

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 October 23, 2017 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Hennessey at 9:05 a.m. at the OCTA 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  
Andrew Do  
Lori Donchak  
Steve Jones  
Mark A. Murphy  
Al Murray  
Shawn Nelson  
Miguel Pulido  
Tim Shaw  
Todd Spitzer  
Michelle Steel  
Tom Tait  
Gregory T. Winterbottom  
Ryan Chamberlain, Governor's Ex-Officio Member

Directors Absent: Barbara Delgleize  
Richard Murphy

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 October 2017**

Darrell Johnson, Chief Executive Officer (CEO), presented Orange County Transportation Authority Resolutions of Appreciation Nos. 2017-083, 2017-084, and 2017-085 to Orlando Mayorga, Coach Operator; Ha Nguyen, Maintenance; and Lesley Hill, Administration, as Employees of the Month for October 2017.

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

**2. Adopt Resolutions of Necessity for the Interstate 405 Improvement Project Between State Route 73 and Interstate 605**

James Donich, General Counsel, provided opening statements about this item's public hearing for the Resolutions of Necessity (RONs), and Joe Gallardo, Manager, Real Property, provided a PowerPoint presentation as follows:

- Interstate 405 (I-405) Improvement Project Proposed Improvements;
- I-405 Improvement Project Resolutions of Necessity Locations;
- Resolution of Necessity Numbers:
  - 2017-24 – Cooper
  - 2017-25 – Caress
  - 2017-26 – Jones – Kay Trusts
  - 2017-27 – Loro
  - 2017-73 – Halby Family Limited Partnership; and
- Four Requirements to be Continued to Adopt Resolutions.

Chairman Hennessey opened the floor for public comments, and there were no requests from the public to speak.

A motion was made by Director Donchak, seconded by Director Davies, and declared passed by those present to close the public hearing.

A discussion ensued regarding:

- This item's RONs properties.
- Staff explained to the property owners the reasons for the acquisition, as well as negotiated with the owners.
- OCTA received letters of complaints from several property owners' attorneys, which was not included with the Staff Report.

**2. (Continued)**

- Going forward, OCTA will include the letters of complaints with the Staff Report.
- Explanation of this public hearing's notification process.
- For the temporary construction easements, the existing soundwall will be removed, and a temporary construction fence will be provided as the new wall is built.
- The temporary easement property timeframe will be approximately four years, and the property will be returned to the owners.
- Construction delays for not proceeding with eminent domain would cost millions of dollars.
- For this item's five RONS, OCTA does not have documentation that the property owners agreed to eminent domain.
- Attachment A is a log of the various correspondence with the property owners.
- As of today, OCTA presented 191 offers against the 305 total properties, and no full acquisitions are planned.

A motion was made by Director Pulido, seconded by Director Murray, and declared passed 14 to 1 by those present, to adopt Resolution of Necessity Nos. 2017-24, 2017-25, 2017-26, 2017-27, and 2017-73, and authorize and direct General Counsel to prepare, commence, and prosecute a proceeding in eminent domain for the purpose of acquiring necessary right-of-way and real property interests for the Interstate 405 Improvement Project between State Route 73 and Interstate 605.

Director Spitzer voted in opposition.

**Consent Calendar (Items 3 through 15)**

**Orange County Transportation Authority Consent Calendar Matters**

**3. Approval of Minutes**

A motion was made by Director Murray, seconded by Director Davies, and declared passed by those present, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of October 9, 2017.

**4. First Quarter Fiscal Year 2017-18 Procurement Status Report**

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

**5. Fiscal Year 2016-17 Fourth Quarter Budget Status Report**

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

**6. Fiscal Year 2016-17 Fourth Quarter Grant Reimbursement Status Report**

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

**7. New York Meetings Update**

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

**8. Establishment of a 91 Express Lanes Capital Reserve Fund**

Director Tait pulled this item and asked for a brief report.

Kirk Avila, Treasurer and General Manager, 91 Express Lanes, reported that the policy decision was authorized by the Board of Directors (Board) in November 2016 and highlighted what the Board authorized.

Director Tait provided his concerns about the use of excess toll revenues and also commented about having continual access on the 91 Express Lanes for the cities of Anaheim and Yorba Linda.

A lengthy discussion ensued regarding:

- What Projects I and J will do for the State Route 91 (SR-91) corridor.
- The intermediate access analysis was presented to the Board, and the Board decided not to pursue due to low traffic benefits.
- The excess toll revenues are for the SR-91 corridor and helps OCTA ensure that the Measure M2 taxpayer commitment is fulfilled.
- OCTA purchasing the 91 Express Lanes has made it possible to make improvements with the excess toll revenues.
- 91 Express Lanes is based on scheduled congestion pricing for traffic relief.
- Mr. Avila highlighted the rating agencies' concerns about continuous access.
- There have been discussions about continuous access and it is not financeable and has operations concerns.

