

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 January 14, 2019 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairwoman Bartlett 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: Tim Shaw, Chairman
 Steve Jones, Vice Chairman
 Lisa A. Bartlett
 Doug Chaffee
 Laurie Davies
 Barbara Delgleize
 Andrew Do
 Michael Hennessey
 Gene Hernandez
 Jose F. Moreno
 Joe Muller
 Mark A. Murphy
 Richard Murphy
 Miguel Pulido
 Michelle Steel
 Gregory T. Winterbottom

Directors Absent: Gerardo De Santos, Acting District Director
 California Department of Transportation District 12

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. Administration of the Oath of Office to New and Returning Orange County Transportation Authority Board of Directors

James Donich, General Counsel, administered the oaths of office to new Board Member Doug Chaffee and to returning Board Members Lisa A. Bartlett, Tim Shaw, Mark A. Murphy, Richard Murphy, Miguel Pulido, and Michelle Steel.

2. Election of Orange County Transportation Authority Board Chair

A motion was made by Director Hennessey, seconded by Director Pulido, to elect Tim Shaw to be the 2019 Chairman of the Orange County Transportation Authority Board of Directors.

Director Delgleize was not present to vote on this item.

3. Election of Orange County Transportation Authority Vice Chair

A motion was made by Director Hennessey, seconded by Director Pulido, to elect Steve Jones to be the 2019 Vice Chairman of the Orange County Transportation Authority Board of Directors.

Director Delgleize was not present to vote on this item.

4. 2018 Year In Review

Newly-elected Chairman Shaw presented a progress report and referenced the pamphlet titled, "2018 A Progress Report on OCTA Accomplishments," that was provided to the Board of Directors (Board) at the dais, and a video highlighting OCTA's 2018 accomplishments was shown.

Chairman Shaw also recognized and presented outgoing Chairwoman Bartlett a gift of appreciation for her leadership as the 2018 Chairwoman of the Board. Outgoing Chairwoman Bartlett provided comments of gratitude.

No action was taken on this item.

Consent Calendar (Items 5 through 21)

Orange County Transportation Authority Consent Calendar Matters

5. Approval of Minutes

A motion was made by Director Davies, seconded by Director Pulido, and declared passed by those present, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of December 10, 2018.

Director Chaffee abstained on this item as a newly sworn in Board Member.

6. Approval of Board Member Travel

A motion was made by Director Davies, seconded by Director Pulido, and declared passed by those present, to approve the travel to Washington, D.C., for Chairman Shaw to travel the week of January 28, 2019 for the Orange County Transportation Authority's Washington advocacy trip focusing on the Orange County Transportation Authority transportation and legislative priorities for the 1st session of the 116th United States Congress.

7. State of California, Department of Transportation, Incurred Cost Audit - Orange County Transportation Authority

A motion was made by Director Davies, seconded by Director Pulido, and declared passed by those present, to direct staff to work with the California Department of Transportation, Division of Local Assistance, and to address corrective action recommendations.

8. Orange County Employees Retirement System: Audit of Orange County Transportation Authority Payroll Transmittals

A motion was made by Director Davies, seconded by Director Pulido, and declared passed by those present, to receive and file an audit completed by the Internal Audit Department of the Orange County Employees Retirement System, Audit of Orange County Transportation Authority Payroll Transmittals, Report Date: November 12, 2018, as an information item.

9. Audit of Oversight Controls and Contract Compliance Related to the Interstate 5 High-Occupancy Vehicle Improvement Project: Pacific Coast Highway to San Juan Creek Road

A motion was made by Director Davies, seconded by Director Pulido, and declared passed by those present, to direct staff to implement three recommendations provided in the Audit of Oversight Controls and Contract Compliance Related to the Interstate 5 High-Occupancy Vehicle Improvement Project: Pacific Coast Highway to San Juan Creek Road, Internal Audit Report No. 18-512.

10. 91 Express Lanes Corona Customer Service Center Construction Update

A motion was made by Director Davies, seconded by Director Pulido, and declared passed by those present, to authorize additional funding for Agreement No. C-8-1660 with Riverside County Transportation Commission to cover the additional tenant improvement costs for the 91 Express Lanes Corona Office, located at 301 Corporate Terrace Circle, Corona, California, in an amount not to exceed \$365,000, which represents Orange County Transportation Authority's share of the additional costs.

