

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 November 26, 2018 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairwoman Bartlett at 9:01 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  
Mark A. Murphy  
Richard Murphy  
Al Murray  
Shawn Nelson  
Miguel Pulido  
Todd Spitzer  
Michelle Steel  
Tom Tait  
Gregory T. Winterbottom

Directors Absent: Andrew Do  
Steve Jones  
Gerardo De Santos, Acting District Director  
California Department of Transportation District 12

Also Present: Ken Phipps, Deputy Chief Executive Officer  
Laurena Weinert, Clerk of the Board  
Olga Prado, Assistant Clerk of the Board  
James Donich, General Counsel

## **Special Calendar**

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

**1. Presentation of Resolutions of Appreciation for Employees of the Month for November 2018**

Ken Phipps, Deputy Chief Executive Officer (DCEO), presented OCTA Resolutions of Appreciation Nos. 2018-161, 2018-162, and 2018-163 to Cesar Apatiga, Coach Operator, Liem Nguyen, Maintenance, and Eric Carlson, Administration, as Employees of the Month for November 2018.

**2. Presentation of 2018 Orange County Transportation Authority Bus and Maintenance Rodeo Awards**

A video of the September 15, 2018 OCTA Bus and Maintenance Rodeo was shown, and Ken Phipps, DCEO, provided comments and recognized the Rodeo committee co-chairs Frank Amparan, Bus Operations, and Frank Scholl, Maintenance, for working on the OCTA Rodeo and the American Public Transportation Association (APTA) International Rodeo Committee.

Mr. Phipps, DCEO, presented the awards as follows:

**Administrative Category:**

- Turtle Award – Denis Arriaga, Capital Programs
- Third Place – Lydia Bilynsky, Contracts Administration and Materials Management (not able to attend)
- Second Place – Johnny Dunning, Jr., Scheduling and Customer Advocacy Team
- First Place – Cleve Cleveland, OC Streetcar Project

**Director and Executive Category:**

- Third Place – Cassie Trapesonian, Assistant Legal Counsel
- Second Place – Director Al Murray
- First Place – Jennifer L. Bergener, Chief Operating Officer, Operations

**Professional Category:**

- First Place – Santa Ana Base for the Bus Operations Team
- First Place – Maintenance Team, Santa Ana Base:
  - Ray Consiglio
  - Pat Courchaine
  - Chris Jordan
- First Place – Coach Operator (not able to attend)

The first place Rodeo Team will represent OCTA at the APTA International Rodeo in Louisville, Kentucky in May 2019.

**3. Salute to Outgoing Orange County Transportation Authority Board of Directors**

Ken Phipps, DCEO, presented OCTA Resolutions of Appreciation Nos. 2018-156, 2018-157, and 2018-158 to outgoing Board of Directors (Board) Lori Donchak, Al Murray, and Tom Tait.

Chairwoman Bartlett thanked Directors Donchak, Murray, and Tait for serving on the OCTA Board, as well as provided other comments.

**Consent Calendar (Items 4 through 23)**

**Orange County Transportation Authority Consent Calendar Matters**

**4. Approval of Minutes**

A motion was made by Director Murray, seconded by Director Nelson, and declared passed by those present, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of November 12, 2018.

**5. Conflict of Interest Code and 2018 Annual Statement of Economic Interests Filing**

A motion was made by Director Murray, seconded by Director Nelson, and declared passed by those present, to direct the Clerk of the Board to distribute and monitor the 2018 annual Statement of Economic Interests - Form 700 to Members of the Board of Directors and designated positions, to be filed by April 1, 2019.

**6. Orange County Transportation Authority 2019-20 State and Federal Legislative Platforms**

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

- A. Adopt the revised 2019-20 Orange County Transportation Authority State and Federal Legislative Platforms.
- B. Direct staff to distribute the adopted platforms to elected officials, advisory committees, local governments, affected agencies, the business community, and other interested parties.

