

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 February 24, 2020 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Jones at 9:02 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:     Steve Jones, Chairman  
                               Andrew Do, Vice Chairman  
                               Lisa A. Bartlett  
                               Doug Chaffee  
                               Laurie Davies  
                               Barbara Delgleize  
                               Michael Hennessey  
                               Gene Hernandez  
                               Joseph Muller  
                               Mark A. Murphy  
                               Richard Murphy  
                               Miguel Pulido  
                               Tim Shaw  
                               Harry S. Sidhu  
                               Michelle Steel  
                               Donald P. Wagner  
                               Ryan Chamberlain, District Director  
   California Department of Transportation District 12

Director Absent:     Gregory T. Winterbottom

Also Present:     Darrell E. Johnson, Chief Executive Officer  
                           Kenneth Phipps, Deputy Chief Executive Officer  
                           Laurena Weinert, Clerk of the Board  
                           Sahara Meisenheimer, Deputy Clerk of the Board  
                           Cassie Trapesonian, Assistant 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 February 2020**

Darrell E. Johnson, Chief Executive Officer (CEO), presented the OCTA Resolutions of Appreciation Nos. 2020-014, 2020-015, and 2020-016 to Jose Garcia, Coach Operator; Curt Molenda, Maintenance; and Sue White, Administration, as Employees of the Month for February 2020.

### **Consent Calendar (Items 2 through 10)**

**2. Approval of Minutes**

A motion was made by Director Sidhu, seconded by Director Davies, and declared passed by those present, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of February 10, 2020.

Director Pulido was not present to vote on this item.

**3. Approval of Local Transportation Fund Fiscal Year 2020-21 Apportionment Estimates**

A motion was made by Director Sidhu, seconded by Director Davies, and declared passed by those present, to approve the Local Transportation Fund Fiscal Year 2020-21 apportionment estimates and authorize the Chief Executive Officer to advise all prospective claimants of the amounts of all area apportionments from the Orange County Local Transportation Fund for the following fiscal year.

Director Pulido was not present to vote on this item.

**4. State Legislative Status Report**

Director Bartlett pulled this item and reported that at the recent Legislative and Communications Committee meeting, a discussion ensued about the legislation's proposed bills for free transit fares for youth and seniors of a specific age, as well as provided concerns about the farebox recovery, funding gap, and other comments about the proposed bills.

A discussion ensued about the bills' farebox recovery ratio requirements, the need to be able to use revenue neutral funding sources to receive credit, potential fare fraud and impacts to OCTA and other transit agencies, as well as, Attachment C of the staff report was referenced.

**4. (Continued)**

A motion was made by Director Bartlett, seconded by Director M. Murphy, and declared passed by those present, to approve a set of principles that should be considered for any legislation which seeks to require or facilitate programs to provide free transit fares for youth or seniors.

Director Wagner was not present to vote on this item.

**5. Federal Legislative Status Report**

Director Bartlett pulled this item and reported that this item was discussed at the recent Legislative and Communications Committee meeting. She commented on the federal highway trust funds depletion each year, the proposed federal Vehicles Miles Traveled pilot program, and how OCTA is reviewing ways to ensure federal and state funds for Orange County's transportation infrastructure.

A motion was made by Director Bartlett, seconded by Director M. Murphy, and declared passed by those present, to adopt the proposed Principles for Surface Transportation Reauthorization Legislation and direct staff to take necessary and appropriate actions in furtherance of these goals in Washington, D.C.

Director Wagner was not present to vote on this item.

**Orange County Transit District Consent Calendar Matters**

**6. Agreement for Maintenance Shop Floor Restoration at the Garden Grove Bus Base**

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

- A. Find Pacific Coast Contracting Services, Inc., the apparent low bidder, as non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise participation.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1589 between the Orange County Transportation Authority and Golden Gate Steel, Inc., doing business as Golden Gate Construction, the lowest responsive, responsible bidder, in the amount of \$420,000, for the maintenance shop floor restoration at the Garden Grove Bus Base.

Director Pulido was not present to vote on this item.

**7. Approval to Release Invitation for Bids for Electric Vehicle Charging Stations at the Garden Grove and Santa Ana Bus Bases**

A motion was made by Director Sidhu, seconded by Director Davies, and declared passed by those present, to approve the release of Invitation for Bids 0-2071 for the electric vehicle charging stations at the Garden Grove and Santa Ana bus bases.

