

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 26, 2018 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairwoman Bartlett at 9:03 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: Lisa A. Bartlett, Chairwoman
 Tim Shaw, Vice Chairman
 Laurie Davies
 Barbara Delgleize
 Lori Donchak
 Michael Hennessey
 Steve Jones
 Mark A. Murphy
 Richard Murphy
 Al Murray
 Shawn Nelson
 Miguel Pulido
 Todd Spitzer
 Michelle Steel
 Tom Tait
 Gregory T. Winterbottom
 Adnan Maiah, Acting District Director
 California Department of Transportation District 12

Directors Absent: Andrew Do

Also Present: Darrell E. 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 2018

Darrell E. Johnson, Chief Executive Officer (CEO), presented OCTA Resolutions of Appreciation Nos. 2018-047 and 2018-049 to Julio Giraldo, Coach Operator, and Lydia Bilynsky, Administration, as Employees of the Month for March 2018.

Patrick Dawes, Maintenance, March Employee of the Month, was not available and will be recognized at a future Board of Directors (Board) meeting.

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, opened with comments and noted for the record that 12 affirmative votes are needed to pass the proposed Resolutions of Necessity (RON).

Chairwoman Bartlett opened the public hearing, and Joe Gallardo, Manager, Real Property, Capital Programs, provided a PowerPoint presentation for this item as follows:

- Interstate 405 Improvement Project Proposed Improvements and RON Locations;
- RON No. 2018-027 – Brown;
- RON No. 2018-028 – Cabrera;
- RON No. 2018-029 – Alvarez;
- RON No. 2018-030 – Carty – Butler;
- RON No. 2018-031 – Price;
- RON No. 2018-032 – Hunter Family Trust;
- RON No. 2018-033 – Hammond;
- RON No. 2018-034 – Trautman;
- RON No. 2018-035 – George Family Trust;
- RON No. 2018-036 – Prowse;
- RON No. 2018-037 – Mikuleky;
- RON No. 2018-038 – Bradley;
- RON No. 2018-039 – DK-USA, LLC;
- RON No. 2018-040 – Douglas R. Hughes;

2. (Continued)

- RON No. 2018-042 – Shapell Socal Rental Properties, LLC;
- RON No. 2018-043 – Westminster Mall, LLC
 - Due to a tentative agreement, at this time, OCTA staff does not recommend moving forward with RON 2018-043;
- RON No. 2018-044 – Seritage SRC Finance, LLC;
- RON No. 2018-045 – Smolin Family Trust;
- RON No. 2018-046 – Golden Westminster Investments, LLC; and
- Four Requirements to be Considered to Adopt Resolutions.

A discussion ensued regarding:

- The RONs in the City of Costa Mesa have a soundwall and landscaping with no pool or structures behind the condominiums.
- For RON No. 2018-042, two parking stalls will be removed. Also, as part of the appraisal process, the property owners were provided a plan that allows for permanent parking stalls if re-stripped.
- For RON No. 2018-043, due to a tentative agreement, at this time, OCTA staff recommends not to approve the RON.
- Materials and letters from two law firms that requested to provide public comments were provided to the Board and placed at the dais.
- The letter from the law firm for RONs at 18480 Pacific Street, Fountain Valley and Mesa Verde Villas objects to the time constraints and inadequate information, and requested for additional time.
- James Donich, General Counsel, stated that all parties have been granted the statutory timelines for the offers and objections. In addition, he reported that the objection letters have been reviewed, the Board was provided confidential memos about the objections, and the objections would not hinder the Board from adopting the RONs.

Chairwoman Bartlett opened the floor for public comments, and there were requests to speak from the following members of the public:

1. Michael Wallenstein, Wolf Wallenstein & Abrams, PC, representing the Seritage SRC Finance LLC - RON No. 2018-044, referenced the letter and materials provided to the Board at the dais.

Mr. Wallenstein stated there is no opposition to the project; however, the issue is with the offer for a temporary construction easement, which will leave an eight foot berme.

Mr. Wallenstein opposes the RON, and stated that 36 percent of the property value was offered, and pursuant to eminent domain law, a full fair market value of the property should be offered.