**7. Status Report of State Legislation Enacted in 2018**

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

**8. Performance Evaluation of Sacramento Legislative Advocate, Platinum Advisors, LLC**

A motion was made by Director Murray, seconded by Director Nelson, and declared passed by those present, to receive and file the staff evaluation as an information item and provide any additional comments.

**9. Agreement for Datrium Data Center Equipment**

A motion was made by Director Murray, seconded by Director Nelson, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-1912 between the Orange County Transportation Authority and Lynbrook Solutions LLC, the lowest responsive, responsible bidder, in the amount of \$882,248, for Datrium data center equipment.

Director M. Murphy did not participate or vote on this item due to a potential conflict of employment.

**10. Environmental Mitigation Program Endowment Fund Investment Report For September 30, 2018**

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

**11. Orange County Employees Retirement System Early Payment for Fiscal Year 2019-20**

A motion was made by Director Murray, seconded by Director Nelson, and declared passed by those present, to authorize the early payment of approximately \$26.2 million by January 15, 2019, to the Orange County Employees Retirement System, for member contributions for fiscal year 2019-20.

**12. Fiscal Year 2017-18 Comprehensive Annual Financial Report and 91 Express Lanes Fund Financial Statements**

A motion was made by Director Murray, seconded by Director Nelson, and declared passed by those present, to receive and file the fiscal year 2017-18 Comprehensive Annual Financial Report and 91 Express Lanes Fund Financial Statements.

**13. Capital Programming Update**

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

- A. Authorize the use of up to \$26.991 million in Proposition 1B Trade Corridors Improvement Funds for the Interstate 5 Improvement Project (State Route 73 to Oso Parkway) from the OC Bridges projects (\$5.002 million), San Juan Creek Bridge Project (\$15.739 million), and unprogrammed funding (\$6.250 million), contingent on the approval of the California Transportation Commission.
- B. Authorize the use of up to \$1.512 million in Proposition 1B Transit System Safety, Security, and Disaster Response Account funding from the 2017 Video Surveillance System Upgrade Project for the 2017 Transit Security and Operations Center, contingent on the approval of the California Office of Emergency Services.
- C. 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, including Cooperative Agreement No. C-8-1960 between the Orange County Transportation Authority and the California Department of Transportation.

**14. Innovation Update**

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

**Orange County Transit District Consent Calendar Matters**

**15. Amendment to Agreement for Additional Construction Management Services for the Metrolink Parking Structure at the Orange Transportation Center**

A motion was made by Director Murray, seconded by Director Nelson, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Agreement No. C-6-1024 between the Orange County Transportation Authority and Hill International, Inc., in the amount of \$570,021, for additional construction management services for the Metrolink parking structure at the Orange Transportation Center. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$2,745,380.

**16. Amendment to Agreement for Renewable Natural Gas**

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

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Agreement No. C-5-3636 between the Orange County Transportation Authority and Element Markets Renewable Energy, LLC, to increase the maximum obligation for the initial three-year term in the amount of \$2,000,000 to purchase renewable natural gas as fuel.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Agreement No. C-5-3636 between the Orange County Transportation Authority and Element Markets Renewable Energy, LLC, to exercise the first two-year option term, in the amount of \$8,000,000, to provide renewable natural gas and consulting services for the management of the Low Carbon Fuel Standard Program. This will increase the maximum obligation of the agreement to a total contract value of \$18,060,000.

**17. Amendment to Cooperative Agreement with the City of Laguna Beach for Public Transit Services**

A motion was made by Director Murray, seconded by Director Nelson, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-3-1705 between the Orange County Transportation Authority and the City of Laguna Beach, in the amount of \$119,735, for Federal Transit Administration funding, and to extend the current contract term an additional seven months through June 30, 2019. This will increase the maximum obligation of the cooperative agreement to a total contract value of \$869,735.

