

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 September 23, 2019 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Shaw at 9:04 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
 Michael Hennessey
 Gene Hernandez
 Jose F. Moreno
 Mark A. Murphy
 Richard Murphy
 Miguel Pulido
 Donald P. Wagner
 Gregory T. Winterbottom
 Ryan Chamberlain, District Director
 California Department of Transportation District 12

Director Absent: Andrew Do
 Joe Muller
 Michelle Steel

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 September 2019

Darrell E. Johnson, Chief Executive Officer (CEO), presented OCTA Resolutions of Appreciation Nos. 2019-075, 2019-076, and 2019-077 to Mike Hang, Coach Operator; Robert Rodriguez, Maintenance; and Janice Lambe, Administration, as Employees of the Month for September 2019.

Consent Calendar (Items 2 through 11)

Orange County Transportation Authority Consent Calendar Matters

2. Approval of Minutes

A motion was made by Director Davies, 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 September 9, 2019.

3. Diversity Outreach and Inclusion Update

Director Bartlett pulled this item and stated that Ted Nguyen, Senior Section Manager, External Affairs, recently presented this item, and highlighted Mr. Nguyen's presentation and that OCTA's message is being provided in multiple languages.

Director Bartlett thanked OCTA staff Lance Larson, Ted Nguyen, and the OCTA team for a great presentation and informing the Board of Directors (Board) on leading edge approaches for diversity outreach.

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.

Director Pulido was not present to vote on this item.

4. Request to Exercise Option Term for Right-of-Way Maintenance Services on the Los Angeles - San Diego - San Luis Obispo Rail Corridor Orange and Olive Subdivisions

A motion was made by Director Davies, seconded by Director M. Murphy, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 4 to Agreement No. C-4-1361 between the Orange County Transportation Authority and Joshua Grading & Excavating, Inc., to exercise the two-year option term for right-of-way maintenance services on the Los Angeles - San Diego - San Luis Obispo Rail Corridor Orange and Olive Subdivisions, in the amount of \$2,600,000, and extend the term of the agreement through January 22, 2022. This will increase the maximum obligation of the agreement to a total contract value of \$10,800,000.

5. Guidance for the Orange County Transportation Authority Decision-Making When Requested to Lead a Locally-Sponsored Capital Project

A motion was made by Director Davies, seconded by Director M. Murphy, and declared passed by those present, to adopt a guidance document to assist the Orange County Transportation Authority in responding to future requests to deliver a locally-sponsored capital project, and direct staff to share the guidance with Orange County local jurisdictions for their information.

6. Regional Planning Update

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

7. Fiscal Year 2018-19 Low Carbon Transit Operations Program Update

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

- A. Approve Resolution 2019-070, which authorizes the use of up to \$2.1 million in fiscal year 2018-19 Low Carbon Transit Operations Program funding for Metrolink Service Expansion, consistent with the Low Carbon Transit Operations Program Guidelines.
- B. Authorize the Chief Executive Officer, or his designee, to make all necessary amendments to the Federal Transportation Improvement Program, as well as execute any necessary agreements to facilitate the above recommendation.

Orange County Transit District Consent Calendar Matters

8. Amendment to Agreement for Bus Stop Maintenance Services

A motion was made by Director Davies, seconded by Director M. Murphy, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Agreement No. C-4-1620 between the Orange County Transportation Authority and ShelterClean Services Inc., in the amount of \$977,976, to exercise the second two-year option term of the agreement through November 30, 2021, for bus stop maintenance services. This will increase the maximum obligation of the agreement to a total contract value of \$3,595,629.

9. Amendment to Agreement for the Operation and Maintenance of a Microtransit Pilot Program

Director Bartlett pulled this item and stated that the OC Flex microtransit pilot program is unique and highly successful, as well as provided other comments. Director Bartlett thanked OCTA staff for working with the Board for a significant pilot program and would like to see it expanded to other cities in Orange County.

Darrell E. Johnson, CEO, stated that this item proposes to exercise the contract's first option term. He also stated the OC Flex pilot program will soon finish its one-year timeline, and OCTA is evaluating recommendations for modification that will come forward to the Board.

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 Amendment No. 3 to Agreement No. C-7-2052 between the Orange County Transportation Authority and Keolis Transit Services, LLC, in the amount of \$1,106,006, to exercise the first option term of the agreement to provide continued operation and maintenance of the OC Flex microtransit pilot program, from October 15, 2019 to October 14, 2020, increasing the maximum obligation of the agreement to a total contract value of \$2,362,843.

Director Pulido was not present to vote on this item.

