

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 August 12, 2019 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Shaw at 9:01 a.m. at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

Chairman Shaw announced that today's Board of Directors (Board) meeting will adjourn in memory of Eric Woolery, Orange County Auditor-Controller and Chairman of the Taxpayer Oversight Committee at OCTA. Chairman Shaw asked for a moment of silence in honor of Eric Woolery.

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
 Michael Hennessey
 Gene Hernandez
 Jose F. Moreno
 Joe Muller
 Mark A. Murphy
 Richard Murphy
 Miguel Pulido
 Michelle Steel
 Donald P. Wagner
 Gregory T. Winterbottom
 Ryan Chamberlain, District Director
 California Department of Transportation District 12

Director Absent: Andrew Do

Also Present: Darrell E. Johnson, 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

There were no Special Calendar matters.

Consent Calendar (Items 1 through 13)

Orange County Transportation Authority Consent Calendar Matters

1. Approval of Minutes

A motion was made by Director Hennessey, seconded by Director M. Murphy, and declared passed by those present, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of July 22, 2019.

Director Pulido was not present to vote on this item.

2. Fiscal Year 2018-19 Internal Audit Plan, Fourth Quarter Update

A motion was made by Director Hennessey, seconded by Director M. Murphy, and declared passed by those present, to receive and file the fourth quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2018-19 Internal Audit Plan as an information item.

Director Pulido was not present to vote on this item.

3. Draft Fiscal Year 2019-20 Internal Audit Plan

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

- A. Approve the Draft Fiscal Year 2019-20 Internal Audit Plan.
- B. Direct the Executive Director of Internal Audit to provide quarterly updates on the Fiscal Year 2019-20 Internal Audit Plan.

Director Pulido was not present to vote on this item.

4. Consultant Selection for South Orange County Multimodal Transportation Study

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

- A. Approve the selection of HDR Engineering, Inc., as the firm to conduct the South Orange County Multimodal Transportation Study.

4. (Continued)

- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1121 between the Orange County Transportation Authority and HDR Engineering, Inc., in the amount of \$749,969, to conduct the South Orange County Multimodal Transportation Study for a two-year term.

Director Pulido was not present to vote on this item.

5. 2020 State Transportation Improvement Program Overview

This item was pulled by Director Bartlett who commented that the State Transportation Improvement Program (STIP) funding gas tax revenues from the state and federal levels are declining. Director Bartlett asked OCTA to monitor the funding because of potential impacts to OCTA's projects over time, as well as provided other comments about the STIP decline.

Darrell E. Johnson, Chief Executive Officer (CEO), stated that Director Bartlett brought up her concerns at the recent Regional Planning and Highways (RP&H) Committee meeting. Additionally, Mr. Johnson provided background on the STIP funding cycle, and in September 2019, staff will come forward to the RP&H Committee and Board with the potential impacts, etcetera, that will be submitted to the California Transportation Commission.

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

6. SB 1 (Chapter 5, Statutes of 2017) State of Good Repair Program Recommendations for Fiscal Year 2019-20 Funds

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

- A. Approve Resolution No. 2019-058, consistent with the SB 1 State of Good Repair Program Guidelines, authorizing the use of \$5.720 million in fiscal year 2019-20 SB 1 State of Good Repair Program funding for:
- Replacement of up to seven iShuttle buses (\$3.030 million),
 - Replacement of up to six El Dorado Cutaways with 40-foot buses (\$1.890 million),
 - Replacement of the emergency equipment at the Anaheim and Irvine Construction Circle bus bases (\$0.800 million).

6. (Continued)

- B. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program, as well as execute any necessary agreements to facilitate the above recommendations.

Director Pulido was not present to vote on this item.

Orange County Transit District Consent Calendar Matters

7. Sole Source Agreement for the Purchase of Nineteen Near-Zero Emission Bus Engines for the Midlife Overhaul of Articulated Buses

A motion was made by Director Hennessey, seconded by Director M. Murphy, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C-9-1085 between the Orange County Transportation Authority and Cummins Pacific, LLC, in the amount of \$1,348,248, for the purchase of 19 replacement Cummins L9N near-zero emission compressed natural gas-powered engines.

Director Pulido was not present to vote on this item.

Orange County Local Transportation Authority Consent Calendar Matters

8. Capital Programs Division - Fourth Quarter Fiscal Year 2018-19 and Planned Fiscal Year 2019-20 Capital Action Plan Performance Metrics

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

Director Pulido was not present to vote on this item.

9. Contract Change Order for Removal and Disposal of Contaminated Materials Within the Orange County Transit District-Owned Pacific Electric Right-of-Way for the OC Streetcar Project

This item was pulled by Director Bartlett who asked Mr. Johnson, CEO, and OCTA staff to pass on a compliment to Walsh Construction Company II, LLC, for an outstanding job regarding signage and having staff directing traffic for the detours during construction for the OC Streetcar Project.

A motion was made by Director Bartlett, seconded by Director Delgleize, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 3 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$1,600,000, for the removal and disposal of contaminated materials within the Orange County Transit District-Owned Pacific Electric Right-of-Way for the construction of the OC Streetcar project.