2. (Continued)

A discussion ensued regarding RON No. 2018-044 as follows:

- The green colored footprint shown on Slide 11 of the PowerPoint, after condition, will look similar to today, and only a portion of the property will be raised as part of the accessway.
- The property is an economic unit, which can be used, and the offer considered damages and compensation.
- Per Mr. Donich, General Counsel, the property was analyzed, a full take of the property was not warranted, and the arguments presented would not hinder the Board from taking action.
- In May 2016, the discussions regarding this property started.
- If the Board approves this RON, there is an opportunity to negotiate a resolution.
- The adjacent property will remain as it is today, and any damages to the adjacent property would be mitigated.

2. Erin Naderi, Palmieri Tyler Attorneys at Law, representing the Mesa Verde Villas Homeowners Association (Mesa Verde Villas) – RON Nos. 2018-027 through 2018-038.

Ms. Naderi stated the objections as outlined in the letter and materials provided to the Board at the dais. She noted that the project plans are only 35 percent complete, OCTA failed to make a valid pre-condemnation offer, and the offers made do not comply with statutory requirements of eminent domain.

Ms. Naderi also stated that the condominium properties were appraised as vacant land, and the appraisal did not analyze severance damages in accordance with the eminent domain law.

Ms. Naderi also represents property 18480 Pacific Street (Pacific), Fountain Valley – RON No. 2018-039, and the Board was provided the second letter and materials from the firm, and Ms. Naderi stated the following:

- There are similar objections as noted for the Mesa Verde Villas condominium complex.
- The property will have a retaining wall (wall), and no information was provided on the design of the wall.
- The 3.5 feet wide temporary construction easement is unrealistic and burdens the property owner.
- There was not a valid pre-condemnation offer pursuant to statutory requirements, and the takings were valued as though the property is vacant.

2. (Continued)

A discussion ensued as follows:

- OCTA procures qualified appraisals and has taken into consideration compensation in accordance with the government code for the Mesa Verde Villas condominium complex.
 - Mr. Donich, General Counsel, stated that the objections made by Ms. Naderi are compensation arguments.
 - Mr. Johnson, CEO, stated that OCTA has 167 property agreements in place, which is nearly 60 percent of the properties.
 - Jeff Mills, Program Manager, reported that last week, it was clarified with the attorneys that design is currently at 65 percent.
 - For RON No. 2018-039, Mr. Mills reported that the retaining wall will be two feet high, the location was established in the project plans and right-of-way footprint, does not impact access, and there is no loss of parking.
 - Going forward, the Board requested that staff provide a detailed visual of the proposed RON.
3. John Peterson, Attorney, representing Daniel Banie-Esraili for the Golden Westminster Investments, LCC - RON No. 2018-046. Mr. Peterson requested a continuance of this RON to the next Board meeting, because Mr. Banie-Esraili and his partners are in discussions with OCTA regarding access to the driveway during construction.
4. Doug Digison, 99 Cents Only Stores representative, referenced RON No. 2018-046. Mr. Digison stated there are concerns with big rig truck circulation within the parking lot and access to the loading area for 15 deliveries per week. Mr. Digison also stated safety concerns for the customer's vehicles and any persons accessing the driveway. He asked for a continuance and an opportunity to work with OCTA to mitigate the temporary construction easement.

A discussion ensued regarding RON No. 2018-046 as follows:

- The green area noted on Slide 13 of the PowerPoint has an existing driveway, with landscaping and irrigation.
- The driveway will be regraded and raised because Goldenwest Street is being raised higher.
- The driveway will be built in halves, and there will be access during construction.
- The big rig trucks will have access and will be able to queue up.

2. (Continued)

5. Douglas R. Hughes representing Douglas R. Hughes – RON No. 2018-040 as noted on Slide 8 of the PowerPoint. Mr. Hughes stated that he has worked for years to bring the properties together, and now, the process is on hold because OCTA wants to rent a portion of the property to stage the construction.

Mr. Hughes prefers to rent the property for two years with a two-year option. He also asked about the retaining wall height and if the water and sewer drainage will be on his property.