Director Pulido was not present to vote on this item.

**8. Approval to Release Invitation for Bids for Power Generator Replacement at the Anaheim and Irvine Construction Circle Bus Bases**

A motion was made by Director Sidhu, seconded by Director Davies, and declared passed by those present, to approve the release of Invitation for Bids 0-2074 for the replacement of power generators at the Anaheim and Irvine Construction Circle bus bases.

Director Pulido was not present to vote on this item.

**9. Agreement for the Purchase of Transit Police Services Vehicles**

A motion was made by Director Sidhu, seconded by Director Davies, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Blanket Purchase Order No. C-9-1732 between the Orange County Transportation Authority and FFBH Motors, LLC, doing business as Frontier Ford, in the amount of \$274,280, for the purchase of six Police Responder Full-Size Crew Cab Pick-Up Trucks and one Full-Size Police Interceptor Utility Hybrid Sports Utility Vehicle.

Director Pulido was not present to vote on this item.

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

**10. Agreement for Public Communications and Community Outreach Consultant Services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605**

Director Bartlett pulled this item and referenced Attachment A of the staff report. She commented on Kleinfelder Construction Services, Inc. (Kleinfelder) total estimated project hours, complimented staff for a good procurement process, and expressed her reasons for supporting Kleinfelder and its' sub-contractors for this item.

**10. (Continued)**

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

- A. Approve the selection of Kleinfelder Construction Services, Inc., as the firm to provide public outreach consulting services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1571 between the Orange County Transportation Authority and Kleinfelder Construction Services, Inc., in the amount of \$3,326,544, for a four-year term, effective May 1, 2020, through April 30, 2024, with an option term of up to 24 months, to provide public outreach consulting services for the Interstate 405 Improvement Project between State Route 73 and Interstate 605.

Directors Pulido and Wagner were not present to vote on this item.

**Regular Calendar**

**Orange County Transit District Regular Calendar Matters**

**11. Zero-Emission Bus Rollout Plan Update**

Darrell E. Johnson, CEO, provided opening comments and introduced Gary Hewitt, Transit Planning Manager, who provided a PowerPoint presentation for this item as follows:

- Innovative Clean Transit Regulation;
- OCTA Zero-Emission Bus (ZEB) Pilots;
- Existing OCTA Fleet;
- What is a ZEB Rollout Plan?;
- Elements of ZEB Deployment;
- Consultant Assistance;
- Vehicle Fueling Technology Comparison; and
- Next Steps.

A discussion ensued regarding the following:

- There were lessons learned, when OCTA purchased Liquified Natural Gas buses 20 years ago.
- OCTA will test both types of ZEB buses in a real-time environment with a measured approach.

**11. (Continued)**

- When comparing both types of ZEB buses, there are long-term benefits.
- Currently, there is no technology to fuel a ZEB bus mid-route.
- OCTA is reviewing charging stations at the end of the bus route.
- The ZEB buses will be “topped off” prior to starting the bus route.
- The Federal Transit Administration regulations require the useful life of ZEB buses to be at least 12 years or longer.

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

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

**12. Amendment to Agreement for Project Management Consultant Services for the OC Streetcar Project**

Jim Beil, Executive Director of Capital Programs, reported on the background of the original agreement, HDR Engineering, Inc. (HDR) consultant services support/tasks, and staff's recommendations for this item.

A discussion ensued regarding the following:

- Due to delays, staff recommends exercising the first two-year option term for approximately \$8 million.
- For the two-year option term, \$3.4 million will come from the OC Streetcar project contingency funds.
- The initial five-year term was for approximately \$20.9 million.
- There was an estimate for HDR's full services; however, the option terms were not part of the initial five-year term.
- Director Sidhu stated his concerns about using 38 percent contingency for the option year, the scope of work, as well as, provided other concerns about this item.
- Staff highlighted OCTA's procurement process for an architectural and engineering services agreement, which is this item's agreement.
- Chairman Jones commented that at the recent Transit Committee meeting, this item was discussed at length by the Committee Members. He asked that in order to progress the Board of Directors (Board) meeting discussions, to include the minutes/comments of the committee meeting for the Board.