11. Fiscal Year 2018-19 First Quarter Grant Reimbursement Status Report

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

12. Update on the Loan Agreements with the Cities of Anaheim, Buena Park, Placentia, and the West Orange County Water Board

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

13. Fiscal Year 2018-19 First Quarter Budget Status Report

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

14. Approval of Use of Federal Funds for Orange County Transportation Authority Projects Related to the Federal Fiscal Year 2018-19 Obligation Authority Plan

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

- A. Approve the use of \$134.670 million in Congestion Mitigation and Air Quality Improvement Program funds for 201 40-foot replacement buses.
- B. Approve the use of \$5.500 million in Congestion Mitigation and Air Quality Improvement Program funds for the project approval and environmental document phase for the Interstate 5 Improvement Project from Avenida Pico to San Diego County Line Project.
- C. Approve the use of \$0.750 million in Surface Transportation Block Grant Program funds for the South County Multi-Modal Study.

14. **(Continued)**

- D. Approve the use of \$7.921 million in Highway Infrastructure Program funds for the Interstate 5 Improvement Project from Oso Parkway to Alicia Parkway to replace Surface Transportation Block Grant Program funds.
- E. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute any necessary amendments and/or agreements to facilitate associated programming actions.

15. **Federal Transit Administration Sections 5307, 5310, 5337, and 5339 Program of Projects for Federal Fiscal Year 2018-19**

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

- A. Approve the federal fiscal year 2018-19 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, Federal Transit Administration Section 5310, Federal Transit Administration Section 5337, and Federal Transit Administration Section 5339.
- C. 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.
- D. Authorize the Chief Executive Officer to submit the federal fiscal year 2018-19 Federal Transit Administration grant applications to the Federal Transit Administration.
- E. 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.

Orange County Transit District Consent Calendar Matters

16. Agreement for Building Repairs at the Irvine Construction Circle Bus Base

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

- A. Find Jazzar Construction Group, Inc., the apparent low bidder, as non-responsive for failure to execute and submit the required certification of restrictions on lobbying form.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-1802 between the Orange County Transportation Authority and Fast-Track Construction Corporation, the lowest responsive, responsible bidder, in the amount of \$438,000, for building repairs at the Irvine Construction Circle Bus Base.

17. Agreement for Bus Ridership Data Collection Services

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

- A. Approve the selection of National Data & Surveying Services, Inc., doing business as Southland Car Counters, as the firm to provide bus ridership data collection services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-1850 between the Orange County Transportation Authority and National Data & Surveying Services, Inc., doing business as Southland Car Counters, in the amount of \$765,141, to provide bus ridership data collection services for a term of three years with two, one-year option terms.

18. Bus Operations Performance Measurements Report for the First Quarter of Fiscal Year 2018-19

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

Orange County Local Transportation Authority Consent Calendar Matters

19. Amendment to Agreement for Additional Design Services for Interstate 5 Widening Project Between State Route 73 and Oso Parkway

A motion was made by Director Davies, seconded by Director Pulido, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Agreement No. C-3-2189 between the Orange County Transportation Authority and WKE, Inc., in the amount of \$527,608, for additional design services for the Interstate 5 widening project between State Route 73 and Oso Parkway. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$10,605,710.

20. Consultant Selection for Construction Management Services for the Anaheim Canyon Metrolink Station Improvement Project

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

- A. Approve the selection of Berg & Associates, Inc., as the firm to provide construction management services for the Anaheim Canyon Metrolink Station Improvement project.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-1760 between the Orange County Transportation Authority and Berg & Associates, Inc., as the firm to provide construction management services for the Anaheim Canyon Metrolink Station Improvement project.

21. Construction of the Laguna Niguel to San Juan Capistrano Passing Siding Project

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

- A. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-7-2018 between the Orange County Transportation Authority and Reyes Construction, Inc., the lowest responsive, responsible bidder, in the amount of \$16,952,426, for construction of the Laguna Niguel to San Juan Capistrano Passing Siding project.

21. (Continued)

- B. Authorize the use of \$6,230,000 in state and federal funds made available from project savings at closeout for the Laguna Niguel to San Juan Capistrano Passing Siding project as follows:
- a. \$2,806,000 in Proposition 116 savings from the Sand Canyon Avenue Railroad Grade Separation and the fiber optics projects;
 - b. \$2,000,000 in Proposition 1B Intercity Rail Improvement funds to replace Transit and Intercity Rail Capital Program funds previously programmed to the project;
 - c. Formula Federal Transit Administration Section 5309 savings from the Control Point 4th Street Project, currently estimated to be \$1,015,000; and
 - d. Congestion Mitigation and Air Quality Improvement Program funds for any remaining funding needs, currently estimated to be \$409,000.
- C. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute any necessary amendments and/or agreements to facilitate associated programming actions.

Regular Calendar

Orange County Local Transportation Authority Regular Calendar Matters

22. Interstate 405 Improvement Project Update

Darrell E. Johnson, Chief Executive Officer (CEO), provided opening comments and introduced Jeff Mills, Program Manager for the Interstate 405 Improvement Project, and Christina Byrne, Department Manager for Public Outreach, who provided a joint PowerPoint presentation as follows:

- Project Location and Key Features;
- Background;
- Project Update;
- Construction Update;
- 2019 Look Ahead for Bridge Construction;
- Bridge Construction Map;
- Outreach in 2018;
- Engagement Strategies; and
- Outlook Look Ahead for 2019.