A discussion ensued regarding RON No. 2018-040 as follows:

- The green area noted on Slide 8 of the PowerPoint is a four-year temporary construction easement rental. The contractor is limited to a two-year construction timeline within four years.
- The retaining wall will be zero to five feet in height.
- Drainage will be captured on Brookhurst Street and will not travel onto the property.
- There is no temporary construction easement on the freeway side of the property as it is not necessary for the project.

A motion was made by Director Pulido, seconded by Director Donchak, and declared passed by those present, to close the hearing. Directors Nelson and Spitzer were not present to vote on the closing of the hearing.

A motion was made by Director Hennessey, to approve staff recommendations and continue RON No. 2018-046. For clarification, the motion was amended to adopt staff recommendations and continue RON No. 2018-043, and continue to the April 9, 2018 Board meeting, RON No. 2018-046.

The amended motion was made by Director Hennessey, seconded by Director Winterbottom, and declared passed by those present to, adopt Resolution of Necessity Nos. 2018-027, 2018-028, 2018-029, 2018-030, 2018-031, 2018-032, 2018-033, 2018-034, 2018-035, 2018-036, 2018-037, 2018-038, 2018-039, 2018-040, 2018-042, 2018-044, and 2018-045, 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, as well as continue Resolution of Necessity No. 2018-043, and continue to the April 9, 2018 Board of Directors meeting, Resolution of Necessity No. 2018-046.

Director Tait did not participate, due to a potential conflict of interest.

Director Spitzer voted in opposition, and Director Nelson was not present to vote.

Consent Calendar (Items 3 through 8)

Chairwoman announced that she will not participate on Item 7, due to a Levine Act conflict of interest, and Vice Chairman Shaw will preside over Item 7.

Orange County Transportation Authority Consent Calendar Matters

3. Approval of Minutes

Director Spitzer pulled this item and referenced the handout placed at the dais with staff's suggested amendments per his request to the March 12, 2018 Board meeting minutes. Director Spitzer referenced Page 8 of the March 12, 2018 Board minutes to be amended as follows:

"A motion was made by Director Murray, seconded by Director Delgleize, for the following recommendations:

- A. Approve the selection of Keolis Transit Services, LLC, as the firm to provide operation and maintenance services for the micro-transit pilot program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-7-2052 between the Orange County Transportation Authority and Keolis Transit Services, LLC, in the amount of \$1,150,000, for a one-year initial term from July 1, 2018 through June 30, 2019, with two, one-year option terms to provide operation and maintenance services for the micro-transit pilot program.

It was announced that Chairwoman Bartlett and ~~Directors M. Murphy and Steel~~ would not participate due to the Levine Act. Directors Spitzer, M. Murphy, and Steel chose not to participate due to a lack of information regarding parent and principal company relationships with the recommended firm that they were unable to research prior to the Board meeting. Due to this lack of information and out of an abundance of caution, Directors Spitzer, M. Murphy, and Steel chose not to continue to participate on the item.

~~Director Pulido was not present to vote.~~

An additional discussion ensued regarding the Levine Act, and the above vote was null and void.

Chairwoman Bartlett turned the meeting over to Vice Chairman Shaw, and Vice Chairman Shaw announced that there was a public comment request from Larry Slagle, and Mr. Slagle declined to address the Board.

3. (Continued)

A motion was made by Director Davies, seconded by Director Hennessey, and declared passed by those participating, to continue this item to the March 26, 2018 Board meeting.

Chairwoman Bartlett and Directors M. Murphy, Spitzer, and Steel did not participate, due to the Levine Act.

Director Pulido was not present to vote.”

After the discussion, a motion was made by Director Spitzer, seconded by Director M. Murphy, and declared passed by those present, to approve the amended Orange County Transportation Authority and affiliated agencies’ regular meeting minutes of March 12, 2018.

Director Nelson was not present to vote on this item.