**18. Sole Source Agreement for the Purchase of a Cummins L9N Near-Zero Emission Bus Engine for the Midlife Overhaul Prototype**

A motion was made by Director Murray, seconded by Director Nelson, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C-8-1892 between the Orange County Transportation Authority and Cummins Pacific, LLC, in the amount of \$84,293, for the purchase of one replacement Cummins L9N near-zero emission compressed natural gas-powered engine.

**19. February 2019 Bus Service Change**

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

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

**20. Amendment to Cooperative Agreement with the Orange County Flood Control District for the Railroad Grade Separation Projects**

A motion was made by Director Murray, seconded by Director Nelson, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Cooperative Agreement No. C-9-0570 between the Orange County Transportation Authority and the Orange County Flood Control District, in the amount of \$300,000, for additional project support services and utility easement costs for the railroad grade separation projects located at Orangethorpe Avenue, Tustin Avenue/Rose Drive, and Lakeview Avenue, and to extend the term of the agreement through August 31, 2019. This will increase the cooperative agreement value to \$880,000.

Director Tait did not participate or vote due to a potential conflict of interest with the County of Orange.

**21. Measure M2 Sales Tax Forecast**

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

**22. Measure M2 Senior Mobility Program Update**

A motion was made by Director Murray, seconded by Director Nelson, and declared passed by those present, to adopt the revised Measure M2 Senior Mobility Program Project U Funding and Policy Guidelines.

**Orange County Service Authority For Freeway Emergencies Consent Calendar Matters**

**23. California Department of Transportation Freeway Service Patrol Program Fund Transfer Agreements**

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

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-8-2011 between the Orange County Transportation Authority and the California Department of Transportation for fiscal year 2018-19 Freeway Service Patrol Program State Highway Account funding in the amount of \$2,472,405.

**23. (Continued)**

- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-8-1871 between the Orange County Transportation Authority and the California Department of Transportation for fiscal year 2017-18 Freeway Service Patrol Program Senate Bill 1 funding in the amount of \$2,619,972.
- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-8-2012 between the Orange County Transportation Authority and the California Department of Transportation for fiscal year 2018-19 Freeway Service Patrol Program Senate Bill 1 funding of approximately \$2,236,000.

**Regular Calendar**

**Orange County Transit District Regular Calendar Matters**

**24. Amendment to Agreement with MV Transportation, Inc., for the Provision of the OC ACCESS Service**

Chairwoman Bartlett announced that she will not be participating on this item, and Vice Chairman Shaw chaired this portion of the Board meeting.

Jennifer L. Bergener, Chief Operating Officer, reported the following:

- Highlighted this item's amendment to the agreement with MV Transportation, Inc. (MV).
- Provided background on the OC ACCESS Service.
- MV demonstrates the performance standards.
- Highlighted the recommended action.

A public comment was heard from Jim Schuttzman, Senior Vice President of MV, who thanked the OCTA Board and staff for the continued partnership, and MV will continue to provide the best customer experience.

A discussion ensued regarding:

- Transit Committee Chairman Murray reported that at the recent Transit Committee meeting, there was a good discussion about this item.
- Vice Chairman Shaw expressed that MV has done a good job.



**24. (Continued)**

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. 8 to Agreement No. C-2-1865 between the Orange County Transportation Authority and MV Transportation, Inc., in the amount of \$95,630,961, to exercise the second two-year option term to provide OC ACCESS service through June 30, 2021, increasing the maximum obligation of the agreement to a total contract value of \$351,242,530.

Chairwoman Bartlett did not participate or vote on this item.

**25. OC Bus 360° Update**

Gary Hewitt, Section Manager, Transit Planning, referenced on the screen Attachment A of the Staff Report and provided an update as follows:

- Ridership & Productivity;
- Mobile Ticketing;
- College Pass Program;
- Ridership Marketing Campaign; and
- New and Expanded Services.