Directors Steel and Wagner voted in opposition.

10. Measure M2 Environmental Mitigation Program Update and Annual Report

Director Bartlett pulled this item and stated that this item came up at the Environmental Oversight Committee meeting about the Steelhead fish and Aliso Creek potential impacts to one of the South Orange County projects.

Director Bartlett thanked Lesley Hill, Project Manager, Planning Division, and OCTA staff for an outstanding job to mitigate the issues that could have impacted the project with delays and approximately \$10 million of additional costs.

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

11. Measure M2 Comprehensive Transportation Funding Programs - 2020 Annual Call for Projects

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

- A. Approve proposed revisions to the Comprehensive Transportation Funding Programs Guidelines.
- B. Authorize staff to issue the 2020 annual call for projects for the Regional Capacity Program.
- C. Authorize staff to issue the 2020 annual call for projects for the Regional Traffic Signal Synchronization Program.

Director Pulido was not present to vote on this item.

12. Cooperative Agreements for Regional Traffic Signal Synchronization Program Projects

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

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-9-1419 between the Orange County Transportation Authority and the cities of Aliso Viejo and Laguna Niguel for the Aliso Creek Road Regional Traffic Signal Synchronization Project, with required local matching funds of \$285,994.

12. (Continued)

- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-9-1420 between the Orange County Transportation Authority and the cities of Irvine, Laguna Hills, and Lake Forest for the Lake Forest Drive Regional Traffic Signal Synchronization Project, with required local matching funds of \$360,411.
- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-9-1421 between the Orange County Transportation Authority and the cities of Costa Mesa, Irvine, and Tustin for the Red Hill Avenue Regional Traffic Signal Synchronization Project, with required local matching funds of \$419,018.

Director Pulido was not present to vote on this item.

13. Measure M2 Community-Based Transit Circulators Program Project V Ridership Report

Director Bartlett pulled this item and commented that some of the Project V transit circulators in the Fifth District are having challenges meeting the ridership standards. Director Bartlett offered to help and work with OCTA staff, as well as asked OCTA to work in advance to help the cities and unincorporated areas to meet the minimum ridership numbers for Project V.

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

Regular Calendar

Orange County Local Transportation Authority Regular Calendar Matters

14. Local Agencies' Interest in Project V Call for Projects

Darrell E. Johnson, CEO, provided opening comments and introduced Joe Alcock, Measure M2 (M2) Local Programs Section Manager, who provided a PowerPoint as follows:

- M2 Community Circulator Program;
- Program Status;
- Interest in Future Call for Projects; and
- Next Steps.

14. (Continued)

A discussion ensued regarding:

- The M2 Project V forecasting is developed by Board policy with input from three universities and MuniServices as to how much would be allocated over the 30-year period of M2.
- The estimated 30-year Project V revenues are \$248 million, existing commitments of \$30 million, and pending 2020 call for projects for \$9 million.
- Chairman Shaw stated that the City of La Habra does much better with the Project V special events service.

A motion was made by Director Davies, seconded by Director Delgleize, and declared passed by those present, to direct staff to return by fall 2019 with revised Comprehensive Transportation Funding Programs Guidelines to support a fourth Project V call for projects.

15. Public Comments

There were no public comments.

16. Chief Executive Officer's Report

Darrell E. Johnson, CEO, reported:

OC Fair Express:

- Yesterday, concluded another great year with the OC Fair Express.
- Last weekend, OCTA recorded a record number of daily boardings.
- There were 83,000 total boardings, which is over 4 percent compared to last year.
- OCTA will continue the partnership with the OC Fair.

Bicycle Safety Workshops:

- Tomorrow evening, OCTA will host a bicycle safety workshop at the Huntington Beach City Hall at 5:30 p.m.
- The workshops are part of OCTA's "Be Safe Be Seen" safety campaign.
- One additional workshop is scheduled at 9:00 a.m., on Saturday, August 31st at the Tustin Senior Center.

Orange County Auditor-Controller, Eric Woolery, Passing:

- A memorial service is scheduled for Eric Woolery on Wednesday, August 14th at 11:00 a.m.
- In conjunction with Chairman Shaw and Finance and Administration Committee Chairman Hennessey, the August 14th, 10:30 a.m., Finance and Administration Committee meeting has been cancelled and will reconvene at its regularly scheduled meeting.

17. Directors' Reports

Chairman Shaw announced that the Board group photo will be taken at the next Board meeting.

18. Closed Session

A Closed Session was held as follows:

Pursuant to Government Code Section 54956.9(a) - Conference with General Counsel - Existing Litigation; Amalia Alvarado Cabrera v. Orange County Transportation Authority, et al. - OCSC Case No. 30-2017-00902010.

Director M. Murphy was not present for the Closed Session item.

There was no report out for the Closed Session item.

19. Adjournment

The meeting adjourned at 9:20 a.m. in memory of Eric Woolery, Orange County Auditor-Controller and Chairman of the Taxpayers Oversight Committee at OCTA.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, August 26, 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
Chairman