4. State Legislative Status Report

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

- A. Adopt an OPPOSE position on AB 1759 (McCarty, D-Sacramento), which would withhold local street and road money for any local government unable to meet their Regional Housing Need Allocation requirements.
- B. Adopt a SUPPORT position on AB 1905 (Grayson, D-Concord), which would prevent a transportation project from being stayed or enjoined under the California Environmental Quality Act if the project is included in a region’s sustainable communities strategy.

Director Nelson was not present to vote on this item.

5. Federal Legislative Status Report

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

- A. Adopt the proposed Principles for a Potential Federal Infrastructure Package and direct staff to take necessary and appropriate actions in furtherance of these goals in Washington, D.C.
- B. Adopt a SUPPORT position on H.R. 5003 (Hultgren, R-IL 14), which would reinstate the tax incentive for advance refunding bonds.

Director Nelson was not present to vote on this item.

Orange County Transit District Consent Calendar Matters

6. Agreement for Fullerton Park and Ride Minor Rehabilitation

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

- A. Find Calpromax Engineering, Inc., the apparent low bidder, as non-responsive, due to failure to meet the federal requirement for Disadvantaged Business Enterprise participation.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-7-2066 between the Orange County Transportation Authority and RSB Group, Inc., the lowest responsive, responsible bidder, in the amount of \$854,000, for the Fullerton Park and Ride minor rehabilitation.

Director Nelson was not present to vote on this item.

7. Agreement for the Operation and Maintenance of a Micro-Transit Pilot Program

This item was pulled for a separate vote, and Vice Chairman Shaw presided over this item. Chairwoman Bartlett announced at the opening of the Consent Calendar that she would not be participating due to the Levine Act, and Director Steel announced that she would not be participating.

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

- A. Approve the selection of Keolis Transit Services, LLC, as the firm to provide operation and maintenance services for the micro-transit pilot program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-7-2052 between the Orange County Transportation Authority and Keolis Transit Services, LLC, in the amount of \$1,150,000, for a one-year initial term from July 1, 2018 through June 30, 2019, with two, one-year option terms to provide operation and maintenance services for the micro-transit pilot program.

Chairwoman Bartlett did not participate due to the Levine Act.

Director Steel did not participate.

Orange County Local Transportation Authority Consent Calendar Matters

8. Approval to Release Request for Proposals for Program Management Consultant Services for the Regional Rail Programs

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

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 8-1512 for the selection of a consultant to provide program management services for regional rail programs.
- B. Approve the release of Request for Proposals 8-1512 for program management consultant services for the Orange County Transportation Authority's regional rail programs.

Director Nelson was not present to vote on this item.

Regular Calendar

Orange County Local Transportation Authority Regular Calendar Matters

9. OC Streetcar Project Update

Darrell E. Johnson, CEO, provided opening comments and introduced Jim Beil, Executive Director of Capital Projects, and Lance Larson, Executive Director of External Affairs.

Mr. Beil reported on the following:

- Federal Transit Administration (FTA) Full Funding Grant Agreement.
- The OC Streetcar Project (Project) delivery has significantly progressed.
- The Board approved release of the request for proposals for the production and delivery of the Project's vehicles.
- Item 10 on the agenda is seeking Board approval to negotiate and execute a contract for the Project's vehicles.
- The Board approved releasing an invitation for bids for construction to pre-qualified contractors.
- Construction bids are scheduled to open on April 27, 2018, and the on June 25, 2018, the contract award recommendations will come to the Board.
- The construction and vehicle schedules noted in Attachment A of the Staff Report were highlighted.

9. (Continued)

Mr. Larson reported on the following:

- On Friday, March 23rd, Congress voted on 12 appropriation bills as one package which was passed by the Senate and House, as well as signed by President Trump.
- Congress funded the FTA at \$13.5 billion, and within the New Starts Capital Investment Grant Program (New Starts), \$2.6 billion was funded, with \$1.5 billion going to the New Starts program.
- The Board was provided a handout at the dais that includes the House Appropriations Committee Chairman's overview of the transportation section of "H.R. 1625".