22. (Continued)

A discussion ensued that during the environmental phase, there were no required property relocations or demolish of any homes or businesses. In addition, at the request of a property owner and for business reasons, OCTA did a full acquisition, and there were also many temporary construction easements.

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

Discussion Items

23. 2018 Chief Executive Officer's Initiatives and Action Plan - End-of-Year Report

Darrell E. Johnson, CEO, stated that the CEO's 2018 initiatives were developed in support of the Board initiatives. He reported that there were 10 initiatives with 84 milestones, 74 of the milestones were reached, and 10 will be carried over into the next year.

Mr. Johnson, CEO, also stated that the initiatives were accomplished through the excellent work of all OCTA employees and looks forward to more of the same results in 2019.

A discussion ensued that approximately 600 miles of arterials and 2,000 intersections have signal synchronization with traffic improvements of 15 to 20 percent.

No action was taken on this informational item.

Discussion Items

24. Public Comments

Public comments were heard from:

1. **Stephen Liddington**, Coach Operator, offered a recommendation on where to find good coach operators and suggested reaching out to enlisted military getting out of the service, as well as provided additional comments.

Due to a three-minute time limit, Chairman Shaw asked Mr. Liddington to provide Maggie McJilton, Executive Director of Human Resources and Organizational Development, his other recommendations.

24. (Continued)

2. **Patrick Kelly**, Teamsters Union Local 952, commented that the union represents approximately 1,000 of OCTA's employees, and Mr. Kelly thanked Mr. Johnson, CEO, staff, and the Board for their hard work. He also thanked Directors Pulido and Winterbottom for their long service on the Board and looks forward to the OC Streetcar Project.

Mr. Kelly provided other comments and stated that federal and state legislation is needed to address online sales and sales tax revenues staying in Orange County.

25. Chief Executive Officer's Report

Darrell E. Johnson, CEO, reported that:

- Approximately 10 percent of OCTA's current workforce are veterans and annually, OCTA has an employee Veterans' Day event.
- January is the human trafficking awareness month which continues to be a problem in Orange County. In addition, the coach operators are trained to recognize the signs and help the victims.
- The human trafficking awareness "Be the One" campaign will include multilingual signs at transit centers, public service announcements, brochures and bus wraps, as well as information on all OCTA's social media platforms. In addition, OCTA staff will have a booth at an awareness event on Saturday, January 19th at California State University, Fullerton.
- The new Board Members were welcomed to OCTA and look forward to working with Chairman Shaw and Vice Chairman Jones and the Board, as well as offered support with getting to speed on OCTA's programs and projects.
- Outgoing Chairwoman Bartlett was thanked for her 2018 leadership and dedication.

26. Directors' Reports

Director Moreno congratulated Chairman Shaw and Vice Chairman Jones. In addition, Director Moreno announced that on Martin Luther King Day approximately 4,000 school kids from the Anaheim Union High School District will be doing a service program throughout the City of Anaheim and to let him know if you want to participate.

Director Chaffee introduced LaShe Rodriguez, Chief of Staff for his office, and his wife Paulette.

26. (Continued)

Director Delgleize thanked outgoing Chairwoman Bartlett for her diligent leadership in 2018 and looks forward to serving with Chairman Shaw.

Vice Chairman Jones thanked outgoing Chairwoman Bartlett for her hard work and efforts last year and congratulated Chairman Shaw. In addition, he thanked the Board for supporting him as Vice Chairman.

Director Hennessey congratulated Chairman Shaw and Vice Chairman Jones, thanked outgoing Chairwoman Bartlett, and welcomed new Director Chaffee.

Outgoing Chairwoman Bartlett welcomed all the new Board Members. In addition, she referenced the public comment from Mr. Liddington, and she would like to work with OCTA outreach for coach operators with the Orange County Veterans Advisory Council and Terrance Nelson who heads up the veteran program at Saddleback College. Staff will follow-up with those agencies.

Director Pulido thanked outgoing Chairwoman Bartlett. Director Pulido commented on the Orange County airport future enhancements that will have more flights, and asked Chairman Shaw and Vice Chairman Jones to keep in mind an OC Streetcar connection to the airport via Bristol Street.

Chairman Shaw thanked his Board colleagues for electing him as Chairman and is excited for this year. In addition, Chairman Shaw announced that the Board committee assignments will be agendaized for the January 28, 2019 Board meeting.

27. Closed Session

There were no Closed Sessions scheduled.

28. Adjournment

The meeting adjourned at 9:54 a.m. The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, January 28, 2019**, 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

Tim Shaw
OCTA Chairman