10. October 2019 Bus Service Change

Director Bartlett pulled this item and stated the OC Bus 360° program has recommended bus routes to be eliminated or schedule reductions. Director Bartlett stated that staff and the Board listened to the public comments for south Orange County and some bus routes were kept the same.

Director Bartlett thanked all that were engaged in the bus service changes for listening to the public.

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.

Director Pulido was not present to vote on this item.

Orange County Local Transportation Authority Consent Calendar Matters

11. Approval to Release Request for Proposals for the Preparation of Plans, Specifications, and Estimates for the State Route 91 Improvement Project Between La Palma Avenue and State Route 55

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

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 9-1557 for consultant services for the preparation of plans, specifications, and estimates for the State Route 91 improvement project between La Palma Avenue and State Route 55.
- B. Approve the release of Request for Proposals 9-1557 for consultant services for the preparation of plans, specifications, and estimates for the State Route 91 improvement project between La Palma Avenue and State Route 55.

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

12. 2020 State Transportation Improvement Program

Adriann Cardoso, Capital Programming Manager, Planning, reported on the 2020 State Transportation Improvement Program (STIP) as follows:

- STIP background and timelines.
- OCTA proposes to request approximately \$21 million for a total of approximately \$204 million of STIP funds.
- Highlighted the following:
 - The seven proposed STIP projects were shown on the screen.
 - Potential issues for two of the seven proposed STIP projects, which are the State Route (SR) 55 improvements from Interstate 405 (I-405) to Interstate 5 (I-5) and the I-5 improvements from Avenida Pico to the San Diego County line.
 - The projects with proposed funding changes listed in the table.
- Next steps after the Board's action.

A discussion ensued regarding:

- Staff is seeking other funding for the SR-57 Truck Climbing Lane Phase II – Lambert Road to County Line goods movement project.
- The SR-55 project was expanded to include the California Department of Transportation (Caltrans) scope of work. OCTA and Caltrans will collectively discuss with the California Transportation Commission about aligning the STIP funding for the SR-55 project.

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

- A. Approve the 2020 State Transportation Improvement Program submittal to program \$203.645 million to seven projects, from fiscal year 2020-21 through fiscal year 2024-25.
- B. Authorize the use of up to \$40.512 million in Surface Transportation Block Grant funds, \$92.328 million in Measure M2 funds, and \$44.791 million in SB 1 (Chapter 5, Statutes of 2017) Local Partnership Program funds for the 2020 State Transportation Improvement Program projects.
- C. Authorize staff to make all necessary amendments to the State Transportation Improvement Program and the Federal Transportation Improvement Program, as well as execute any necessary agreements to facilitate the recommendations above.

Director Pulido was not present to vote on this item.

Discussion Items

13. Public Comments

Public comments were heard from the following:

1. Ray Consiglio, OCTA Maintenance, has worked for OCTA since 1980 and is part of the international award-winning maintenance Rodeo team.

Mr. Consiglio stated that the Teamsters Local 952 (Teamsters) maintenance unit is in negotiations with OCTA. He commented that Teamsters is asking for a higher employer contribution rate to the healthcare benefits like other employees and bargaining units receive at OCTA. Additionally, he stated that the wages are behind other transit agencies wages, and Teamsters is seeking average wages and average healthcare costs that others enjoy throughout the region, as well as provided other comments. Mr. Consiglio concluded that any help from the Board would greatly be appreciated.

2. Chris Jordan, OCTA Maintenance, has worked at OCTA for approximately 17 years. He stated that over the last decade, the healthcare plans have become increasingly unaffordable. Mr. Jordan also stated that the Teamsters maintenance unit is asking for the same healthcare plans or employer contributions that the other OCTA maintenance bargaining unit employees receive. He concluded that any help from the Board would greatly be appreciated.

3. Patrick Kelly, Teamsters, thanked the Board for its public service and overseeing a great agency, as well as provided other comments.

Mr. Kelly stated the Teamsters maintenance contract ends next week, and Teamsters is looking for a contributory level of what the OCTA administrative and other maintenance unit is being paid. He asked that the maintenance unit be paid what they are worth, and this will also ensure OCTA is getting top level talent. Mr. Kelly reiterated Teamsters' respect for the administrative staff and the professionalism with which the negotiations have been conducted.

4. Stephen Liddington, City of Lake Forest resident, provided background information and commented on the OC Flex pilot program service, fare, and vehicle reduction. He stated that the OC Flex service needs to operate where large crowds of people live and work who need to take a lot of short trips several times a day. He suggested that the service be provided at the University of California, Irvine, and the OC Flex service would be popular on the "trunklines," as well as provided other comments.