A discussion ensued as follows:

- To receive the New Starts funding, OCTA completed every technical and statutory requirement.
- Chairwoman Bartlett asked staff to extend thanks to Congressman Mario Diaz-Balart (R-Florida 25th District) who came to Orange County to review the Project.
- Once the appropriations are in place, the Full Funding Grant Agreement will be approximately a 90-day process.
- The FTA granted OCTA pre-award authority for the streetcar vehicles procurement.
- Transit Committee Chairman Murray reported that the Transit Committee had lengthy discussions regarding this item and Item 10 on the Board Agenda. He stated that the schedules referenced in Attachment A of the Staff Report are short and critical in nature. He also thanked staff for the presentation.
- Receiving potential funding from the State is contingent upon the federal funding.

No action was needed for this receive and file information item.

10. Approval to Award Contract for Manufacturing and Delivery of Vehicles for the OC Streetcar Project

Darrell E. Johnson, CEO, provided opening comments and introduced Kelly Hart, Project Manager of Rail Programs and Facilities Engineering.

Ms. Hart provided a PowerPoint presentation for this item as follows:

- Background;
- Vehicle Contract Scope;
- Vehicle Requirements;
- Vehicle Procurement;
- Evaluation Process;
- Evaluation Score – Best and Final Offer (BAFO) Results;
- Cost and Price Comparison – BAFO;
- Proposed Vehicle;
- S70 Vehicles Access;
- 70 Percent Low Floor Vehicle;
- Vehicle and Station Branding;
- Branding Process; and
- Recommendations.

A discussion ensued regarding:

- Transit Committee Chairman Murray reported that the Transit Committee discussed this item and the timeframes are critical. He thanked Director Winterbottom for his input on the Americans with Disabilities Act requirements for the streetcar vehicles.
- OCTA has, in writing from the FTA, pre-award authority for the vehicle procurement, and the best practice is to have an option included in the procurement of vehicles.
- The option would need to be exercised in seven years, and OCTA will use two years, which leaves five years to exercise the option. In addition, OCTA is not locked into a long-term vendor.
- The eight vehicles to be received in June 2020, for the first tranche, are based on the FTA ridership forecast.
- OCTA is currently escalating four percent per year for transportation projects.
- OCTA believes it will obtain federal funding.
- Approximately two years ago, the Board directed staff to develop a contingency plan that included Measure M2 and Congestion Mitigation and Air Quality Program funds.
- OCTA has been in conversations with the Secretary of Transportation in California to shift the cap-and-trade funds from the construction phase of the project to the vehicle-award contract.

10. (Continued)

- OCTA needs to negotiate the vehicle contract, and the Notice to Proceed would need to occur on or before June 4, 2018.
- Director Tait opposes this item and feels it is extremely expensive to move riders outside of the OCTA transit dependent riders.
- Director Tait urged the Board to vote no or at least hold off on the vote for this item, to review the ridership numbers, and consider the riders who will not be using the bus system because of the money being spent on the streetcar project.
- OC Bus 360° Program reviews addressing community ridership needs, and OCTA spends \$365 million per year on the bus system.
- OCTA currently operates approximately 550 vehicles and does not include the paratransit vehicles.
- In order for OCTA to take advantage of the vehicle price, there needs to be an approved expansion to the system for the additional vehicles option.
- Virginia Abadessa, Director of Contracts Administration and Materials Management, reconfirmed the following:
 - With the bid of this procurement, there is a seven-year option.
 - As OCTA negotiates and executes the contract, the blanks in the draft agreement will be filled in, and the contract time period was explained.
 - The agreement has an optional vehicle price section and notes the option price is not locked in. The option price is based on a set of escalator factors, and could be more or could be less.
 - As the negotiations finalize, the contract will list all of the spare parts and vehicles prices.
- Director Spitzer stated that it would be helpful to know the costs to extend the option.
- Streetcar vehicle life is about 20 years with opportunities for rehabilitation and overhaul.
- Chairwoman Bartlett requested that the contract include language for OCTA to obtain the best price whether it drops because of technology changes and manufacturing costs, as well as protect OCTA on the escalation factors.
- Ms. Abadessa also stated the following:
 - Chairwoman's request could be included in the final contract.
 - Before deciding on whether to take the option, OCTA would review the prices and if changed dramatically, could choose not to take the option and instead rebid.
- The contract's warranty time period for spare parts inventoried, installed, and what voids the warranty were highlighted. There are implications when getting one brand.
- As part of the overall project development, the operations and maintenance costs were developed and submitted to the FTA.

