return to the Board of Directors with recommendations.

Director Delgleize was not present to vote on this item.

**Discussion Items**

**20. Public Comments**

There were no public comments received.

**21. Chief Executive Officer's Report**

Mr. Johnson, CEO, reported that:

- This week, a state transportation funding package will be announced that will not include cap-and-trade funding. In addition, the funding package would need a two-third vote by April 6th, and OCTA staff will keep the Board apprised of anything new about the proposed funding package.

**21. (Continued)**

- OCTA will host two open houses for the Central Harbor Boulevard Corridor Study. The first is scheduled for Thursday, March 30<sup>th</sup>, from 5:00 p.m. to 7:00 p.m., at the Garden Grove Community Center, and the second is on Wednesday, April 5<sup>th</sup>, from 5:00 p.m. to 7:00 p.m., at the Anaheim City Hall West Tower, Gordon Hoyt Conference Room.
- Ellen Burton, Executive Director of External Affairs, has been with OCTA for over 30 years and will retire at the end of this month.
- The extension of the 91 Express Lanes in Riverside County opened on Monday, March 20<sup>th</sup>, and the grand opening event is scheduled for Friday, March 31<sup>st</sup>, at 11:30 a.m., at the Corona Metrolink Station. In addition, State Route 91 Advisory Committee Vice Chairman Murray will speak at the opening event.
- The Metrolink Angels Express will soon go into service for the upcoming baseball season. On Friday, April 7<sup>th</sup>, at 4:30 p.m., OCTA will host a pre-game kickoff rally at the Irvine Metrolink Station.

**22. Directors' Reports**

Director Chamberlain reported that the statewide winter storm damage costs are approximately \$800 million for the state highway system and \$400 million on the local streets and roads systems, as noted by the California Department of Transportation local assistance.

Director Chamberlain also added that California needs to find stable funding for transportation, the highway system, and the local streets and roads systems.

Director Murray reported on the Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN) Agency's Monday, March 20<sup>th</sup> Board meeting. Director Murray reported that the LOSSAN Agency's Board is working on three significant agreements which are the interagency transfer, administrative support, and negotiating for the first a two-year operating agreement with Amtrak for the Pacific Surfliner service.

Director Murray also complimented Jennifer Bergener for doing a good job as the Managing Director of the LOSSAN Agency.

Director Nelson inquired if the LOSSAN Agency will offer Amtrak service to the "Coachella Festival" and "Country Music Festival." Mr. Johnson, CEO, responded that this year Amtrak service will not be providing service to those events; yet, service will be considered for next year.

**22. (Continued)**

Director Winterbottom reported that the Angels Express service will start in April, and the service is funded by the Mobile Source Air Pollution Reductions Review Committee (MSRC). He also stated that the MSRC provides in-kind service and on next month's MSRC agenda is potential funding for the Orange County Fair bus express service.

Director Davies reported that on Friday, March 24<sup>th</sup>, she attended the Metrolink Board meeting as a Board alternate, and thanked OCTA staff, Megan Taylor, for her support.

Director Davies highlighted her train travel experience to and from the Metrolink Board meeting in Los Angeles. In addition, Director Davies suggested a public service announcement or reminders about giving up a train seat to an elder or a mother with a child.

Director Pulido reported that on Wednesday, March 29<sup>th</sup>, at 1:00 p.m., he will provide a tour of the OC Streetcar to some of the new Board Members.

Director Pulido also commented on the eastbound 91 Express Lanes extension in Riverside County, and the lack of signage that a commuter cannot go north on the Interstate 15 (I-15) from the express lanes. Mr. Johnson, CEO, responded that OCTA will convey Director Pulido's comment to the Riverside County Transportation Commission's staff.

Chairman Hennessey reported his positive commute on the 91 Express Lanes from the I-15 to Orange County.

**23. Closed Session**

- A. Pursuant to Government Code Section 54957.6 to discuss negotiations with Teamsters Local 952 regarding the coach operators. The lead negotiator for the Orange County Transportation Authority is Maggie McJilton, Executive Director of Human Resources and Organizational Development, and for Teamsters Local 952 is Patrick Kelly or his designee.
- B. Pursuant to Government Code 54957.6 to discuss collective bargaining agreement negotiations with the Transportation Communications International Union (TCU) regarding the parts/stock room clerks and facilities maintenance employee unit. The lead negotiator for the Orange County Transportation Authority is Maggie McJilton, Executive Director of Human Resources and Organizational Development, and for TCU is Robert Ragland or his designee.

**23. (Continued)**

- C. Pursuant to Government Code Section 54957.6 to discuss negotiations with Teamsters Local 952 regarding the maintenance unit. The lead negotiator for the Orange County Transportation Authority is Maggie McJilton, Executive Director of Human Resources and Organizational Development, and for Teamsters Local 952 is Patrick Kelly or his designee.

James Donich, General Counsel, reported out for Closed Session item Letters “B” and “C” as follows:

Item 23 “B” – Transportation Communications International Union

Board Members Present:

Chairman Hennessey, Vice Chair Bartlett, and Directors Davies, Delgleize, Donchak, Jones, M. Murphy, R. Murphy, Murray, Nelson, Steel, Tait, and Winterbottom

A motion was made by Director Winterbottom, seconded by Director Murray, and passed by those present, 13-0, to approve the Collective Bargaining Agreement with the Transportation Communications Unit, and includes \$500 signing bonus, and 1.5 percent increase in year one, 2.0 percent increase in year two, and 3.0 percent increase in year three. The total value of the increase over three years is \$314,000.

Item 23 “C” – Teamsters Local 952 Maintenance Unit

Board Members Present – Chairman Hennessey, Vice Chair Bartlett, and Directors Davies, Delgleize, Donchak, Jones, M. Murphy, R. Murphy, Murray, Nelson, Steel, and Tait.

A motion was made by Director Tait, seconded by Chairman Hennessey, and passed by those present, 12-0, to approve the Collective Bargaining Agreement with Teamsters Local 952 Maintenance Unit, and includes \$1,200 signing bonus in year one, 2.5 percent increase in year two, and 2.5 percent increase in year three. The total value of the increase over three years is \$1.56 million.

**24. Adjournment**

The meeting was adjourned at 11:33 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, April 10, 2017**, at Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

ATTEST:

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Laurena Weinert  
Clerk of the Board

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Michael Hennessey  
OCTA Chairman