A motion was made by Director Tait to continue this item, and the motion failed due to a lack of a second.

A motion was made by Director Murray, seconded by Director Donchak, and declared passed by those present, to approve the establishment of a 91 Express Lanes capital reserve that will fund future State Route 91, Project I, and Project J expenditures, currently estimated to total \$748.73 million.

Director Tait voted in opposition of this item.

**9. Third Quarter 2017 Debt and Investment Report**

A motion was made by Director Murray, seconded by Director Davies, and declared passed by those present, to receive and file the Quarterly Debt and Investment Report prepared by the Treasurer as an information item.

**10. Grant Award for the Be The One Public Awareness Campaign**

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

- A. Adopt Orange County Transportation Authority Resolution No. 2017-079 authorizing the Chief Executive Officer, or designee, to accept the grant award and execute grant-related agreements and documents with the United States Department of Homeland Security.
- B. Amend the Orange County Transportation Authority Fiscal Year 2017-18 Budget to accommodate the awarded grant funds.

**11. Federal Transit Administration Sections 5307, 5310, 5337, and 5339 Program of Projects for Federal Fiscal Year 2017-18**

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

- A. Approve the federal fiscal year 2017-18 Federal Transit Administration Section 5307 Urbanized Area Formula, Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities program of projects, including federal and local funds, and the use of match credit for projects.
- B. Approve the five-year programming plans for Federal Transit Administration Section 5307 and Federal Transit Administration Section 5337. Authorize staff to adjust individual project funding consistent with final apportionments and eligibility determinations through the Fixing America's Surface Transportation Act, and direct staff to include updated numbers in grant and programming status reports.
- C. Authorize the Chief Executive Officer to submit the federal fiscal year 2017-18 Federal Transit Administration grant applications to the Federal Transit Administration.
- 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.

Due to a potential conflict of interests, Director Tait did not vote on this item.

## **Orange County Transit District Consent Calendar Matters**

### **12. State Transit Assistance Fund Claims for Fiscal Year 2017-18**

A motion was made by Director Murray, seconded by Director Davies, and declared passed by those present, to adopt Resolution No. 2017-075 to authorize the filing of State Transit Assistance Fund claims, in the amount of \$16,016,939, to support public transportation.

### **13. Amendment to Agreement for Bus Stop Maintenance**

A motion was made by Director Murray, seconded by Director Davies, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Agreement No. C-4-1620 between the Orange County Transportation Authority and ShelterClean Services, Inc., in the amount of \$1,100,966, to exercise the first, two-year option term of the agreement through November 30, 2019 for bus stop maintenance, bringing the total contract value to \$2,617,653.

### **14. Transit Division Performance Measurements Report for the Fourth Quarter of Fiscal Year 2016-17**

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

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

### **15. Metrolink Fiscal Year 2016-17 Performance Report**

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

## **Regular Calendar**

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

### **16. February 2018 Bus Service Plan Recommendations**

Darrell Johnson, CEO, provided opening comments, and Gary Hewitt, Section Manager, Transit Planning, provided a PowerPoint presentation for this item as follows:

- OC Bus 360°;
- Public Feedback;
- Changes to Recommendations;
- February 2018 Service Improvements and Reductions; and
- Next Steps.

**16. (Continued)**

A discussion ensued regarding:

- Staff reached out to all members of the public that provided comments at the September 25<sup>th</sup> Board meeting public hearing.
- Director Shaw complimented staff on moving forward with OC Bus 360° and supports the changes and recommendations.

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

- A. Approve the final February 2018 Bus Service Plan and direct staff to begin implementation.
- B. Receive and file the February 2018 Bus Service Plan Public Involvement Program final report.
- C. Direct the Executive Director of Planning, or his designee, to file a Notice of Exemption from the California Environmental Quality Act related to the bus service changes.

Directors Do, Murray, and Pulido were not present to vote on this item.

**17. Micro-Transit Pilot Program**

Darrell Johnson, CEO, provided opening comments and Lloyd Sullivan, Manager, Information Systems, provided a PowerPoint presentation for this item as follows:

- What is Micro-Transit;
- Where Could Micro-Transit Work in OC;
- Transit Network Companies;
- OCTA Micro-Transit;
- Pilot Goals;
- Market Research;
- Service Zone-Analysis;
- Huntington Beach;
- Aliso Viejo/Laguna Niguel/Mission Viejo;
- Service Levels and Pricing;
- Budget – One Year Pilot;
- Vehicles and Drivers;
- Dispatching;
- Pilot Performance Metrics;
- Pilot Timeline; and
- OC Flex.