10. (Continued)

- The financial models for this project have been presented to the Board.
- Next steps are to release the request for proposals for the operations and maintenance contracting per the project's budget.
- Director Donchak requested that when this item returns to the Board in June/July 2018, staff provide visuals of the S70 vehicles used by the eight cities noted in the Staff Report, along with the City of Tucson for consideration of the OC Streetcar brand identity.
- This project has potential long-term connections to the northwest portion of Orange County and Los Angeles County systems.
- In 2028, the Olympics will be held in Los Angeles, and transportation options will be needed.
- This item is a historic moment that will provide transit options.

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

- A. Approve the selection of Siemens Industries, Inc., as the firm to provide eight streetcar vehicles contingent upon successful completion of a pre-award audit to confirm compliance with federal Buy America requirements.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-6-1445 between the Orange County Transportation Authority and Siemens Industries, Inc., in the amount of \$51,527,520, for the purchase of eight streetcar vehicles, spare parts, and tools, with an option to purchase up to ten additional streetcar vehicles and spare parts.

Directors Spitzer and Tait voted in opposition of this item.

Discussion Items

11. Public Comments

There were no public comments.

12. Chief Executive Officer's Report

Darrell E. Johnson, CEO, reported on the following:

- Last week, the California Transportation Commission (CTC) held its' monthly Board meeting in OCTA's Board Room, and this is the first time OCTA hosted the CTC Board meeting.

12. (Continued)

- Last week, Chairwoman Bartlett, along with himself, provided an overview of OCTA and Orange County to the CTC. In addition, at the CTC meeting, the Board took action on the State Transportation Improvement Program Road and Maintenance Rehabilitation Program, which allows OCTA to keep a number of OCTA's projects on schedule and includes the Interstate 5 between the State Route 73 and El Toro Road project.
- At the last OCTA Board meeting, the release for the environmental cleanup program Tier I call for projects was approved by the Board. In addition, the Board requested OCTA hold a workshop for the call for projects, which is scheduled for 1:30 p.m. on March 27th at the OCTA Headquarters. The call for projects applications are due no later than 5:00 p.m., Friday, May 18th.
- Interstate 5 South County Improvement Project is open to traffic, and on Thursday, March 29th at 10:00 a.m., OCTA will host an event to commemorate the completion of this project. The event will take place at the Outlets at San Clemente. Chairwoman Bartlett and Director Donchak will participate at the event, and the Board is invited to attend.

13. Directors' Reports

Chairwoman Bartlett reported that, she, and Directors Davies and Donchak travel the Interstate 5 to south Orange County and with each additional opening of the carpool lane, traffic flow has improved.

14. Closed Session

A Closed Session was held for the following:

- A. Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation. *Evan Weiss, et al. v. The People of the State of California, By and Through Its Department of Transportation, et al.*, OCSC Case No. 30-2012-00605637, Civ. No. G052735.
- B. Pursuant to Government Code Section 54956.9(d)(1) – Conference with General Counsel - Existing Litigation. *City of Seal Beach v. State of California Department of Transportation, et al.*, San Diego Superior Court Case No. 37-2016-00021062.

14. (Continued)

- C. 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.

James Donich, General Counsel, reported that the Board met in Closed Session. Mr. Donich stated that pursuant to Closed Session letter "A", there is a reportable action that a motion was made by Director Winterbottom, seconded by Director Murray, with an unanimous 13 to 0 vote, to authorize General Counsel to seek review of the recent appellate court decision in this matter with the Supreme Court.

Directors Pulido, Spitzer, and Steel were not present for the Closed Session items.

15. Adjournment

The meeting adjourned at 11:34 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, April 9, 2018**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

ATTEST:

Laurena Weinert
Clerk of the Board

Lisa A. Bartlett
OCTA Chairwoman