A discussion ensued regarding:

- Canada's bus ridership is up seven percent.
- Per capita, Canada spends more on transit than the United States, and there is no specific reason why its ridership is up.
- How the OC Bus 360° is a valuable program for OCTA (e.g., OC Flex pilot program, mobile ticketing, Project V services, etcetera.)

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

## **Discussion Items**

### **26. Update on State Route 91 Improvement Project from State Route 57 to State Route 55**

Ken Phipps, DCEO, provided opening comments and introduced Jeannie Lee, Project Manager of Highway Programs, who provided a PowerPoint presentation as follows:

- Project Limits;
- Area of Improvements;
  - State Route (SR) 91/SR-57 Interchange
  - Between SR-57 and SR-55
  - SR-91/Lakeview Avenue Interchange
- Traffic Benefits;
- Public Meeting, Noticing, and Outreach; and
- Environmental Phase Schedule.

A discussion ensued regarding:

- The Lakeview Avenue improvements will have no loss of the existing lanes.
- For Alternative 2, three of the four travel times increase.
- The cause of congestion for Alternative 2 westbound p.m. travel time is at the SR-57 interchange.

No action was taken on this information item.

### **27. Public Comments**

There were no public comments.

### **28. Chief Executive Officer's Report**

Ken Phipps, DCEO, reported:

OC Streetcar Event:

- The Federal Transit Administration notified OCTA of its intention to sign the Full Funding Grant Agreement (FFGA) for the OC Streetcar Project.
- On Friday, November 30<sup>th</sup> at 10:00 a.m., OCTA will host an event to commemorate the FFGA and celebrate the groundbreaking for the project at the Santa Ana Regional Transportation Center.
- The Board was invited to the event.

**28. (Continued)**

Interstate 405 Improvement Project:

- The project continues to move forward.
- The Bolsa Chica bridge demolition is anticipated to start on Saturday, December 1<sup>st</sup>, and includes full closures of the bridge and overnight freeway closures.
- OCTA continues to notify the public of the bridge demolition through all its regular outreach channels.

SR-91 Improvement Project:

- Currently in the environmental phase.
- The draft environmental document is now available for public review and comments through Friday, December 21<sup>st</sup>.
- A public hearing will be held on Tuesday, December 11<sup>th</sup>, from 5:30 p.m. to 7:30 p.m., at Rio Vista Elementary School in the City of Anaheim.

On behalf of the OCTA staff, he thanked the outgoing Board Members for serving on the Board.

**29. Directors' Reports**

Director Tait expressed appreciation for serving on the Board and complimented OCTA staff. He acknowledged the coach operators for doing a difficult job, as well as provided other comments.

Director Murray thanked Director Tait for his service on the Board, and congratulated Director Spitzer on his new position. He complimented the Board for its professionalism and dedication.

Director Donchak expressed how positive it has been serving for five years on a high-quality and high-functioning Board. Director Donchak thanked OCTA staff, as well as provided other comments. In addition, she stated that Joe Muller will be the new District 5 representative on the OCTA Board.

Director Delgleize thanked Andrea West, Senior Government Relations Representative, and Johnny Dunning Jr., Manager of Scheduling and Customer Advocacy, for the OC Flex pilot program ride. She also expressed that the service, long-term, will lead to something better.

Director Hennessey thanked outgoing Directors Donchak, Murray, and Tait for their service on the Board.

**29. (Continued)**

Vice Chairman Shaw reported that last week, the City of La Habra had its tamale festival. He thanked OCTA for providing the successful Measure M2 Project V special bus service for the festival. He also thanked outgoing Directors Donchak, Murray, and Tait for the years of friendship and service on the OCTA Board.

**30. Closed Session**

There was no Closed Session scheduled.

**31. Adjournment**

The meeting adjourned at 10:01 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, December 10, 2018**, 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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Lisa A. Bartlett  
OCTA Chairwoman