**17. (Continued)**

A lengthy discussion ensued regarding:

- During the pilot program, gasoline vehicles will be used, and beyond the pilot, OCTA will use eco-friendly vehicles. The current ACCESS service has gasoline vehicles which will be transitioned into alternative fuel vehicles.
- A recommendation to not have the driver conduct the customer satisfaction data survey and review it independently. Staff could have the feedback go through the TransLoc app.
- The TransLoc app will allow the user to track the vehicle. The dispatcher could schedule the trip on behalf of the customer.
- Key lessons learned from the San Clemente service were as follows:
  - If under 18 years of age, a passenger could not use the system, which has been resolved,
  - American with Disabilities Act service access, which has been resolved,
  - The program was not marketed due to data collection issues, and
  - Time is more valuable than price.
- Staff is encouraged to front-load the marketing plan, and return to Board if additional funds are needed for marketing.
- In addition to this pilot program, also keep the San Clemente program for a second year.
- If demand is too high, staff would review having OCTA's fixed-route service in those areas.
- The pilot program will be launched in June/July 2018.
- The pilot's key performance metrics are as follows:
  - Six or more boardings per revenue hour,
  - Cost-effectiveness will be \$9.00 or less subsidy per boarding,
  - Shared rides will be 25 percent of the shared rides,
  - Connecting transit trips to/from transit hubs will be 25 percent of the trips, and
  - Customer satisfaction will be 85 percent of passengers indicating satisfaction.
- Typically for a pilot program, the preference is a year of data; yet if very successful, the timelines could be accelerated.
- Requested a quarterly report.
- Director Steel inquired how the ridership assumptions were determined. (Staff will provide a response under separate cover.)
- Recommendation for OCTA to offset costs (i.e., software, drivers, and vehicles) by discussing with the on-demand companies their ability to be flexible, and test a few areas with limited radios with a fixed price.
- Recommendation to have a Request for Proposals (RFP) for on-demand service, etcetera.



**17. (Continued)**

- OCTA tested the marketplace, through the San Clemente service with a RFP, for on-demand service. The challenges with the private sector is obtaining data to use for transit funds and paratransit service flexibility.
- Going forward, there will be a RFP for operations and maintenance, and OCTA could include in the RFP a dispatching software.

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

- A. Direct staff to implement a one-year micro-transit pilot program with the option to extend the program for one additional year subject to the service meeting performance metrics.
- B. Direct staff to provide performance metrics updates to the Board of Directors on the pilot program as part of the quarterly Transit Performance Measurements report.

Directors Nelson and Tait voted in opposition of this item.

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

**Discussion Items**

**18. Public Comments**

There were no public comments received.

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

Darrell Johnson, CEO, reported:

- Interstate 5 South Project:
  - Over the weekend, the northbound traffic was shifted onto the new Avenida Pico bridge in San Clemente.
  - Tomorrow night, the southbound lanes will be striped for final configuration, with lane closures beginning at 10:00 p.m. and a full freeway closure from 11:00 p.m. to 5:00 a.m. OCTA will notifying motorists and key stakeholders about the construction alert.
  - The final segment is expected to wrap up by the end of the year, and the entire project will be completed by early spring 2018.

**19. (Continued)**

- On Tuesday, October 24<sup>th</sup> at 10:00 a.m., OCTA will host a ribbon cutting ceremony for the State College Boulevard and Raymond Avenue bridge crossings, as well as the completion of the OC Bridges Program. Chairman Hennessey and Directors Shaw and Tait will attend the ceremony, and the Board Members were invited to attend.
- The Canyon Fire 2 affected a large portion of Orange County, and OCTA staff was acknowledged for its emergency operations support. In addition, the Board of Supervisors provided a “Resolution of Appreciation” to OCTA for its emergency support during the fire.

**20. Directors’ Reports**

Director Chamberlain reported that last Friday, a groundbreaking event was held by the California Department of Transportation (Caltrans) at Craig Regional Park for the State Route 57 Pavement Replacement Project from the Anaheim Stadium to Imperial Highway. He also reported on this project’s funding source and that it is one of many projects that Caltrans District 12 is expediting.

Director Tait thanked OCTA staff, on behalf of the City of Anaheim residents, for the fast response to the Canyon Fire 2.

Vice Chair Bartlett stated that the Canyon Fire 2 had great coordinated efforts and expressed her appreciation to OCTA.

Vice Chair Bartlett stated that the Measure M2 Project V is becoming successful and would like to connect the services with all the District 5 cities. Vice Chair Bartlett also stated that the City of San Juan Capistrano (SJC) sent a letter for reconsideration of its Project V shuttle service.

Mr. Johnson, CEO, responded that OCTA would review SJC’s concerns and bring to the Board for consideration. A discussion ensued about Laguna Beach having a similar situation with its Summer Breeze shuttle service.

Director Donchak asked that OCTA review all the Project V applications and the program, because there may be cities that may ask for additional funding. Mr. Johnson, CEO, offered that OCTA could send letter of interests to all the cities about Project V.

**21. Closed Session**

There were no Closed Sessions scheduled.

**22. Adjournment**

The meeting adjourned at 10:51 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, November 13, 2017**, at the 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