**12. (Continued)**

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 Amendment No. 12 to Agreement No. C-4-1854 between the Orange County Transportation Authority and HDR Engineering, Inc., to exercise the first two-year option term for project management consultant services for the OC Streetcar project, in the amount of \$8,064,286, and extend the term of the agreement through March 31, 2022. This will increase the maximum obligation of the agreement to a total contract value of \$29,026,291.

Director Steel opposed this item.

Directors Pulido and Wagner were not present to vote on this item.

**13. OC Streetcar Business Association Support Agreements**

This item was heard as the first Regular Calendar item.

Darrell E. Johnson, CEO, provided opening comments and introduced Christina Byrne, Department Manager of Public Outreach, who presented this item. Ms. Byrne referenced Attachment A of the staff report that outlines the Los Angeles Metropolitan Transportation Authority's Business Interruption Fund program.

Ms. Byrne reported on the strategies and suggestions to support the downtown City of Santa Ana (Santa Ana) businesses, as noted in the staff report, impacted by construction of the OC Streetcar.

A discussion ensued regarding the following:

- Director Wagner provided concerns for this item and suggested direct rent subsidies and payments to the business for a loss incurred during construction instead of staff's recommendations.
- OCTA reviewed at a high-level, a specific criterion, direct payment to businesses with losses incurred during construction, and if needed, could be a potential future step.
- OCTA does not have a matrix on how the business associations are conducting outreach efforts for all the impacted merchants.
- Concerns about not seeing accountability to show where the money is going.
- There has been a long-standing relationship between Santa Ana, the business associations, and members of the business associations.
- There are no one-year plus construction street closures in front of a business.

**13. (Continued)**

- Transit Committee Chairman Do stated that this item was discussed at length by the Transit Committee and commented on the reasons for the recommended actions.
- OCTA had significant outreach conducted during construction, and there are concerns about the additional supplemented outreach.
- Recommendations B and C were discussed, the funds should not go to administrative costs, and what is Santa Ana contributing to the impacts.
- The proposed agreements are a way to get people to the businesses during construction.
- Director Muller requested an amendment to the recommendations motion to include requirements in the agreements with the associations to provide an accounting of expenditures against the funding provided.

Public comments were heard from the following:

1. Raul Yanez, President of the Santa Ana Business Council
2. Ryan Chase, President of Downtown, Inc.

A motion was made by Director Wagner, seconded by Director Pulido, as amended to include Recommendation letter E, was passed by those present, to:

- A. Authorize the Chief Executive Officer to enter into agreement C-0-2051 with Downtown Inc., in the amount of \$100,000 per year, for a term of two years, for a total of \$200,000, beginning April 1, 2020, and ending on March 31, 2022, to provide funding to support events and expand marketing efforts in downtown Santa Ana.
- B. Authorize the Chief Executive Officer to enter into agreement C-0-2052 with the Santa Ana Business Council, in the amount of \$100,000 per year, for a term of two years, for a total of \$200,000, beginning April 1, 2020, and ending on March 31, 2022, to provide funding to support events and expand marketing efforts in downtown Santa Ana.
- C. Authorize the use of \$400,000 in Measure M2 Project S funds to support the above recommendations.
- D. 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.
- E. Direct staff to include requirements in the agreements with the associations to provide an accounting of expenditures against the funding provided.



**14. Public Comments**

There were no Public Comments received.

**15. Chief Executive Officer's Report**

Darrell E. Johnson, CEO, reported on the Transportation Needs Assessment Survey as follows:

- OCTA recently launched the survey to gauge people's opinions on the public transit system.
- The online survey will help OCTA gain better insight into the mobility needs of people living in Orange County and help OCTA shape future transit planning.
- The survey is available in seven languages and will be online through the end of March at OCTAsurvey.com.

**16. Directors' Reports**

Director Shaw highlighted last week's Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Board meeting actions.

Director Davies thanked Alice Rogan, Director of External Affairs, and Stella Lin, Department Manager of Marketing and Customer Engagement, for joining her last week at Soka University to discuss the OC Flex service.

**17. Closed Session**

A Closed Session was not scheduled.

**18. Adjournment**

The meeting adjourned at 10:23 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, March 9, 2020**, at the OCTA 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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Steve Jones  
Chairman