14. Chief Executive Officer's Report

Darrell E. Johnson, CEO, reported the following:

Washington, D.C., and New York Rating Agencies Meetings:

- The first half of last week, Mr. Johnson was in Washington, D.C., and met with:
 - United States Government Accountability Office representatives
 - Members of Orange County's Congressional delegation
 - Jane Williams, Acting Federal Transit Administration Administrator
- Later in the week, the New York rating agencies meetings.

I-405 Improvement Project (Project) Update:

- OCTA continues to move forward with the Project.
- This past weekend, crews completed the second stage of the Talbert Avenue bridge demolition.
- The second phase of the Bushard Street bridge demolition is set for Saturday night September 27th, that a few Board Members will view.
- The second phase work is overnight from 11:00 p.m. to 9:00 a.m. and requires a full freeway closure.
- The freeway closure will be communicated through OCTA's regular channels.

Mobility 21:

- On Friday, September 27th at 9:00 a.m., the annual Mobility 21 Transportation Summit (Summit) will be held at the Disneyland Hotel.
- The Summit is the single largest one-day transportation conference in the United States, and the Board Members were invited to attend the Summit.

OCTA Rodeo:

- On Saturday, September 28th at 7:30 a.m., OCTA will host its annual Rodeo at the Santa Ana Base.
- Director Hernandez is signed up to participate and drive in the Rodeo, and the Board Members were invited to participate.

Construction Award:

- The I-5 High-Occupancy Vehicle Improvement Project between Avenida Pico and Avenida Vista Hermosa has been recognized as the Construction Project of the Year by the Los Angeles Section of the American Society of Civil Engineers.
- Congratulations to all the staff that worked on the I-5 improvement project.

15. Directors' Reports

Director Delgleize thanked Caltrans for a successful five-hour closing of the highway for the recent Huntington Beach “Surf City” run. Director Delgleize announced that the “Great Pacific Airshow” in Huntington Beach is scheduled for October 4th, 5th, and 6th and highlighted some of the lineup.

Director Davies thanked the public speaker, Stephen Liddington, for his OC Flex pilot program comments. Director Davies reported that at the recent City of Aliso Viejo Council meeting, OCTA staff Johnny Dunning, Jr., Sofia Perez, and OCTA were recognized for the Aliso Viejo Partnership Award.

Director Hernandez reported that he recently practiced for the OCTA Rodeo driving competition that was a lot of fun and challenging, as well as thanked staff that mentored him. Director Hernandez also thanked OCTA for the bus service to downtown Yorba Linda.

Director Hennessey reported that last week was the annual New York rating agencies trip and provided the 91 Express Lanes presentation. Director Hennessey highlighted the compliments received by the rating agencies about the 91 Express Lanes.

Vice Chairman Jones reported that this was his first time attending the New York rating agencies meetings. He highlighted the positive feedback received from the rating agencies, and he presented the state of the economy in Orange County. Vice Chairman Jones complimented OCTA staff for the well-prepared materials.

Chairman Shaw reported on the New York rating agencies trip and the positive feedback received, as well as complimented OCTA staff Darrell E. Johnson, CEO, Andrew Oftelie, and Robert Davis, as well as Jim Martling, OCTA’s financial consultant, for a job well-done. He stated that a full report will go to the Finance and Administration Committee and Board in October.

Chairman Shaw asked that today’s Board meeting adjourn in memory of the people that lost their lives and were injured in the September 12, 2008 Chatsworth Metrolink train incident. Additionally, Chairman Shaw stated that one of the 2019 Board initiatives is “Reinforcing a Culture of Safety.”

16. Closed Session

A Closed Session was held as follows:

- A. Pursuant to Government Code Section 54957.6 to discuss negotiations with Teamsters Local 952 regarding the maintenance unit. 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.
- B. Pursuant to Government Code Section 54956.9(a) - Conference with General Counsel - Existing Litigation; Orange County Transportation Authority v. Perlin Development & Engineering Corp., et al., OCSC Case No. 30-2018-01039046.
- C. Pursuant to Government Code Section 54956.9(a) – Conference with General Counsel – Existing Litigation; In Re: Toll Roads Litigation, United States District Court – Central Division Case No. 8:16 CV 00262 AG.

Directors Chaffee, Moreno, Pulido, and Wagner were not present for Closed Session letters A, B, and C.

Director Winterbottom was not present for Closed Session letter A.

There was no report out of the above Closed Session item letters A, B, and C.

17. Adjournment

The meeting adjourned at 9:45 a.m. in memory of the lives lost in the Chatsworth Metrolink train incident on September 12, 2008.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, October 14, 2019**, at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

ATTEST:

Laurena Weinert
Clerk of the Board

Tim Shaw
Chairman